

DATE	6/26/59	6/29/59	6/1/59	6/1/59	6/26/59	6/30/59
SURNAME	J. J. J.	Gen. Counsel	ERRPRICE	RL Kirk	H. I. PRICE	
OFFICE	Office of General Counsel	Congressional Liaison (2)		L&R	L&R	CONG. COMM.

CC's: General Manager

M. L. Price, Director  
Division of Licensing and Regulation

control - 60/9

1 JNwell rf

1 L&R rf

1 L&R sig  
cc's: as listed below

SIGNED AND  
DISPATCHED

I Addressee & courtesy cy. Sincerely yours,  
Distribution

Please be assured that all comments and suggestions received as a result of the notice will be carefully considered by the Commission before further action is taken towards any revision of the regulations. Because of the great amount of interest in the subject, the Commission has extended the date for receiving comments on the notice until August 24, 1959.

The purpose of publishing the notice in the Federal Register is to invite comments from all interested persons on application of the listed rating factors to the safety evaluation of sites for power and test reactors, and to obtain suggestions on the possible development of definite criteria which might be incorporated in the Commission's regulations. The notice is not intended to apply to the low power research type reactors such as those located at many universities.

Please refer to your letter of June 19, 1959 forwarding correspondence from Professor Warren F. Stubbins of the University of Cincinnati College of Engineering regarding the notice of proposed rule making entitled, "Factors Considered in Site Evaluation for Power and Test Reactors." We have advised Professor Stubbins, in acknowledging receipt of his letter of June 17th, that his comments will be carefully considered in the further development of criteria on this important subject.

Dear Mr. House:

Honorable William F. House  
House of Representatives  
Congress of the United States

JUN 30 1959

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Handwritten initials and signatures, including "H/H/D" and "L&R".

Congress of the United States

House of Representatives

Washington, D. C.

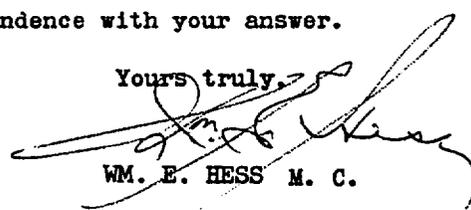
June 18, 1959 195

Mr. Richard N. Donovan  
Special Asst. to the Genl Mgr.  
Atomic Energy Commission

Sir:

The attached communication  
is sent for your consideration.  
Please investigate the statements  
contained therein and forward me  
the necessary information for re-  
ply, returning the enclosed corre-  
spondence with your answer.

Yours truly,

  
WM. E. HESS M. C.

UNIVERSITY OF CINCINNATI  
COLLEGE OF ENGINEERING  
CINCINNATI 21, OHIO

DEPARTMENT OF CHEMICAL ENGINEERING  
AND METALLURGICAL ENGINEERING

June 17, 1959

The Honorable William E. Hess  
House of Representatives  
Washington 25, D. C.

Dear Sir:

May I call your attention to rule changes that will restrict the development of atomic energy activities in Ohio, particularly in the more highly populated portions, such as Hamilton County. The proposed changes are to Title 10, Code of Federal Regulations, and were announced in the Federal Register of May 23, 1959.

Enclosed is a copy of the comments which I submitted to the Division of Licensing and Regulation of the Atomic Energy Commission, stating my objections to the proposed rules.

I think you will also recognize these rule changes as an action detrimental to the development of the nation's atomic energy program, and be interested in opposing their adoption.

Very truly yours,



Warren F. Stubbins  
Associate Professor  
Nuclear Science

WFS:lh  
Enclosure

June 17, 1959

United States Atomic Energy Commission  
Division of Licensing and Regulation  
Washington 25, D. C.

Re: 10 CFR Chapter 1  
Power and Test Reactors  
Notice of Proposed Rule Making

Gentlemen:

I recommend reconsideration of the proposed rules for the location of and exclusion areas for power and test reactors. I feel that the regulations as suggested in the proposal are unreasonable general restrictions and ones which would be impossible to apply realistically. The objections are as follows:

- (a) The proposed exclusion areas are so large that the rule may prevent institutions or industries of moderate size from participating in the test or power reactor programs. Institutions or industries having an established operating base in an industrial community should not be prohibited by regulation from entering into the reactor field, since in many cases, the use of their facilities plays an important part in their participation.
- (b) The development of nuclear power stations at or near existing electrical generating stations or electrical distributing points will be severely handicapped because of the location of the stations and points near waterways and population centers.
- (c) Low population density in the surrounding areas cannot be maintained by the reactor operating company. Even if the initial selection of the site is based on this condition, the company cannot control or even direct the use of adjacent lands not in its possession. Further restrictions to the use of the land will not be acceptable to the land owners.

- (d) The publication of these restrictions would re-enforce the public objections to and suspicions of reactor projects being placed in the community which do not fall into the classification of test or power.
- (e) The remoteness of a reactor facility to arterial highways, air fields and factories cannot be maintained by the reactor operating companies. Indeed, the nearness to these facilities may be a significant advantage to the reactor operation. This is contradictory to the development of nuclear propulsion systems for ships, locomotives and aircraft.

It is suggested that the basis of safety of operation be the following:

- (a) that there be adequate containment of the reactor by physical means, not by space, and
- (b) that the proposed rules on placement of and exclusion areas for reactors be applied only to reactors of untested types or those for test of extreme conditions.

Sincerely yours,

Warren F. Stubbins  
Associate Professor  
Nuclear Science

WFS:lh

RECEIVED WMMVCEU  
OFFICE OF THE  
SECRETARY OF THE ARMY