JUSTICE

Committee for Application of
Nuremberg Principles
to U.S. Nuclear Power Production

Route 4, Box 332 • Scottsboro, Alabama 35768 • Telephone 205-259-[illegible]

January 18, 1979

1/18/79

Mr. Elipidio G. Igne
Advisory Committee on Reactor Safeguards
Nuclear Regulatory Commission
Washington, D.C. 20555

Re; Operating License Hearing for Salem Unit 2
Jan. 24, 1979

Dear Mr. Igne:

We strongly oppose the issuance of an operating license for Salem Unit 2 for the following reasons:

1) We are in agreement with Dr. Kepford's statement to Dr. Greenwood, Office of Science & Technology Policy, Executive Office of the President." The radwaste problem is a production problem. Human action alone produced radioactive waste; human action alone can halt the production of these wastes." See enclosed letter.

2) The applicant has already requested permission for increased spent nuclear fuel rod storage on the Salem site. Hope creek I and II are on the same site approximately 10% into construction.

3) The inability to dispose of existing wastes, as evidenced in the recent I.R.G. report, makes it imperative that we "limit the problem" now by foregoing the further use of nuclear reactors until and unless permanent waste disposal for the full period of toxicity has been demonstrated to work.

4) Legislation introduced on Jan. 16,1979 by New Jersey legislators would prevent any nuclear plant not yet operating from starting up until the nuclear waste disposal problem is solved. This bill would affect Salem 2 and Hope Creek 1 and 2 (see enclosed article) This should indicate strong public opposition.

5) There is an unusual concentration of nuclear power plants in this area under various stages of construction and operation (See enclosed map).

6) Peach Bottom, only 35 miles from Artificial Island (Salem) recently received permission to increase the spent fuel storage capacity from 2220 to 5623 assemblies.

7) See enclosed Individual Site Rating for Peach Bottom Docket 50-277 April 1978 : " Least safe site in Region I. Poorest Management".

8) See enclosed Individual Site Rating for Salem I, Docket 50-272 April, 1978 : " The plant control room was designed in-house- it is a disaster waiting to happen."

9) The excess generating capacity of each of the joint owners of Salem 2 is approaching 50%. There is no need for power.

10) Radon releases and associated health effects resulting from the operation of Salem 2 must be considered in terms of the cost benefit balance. Docket 50-354 & 355 "Licensees' Answer to motion to Consolidate Proceedings to receive new evidence with regard to radon releases and associated health effects". May 9, 1978:

> " It must be remembered that , at least for the Hope Creek and Peach Bottom proceedings, the Appeal Boards have already considered the question of whether the cost-benefit balance for the facility or unit in question tips or might tip in favor of abandonment of the facility, in light of the interim fuel cycle."

In view of the above, it is evident that public sentiment runs counter to further licensing of nuclear power plants. Creation of more waste is morally indefensible. Involuntary exposure to damaging radiation is in violation of civil rights, causing health effects (deaths) to the general population, as thoroughly exposed in the Honicker vs. Hendrie Petition.

We see no reason why the legal principles of individual responsibility established at the Nuremburg trials should not also apply to the Officials of the U.S.Government who betray the public trust and safety.

Sincerely,
Phyllis Zitzer

Phyllis Zitzer
Box 207
Salford, Pa. 18957
215-287-7459

cc: Commissioners
Hendrie
Kennedy
Bradford
Gilinski
Ahearn

JUSTICE

Committee for Application of
Nuremberg Principles
to U.S. Nuclear Power Production

Route 4, Box 332 • Scottsboro, Alabama 35768 • Telephone 205-259-5770

Dec. 4, 1978

Dr. Ted Greenwood
Office of Science and Technology Policy
Executive Office of the President
Washington, D.C. 20500

Dear Dr. Greenwood,

This letter contains a very brief summary of my comments, observations, and opinions concerning the "Subgroup Report on Alternative Strategies for the Isolation of Nuclear Wastes," TID-28818. The reasons for this brief summary are due to the distressingly short comment period, the shorter period yet during which the Subgroup Report was available, and the volume of my notes on the report. These notes will be digested, transcribed, and forewarded as soon as is possible.

