

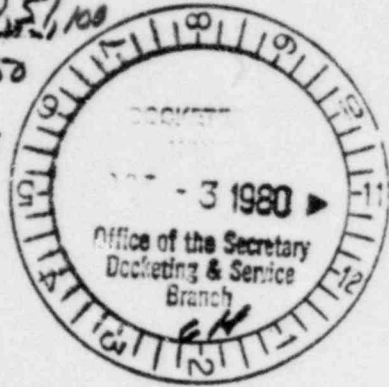
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50

Westinghouse
Electric Corporation

Water Reactor
Divisions



Nuclear Technology Division

Box 355
Pittsburgh Pennsylvania 15230

September 29, 1980

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

NS-TMA-2316

Attention: Docketing and Service Branch

Dear Mr. Chilk:

RESPONSE TO NRC ADVANCE NOTICE OF PROPOSED
RULEMAKING: REVISION OF REACTOR SITING CRITERIA - 45 FED. REG. 50350

In response to the Commission's request for comment on the "Advanced Notice of Proposed Rulemaking: Revision of Reactor Siting Criteria" (45 Fed. Reg. 50350), Westinghouse Electric Corporation, Water Reactor Divisions, takes this opportunity to present our evaluations, judgements and comments. Specific comments on the Advanced Notice of Rulemaking, as well as our response to the Additional Questions posed by the Commission are addressed in Attachment 1 to this letter.

We believe that the overall goal of any safety criteria should be to insure that the risk to the general public from nuclear reactor operations remains at an acceptably low level. The reactor operations of interest cover the full spectrum of possible conditions from normal operations through anticipated operational occurrences to potential major accident conditions.

The most common definition of risk as applied to nuclear reactor operation is the product of the probability of occurrence of a given condition and the consequences to the general public resulting from the plant condition. With this definition in mind, the maintenance of risk at acceptable levels can be achieved either by mitigation of the consequences of accidents or by reducing the probability of occurrence of accidents. In the case of nuclear power reactors, the mitigation of the consequences can be accomplished through plant design features, site isolation and emergency planning, while the decrease in probability of occurrence can be accomplished primarily through plant design features, operator training, improved system/component reliability, etc.

The intimate relationship of all factors outlined above as they affect overall risk dictates that none of these factors can be considered alone. Westinghouse has previously commented to the Commission, in the matter of the Commission Order dated May 30, 1980 regarding the intended generic consideration of operation of reactors in areas of high population density, that there exists a sequence of considerations which we believe properly addresses these issues. A copy of that letter is attached for your convenience. See Attachment 2

44-11758

In that letter, five basic issues have been identified for generic proceedings. These five basic issues in the order in which they should be addressed, in our opinion, are:

1. Safety Goals and Methodology
2. Standard Plant Safety Features
3. Degraded Core Cooling
4. Siting (including population considerations), and
5. Emergency Planning

The first proceeding to establish safety goals and methodology is basic to those which follow. In such a proceeding, the goals in terms of acceptable risk must be affirmed or established considering normal and abnormal plant conditions. Until these are agreed upon, there can be no final logical resolution of any of the other four basic issues. Once these have been agreed to, then it becomes possible to address the issue of what should constitute standard safety features for any proposed plant. Then having identified the safety goals and methodology, and the standard design features, the issue of degraded core cooling can be properly addressed to establish the circumstances and the manner in which such conditions need be considered. The resolution of the remaining issues of siting and emergency planning can be logically and rationally addressed once the first three issues have been resolved.

It is clear from the NRC Siting Policy Task Force conceptual goals (Item A) in reaching their recommendations on siting, that it was their intent to consider the risk associated with accidents beyond the design basis (Goal 2) and to minimize such risk associated with energy generation (Goal 3). As described above, risk to the public is determined by the combined factors of plant design features, site characteristics and emergency planning, improved reliability, etc. Attempting to define site acceptability by examining site demographic characteristics entirely independent of these other factors could, in our opinion, detract from rather than enhance public safety.

With respect to Item B, Alternative A and Alternative B, it is our position that the recommendations of Alternative A (Task Force Recommendation 1) to specify a fixed minimum exclusion distance and population density and distribution limits should not be established. Westinghouse believes that attainment of an acceptable level of overall safety with respect to the objective of "site isolation" is best accomplished using the "tiered" approach of Alternative B. While the Commission's Advanced Notice proposes a three tiered system of population characteristics and stand off distances (Items B and C), Westinghouse believes that a "four tiered" system is more appropriate and consistent with the legislative mandate in the 1980 NRC Authorization Bill. This approach was outlined by Westinghouse at the October 17, 1979 meeting of the ACRS Subcommittee on Radiological Effects and Site Evaluation. A simplified graphical representation of the four tiered approach is given in Attachment 3 to this letter.

