

Congress of the United States

House of Representatives

Washington, D.C. 20515

June 4, 1980

Dear Mr. Chairman:

On May 27, the Subcommittee on Energy and the Environment held a day-long field hearing in Newton, Pennsylvania to review emergency planning and evacuation procedures in the area of the Limerick nuclear power plant currently under construction by the Philadelphia Electric Company in Limerick Township, Montgomery County, Pennsylvania.

The Subcommittee received testimony from Mr. Harold Denton, head of the NRC's Office of Nuclear Reactor Regulation. Mr. Denton reiterated the basic thrust of the Commission's proposed rule on emergency planning, and stated in part:

Our current approach places significantly increased emphasis on emergency planning as a necessary additional measure required for the protection of public health and safety. . . Probably the most influential development is an explicit consideration of the total spectrum of potential radiological accidents. Formerly the planning process has been based only on a limited portion of the spectrum -- to accidents of severity up to and including the most serious design basis accident. Now, the planning process has been expanded to include core melt accidents.
(emphasis added).

But under questioning by us at the same hearing the Philadelphia Electric Company demonstrated considerable antipathy to a number of the NRC's safety policies currently under consideration. According to Vincent Boyer, Senior Vice President of the Company,

Evacuation plans are just the window dressing and the final back-up plan.

Mr. Boyer further contended that the Low Population Zone (LPZ) for Limerick of 1.7 miles was "more than adequate" for the purposes of evacuation planning, even though the concept of the LPZ has been completely discredited by Congressional and independent studies, and has been replaced by the Emergency Planning Zone (EPZ) by the NRC. For Limerick, the 10 mile EPZ contains almost a quarter of a million people. But Mr. Boyer said, "We don't think the 10 mile region is that populous." Mr. Boyer perhaps best summed up the position of the Philadelphia Electric Company by stating, "Emergencies that will require evacuation will not occur."

We hope he is right. But it is this very attitude which has been abandoned by the NRC and we think it should be abandoned by the industry as well. The fact that Mr. Boyer and his company still hold this view does nothing to reassure us or the almost 4 million people living within 30 miles of the plant.

It is our belief that the protection of the public health and safety depends to a great extent on the attitudes and commitment on the part of the managers of the nuclear power industry. The enormous complexity of nuclear technology and the demands of day-to-day plant operations cannot be assured by a mere regulatory code. Rather, as the President's Commission on the Accident at Three Mile Island concluded:

We have stated that fundamental changes must occur in organizations, procedures, and above all, in the attitudes of people. No amount of technical "fixes" will cure this underlying problem. . . . As long as proposed improvements are carried out in a "business as usual" atmosphere, the fundamental changes necessitated by the accident at Three Mile Island cannot be realized.

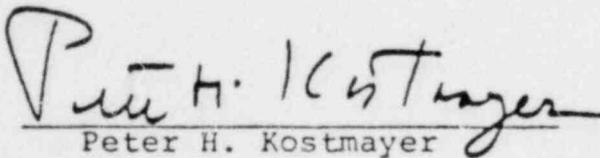
The issue of licensee attitudes was also raised at a second hearing on May 29 of the House Government Operations Subcommittee on the Environment, Energy, and Natural Resources, on the NRC's new Performance Assessment Board (PAB) program. Representative Kostmayer, who chaired the hearing, referred to the Boyer testimony, and asked Mr. Victor Stello, Director of the NRC's Office of Inspection and Enforcement, whether or not evidence of a utility's attitude obtained

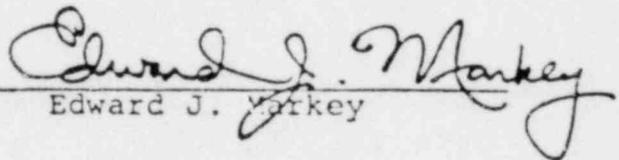
from a Congressional hearing could be included in the NRC's assessment of the utility's ability to comply with NRC's safety regulations. Mr. Stello replied, "It certainly whets my appetite for wanting to know more about it. . . if we had that problem I would want very quickly to have a chat with one of the senior officials of that company. . . probably very quickly."

In view of the fact that the Philadelphia Electric Company is planning to have Limerick Unit 1 on-line by 1985, we share the concerns expressed by Mr. Stello. We therefore request that the NRC seriously consider the attitudes expressed on May 27 by Philadelphia Electric and determine whether or not the Company's permit for the construction of a nuclear power plant at Limerick is consistent with the public health and safety.

We look forward to your reply.

Sincerely,


Peter H. Kostmayer


Edward J. Markey

Mr. John F. Ahearne
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555