

EDISON ELECTRIC INSTITUTE

The association of electric companies

1111 19th Street, N.W.
Washington, D.C. 20036
Tel: (202) 828-7400

51

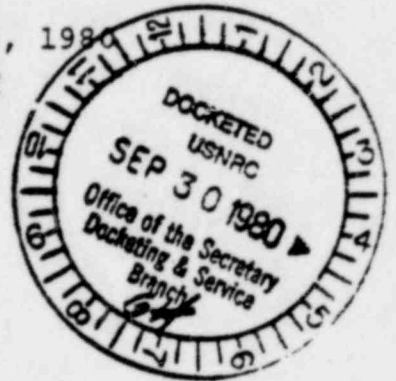
DOCKET NUMBER
PROPOSED RULE RM 50-5

September 30, 1980

50-201 50-564 70-1432
50-332 70-1329 70-1821

Mr. Samuel J. Chilk
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Docketing and Service Branch



Dear Mr. Chilk:

The Edison Electric Institute offers the following response to the Commission's Order of August 7, 1980 (45 FR 53933) requesting comments on the reopening of the GESMO and other recycle related licensing proceedings. The Institute is the association of investor-owned electric utility companies, whose members serve 99 percent of all customers of the investor-owned segment of the industry and 77.5 percent of all users of electricity in the United States. A number of the Institute's members operate nuclear power reactors or have nuclear plants under construction and are affected by the NRC activity relating to GESMO.

The GESMO proceeding was terminated in 1977 on the recommendation of President Carter, on the basis that continuation of the proceeding was inconsistent with his Administration's policy toward the minimization of nuclear weapons proliferation. As described in the Commission's Order, the Administration maintains that opinion and continues to oppose the resumption of the GESMO proceeding.

The results of a GESMO proceeding will directly affect the disposition of spent fuel from nuclear power reactors. Spent fuel, when it is removed from nuclear reactors, contains well defined energy values that represent a major national energy resource. The potential future use of these energy values needs to be resolved in a detailed generic environmental evaluation that includes an appropriate cost-benefit analysis. The GESMO proceeding was initiated to provide such a generic review without prejudging the outcome.

The Institute's primary concern is the generic availability of reprocessing and recycle. To that end, we believe that the GESMO proceeding or its logical successor

Acknowledged by card. ~~XXXXXXXXXXXX~~

DS03
S 1/1

8010030471

G

Mr. Samuel J. Chilk
September 30, 1980
Page two

should be reactivated at the earliest practical date. Completing GESMO will not result in the issuance of a license to construct or operate any fuel reprocessing facility, or result in the use of large quantities of mixed oxide fuel in power reactors. These events are subject to separate and specific licensing proceedings which can only take place after the conclusion of a GESMO or equivalent proceeding. However, such a proceeding will set the stage for specific licensing actions that may be approved or denied after its conclusion. Given the status of the GESMO proceeding when it was terminated, a major updating of its record would be required to recognize events and technological developments that have occurred in the intervening period. Such updating and completion of the proceeding will take several years. This must be achieved to determine the course of action on pursuing the specific licensing activity for reprocessing and recycle.

The Carter Administration originally recommended the termination of the GESMO proceeding, along with essentially halting the development of the back end of the nuclear fuel cycle in the U.S. in order to study the alternative nuclear fuel cycles in an international arena to determine the best means of achieving the Administration's non-proliferation goals. The International Nuclear Fuel Cycle Evaluation (INFCE) study was initiated at that time and it now has been completed. While a better international awareness of the non-proliferation concerns was achieved as a result of INFCE, the INFCE effort determined that nuclear power was needed to serve the world's energy requirements and that no specific fuel cycle provides a superior means of assuring non-proliferation of nuclear weapons over an extended period of time. Neither the INFCE study nor the Administration's non-proliferation goals provide a justifiable basis for not proceeding with GESMO or its logical successor. Other nations are proceeding with the development of reprocessing and recycling technologies. To maintain a U.S. international influence in these areas and to achieve a full application of the desired safeguarding controls, the U.S. also must continue to maintain a leadership role in the development of this technology.

The NRC progress on the resolution of power reactor safety considerations, the resumption of timely reactor operating licenses and the issuance of construction permits is of prime importance to the electric power industry. NRC is urged to apply priority effort on these activities.