Contrary to the assertion of the authors of the Subgroup Report (page 16, first full sentence), I submit that human action alone will be the determining factor with regard to the fate of radionuclides in any repository or other dump site. After all, human action created the wastes, and has delayed for years the need for a solution to the problem. Human action alone now has created a climate of rush to dispose of them. Human action alone will determine the time, place, medium, depth, method, packaging, and soon, of radioactive waste disposal. It must also be realized that it will also be human action alone which will lead to cost-saving erosions of margins of safety for whatever repository is chosen. Human action alone can cause the effectiveness of any or all of the barriers between any disposed-of radwaste and the biosphere to be partially or fully defeated. All of the grandiose plans, promises of "technological success" (p. 42), "programmatic success" (p. 44), reliance on "regulatory requirements" (p. 45), and imitation information (popularly referred to as numbers derived from risk assessment) in the end are self-deluding and self-defeating. In addition, such management schemes are but components of a vicious shell-game designed to keep attention from being paid to the only relevant question, the question of durational success: can a repository be prepared to contain all radwastes placed in it for the duration of the toxic period of the wastes? It seems appropriate to remind the authors of the Subgroup Report of the old hospital joke: The operation was a success, but the

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patient died anyway. The implications for radwaste are ominous. It is not what is said, promised, calculated, estimated, testified about, liscensed, regulated, systematized, managed, or fantasized that counts; all that counts is what is actually done with the wastes. This, in turn, is determined by human action alone.

The real question of the possibility (or probability) of durational success goes completely unanswered in the Subgroup Report. To evade this question and offer the pathetically feeble hope of but a few thousand years of containment (p. 16, for instance) is just one of the many retreats from safety - and credibility - that so thoroughly permeates this report. This attitude goes a long way toward guaranteeing the report of the stupid bureaucratic blunders that caused the irradiation of the entire world's population through bomb testing, with the subsequent tragedies: the uranium miners deaths due to lung cancer, the enhanced cancer rates among bomb blast observers (like Smokey), and others. Policy must not be allowed to be a substitute for safety and the durational success of any radwaste repository, be it high-or low-level, TRU waste, or mill tailings.

I urgently request that you inform whoever it is in this government that the public that was so easily (and routinely) hoodwinked and lied to in the past by the apologists for the nuclear industry has changed. The public is increasingly and rapidly becoming aware of the nature of the radwaste problem and the cause of the problem: the radwaste problem is a production problem. Human action alone produces radioactive waste; human action alone can halt the production of these wastes. I see no reason why the legal principles of individual responsibility established at the Nuremburg trials should not also apply to the officials of the U.S. Government who betray the public trust and safety.

Yours sincerely,

Dr. Chauncey Kepford
433 Orlando Ave.
State College, Pa.
16801

Addendum to Individual Site Ratings from the IE Employee survay on Evaluation of Licensees - April 1978

Docket No.: 50-272
Site: Salem

Answers to Question 17 (If a change to safety level occurred, please describe it briefly):

Relatively new plant. Still has growing pains. Needs close attention (by IE) to assure appropriate improvements are made.

Power ascension testing revealed problems that were corrected by management, both in hardware and procedures.

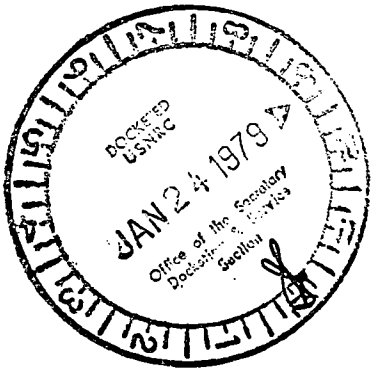
Answers to Question 18 (Are there other things we should consider about the safety of this plant?):

The plant control room was designed in-house - it is a disaster waiting to happen.