In the four tiered approach, the lower limit of the fourth tier represents the maximum population density and distribution for zones surrounding the facility. Above this limit the site would be unacceptable without regard to any design, engineering or other differences among nuclear facilities. The determination of this limit, however, must be based upon defined safety goals, plant safety features, consideration of degraded core cooling as well as various site characteristics.

The third tier of population characteristics (or stand off distances) would be those which are not acceptable for plants employing currently developed technology but which might be acceptable with significant advances in technology. This tier in the approach is the principle deviation from the "three tier" approach identified in Alternative B of Items B and C. The inclusion of this tier in the siting regulations provides a significant incentive for development of advanced technologies to reduce the risk from nuclear power plant operations. In the past, the flexibility provided in the siting regulations to use engineered safety features to compensate for unfavorable siting characteristics has led to significant technological advances in the area of safety features.

The second tier of population characteristics (or stand off distances) would be those which might be acceptable for plant designs employing combinations of state of the art safeguards systems in addition to some minimum level of required safeguard systems. Such safeguard systems would be those currently in use at various plants under construction or in operation.

The first tier of population characteristics (or stand off distances) would be those which would be acceptable for plants employing minimum standard engineered safeguards systems as defined in the second of the five basic elements listed previously. These population characteristics (or stand off distances) would be established based on acceptable levels of risk and effectiveness of the design-site-emergency planning combination in meeting that level of safety.

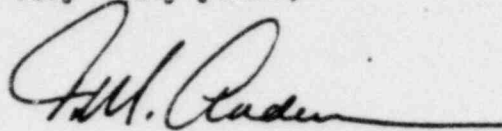
We believe that these levels of population characteristics and stand off distances can only be established based upon safety goals and methodology and considering standard and advanced plant features, degraded core cooling and emergency planning. We do not believe that numerical values can be assigned to these tiers until such time as the safety goals and methodology are established and comprehensive risk assessments are completed.

Accordingly, Westinghouse requests that the Commission, at an early date, publish an advanced notice for public comment on an integrated set of generic rulemaking proceedings to resolve the five above identified issues and an appropriate interim rule. Any piecemeal rulemaking activities now underway, including the proposed revisions to the reactor siting criteria (45 Fed. Reg. 50350), as well as consideration of these generic issues in individual licensing proceedings should be superceded by the integrated proceedings. Given the overriding significance of these matters, we believe that the proper conduct of such integrated proceedings, including developing a suitable technical record on which to base the necessary Commission decisions and allowing for full public participation, warrants a major Commission effort.

NS-TMA-2316
September 29, 1980
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We appreciate the opportunity afforded us by the Commission to provide our views. We would be pleased to meet with you or with members of the NRC Staff as you may deem appropriate to discuss any aspect of our recommendations and comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "T.M. Anderson", with a long horizontal flourish extending to the right.

T. M. Anderson, Manager
Nuclear Safety Department

RJL:pj
Attachment

ATTACHMENT 1

WESTINGHOUSE SPECIFIC COMMENTS AND RESPONSE TO QUESTIONS POSED BY THE COMMISSION ON THE PROPOSED SITING CRITERIA (45 FED. REG. 50350)

ITEM A

As noted in the body of our letter, the Task Force in developing their conceptual goals recognized the need to consider risk in the establishment of a new siting policy. Westinghouse agrees that the establishment of an acceptable risk as measured against established safety goals is the keystone in defining new siting requirements. Our responses to the Additional Questions relative to Item A (and to the questions relative to Items B, C, F, H and I) are made in accordance with this basic principle.

- Q.1 "Should the present policy of permitting plant-specific design features to compensate for unfavorable site characteristics be continued or should site approval be independent of plant design considerations?"

We believe that the present policy of permitting plant design features to compensate for unfavorable site characteristics should be continued. As discussed in the body of this letter, siting is but one of several factors affecting the overall safety of nuclear power plants. We believe that maintenance of risk at acceptable levels should consider all of the factors that affect that risk, in an integrated manner. The overriding consideration is the establishment of the safety goals and the methodology for evaluating plants against those goals.

- Q.2 "Should considerations of acceptable risk to the public and risks from other energy sources be included in reactor siting decisions? If considerations of acceptable risk are included, should they be primarily on the risk to the maximally exposed individual or on the overall risk to the exposed population?"

We believe that the areas addressed by this question should be included in the establishment of the overall safety goals as discussed in the body of this letter. The questions posed here are related to an area much larger than just siting and as such merit a separate proceeding for discussion. Risks from other energy sources must be considered in establishing the safety goal.

