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Congress of the United States
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December 1, 1984

Honorable Nunzio J. Palladino
Chairman
Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D.C. 20055

On November 21, the NRC authorized the issuance to LILCO of licenses to load fuel and perform cold criticality testing of the Shoreham plant. My understanding is that the Commission will soon consider whether to permit LILCO to undertake low power testing of Shoreham. I am writing to inform you of my opposition to the issuance of a low power license for Shoreham.

As you know, both the State of New York and the County of Suffolk are opposing the low power testing of Shoreham. Their position is that it is unjustified to contaminate Shoreham and incur the attendant large costs while there is such great uncertainty as to whether the plant should ever be permitted to operate at commercial power levels given existing barriers to effective emergency preparedness on Long Island. In light of this, I request that the Commission (1) explain how it could possibly be in the public interest for the Commission to license Shoreham for low power testing at this time, and (2) advise me whether the Commission has performed any analyses of the costs and benefits of issuing a low power license at this time, and if so, I would like to see copies of such analyses. At the very least, I ask that you immediately grant the request of New York State and Suffolk County to present their views in oral arguments before the Commission. The Commission should welcome the opportunity to hear and to discuss the views of those concerned governments.

The Commission should consider all of the implications on the public interest of LILCO's request to contaminate Shoreham through low power testing. Governor Cuomo's Shoreham Commission found that electricity in the amount represented by Shoreham will not be needed for at least a decade. Given this absence of time pressure, why should the Commission even consider the question whether to issue a low power license until the emergency preparedness issue is finally settled?

Sincerely,

J. T. Downey
THOMAS J. DOWNEY
Member of Congress

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cc NRC Commissioners

12-1-84