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IJLee, 147 Phil.

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August 13, 1980

Myron M. Cherry, Esq.
1 IBM Plaza
Chicago, Illinois 60611

In the Matter of
Consumers Power Company
(Midland Plant, Units 1 and 2)
Docket Nos. 50-329-OM and 50-330-OM

Dear Mr. Cherry:

I have received a letter dated August 7, 1980 from your client, Ms. Mary P. Sinclair. In her letter she requests a copy of NUREG-0625 which is entitled "Report of the Siting Policy Task Force" and a copy of a letter from Mr. Gus Speth to Commission Chairman John F. Ahearne dated March 20, 1980.

A copy of each of those documents is attached.

Sincerely,

/s/

William D. Paton
Counsel for NRC Staff

Enclosures:
As stated

cc w/o enclosures:

Ivan W. Smith, Esq.
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Attorneys General of the State
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Ms. Sharon K. Warren
Mr. Patrick A. Race
Mr. George C. Wilson, Sr.
Ms. Carol Gilbert
Mr. William A. Thibodeau
Mr. Terry R. Miller
Atomic Safety and Licensing
Board Panel
Atomic Safety and Licensing
Appeal Board Panel
Docketing and Service Section

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EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

March 20, 1980

The Honorable John Ahearne
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Ahearne:

Section 204(3) of the National Environmental Policy Act (NEPA) directs the Council on Environmental Quality "to review and appraise the various programs and activities of the Federal Government . . . for the purpose of determining the extent to which such programs and activities are contributing to the achievement of the policy [of NEPA]" Last year, as part of the Council's overall effort to meet this responsibility, the Council initiated a study of the Nuclear Regulatory Commission's regulations and policy on the environmental analysis of possible nuclear accidents under NEPA. This letter contains the conclusions of our study. We were assisted in this review by the Environmental Law Institute, which has prepared for us a report entitled "NRC's Environmental Analysis of Nuclear Accidents: Is It Adequate?", which I am providing to the Commission with this letter. The Council believes the report constitutes an accurate and important assessment of the NRC's regulations and policy on the analysis of nuclear accidents in environmental impact statements.

The results of our review of impact statements prepared by the NRC for nuclear power reactors are very disturbing. The discussion in these statements of potential accidents and their environmental impacts was found to be largely perfunctory, remarkably standardized, and uninformative to the public. Despite the broad diversity of size, design, and location of the nuclear reactors licensed by the Commission over the years, virtually every EIS contains essentially identical, "boilerplate" language written in an unvarying format. The typical EIS does not consider or analyze the possibility of a major accident even though it is these "Class 9" accidents which have the potential for greatest environmental harm and which have led to the greatest public concern. Moreover, for those accidents which are typically discussed in an EIS, the potential impacts on human health and the environment are presented in a cursory and inadequate manner with little attention to public understanding.

Each EIS relies on the NRC accident analysis policy, which has remained essentially unchanged and in interim form since 1971, asserting that "correct manufacture, design, operation and quality control . . . will provide a degree of protection" against the occurrence of accidents within a limited range of accidents with varying degrees of materials released from such accidents. However, based on the conclusion that serious accidents will occur, the policy does not address severe accidents, the Class 9 events.

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