- Q.3 "Should site acceptability criteria be nationally uniform or regionally varying? If regionally varying, how large should be the regions considered and what are the important regional variables (e.g. need for power, overall population, availability or remote sites)? Which should be considered?"

We believe that the considerations raised in those questions should be addressed on the basis of the results of the overall safety goals and methodology, standard safety features, and degraded core rulemaking proceedings.

The safety goals should be nationally uniform and based on risk. Site acceptability should be based on meeting the established safety goals. For example, standard safety features should be those necessary to meet the safety goals at remote sites. As population density increases, and/or distances decrease, additional safety features should be required to meet safety goals up to the lower limit of tier 4. The lower limit of tier 4 should be established on the basis of risk at populous sites, such that siting of nuclear plants would not be prohibited in any region of the United States.

ITEM B

- Q.1 "Should a uniform minimum exclusion distance, applicable to all reactors, be established? Whether uniform or plant-specific should the minimum exclusion distance be based on limiting the individual risk from design basis accidents? If not, on what should it be based?"

As in previous questions, we believe that this question will be answered to a large degree with the proper framing of the overall safety goal. Once the safety goal, methodology and types of events to be considered are defined, the results of risk assessment analyses can be utilized to answer the question of the feasibility or need for uniform or plant specific exclusion distances.

- Q.2 "Should there be a single population density/distribution limit set applicable to the entire country or should such limits recognize different demographic characteristics of regions and be dependent upon those characteristics?"

Subsequent to the establishment of a properly framed safety goal and methodology, a comprehensive risk assessment can be performed to investigate the feasibility of uniform vs. regional population characteristic limits. Some of the areas of interest which can affect the decision of uniform vs. regional limits that would be addressed in establishing a safety goal include: risks of other societal hazards and of other energy forms, the spectrum of events to be considered, the role of emergency planning in risk assessment and the risk to the maximally exposed individual vs. the total population.

- Q.3 "Should any criteria established to limit acceptable population densities or distributions be applied only to populations current at the time of site approval or should they also be applied to projected post-licensing populations, (for example, to projected populations over the expected operating lifetime of the plant)? Should the same criteria be applied to projected populations as to populations current at the time of site approval? If not, how should criteria for projected populations be related to those for populations current at the time of site approval?"

We believe that there is a need to establish criteria which address site characteristics both at the time of licensing and over the projected lifetime of the plant. This belief is rooted in the need from an applicant/licensee standpoint to be able to have established criteria that provides reasonable assurance of site acceptability over the projected lifetime of the plant. Further, we believe that it is not necessary to establish identical quantitative values for site characteristics

at the time of licensing and over the projected lifetime of the plant. The proceeding proposed by Westinghouse in the body of this letter to establish safety goals and methodology should provide the basis for establishing the relationship between siting criteria at the time of licensing vs. the projected plant lifetime. If the site characteristics change significantly during plant lifetime, the change in risk can be compared to the safety goal, and additional safety measures can be defined, if necessary, to reduce the risk.

- Q.4 "Is the graduated approach with regionally differentiated population density and distribution limits (as recommended by the Task Force) or the alternative nation-wide "three-tier" approach a more reasonable way to proceed? Would a different approach be more appropriate? If so, what approach? If the regional approach is recommended, how should the region be defined?

We believe that a "four-tiered" approach is more appropriate for establishing siting criteria as detailed in the body of this letter. The application of the "tiered" approach does not eliminate the need to quantify acceptable risk by means of establishing the safety goals. The application of acceptable risk as measured against safety goals incorporates the concept of a continuum of the combination of plant safety design features, site population characteristics and emergency planning. The use of the tiered approach will act as a trigger mechanism to the license application to identify the degree of certainty in obtaining licensing approval. This approach should not preclude consideration of regionally varying criteria. The question of nation-wide vs. regional criteria should be resolved based on the record established during the proposed proceeding on safety goals and methodology.

- Q.5 "NUREG-0625 gives examples of the following population density and distribution limits which would vary regionally. . . Would this graduated regionally dependent approach be desirable? What other sets of values would be a more reasonable expression of population density and distribution limits?"

The feasibility of a graduated, regionally dependent approach to siting criteria is dependent upon the safety goals and the basis upon which they are established. As stated previously, we believe that it is imperative to initiate proceedings to establish safety goals and methodology before initiating the proceedings to establish population density and distribution limits.

- Q.6 "If a "three-tier" approach were utilized as set out in the alternative Staff approach, what values should be utilized for the upper (exclusionary) and lower (de minimis) thresholds? . . ."

