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US NRC

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April 5, 2000
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Chief
Rules and Directives Branch
Division of Administrative Services
MS T-6 D 59
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Ref: NRC solicitation of public comments to identify and Scope Issues regarding proposed license extension of Arkansas Nuclear One, Unit 1, and development of an Environmental Impact Statement on the same.

The following community safety issues are produced through ANO licensing and it's sphere of influence that extends to the Logan County portion of the plants 10 mile Emergency Preparedness Zone (EPZ) and thus seem to qualify as Issues of local concern and should be included in your EIS based upon NEPA Sec. 102 (2). In addition, as ANO equipment ages it loses a measure of reliability. Equipment age vs likely reductions in plant equipment reliability should also be included in your EIS as an ANO site-specific Issue for analysis along with required mitigation (40 CFR 1508.20).

Background Information:

1. I live in and own property in Delaware Township which is a very rural, 52 square mile, unincorporated area of approximately 500 residents located in the extreme eastern end of Logan County with its boundary beginning less than 3 miles from ANO and completely within the plants 10 mile Emergency Planning Zone.
2. In 1987, Township residents organized the East Logan County Citizens Committee for the purpose of Community representation and engaging in improvement projects. In reviewing flooding and cold weather conditions that impact 16 miles of Township County dirt/gravel roads, we found that due to lack of maintenance some of these nuclear evacuation routes were allowed to deteriorate to a point they would not be available for extended periods of time to support an ANO worse case scenario vehicle evacuation.
3. Logan County Radiological Emergency Response Plan, which is a licensing requirement for ANO, relies upon immediate readiness to implement public evacuation utilizing personal automobiles as the means of protecting public health and safety in the event of a plant emergency that might releases radiological contamination into Delaware Township. The County Judge must sign an annual agreement accepting full responsibility for implementing nuclear emergency evacuation and is an ANO licensing requirement.
4. Arkansas Act 101 of 2-18-81 assigns nuclear plant emergency planning readiness to the State Health Department. Arkansas Constitution gives full authority to manage County Roads/evacuation routes to the County Judge, thus the State who is

TEMPLATE: ADM-013

E-RIDS = ADM03
Add Tom Kenyon (TJK2)

responsible for evacuation readiness planning is without authority to correct evacuation route deficiencies nor set any County Road standards. Logan County Judge Bill Roberts declared to State Health Department officials in 1989 that due to the fact that his assigned portion of the EPZ received no taxes needed to support evacuation route maintenance in Delaware Township, he could not assure that these hard to maintain evacuation routes would be in a continuous state of readiness to support nuclear evacuation. He declared Delaware Township's EPZ roads to be the worst in the County to maintain and needed major overhaul.

5. Arkansas Power & Light had license to operate ANO in 1988 and has so far indicated no interest in solving the Delaware Township evacuation route maintenance issue.
6. I served as Chairman of this Citizens Committee during the time we conducted a five year comprehensive review of the Delaware Township evacuation route maintenance issue and retain extensive files on the matter. Study of our Community situation reveals a EPZ public health and safety evacuation program that relies upon a convoluted funding situation that creates a class of people within the EPZ subjected to a level of protection lower than those who enjoy ANO tax benefits. ANO sits in Pope County and plant taxes have funded excellent evacuation route systems in Pope County.

Proposed EIS Scoping Issues:
Based upon NEPA Sec. 102 "to the greatest extent possible" provision and procedural provisions at 40 CFR 1500-1508, the above described Delaware Township EPZ situation is site-specific to ANO licensing consideration/evaluation and within the scope of issues that qualify for EIS analysis. How nuclear safety programs affect property and people who live in the EPZ and their current exclusion from a meaningful role in decisions that affect their interests, causes the ANO license to be an influence upon the Social and Economic Human Environment and thus is a part of the "affected environment" to be described and evaluated as provided by 40 CFR 1502.15. In order for the ANO license to comply with NEPA requirements and meet the test of "minimizing adverse impacts of the action", I propose the following be included in each Alternative as mitigation (40 CFR 1508.20) for licensing condition.

1. As long as private vehicles remain the mode of emergency evacuation transportation within the 10 mile EPZ, establish all weather availability maintenance standards for all EPZ evacuation routes and provide for monitoring compliance. Include these standards as a plant licensing extension requirement. NRC authority to address nuclear safety for the general public within EPZ 's has authorization through Public Law passed by Congress following the Three Mile Island accident, which is superior to State/County authority.
2. The current Nuclear Planning and Response Program Advisory Committee is comprised of elected Mayors and County Judges with no representation from the EPZ affected public at large. NRC should require that not less than half of these Advisory Committee members be appointed from the public at large who reside within the EPZ.

3. How off-site public safety is provided and funded is an Issue that continues to be highly controversial, thus discussion of the matter in ANO's licensing EIS is appropriate.

Among our Committee files is the attached 1989 resolution to the Logan County Quorum Court, which resulted in Judge Bill Roberts declaration that the Court was without authority to "direct" him to improve County Roads in the Nuclear Emergency Zone for which he was without funding.

Thank you for this opportunity to participate in Scoping the Issues for and EIS regarding licensing application for Arkansas Nuclear One, Unit 1. If you have questions, I will be happy to share any file information we may have on this Delaware Township evacuation route issue.

Respectfully Submitted,

Jim Wood

Jim Wood

cc file

Craig Anderson, Vice President
Ark. Nuclear One

Logan County Judge
Logan County Courthouse
25 West Walnut
Paris, AR 72855

The following resolution is respectfully submitted to the Logan County Quorum Court for consideration at the regular monthly meeting April 10, 1989

Whereas, the Logan County Townships of Delaware and Shoal Creek share the Ark. Nuclear One ten mile emergency zone, and

Whereas, the Arkansas General Assembly has found and determined that it is essential to the health and welfare of these residents that procedures for immediate emergency response capability in event of a nuclear accident must be provided, and

Whereas, Logan County is required by federal and/or state regulation to provide for the protection of its citizens, and

Whereas, this protection is required to be maintained in a continuous readiness to respond to any incident that might occur at Ark. Nuclear One, and

Whereas, the state has designated private vehicles as the mode of evacuation transportation, and

Whereas, residents within the emergency zone desire that routes be maintained in a condition of availiability to accommodate emergency evacuation.

Therefore, residents of the Delaware and Shoal Creek Townships respectfully request that the Logan County Quorum Court establish an emergency zone policy that, it is a basic and fundamental necessity that immediate emergency response capability must be concurrently supported by readily available evacuation routes, and so

Directs the County Judge to take appropriate measures to assure County maintained nuclear evacuation routes are in a continuous state of readiness to accommodate vehicle use by the affected public, and that

Until such time as the County Judge can provide assurance that evacuation routes will be maintained in a state of readiness, he is directed to decline signing any agreements committing Logan County to assume any responsibility what so ever in event of an accident or incident at Arkansas Nuclear One.

Passed this 6 day of April, 1989 by the East Logan County Citizens Committee, Inc.

Jim Wood

Jim Wood, Chairman

Cheryl Burnham