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The Honorable Paul S. Sarbanes
United States Senate
Washington, DC 20510

Dear Senator Sarbanes:

Your letter to Chairman Palladino dated May 24, 1984 has been referred to me for a reply. You transmitted a letter to you from Loren W. Bussert concerning licensing delays by the Nuclear Regulatory Commission and their impact on nuclear power utilities. Mr. Bussert cites the Three Mile Island Unit 1 proceeding as an example of what he considers to be unnecessary regulatory delay.

I share the concerns expressed by Mr. Bussert, and am mindful of the adverse effects that delays in decision-making can have on nuclear power plant licensees. However, as recognized by Mr. Bussert, protection of the public health and safety must remain the NRC's first and foremost concern. The regulation of nuclear power involves highly complex issues. When those issues are a part of a hearing, as is the case of the Three Mile Island Unit 1 restart proceeding, the Commission can make a sound decision only after all significant information is evaluated and the Commission has considered the views of the parties. With respect to Three Mile Island Unit 1 in particular, the Commission has stated that it will permit operation as soon as the concerns which caused it to suspend the TMI-1 operating license have been sufficiently resolved. In that regard, the Commission recently has requested the parties to the TMI-1 restart proceeding to comment on whether the Commission can issue a restart decision prior to completion of any Commission review of the merits of a recent Appeal Board decision on TMI-1 management.

On behalf of the Nuclear Regulatory Commission Staff, I can assure you that we desire to minimize delays in the Commission's decision-making process. We continue to give the highest priority to addressing the concerns which caused the Commission to suspend the TMI-1 operating license, thereby providing a basis for a Commission decision on whether those concerns are sufficiently resolved to authorize restart.

I hope this has been responsive to the concerns of your constituent.

Sincerely,

(Signed) Jack W. Roe

William J. Dircks
Executive Director for Operations

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Note: See previous concurrence. - retyped for typos

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