

STATE OF CALIFORNIA

State Energy Resources
Conservation and Development Commission

RESOLUTION

WHEREAS, the feedwater transient experienced at the Three Mile Island nuclear power plant was caused by design failure, equipment malfunction, and human error, and

WHEREAS, the Nuclear Regulatory Commission (NRC) staff has determined that the nine Babcock and Wilcox (B&W) reactors, including the Three Mile Island facility, have experienced 27 feedwater transients over the past year, a frequency which is 50 percent greater than the corresponding rate for other pressurized water reactors, and

WHEREAS, the Rancho Seco nuclear power plant is of Babcock and Wilcox design, and

WHEREAS, the NRC staff conducted a generic assessment of feedwater transients in Babcock and Wilcox plants in the aftermath of the Three Mile Island accident, and published an interim report containing findings and recommendations in May, 1979, (NUREG-0560), and

WHEREAS, the NUREG-0560 report identified 19 safety measures to "further increase the safety margins in B&W plants" which have not yet been implemented at the Rancho Seco nuclear power plant, and

WHEREAS, the Governor's Nuclear Power Plant Emergency Review Panel, which was assembled to evaluate California's emergency response capabilities in the wake of the Three Mile Island accident, has concluded that serious accidents will occur at nuclear facilities no matter how diligent regulatory authorities and power plant operators are, and

WHEREAS, the Governor's Nuclear Power Plant Emergency Review Panel has identified a number of corrective measures which it believes will considerably improve California's ability to protect the public from the consequences of a nuclear power plant accident, and

WHEREAS, the NRC staff has made similar recommendations (NUREG-0396) on the need to upgrade emergency response planning around nuclear power plants, particularly with respect to expanding the evacuation radius to at least 10 miles and to developing emergency response plans for the most serious type of accidents (Class 9) involving core melt and/or breach of containment, and

WHEREAS, the emergency response plan currently in effect for the Rancho Seco nuclear power plant has an evacuation radius extending only 5 miles and makes no provision for Class 9 accidents, and

POOR ORIGINAL

-2-

WHEREAS, the NRC has chosen to lift its May 7, 1979, shutdown order and permit the Rancho Seco nuclear power plant to resume operation without implementation of the corrective actions identified by NUREG-0560 and NUREG-0396, and

WHEREAS, the NRC has not indicated why these additional identified safety measures should not be implemented prior to the restart of the Rancho Seco nuclear power plant, and its refusal to do so has raised the concern that the NRC may be allowing the facility to operate in less than the safest possible manner, and

WHEREAS, the NRC's decision to permit the restart of the Rancho Seco nuclear power plant does not state that the facility is safe to operate, but merely that the terms of the shutdown order have been met, and

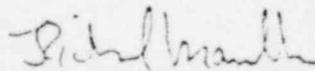
WHEREAS, the citizens of California are entitled to a higher level of probity and prudence in protecting public health and safety than the NRC has demonstrated in permitting the restart of the Rancho Seco nuclear power plant,

THEREFORE BE IT RESOLVED, that the California Energy Commission does hereby authorize its staff to:

- No. 1. Petition the NRC for public hearings to be held in California to publicly air the issues set forth above;
- No. 2. Intervene in any NRC Atomic Safety and Licensing Board proceedings held on the safety of the Rancho Seco facility, and request that such hearings be held in California, with such intervention to be directed by this Commission's Nuclear Fuel Cycle Committee; and
- No. 3. To execute the approved contract with Intermountain Technologies, Inc. to analyze the short and long term safety of Babcock and Wilcox reactors generally and Rancho Seco in particular and to develop evidence for the NRC proceedings.

DATED: 7/12/79

STATE ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION



RICHARD L. MULLIN
Chairman

1027 185

481 1501