

food&waterwatch



3/02/2010

95 FR 9445

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To: RDB	From: Patty Lova
Fax Number: 301-492-3440	Pages (including cover page): 5
Phone Number:	Date:
Re:	CC:

- Urgent
- For Review
- Please Comment
- Please Reply

Notes:

Comment regarding Federal Register notice
 3/2/10 page 9445 - proposal
 on Cobalt 60 generation at PSEG
 Hope Creek station.

SONSI Review Complete
 Template = ADM-013

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April 1, 2010

Chief, Rulemaking and Directives Branch
TWB-05-B01M
Division of Administrative Services
Office of Administration
U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001

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RULES AND DIRECTIVES
BRANCH
USNRC

Submitted via facsimile.

Re: Federal Register notice, March 2, 2010, page 9445.

To Whom It May Concern:

We are writing to express our opposition to the proposal by PSEG to start a pilot project to produce Cobalt-60 at the Hope Creek Generating Station as described in the March 2, 2010 Federal Register notice (page 9445.) Our organizations represent consumers, environmentalists, and members of the community surrounding the Hope Creek facility. We object to this proposal for several reasons.

Safety at the Hope Creek Facility

The track record of PSEG's operation of the Hope Creek facility suggests that the facility should be focusing on improving its safety program, rather than adding new procedures and products. The Nuclear Regulatory Commission (NRC) has reported that the Hope Creek facility had a "substantive cross-cutting issue" related to the plant's ability to identify problems and resolve them effectively and had instances of "ineffective problem evaluations and untimely, ineffective corrective solutions,"¹ with a "willingness to defer needed maintenance."² The company was also found to have prioritized production to the point that it had negative impacts on safety.³ The plant also was in danger of creating an "unacceptable, chilled environment for raising issues and making appropriate operational decisions."⁴ Because of these findings, NRC performed a special review of the Hope Creek plant as well as PSEG's Salem plant.⁵ PSEG promised to make changes to satisfy the NRC. It wasn't until 2006 that the NRC was finally satisfied, when it stated that enough progress had been made in improving the work environment and problem evaluations for the investigation to be closed.⁶

Given this history of safety challenges at the Hope Creek plant, it is too soon to add the additional burden of a pilot project that could prove distracting from the necessary improvements this plant must take to continue to improve its safety performance.

Transportation Risks

The goal of the proposed pilot project is to create Cobalt-60 that could be used in locations other than the PSEG plant at Hope Creek. This would require the Cobalt-60 to be shipped from Hope Creek to these other facilities, opening up an entirely new pathway for accidents or radiation exposure to the public. The potential for accidents and radiation exposure to communities surrounding Hope Creek and along the route to the end user of the Cobalt-60 must be considered as part of the consideration of the pilot project.

Demand for Cobalt-60

One potential use for Cobalt-60 is the irradiation of food. But the food irradiation industry is not viable enough to justify creating new projects at Hope Creek or risks from transporting Cobalt-60 long distances. Despite years of industry efforts to promote its use, irradiated food has been roundly rejected by consumers, with numerous test marketing efforts and attempts to include irradiated food in federal nutrition programs meeting with failure. A recent report by the Government Accountability Office concluded:

[S]ince 2000, poultry is no longer being irradiated and the amount of irradiated ground beef has likely declined, according to industry experts. The 2002 Farm Bill prohibited the Secretary of Agriculture from barring the use of safety technologies, which would include irradiation, in the National School Lunch Program. However, according to USDA officials, generally because of cost factors, no schools ever received any irradiated beef. Currently about 15 to 18 million pounds of ground beef are irradiated annually, most of which is sold through mail-order services, according to beef industry representatives. Experts believe that the lack of an increase in irradiated ground beef can be attributed to the low acceptance by the general public and the high cost associated with irradiation.⁷

Given the poor market performance of irradiated food, there are very few facilities in the United States that irradiate food, and even fewer that use Cobalt-60 to do so. One plant in Florida, Food Technology Services, has struggled financially for years due to the lack of consumer interest in irradiated food. A proposal to build a Cobalt-60 fueled irradiation plant in Hawaii has been stalled for almost five years, after legal challenges raised by community and environmental groups who are concerned about the potential for accidents and natural disasters to cause radioactive releases from the facility.

