

Telephone 617 366-9011

TWX  
710-390-0739

B.1.1.1  
WYC 80-2

## YANKEE ATOMIC ELECTRIC COMPANY



20 Turnpike Road Westborough, Massachusetts 01581

February 19, 1980

Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attention: Docketing and Service Branch

Reference: YAEC Letter (WYC 80-1) dated February 12, 1980 to Secretary of the Commission, Subject: Proposed Rules on Emergency Planning

Subject: Emergency Planning: Draft Negative Declaration For Proposed Rule Changes (45FR3913 January 21, 1980)

Dear Sir:

Yankee Atomic Electric Company appreciates the opportunity to comment on the Nuclear Regulatory Commission's draft negative declaration on the proposed rule on emergency planning. Yankee Atomic owns and operates a nuclear power generating plant in Rowe, Massachusetts. The Yankee Nuclear Services Division (YNSD) also provides engineering services for other nuclear power plants in the Northeast including Vermont Yankee, Maine Yankee, and Seabrook 1 and 2.

Yankee Atomic recently commented on the proposed rule on emergency planning in the above referenced letter. Having completed an exhaustive assessment of the proposed rule, we were surprised to find that the NRC staff had been able to reach a negative declaration regarding its potential impact. As a result of our review of the proposed rule, we feel that the staff may not have adequately addressed some important impacts.

The basic orientation of the proposed rule, towards punitive reactor shutdowns rather than enhanced emergency preparedness, drives the potential environmental impact to very significant proportions. The illogical linkage between enforcement actions against NRC licensees and failures by local and state governments to achieve concurrence with federal agencies is a flaw in the rule which could result in substantial impact to the environment. Both of these characteristics present such potential for environmental impact that a negative declaration appears to be entirely fallacious.

5004160102

The following specific aspects should receive specific consideration:

- The proposed rule was prepared prior to FEMA's new role as lead federal agency responsible for state and local radiological emergency preparedness. This development alone justifies the no action alternative or, at most, a less significant change to the rule. The upgrading of 10CFR50, Appendix E would suffice.
- No alternative compliance schemes (including the currently available spectrum) have been analyzed. A fundamental weakness of the rule is that alternative action decisions are not permitted. The costs of shutdowns should be weighed against other compliance strategies to determine the most effective regulatory approach.
- The potential impacts of 15 minute notification to the public appear not to have been carefully considered. Unnecessary or premature notification of the public for events that pose no near term threat, yet fall within the Emergency Action Level Guidelines (NUREG-0610) examples, may be detrimental to the health and safety of the public. Potential results are:
  - Panic, with the attendant psychological stress.
  - Independent irrational action, such as self determined evacuation, and its potential effect of friends, family and neighbors. If this action spreads, it could cause an uncontrolled and hazardous evacuation when the proper response might be to remain sheltered.
  - If false alarms are too frequent, the other extreme could occur and the public might not give the alert the attention it deserves.
- The estimated costs appear to be quite low.
  - The warning (alert) systems alone are now expected to exceed \$500,000 and this does not include periodic testing and maintenance.
  - Total costs are likely to exceed \$1,000,000 for most sites.
  - Based on a recent outage at Vermont Yankee, the replacement power costs appear to exceed those presented in the NRC's table by at least a factor of 2.
- The assumption of a 1 month shutdown is probably not justified. A recent article in the Louisville Times about Trimble County, Kentucky officials, demonstrates that local officials (or conceivably state officials) may view the concurrence process as a weapon for blocking nuclear power plant operation. The objective of the proposed rule should be to enhance emergency planning, not the shutdown of reactors.

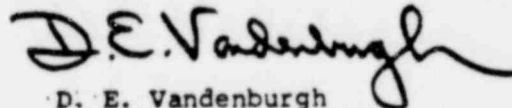
U. S. Nuclear Regulatory Commission  
Attention: Docketing and Service Branch

February 19, 1980  
Page 3

Yankee Atomic recognizes the importance of improving emergency preparedness and we are expending all available resources to assure emergency planning both on-site and off-site are of the highest quality. In order to assure regulations of the highest quality, there must be a thorough environmental impact assessment of the draft rule to make certain that the potential benefits outweigh the impacts. Alternatively, the proposed interim rule could be restructured to allow the more significant issues to undergo comprehensive rulemaking individually.

Very truly yours,

YANKEE ATOMIC ELECTRIC COMPANY

A handwritten signature in dark ink, appearing to read "D. E. Vandenburg", with a stylized, flowing script.

D. E. Vandenburg  
Senior Vice President

JHM/ncj