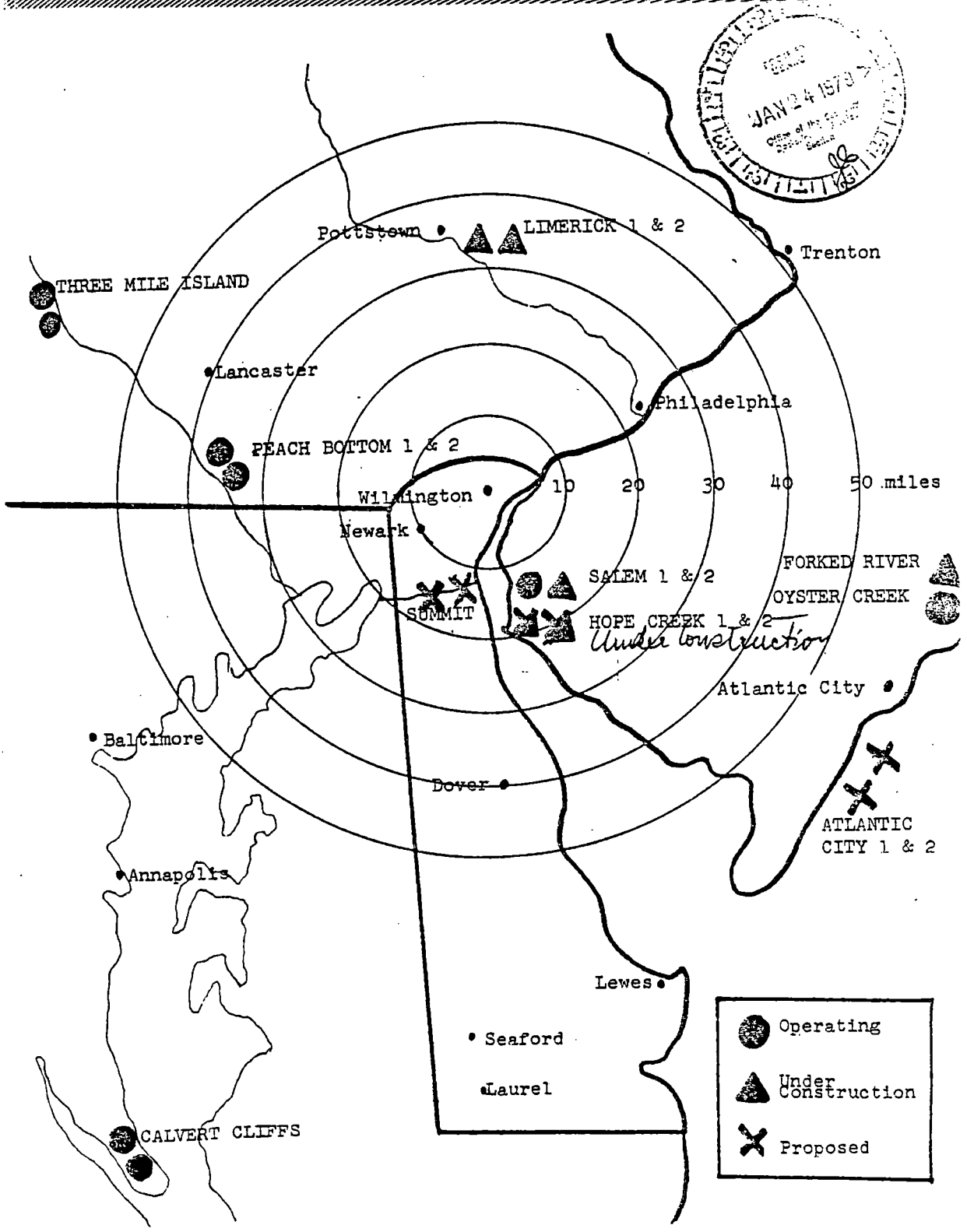
In startup phase. Have had a number of problems. This can be due either to poor system or poor management or the "normal" failures when new systems are placed into service.

Design of controls with back-lighted pushbottons results in operator data assessment problems, especially when lights are burned out. Management is aware of problem and IE is following up.

New plant - recently completed full power testing - plant still in early operating phases.



How Close are you to a Nuclear Power Plant?



The hazards of nuclear power

The Center for Science in the Public Interest is a nonprofit, tax-exempt research organization that has been working for the past six years in areas of energy policy, environmental protection, and various consumer concerns. C&EN asked Ken Bossong, who works on CSPI's project on energy, to summarize the organization's views on nuclear power. Here is what he wrote.

The vocal and increasingly active opponents of the nation's atomic energy programs invariably base their opposition on the potential dangers inherent in the generation of power from nuclear fuels. Are they hypothesizing problems that are of the one-in-a-million-chance variety? Are their concerns more fantasy than fact?