Like other sectors of the nuclear industry, the food irradiation industry also has a record of safety problems that must be examined before any new projects are developed to expand the use of this technology. Since the 1960s, dozens of

accidents - as well as numerous acts of wrongdoing - have been reported at irradiation facilities throughout the United States and the world. Radioactive water has been flushed down toilets into the public sewer system. Radioactive waste has been thrown into the garbage. Radiation has leaked. Facilities have caught fire. Equipment has malfunctioned. Workers have lost fingers, hands, legs and, in several cases, their lives. Company executives have been charged with cover-ups and, in one case, sentenced to federal prison. As recently as 2006, an employee at an irradiation facility in Belgium received a massive exposure to irradiation from Cobalt-60. Doctors believe he was exposed to 4.4 to 4.8 Gy of irradiation. The company that operates the facility did not report the accident to regulatory authorities for nearly three weeks.⁸

This is not an industry that should continue to be supplied with new supplies of radioactive material. For too long, treating food with intense doses of ionizing radiation to "treat" preventable contamination problems has solved a problem for the nuclear industry - what to do with its byproducts. But after decades of the food and nuclear industries trying to force irradiated food on an unwilling public, it is clear that there is no demand or need for irradiated food. And there is no need to expose the community surrounding the Hope Creek facility or elsewhere to potential exposure to radioactive materials in the event of an accident during the production or transport of Cobalt-60. Therefore we urge the Nuclear Regulatory Commission to reject the proposal for a pilot project at Hope Creek.

If you have questions about this issue or need more information, please contact Patty Lovera at Food & Water Watch at (202) 683-2500. Thank you for your consideration of these comments.

Sincerely,

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Edible Garden Project

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New Jersey Sierra Club

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¹ Nuclear Regulatory Commission. Letter to Roy A. Anderson, Chief Nuclear Officer and President, PSEG Nuclear. "Mid-Cycle Performance Review and Inspection Plan - Hope Creek Generating Station." August 27, 2003.

² Horner, Daniel. "PSEG presents plan for overhaul of Salem-Hope Creek safety culture." *Inside N.R.C.* June 28, 2004.

³ Nuclear Regulatory Commission. Letter to Christopher Bakken, President and Chief Nuclear Officer, PSEG Nuclear. "Mid-Cycle Performance Review and Inspection Plan - Hope Creek Generating Station." August 30, 2004.

⁴ Horner, Daniel. "NRC calls for safety culture probe by PSEG at Hope Creek, Salem." *Inside N.R.C.* February 9, 2004.

⁵ Horner, Daniel. "NRC calls for safety culture probe by PSEG at Hope Creek, Salem." *Inside N.R.C.* February 9, 2004.

⁶ Nuclear Regulatory Commission. Letter to William Levis, Senior Vice President and Chief Nuclear Officer, PSEG Nuclear. "Mid-Cycle Performance Review and Inspection Plan - Hope Creek Generating Station." August 31, 2006.

⁷ Government Accountability Office. "Food Irradiation: FDA Could Improve Its Documentation and Communication of Key Decisions on Food Irradiation Petitions." GAO-10-309R. February 16, 2010.

⁸ Agence Federale de Controle Nucleaire. "L'AFCN communique les premiers elements de l'enquete sur l'accident d'irradiation d'un operateur sur le site de Sterigenics a Fleurus."

<http://www.fanc.fgov.be/fr/news/l-afcn-communique-les-premiers-elements-de-l-enquete-sur-l-accident-d-irradiation-d-un-operateur-sur-le-site-de-sterigenics-a-fleurus/78.aspx> and on file.

Accessed March 22, 2010.