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GENERAL ATOMIC COMPANY
P.O. BOX 81608
SAN DIEGO, CALIFORNIA 92138
(714) 455-3000

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

Attention: Docketing and Service Branch

Ref: Advance Notice of Rulemaking: Revision of Reactor Siting Cr[illegible] (ANR)

Gentlemen:

General Atomic Company is pleased to provide comments in response to the Commission's Advance Notice of Rulemaking: Revision of Reactor Siting Criteria.

The NRC Siting Policy Task Force has recommended that key siting parameters (e.g., population density, standoff distances from various hazards, emergency planning zone) should be set at fixed values. While it is clear that the Task Force meant its recommendation to apply only to light water-cooled reactors, it is not so clear that other equally critical distinctions have been or will be appropriately considered. We address this concern in our comments.

We would also like to meet with the NRC staff members who will be drafting the proposed rule, so that we can explain our comments and provide the staff additional background information that cannot be adequately conveyed here. We are prepared to meet in Bethesda after the first week of October. We estimate that our presentation would take about 90 minutes.

Our comments follow:

1. Item A, Point 1 (ANR, pg. 9)

   Add "light water-cooled reactors" after "...plant design considerations."

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Acknowledged by card. 9/29/80

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The siting rule should apply only to reactors that are light water-cooled. This is consistent with the recommendation of the Siting Policy Task Force Report, NUREG-0625, pg. 3 which says "...the siting principles stated in this study are not directly applicable to other types or applications of reactors (for example, gas-cooled plant and fast reactor plant,) and such applications must be examined on a case-by-case basis."

The final rule should direct the staff to evaluate applications to construct reactors other than light water-cooled (LWR), on their own technical features and inherent characteristics which have the potential to affect public health and safety.

2. Item A, Point 2 (ANR, pg. 9)

The "residual risk" should be a consideration in reactor siting. However, we believe it should be evaluated and appropriately considered for other types and sizes of reactors than nominally 1000MW(e) LWR plants when applications for them are made. The siting rule should recognize that plants other than LWR's and small nuclear power plants may pose significantly lower risk to public health and safety than large LWR units. The final rule should provide that such reactors should be sited on a basis that is commensurate with the public risk reduction inherent in their character or size. To fail to recognize this factor could be prejudicial to the future construction of those nuclear power plants that could be the safest available and preferred for a variety of situations.

3. Item A, Point 3 (ANR, pg.9)

In the first and fourth sentences, change "energy" to "electricity" generation.

The siting policy rule should apply only to reactors in facilities whose principal product will be electrical energy. Future applications of nuclear energy may well include the production of process heat or chemicals as an end product either alone or in a cogeneration mode. Such applications should be evaluated on their respective technical and economic characteristics which are almost certain to differ substantially from those developed and assessed from experience in siting large LWR's designed and constructed solely for electrical generation. An obvious difficulty, for example, would arise from automatically applying fixed standoff distances for chemical hazards to nuclear electric plants to process heat applications.

4. Item I, (ANR, pg. 25)

The Commission should not attempt to prescribe by regulation those actions by state agencies that would provide a sufficient basis for NRC to terminate its review of a proposed site. The possible conflicts that may arise between NRC's preeemptive authority in the regulation of radiological health and safety and the various traditional authorities of state agencies with respect to power plant approval and siting are complex and have been made more so by state legislative enactments in recent years. The complexities lend themselves to resolution on a case-by-case basis. Any rulemaking in this area is not likely to be constructive and may in fact serve to encourage contest and litigation in an already litigious field.

NRC should leave it strictly to the applicant to decide whether and with what tactics it wishes to contest a state disapproval. NRC's legitimate concern is radiological health and safety about which it should respond if anyone has an application before it, without curtailing the health and safety review for extraneous reasons that may or may not be sustained.

5. General Comment

The siting policy rule should be developed to be compatible with the level of public safety required by the numerical safety goals being developed by the Commission. Preferably these should not be distinct and separate actions.

6. General Comment

The rulemaking proceedings concerned with the Commission's siting policy should be completed as expeditiously as possible, if necessary as interim rulemaking. Delay in establishing the new nuclear power plant siting policy can only result in further postponement of decisions by utility companies which might otherwise be able to consider nuclear plant capacity additions. The Nation's need for the resumption of nuclear plant commitments and construction should be an important consideration in the Commission's scheduling and prioritizing of this critical proceeding.

We appreciate the opportunity to contribute our views concerning the rulemaking proceeding and look forward to meeting with the staff to convey the technical considerations that underlie them. In this latter regard or on any other questions you may have, please feel free to contact me at 714-455-4492.

Very truly yours,

Colin R. Fisher

Colin R. Fisher, Director
Licensing Division

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