

April 7, 1981

DOCKET NUMBER PR-2 (560)
PROPOSED RULE
(46 FR 17216)

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

Attn: Docketing and Service Branch

Dear Mr. Chilk,

Thank you for allowing the Lone Star Chapter of the Sierra Club to comment on the proposed changes to the Commission's Rules of Practice, 10 CFR Part 2.

Please consider our views in the enclosed comments and include them as part of the Public Record in this matter.

Keep us informed in the outcome of this act of proposed amendments.

Yours very truly,

Walter Traxler
Walter Traxler

For the Lone Star Chapter
of the Sierra Club
P. O. Box 64414
Dallas, Texas 75206
214-669-1961 or 247-5896



WT/js
enc.

L-44, P12

Public Comments on the Proposed Amendments
to 10 CFR Part 2
RULES OF PRACTICE FOR DOMESTIC
LICENSING PROCEEDINGS

We admire the intention of the NRC to expedite the conduct of adjudicatory proceedings in licensing of nuclear power plant construction and operations. The proposed amendments however, reinforce the findings of all studies of the tragedy at Three Mile Island.

MINDSET - preprogrammed attitudes - that NRC Staff and Utility Applicants "know what's best for Americans" was a contributing cause of TMI. This is still apparent in the current proposal.

Rogovin (NUREG-1250) reported that

"...the most serious problems will be solved only by fundamental changes in the industry and the NRC."

and went on to conclude

"...the Commission is incapable, in its present configuration, of managing a comprehensive national safety program for existing nuclear power plants and those scheduled to come on line in the next few years adequate to ensure the public health and safety."

That study also pointed out that

"The NRC, for its part, has virtually ignored the critical areas of operator training, human factors engineering, utility management, and technical qualifications."

in addition to all their other findings in construction and operation.

Rogovin's principal finding strikes the heart of these present proposals

"...the root cause of most of the inadequacies in governmental emergency response, and a contributory cause of all of the inadequacies, was the NRC's failure to promote an awareness that nuclear powerplant accidents with substantial offsite consequences are possible and must be planned for."

Kemeny and all the "Lessons Learned" reports made similar warnings.

Gus Speth in his (20 March 1980) letter to (then) Chairman Ahearne points out still other NRC failures

"...policy prohibits discussion of certain severe accidents, the Class 9 events,"

and

"...little attention to public understanding."

His report presents eight possible accident scenarios. Such analyses, we also believe, could improve the decisions for siting, design, licensing, and emergency planning.

But - the NRC has no Safety Guidelines yet, even though work is at last in process (NUREG-0735, Plan for Developing A Safety Goal).

After the first guncotton plant explosion, the remaining neighbors prevented other plants from operating for twenty years! It seems premature to limit discussion of safety and health issues until at least a Safety Goal is in place, much less the many other hoped-for recommendations in the wake of TMI. Or as Rogovin reminds

"It is, lest we forget, an inherently dangerous activity that Congress has authorized the NRC to license."

We must, however, remind the NRC of all the reasons why the input of interested citizens must be maintained.

We must also commend the Commission for all the bad results they have prevented.

Respectfully submitted for your careful consideration.

Walter Traxler, for the
Lone Star Chapter of the Sierra Club
P. O. Box 64414
Dallas, Texas 75206

(214) 369-5543