We believe it is inappropriate to propose quantitative values for siting criteria until the overall safety goal and definition of accident conditions to be considered have been established.

ITEM C

- Q.1 "What would be an appropriate basis for specifying standoff distances:
- a. A single minimum stand off distance applicable to all categories?
 - b. A separate minimum stand off distance for each category?
 - c. The "three-tier" approach with a separate set of thresholds for each category?
 - d. Some other basis (specify)?"

We believe that a modified three tier or four-tier approach as outlined previously is applicable to stand off distances. When the four-tier concept is coupled with defined safety goals, risk assessment analyses can be carried out to establish separate thresholds for each category, depending upon the threat posed by each and the plant design features incorporated to mitigate the hazard.

- Q.2 "What man-made activities or natural characteristics, other than those discussed above, might require that minimum stand off distances be established? Should other nuclear facilities be considered in setting criteria for stand off distances?"

We believe that the Commission has developed a comprehensive list of natural and man-made hazards for consideration to limit the proximity of these hazards to nuclear power reactors. However, we believe that a means to differentiate between the size or magnitude of hazards in a given category is necessary. This would eliminate the ambiguity in the present list of the words large and major. For example, an 18 inch natural gas pipeline at 1 mile from the plant might pose a minimal hazard to the plant while a 36 inch pipeline at the same location might pose a non-negligible hazard. Risk assessment techniques should be used to establish the contribution to the overall plant safety posed by varying magnitudes of each hazard category and its effect on meeting an acceptable safety goal.

- Q.3 "What specific stand off distances or set of thresholds would be appropriate for each category?"

See Response to Item B, Question 6.

ITEM F

- Q.1 "What, if any, legislative authority should or could be given to NRC in order to: a. assure population densities or groupings around nuclear plants remain within acceptable criteria during the operational lifetime of the plant, and b. preclude installation of activities or facilities that might be hazardous to the plant during its lifetime?"

We do not believe that any additional legislative authority needs to be given to NRC in order for the Commission to assure that the health and safety of the public is adequately protected. See the response to Item B, Question 3 for further details.

- Q.2 "What actions should be considered by the Commission, and under what circumstances should these actions be taken if, at some time after a nuclear power plant begins operating, the surrounding population no longer satisfies established density or distribution criteria?"

See Response to Item B, Question 3.

- Q.3 "Under what circumstances should the Commission require changes in operating procedures (including plant shutdown) or engineered design changes to accommodate the construction facilities (including other nuclear power plants) or changes in existing hazardous offsite activities, after a licensed nuclear power plant begins operating, which might compromise plant safety?"

See Response to Question 3, Item B.

ITEM H

- Q.1 "At what point in the licensing process should a binding site approval decision be made?"

We believe that, using the four-tier approach, site approval can be established consistent within the present Commission framework for early site reviews (10CFR50, Appendix R) for the lowest tier. For either of the other two tiers leading to acceptance of a site, the final approval could not be made until the plant design and operational procedures had been approved. This latter case falls within the present Commission framework for custom plant review. In either case, site approval could be made prior to issuance of a construction permit for the plant. For a pre-approved standard plant, on an approved site, the licensing review could be considerably shortened.

- Q.2 "Once the site has been approved, when in the licensing process, under what conditions, and using what criteria should the questions of site acceptability be allowed to be reopened?"

We believe that once site approval has been issued, any new evidence which could invalidate the site assessment should be considered as reason to consider reopening the site review. It should be incumbent upon the parties presenting the new evidence to show that a reasonable probability exists that the site approval decision could be reversed as a result of this new evidence. We believe that this is consistent with present Commission policy in this area.

ITEM I

- Q.1 "Should the Commission retain the flexibility to address site disapprovals by state agencies on a case-by-case basis instead of modifying the regulations?"

We believe that the Commission should retain flexibility to address site disapprovals by state agencies on a case-by-case basis and should also include federal agencies in its considerations. As a minimum it would be necessary to determine whether the State had acted within the limits of its authority, with right of appeal to the courts. In light of the appeal processes available to the applicant, initial site

disapproval by any Federal or State organization is not, we believe, reasonable grounds for terminating NRC review of the overall project.

Q.2 "Should this alternative be bounded so that only actions taken by specific State agencies or with specific reasons would be considered? If so, which ones?"

See response to Item I, Question 1.



