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*Salem*JOSEPH R. BIDEN, JR.
DELAWARE**United States Senate**

WASHINGTON, DC 20510-0802

January 13, 1997

Dr. Shirley Ann Jackson
Chairwoman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairwoman Jackson:

I am writing to urge that the full Nuclear Regulatory Commission (NRC) vote to determine whether the Salem II nuclear power plant should be permitted to resume operations, rather than condition restart on favorable review by the regional administrator.

As you know, Salem II has a deeply troubled recent history. Yet, despite 66 violations of NRC regulations from 1993 to 1994, and the lowest possible operations and maintenance performance rating, issued by the NRC in January 1995, the Commission has not put Salem II on the problem plant roster (the so-called "watch list"), or even issued a trending letter warning of declining performance. Long-standing operational and maintenance problems finally forced the plant's operator, PSE&G, to shutdown the facility on June 7, 1995. Since that time, PSE&G has and remains engaged in a thorough overhaul of the plant and its personnel.

It is my understanding that under the terms of the NRC's June 9, 1995 confirmatory action letter to PSE&G and the restart action plan, restart of Salem II can be approved at the regional level, based on the conclusions of NRC's restart assessment team inspection and the progress made by PSE&G. This agreement, however, does not in any way preclude the full Commission from examining and voting to determine whether to put the plant back on line. Indeed, I believe that Salem II's record of accidents, mismanagement, fines, and down-time dictates the personal involvement of each commissioner in any restart review.

While used infrequently, a full commission vote would not be unprecedented, particularly for a facility with such an exceptionally troublesome track record; in fact, three shutdown plants currently on the "watch list" will need formal approval from the Commission prior to restarting. Regarding Salem II, such an action would be an important practical and symbolic step toward achieving the greatest level of public accountability, and is perhaps the only way of ensuring that the serious deficiencies of the past have been corrected. Anything less will merely feed existing doubts about the NRC's diligence and objectivity and shortchange legitimate public safety concerns.

Thank you in advance for your consideration. I eagerly await your response.

Sincerely,

Joe Biden
Joseph R. Biden, Jr.
United States Senator

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