A review of the safety record of domestic nuclear facilities during the past three decades reveals a history of worker deaths, plant accidents, acts of terrorism, and other incredible mishaps. In fact almost every "one-in-a-million" occurrence has already occurred as well as a number of incidents whose probability was considered so statistically minute as to not be worth evaluating.

Whereas federal and industrial spokespersons have extolled the safety record of nuclear power, studies issued—but kept unpublicized—by the old Atomic Energy Commission, the Nuclear Regulatory Commission, and other agencies document a far different story. They report that in the previous 33 years, there have been over 10,000 disabling work injuries at domestic nuclear facilities including more than 300 fatalities. Hundreds of other workers are expected to die of radiation-induced cancers by 1990.

In the past seven years, there have been 150 instances of threats against nuclear installations across the U.S. These have included three cases in which bombs were successfully planted on facility sites and several instances of arson in which major fire damage resulted. On the average, NRC loses (or has had stolen) as much as 100 lb of uranium and 60 lb of plutonium every year—enough to make more than 10 atomic bombs.

"Acts of God" also have taken their toll. Lightning and cold weather have disabled plant safety/security systems. Gale force winds damaged AEC's Amarillo, Tex., facility in 1967. A tornado passed through the site of a proposed plant in Dixon Springs, Tenn., and another came within 10 miles of an operating reactor in Athens, Ala. Several reactors are built near or astride geological faults either known to be or suspected of being still active, including several that have experienced quakes this century. On at least two occasions, B-52 bombers have crashed within sight of nuclear facilities.

The power level of fissile systems has become uncontrollable on 26 occasions in the past three decades; that is, nuclear accidents either occurred or were just avoided. These include a core meltdown at the first experimental breeder reactor in 1955 as well as a partial fuel meltdown of the Fermi I breeder near Detroit in 1966. The well-publicized 1975 Brown's Ferry fire started with a worker carelessly using a candle to test for air leaks; it ended with most of the plant's safety systems rendered inoperable and more than $50 million in damages.

Thus, while nuclear supporters have glorified their industry in terms that have bordered on outright fabrication, serious mishaps have been occurring with frightening regularity.

There are alternatives, however, to continued exposure to such hazards. Nuclear power presently constitutes only 3% of total domestic energy consumption. That is a contribution to the nation's energy budget which could be easily eliminated through simple conservation strategies or through the implementation of presently available and cost-competitive solar technologies. Moreover, numerous studies issued by the Energy Research & Development Administration and the Federal Energy Administration confirm that future energy needs that would otherwise be met with nuclear power can also be satisifed with conservation, solar and wind technologies.

For these reasons, the U.S. should immediately declare a moratorium on new reactor construction and begin a phaseout of all existing nuclear programs other than perhaps some research efforts.

Our experience with nuclear facilities has already proven the truth of Murphy's Law: "If anything can possibly go wrong, it will"; further test data are not needed. □

One of a series of editorials on nuclear power in "Chemical and Engineering News". Reprinted by permission of the publishers.

The purpose of the COALITION FOR NUCLEAR POWER POSTPONEMENT is to postpone the construction of nuclear facilities in Delaware until satisfactory answers have been provided to a number of questions, including:

1. Will radioactive material escape?
2. Has a solution been demonstrated for disposal of radioactive waste?
3. Has full insurance protection been provided?
4. Is there an adequate evacuation plan in case of accident?
5. Are there adequate safeguards against theft and sabotage?

To accomplish this purpose, the COALITION focuses public attention on the dangers of nuclear technology, informs the public as to the availability of clean, safe and economical energy alternatives, and takes non-violent, direct action to oppose policies which jeopardize the health and safety of the entire human race.

JOIN US IF YOU AGREE WITH OUR AIMS:

CNPP
810 West 25th St.
Wilmington, DE 19802
Phone 652-2456

Addendum to Individual Site Ratings from the IE Employee survay on Evaluation of Licensees - April 1978

Docket No.: 50-277
Site: Peach Bottom

Answers to Question 17 (If a change to safety level occurred, please describe it briefly):

Plant radiation levels have been increasing with time. Design and staffing of plant appear to have not been capable of handling this change. Management has been slow to take large step changes to correct problems.

Back to back overhaul/upkeep periods for units 2 & 3 appear to have produced a tired operating group prone to error.

Careless operations and poor maintenance.