Westinghouse
Electric Corporation

Water Reactor
Divisions

Nuclear Technology Division

Box 355
Pittsburgh Pennsylvania 15230

June 19, 1980

NS-TMA-2267

Mr. Samuel J. Chilk, Secretary
U. S. Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D.C. 20055

Subject: Commission Order dated May 30, 1980 in the Matter of Consolidated Edison Company of New York, Inc. (Indian Point, Unit No. 2) and Power Authority of the State of New York (Indian Point, Unit No. 3); Docket Nos. 50-247 and 50-286.

Dear Mr. Chilk:

The subject Commission order announced a four-pronged approach for resolving the issues raised by the UCS petition and requested the views of interested members of the public to the end of better defining one part of the approach, the discretionary adjudicatory proceeding. Westinghouse wishes to incorporate by reference and expand upon the comments filed in response to the February 15, 1980 notice in connection with the Director's denial of the UCS petition in a letter dated March 10, 1980 from T. M. Anderson to Samuel J. Chilk.

In particular, we wish to reemphasize the need to formulate the discretionary adjudicatory proceeding for Indian Point in the light of the intended generic consideration of the question of operation of reactors in areas of high population density announced in the Commission's Indian Point order, as well as the other related generic proceedings now in various stages of implementation or under consideration by the Commission. It is important to note that the Commission's Indian Point order raises generic issues other than the high population density issue. The Commission should separate these generic issues from the plant specific issues and defer them to the generic proceeding. In considering the generic issues, an integrated course of action addressing the central issues in the proper sequence is essential to avoid the risk of relitigation based on perturbations caused by later rulemaking proceedings and to properly focus the application of resources so that the record and results of each proceeding logically leads to and provides a sound technical base for the next.

Five basic issues have been identified for generic proceedings. These five basic issues in the order in which they should be addressed are:

1. Safety Goals and Methodology,

2. Standard Safety Features,
3. Degraded Core Cooling,
4. Siting (including population density considerations), and
5. Emergency Planning.

The first proceeding to establish safety goals and methodology is basic to those which follow. In such a proceeding, the goals in terms of acceptable risk must be affirmed or established considering normal and abnormal plant operation.

Until these are agreed upon, there can be no final resolution of any of the other four basic issues. Once these have been agreed to, then it becomes possible to address the issue of what should constitute standard safety features for any proposed nuclear plant. Once having identified the safety goals, methodology, and the standard design features, the issue of degraded cores can be properly addressed to establish the circumstances, if any, and the manner in which such conditions need be considered. The resolution of any remaining issues involving siting and emergency planning requirements can be logically and rationally addressed once the first three issues have been resolved.

Accordingly, Westinghouse requests that the Commission, at an early date, publish an advanced notice for public comment of an integrated set of generic proceedings to resolve the above identified issues in the order presented above. Any piecemeal rulemaking activities now underway with respect to any of these issues should be superseded by the integrated proceedings and a project manager should be assigned from within the NRC Staff with authority to draw upon and coordinate any necessary NRC resources required for the efficient and effective conclusion of these proceedings. Given the overriding significance of these matters, we believe that the proper conduct of such integrated proceedings, including developing a suitable technical record on which to base the necessary Commission decisions and allowing for full public participation, warrants a major Commission effort.

During the pendency of the integrated generic proceedings, there will be a need, which goes beyond the present Indian Point proceedings, for the Commission to have a basis for dealing with matters related to these issues to the extent they may be raised in connection with any proceedings on applications, construction permits and operating licenses requiring decisions prior to the conclusion of the generic proceedings. To this end, the Commission should establish an interim rule to govern decisions concerning the acceptability of nuclear plants with respect to such matters in any such proceedings. The Commission apparently recognized this need in their Indian Point order when they raised Question B.2, "By what criteria should the acceptability of the risk posed by these facilities be determined?" WASH 1400 and the probabilistic risk assessment methods utilized in that study provide the basis for establishing suitable interim acceptance criteria and methodology for their implementation.

WASH 1400 risk curves should be used as the interim basis for resolving any issues which may arise involving the relative risks posed by any particular nuclear plant design at any particular site. Any nuclear plant which, on the basis of a WASH 1400 type review, presents risks which do not fall significantly above the WASH 1400 risk curves and which meet conventional NRC requirements in effect at the time of licensing should be deemed acceptable pending final resolution of the integrated generic proceedings. In performing these evaluations, it is important that consequences of ordinary events be considered down to the same low level of probability as are considered for the nuclear plant. For example, if a war to secure this nation's oil supplies has the same probability as one of the very low probability nuclear accidents, then the consequences of such a war should be considered if the consequences of the very low probability nuclear accident are considered in assessing the risks posed by the nuclear plant.

