

FP 818-4

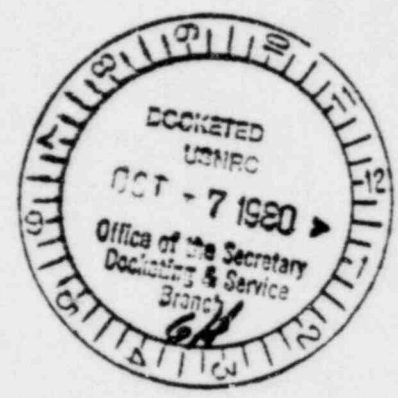


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Reg Guide*

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Secretary of the Commission  
US Nuclear Regulatory Commission  
Washington, DC 20555

Attention Docketing and Service Branch

Gentlemen:

We have reviewed the draft Regulatory Guide and Value/Impact Statement "Standard Format and Content of License Applications, including Environmental Reports for In-Situ Uranium Solution Extraction."

We find that the Regulatory Guide is seriously flawed both in philosophy and its requirements.

First, the directive that in-situ operations conducted in conjunction with a conventional mill requires a totally separate license ignores the practical aspects of such an operation. In such an operation, many facilities would be common to both operations. Separating out which piece of equipment is under the jurisdiction of which license would be possible, no doubt, but is an exercise which has no apparent point. The duplicate reports and other information required would cause the generation of several hundred pounds of extra paperwork for the industry, paperwork that presumably someone at NRC will have to examine.

The requirement that the applicant "consider the cumulative or synergistic effects" of co-locating ignores the much more likely case that the net effect of two operations conducted at one location would likely be less than if they existed separately.

While not precisely stated as such, it is implied that all water users and all abandoned drill holes within five miles of the proposed operations should be tabulated, including withdrawal rates for ground water users, and dates of well abandonment, including plugging data. Within five miles of a proposed project, there may have been several thousand exploratory drilling holes, most of which have no record other than in the proprietary files of the companies which drilled them. The existence of most of these holes would be speculative. Even more speculative would be the depth, condition of closing, and plugging (if any).

This requirement ignores the practical aspects of the task. Why, one is forced to ask, is this relevant or important? The effect that an in-situ operation

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has on ground waters only a few hundred feet from the boundary of the property would be difficult to detect in most cases. We admit that it is important to prevent impacting adversely the quality and quantity of neighboring ground water, but to require every proposed project to report on ground water uses and drill holes which it would have no hope of influencing is unreasonable and unnecessary.

Similar arguments could be presented for gathering population data out to 50 miles. It might be necessary, say, if the radon emissions for a particular operation were considerable. Fifty miles may not be far enough in such cases. In most cases, though, it is absurd to require 50 mile impact studies for projects which may release, through their operations, an amount of radon small in comparison to the amount of radon released by nature from the ground they are sited upon. We think a more reasonable approach to population impact studies is warranted.

The statement on page 4 that the National Registry of Historic Places is published annually in the Federal Register is incorrect. The additions to the Registry are published annually. The Registry was published in 44 FR 7416.

The requirement for 1-year of pre-operational meteorological data for a plant which may have negligible emissions is simply ridiculous, especially in areas whose meteorology varies only slightly over large areas and other data is available.

If emissions are trivially small, as they can be in an in-situ operation, why is meteorological data required at all? If, by assuming class F stability and light winds for 8,760 hours for the year, the calculated air exposures are insignificant beyond the project boundaries, why would it be necessary to perform meteorological monitoring for one year prior to submission of the application? We see no need for it.

Data required in Sections 2.6, 2.7, 2.8, 2.10, 2.11, and 2.12 are what we believe a reasonable applicant would and should include in an application, in addition to a realistic study of the air emissions from the project and a reasonable study of the site' ecology.

Sections 3 through 6 likewise do not seem to have gone beyond the bounds of reason.

The data required for section 7 seems to be excessive for some of the smaller projects which would be considered by an applicant. While a large project with an investment, say, of \$10 million or more would reasonably have detectable sociological and environmental effects, one can hardly see the need for a plant with a capital investment of under \$1 million and a staff of two dozen people to perform a detailed analysis.

In summary, we find some parts of the guide reasonable and necessary and some which we see as being quite unreasonable, unnecessary and ill considered. The requirements for regional well and drill hole data are without justification or need, as are requirements for meteorological knowledge which may be of no practical value and of no significant value.

We think it most important that reason and common sense be applied to these guidelines, some of which seem to serve no purpose but to have the industry stand in place, marking time, allowing anemometers located in desolate places to turn and collect meaningless data.

We look forward to a more realistic revision of the guide.

Sincerely,

L. M. Cook