



State of New Jersey

DEPARTMENT OF THE PUBLIC ADVOCATE
DIVISION OF PUBLIC INTEREST ADVOCACY

Alfred A. Slocum

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TRENTON, NEW JERSEY 08625

November 4, 1985

RICHARD E. SHAPIRO
DIRECTOR
TEL. 609-292-1693

~~XXXXXXXXXXXX~~
COMMISSIONER

Mr. Harold Denton
Director
Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
7920 Norfolk Avenue
Bethesda, MD 20014

Mr. Harold Fraley
Executive Director
Advisory Committee on Reactor
Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Hope Creek Generating Station
Power Ascension Program

Dear Messrs. Denton and Fraley:

The New Jersey Department of the Public Advocate is an independent cabinet-level agency of New Jersey state government which is authorized by statute to represent the public interest of New Jersey citizens. Our review of the enclosed proposal by Public Service Electric and Gas Company of New Jersey (PSE&G) to accelerate the Hope Creek power ascension schedule has compelled us to write you, since the proposed program appears to represent a radical and safety significant departure from current and past NRC practices and from PSE&G's operating license commitments in its FSAR. The Department of the Public Advocate of the State of New Jersey is extremely concerned that this truncated testing program will be implemented without sufficient review and evaluation and will result in a substantial risk to the health and safety of New Jersey residents.

While the precise details of the PSE&G power ascension testing proposal have apparently not yet been formulated, PSE&G will seemingly rely on risk based assertions, deferral of plant modifications, and other factors such as QA/QC to request relief or exemptions from current Technical Specification and other normal licensing requirements. Moreover, it appears that the NRC will be requested to review PSE&G's specific proposals regarding its power ascension testing program on a very

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Mr. Harold Denton
Mr. Harold Fraley

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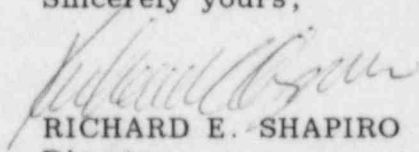
expedited basis. Finally, PSE&G appears to be proposing to expand its authority under Section 50.59 of 10 C.F.R. Part. 50 to unilaterally make changes, while reducing the NRC's authority under Sections 50.95 and 50.12(a) to regulate licensing amendments and regulatory exemptions.

PSE&G's power ascension testing program thus raises serious concerns relating to the public interest of all New Jersey citizens. Specifically, the Public Advocate is very concerned that the power ascension program contemplated by PSE&G represents both a significant new practice by an applicant and a substantial departure from staff licensing procedures.

Since this accelerated process could compromise the health and safety of New Jersey residents, the Department of the Public Advocate of the State of New Jersey requests that you take whatever actions are necessary to ensure that such changes in NRC practices and standards are developed in a reasoned manner with appropriate time for review and comment by all interested parties. We also would like to meet in the near future with appropriate NRC officials to discuss our concerns in more detail. Please advise us of whom we should contact for such a meeting.

Thank you for your consideration and assistance.

Sincerely yours,



RICHARD E. SHAPIRO
Director

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Enclosure

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