Additional acceptance criteria should be specified for determining whether or not restriction of operation or shutdown of any facility found unacceptable on the basis of the interim acceptance risks curves is warranted pending completion of the integrated generic proceedings. Here the impacts (e.g., risks, costs, environmental effects) should be compared with the impacts of restricted operation or shutdown of the facility. Unless there is an incremental impact of continued operation that is significant when compared to the overall non-nuclear impacts of other activities affecting the public, continued unrestricted operation pending completion of the integrated generic proceedings should be acceptable.

Thus, for the Indian Point plants, these comparisons against the interim acceptance criteria should be performed. If the Indian Point plants are found to be acceptable on the basis of these comparisons, the plants should be allowed to continue to operate under the terms of the licenses prior to the Director's Indian Point order. Issues raised by the UCS petition and addressed by the Director's and the Commission's Indian Point orders should, in that case, be deferred to or await the outcome of the integrated generic proceedings.

The interim acceptance criteria, which we propose be adopted, should then be applied to the Indian Point units or any other facility called into question pending the completion of the integrated generic proceedings. This will provide the Commission with a consistent evenhanded method of resolving all such problems which may arise. It will afford an opportunity for all interested parties to be heard whether they are from the nuclear industry or from the general public and will avoid unfair prejudice to parties who may not be interested in the Indian Point proceedings but who may be interested in subsequent proceedings involving other facilities.

We turn now to Question B.1 of the Commission's Indian Point order "To what extent are answers to the questions listed in Section (A) above material or useful in resolving the ultimate issue in the adjudication -- i.e., operation, shutdown, or modification of the Indian Point 2 and 3 plants?"

The current status of state and local emergency plans can be adduced and compared with the Commission's existing emergency plan requirements. To a large extent, information on this subject is available from the records of recent extensive submissions of emergency plan materials on the Indian Point plants. In order to have a meaningful evaluation of the acceptability of the Indian Point plans, the risks to the public health and safety associated with the emergency plans must be combined with other risks from the plants and compared with an interim acceptance criteria. If the overall risks posed by the plants are acceptable (i.e., comparable to the WASH 1400 risk curves) then the emergency plan should be acceptable. After long consideration, the Commission decided on the 10 mile limit for emergency plans. An important factor in arriving at this decision is the fact that radiation levels fall off very rapidly with distance. Consideration of any change in the 10 mile limit should be deferred to the integrated generic proceeding.

The question relating to improvements in the level of emergency planning presupposes that changes are required. As we pointed out in our referenced letter, the concerns regarding inadequacies in the emergency plans and other aspects of the Indian Point plants were based upon a faulty evaluation of the risks posed by those units in which the design features incorporated in those units specifically to cope with the population distribution and density conditions at the site and over which there were extensive contested licensing proceedings were not considered. This question can only be rationally addressed after deficiencies needing correction have been identified by comparing the risks posed by the Indian Point plants with interim acceptance risks curves and evaluating residual risks from the nuclear plants against ordinary risks faced by the public.

The third question as to what improvements in the level of safety will result from measures in the Director's Indian Point order bypasses the basic question of the acceptability of the Indian Point plants without these measures. As stated in our letter incorporated by reference and repeated above, the decision to impose these requirements stemmed from a faulty evaluation of risks. If the Indian Point plants can be shown to be acceptable as is, then the measures in the Director's order should be deferred to the integrated generic proceeding.

The fourth question dealing with what risks are posed by serious accidents including accidents beyond the design basis would be encompassed by the interim acceptance risk evaluations.

The fifth question as to how risks posed by the Indian Point plants compare with risks posed by other plants is fundamental and is the only question which needs to be answered in order to determine whether or not the plants are acceptable. The proposed interim acceptance criteria would provide a rational basis for answering this question, for assessing the adequacy of proposed changes, if necessary, and for assessing whether or not shutdown or limitations on operation are warranted pending implementing any such changes or the completion of the integrated generic proceedings.

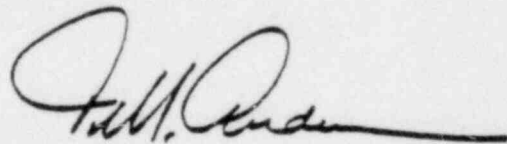
The sixth question as to the energy, environmental, economic or other consequences of a shutdown of the Indian Point plants is germane, as discussed above, if the risks posed by the Indian Point plants are not significantly above the interim acceptance risk curves. If the impacts (risks, costs and environmental effects)

of shutdown are outweighed by the impacts of continued operation, then the question to be answered is whether the incremental impacts of continued operation are small compared to the overall impacts of activities normally engaged in from day to day in modern society. If they are, it should be acceptable to continue operation.