Corrective action taken to repair core spray line cracks, feedwater spargers and nozzles and control rod drive return nozzle.

Licensee made significant effort to reduce routine radioactive release from reactor building vents through equipment repairs.

Answers to Question 18 (Are there other things we should consider about the safety of this plant?):

See question 69 and 28.

QA program not upgraded to current standards. Security not upgraded. Many repeat items of noncompliance. Least safe site in Region I! Poorest management!

Quality of people (i.e., technical educational level) that are operating a plant and the type of organizational structure they are placed in can have a significant impact on safety.

Higher number of inspections due to proximity to regional office.

Recent management meeting with the President - expect to determine by scheduled inspections in the next 30 days if significant improvements were made.

Plant management exhibits an appearance of attempting to "control" NRC inspector access thru continual escort - general attitude appears to be one of compliance as required instead of an aggressive prosecution of management controls.

The problem with this plant is that it is a big BWR - by definition, they will have problems unless they have a good op. staff. PB does...

Upgrading of requirements upon this licensee, particularly in cases of security and QA.

T-S-Salem N.J. Jan 17 1977

Legislation may halt Salem II reactor start

By DAVID ALTANER
Sunbeam Staff

SALEM — A bill introduced yesterday in the Assembly would prevent any nuclear plant not yet operating from starting up until the nuclear waste disposal problem is solved.

This bill would apparently affect Salem II and Hope Creek I and II, but not Salem I, already in operation.

The bill, sponsored by Assemblyman Donald Stewart (D-3) and Donald DiFrancesco (R-22), would not allow N.J. utilities to include costs incurred in the maintenance and operation of a nuclear plant in their base utility rates.

Stewart said yesterday that the bill's sponsors would be aiming to push the bill through legislature in time to stop the commercial operation of Salem II, scheduled for a mid-summer start-up.

He added that he thought the bill had a good chance of stopping the construction of Hope Creek I and II, if the government fails to solve the waste problem.

The bill's intention is not to stop the growth of nuclear power, Stewart said, but to force the federal government to solve the problem of permanent storage of spent fuel rods and other radioactive waste products.

"We're not saying 'we want this; we want that,' all we're saying is that somebody better come up with something," Stewart said.

Stewart added that he wanted to prevent South Jersey from becoming the "nuclear dumping ground of the nation."

Nuclear waste disposal is a controversial issue almost everywhere there are nuclear plants. Several states have passed legislation forbidding disposal on their land, and public firms have not been able to reprocess the spent fuel ever since President Carter put a moratorium on reprocessing shortly after taking office.

Stewart said he believed the solution to nuclear waste was technologically feasible, and he hoped that the bill would make federal officials "put their money where their mouth is."

"I expect it to get the government moving," Stewart said.

Stewart said he thought that "North Jersey media" would say that this bill came as a direct result of Governor Brendan Bryne's State of the State message, in which he singled out Lower Alloways Creek's multi-million dollar gross receipts revenues as funds that should be used for urban aid.

The governor's remarks last week

(Continued on Page 3)

★ Salem II

(Continued from page 1)

probably speeded up work on this bill, Stewart said, but it had been in the works long before last week.

But Stewart said he thought this bill would indirectly help LAC's effort to keep its money, by educating the legislators on hazards that go with its millions.

"I think when we talk about this, 75 percent of the legislators don't know what we're talking about," Stewart said. "This will help the legislators realize there are two sides to the story."

Public Service Electric and Gas spokesman Edward Anderson said the utility did not want to comment on the bill at such an early stage of its development.

But speaking generally, he warned that any delay in the start-up of Salem II would cost consumers millions of dollars.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY	)	Docket No.(s) 50-272
	)	
	)	
(Salem Nuclear Generating Station, Unit 1)	)	
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document(s) upon each person designated on the official service list compiled by the Office of the Secretary of the Commission in this proceeding in accordance with the requirements of Section 2.712 of 10 CFR Part 2 - Rules of Practice, of the Nuclear Regulatory Commission's Rules and Regulations.

Dated at Washington, D.C. this
24th day of Jan 1979.

Peggy T. Downing
Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
PUBLIC SERVICE ELECTRIC AND GAS COMPANY	)	Docket No.(s) 50-272
	)	
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(Salem Nuclear Generating Station, Unit 1)	)	
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