In summary, we request that the Commission publish an advance notice for public comment of an integrated set of generic proceedings as outlined above. As an integral part of those proceedings, we request that the Commission announce its intent to establish interim acceptance criteria to be used to resolve the issues in the Indian Point proceedings and in any other proceeding which may arise in connection with other nuclear plants involving the same or related issues during the pendency of the integrated generic proceedings. We request that, in that notice, the Commission seek public comment on proposed interim acceptance criteria and methodology together with any alternatives the Commission may deem appropriate. The attachment to this letter is an overall flow chart of the proposed proceedings as they relate to one another.

We appreciate the opportunity afforded us by the Commission to provide our views. We would be pleased to meet with you or with members of the NRC Staff as you may deem appropriate to discuss any aspect of our recommendations and comments.

Very truly yours,



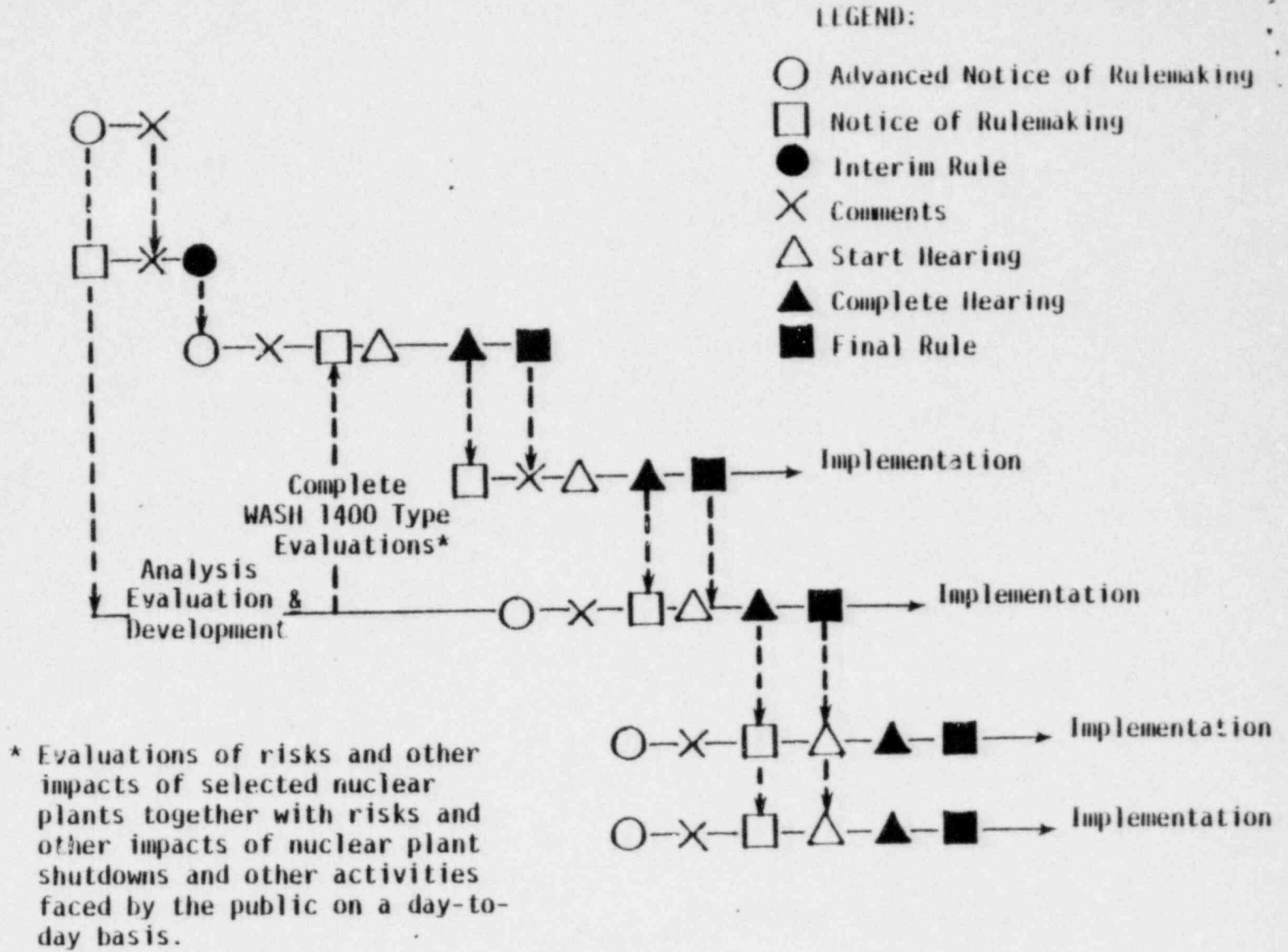
T. M. Anderson, Manager
Nuclear Safety Department

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Attachment

INTEGRATED GENERIC RULEMAKING

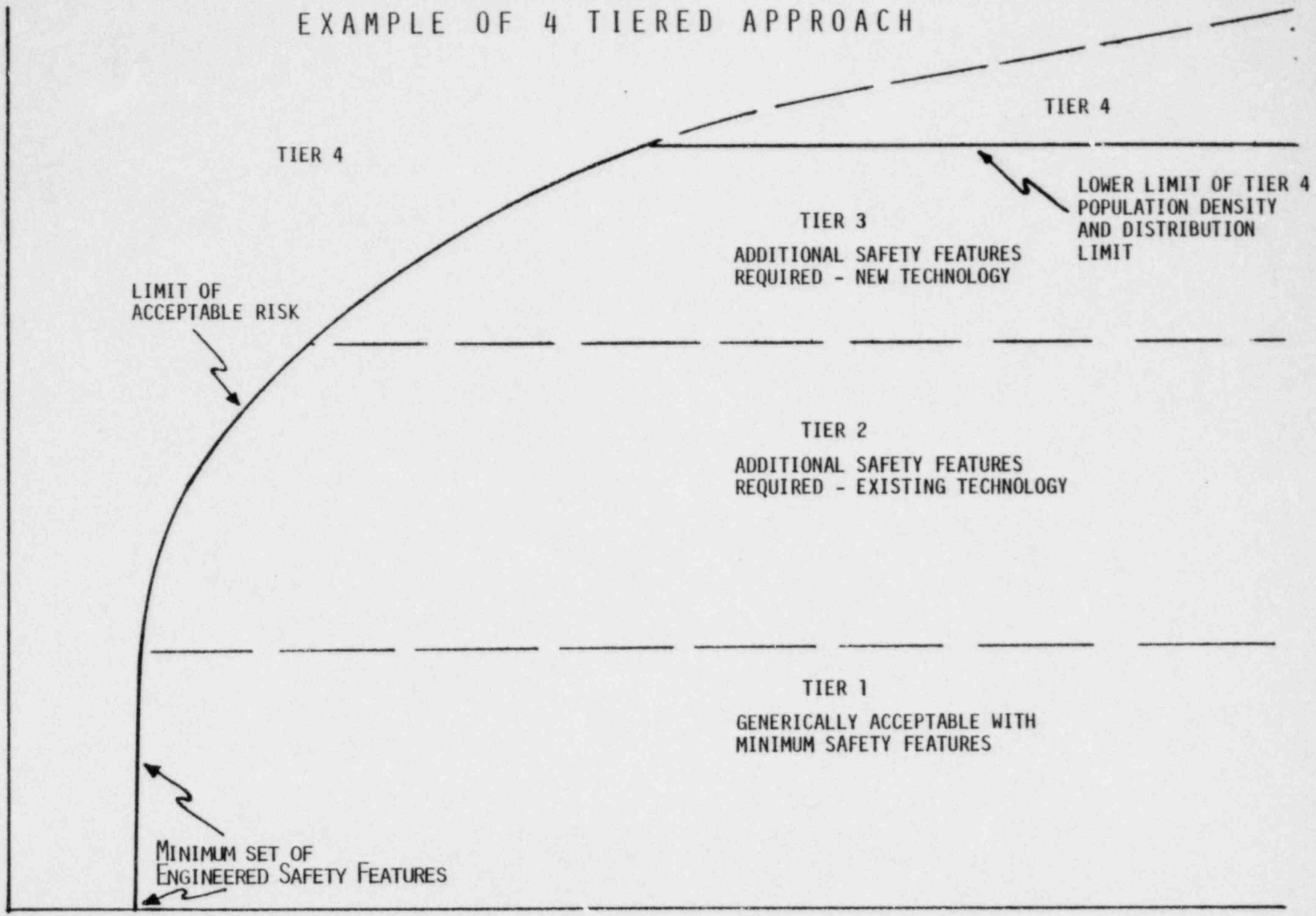
1. INTERIM RULE
2. SAFETY GOALS AND METHODOLOGY
3. STANDARD SAFETY FEATURES
4. DEGRADED CORE COOLING
5. SITING
6. EMERGENCY PLANNING



OVERALL FLOWCHART FOR PROPOSED
INTEGRATED GENERIC PROCEEDINGS

ALTERNATE SITING POLICY
EXAMPLE OF 4 TIERED APPROACH

POPULATION CHARACTERISTICS



DEGREE OF PLANT SAFETY FEATURES