

DOCKET NUMBER

PROPOSED RULE

PR 50
(45 FR 50350)

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Fred Stetson
Licensing and Safety Projects Manager

October 1, 1980

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

Attention: Docketing and Service Branch

Subject: 10 CFR Parts 50, 51 and 100, Advance
Notice of Rulemaking: Revision of
Reactor Siting Criteria (45 FR 50350)

Dear Sir:

The enclosed Attachment 1 was inadvertently omitted from the enclosure to the AIF Committee on Reactor Licensing and Safety comment letter on the Subject ANR, signed by Dr. D. Clark Gibbs, CRLS Chairman, dated September 30, 1980. Please attach the enclosed to the comment letter before distributing the letter internally within NRC.

Sincerely,

Fred Stetson

Enclosure
FTS:mlk

Acknowledged by card 10/3/80
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C-4-1PT50

Comments by the AIF Subcommittee on*
Emergency Planning & Siting Policy

The foreword to the proposed rule to amend 10 CFR Part 51 relating to alternative site reviews requests public comment on "whether safety issues, including emergency response capability, should be admitted in the review and decision-making on alternative sites; and if so, how."

The present site selection process for nuclear power plants employed by many, if not most, utilities recognizes that as a matter of prudence in assuring site licensability it is necessary to consider engineering and safety, together with environmental impacts, in site selection. This occurs because, at some point in the NRC's review process, it must be demonstrated that the preferred site satisfies the NRC's site suitability criteria (e.g. the criteria contained in NRC Regulatory Guide 4.7). Since an unbiased, objective site selection process does not focus on the preferred, or proposed, site beforehand, all candidate sites should therefore satisfy these criteria. Likewise, because of site specific differences (e.g. hydrological, geotechnical, meteorological, etc.) the engineering requirements at one candidate site may be significantly greater than at another, thereby making that site significantly less economical. This economic consideration is an important factor in site selection.

The NRC has, in the past, performed the NEPA-required alternative sites review without considering the safety aspects of the proposed plant at the various candidate sites. Safety related matters have been considered by the NRC only for the proposed site during the safety review required by the Atomic Energy Act. We strongly object to the inclusion of safety matters in the comparison and ranking of alternative sites in the NEPA review process. If these issues were allowed, it would require:

- a. That alternative sites, which meet all applicable safety criteria, be ranked in terms of relative safety. This cannot be done because there is not a common basis for comparing risks for all external events nor is there a common basis for comparing risks for internal events. Reference to these deficiencies are found in NRC's "Siting

* These comments were previously submitted to NRC on July 11, 1980, as part of an overall AIF comment package on proposed amendments to 10 CFR 51.

Policy Task Force Report" - NUREG 0625 and the Advisory Committee on Reactor Safeguards February 14, 1980 letter to the Commission. To attempt to rank sites on safety would require subjective value judgments as: Is a site 15 miles from a capable fault "safer" than a site 6 miles from a liquified natural gas plant?, What if the site judged "safer" with regard to these two criteria is in a more densely populated area?, etc.;

- b. That environmental effects be balanced with safety considerations if the environmentally preferred site is not the site judged to be the "safest". On what basis would a decision be made as to whether safety considerations or environmental considerations are of greater concern?;
- c. That both safety and environmental considerations be compared to such factors as site development costs (including associated transmission lines and rights-of-way; engineered safeguards; and environmental impact mitigation), system reliability and institutional considerations such as intercompany load sharing agreements, etc.; and
- d. That mitigation alternatives be compared. For example, questions such as (1) should the applicant use engineered safety features to make a site licensable or must it be made "safer"?; and/or (2) should the applicant extend the region of interest beyond what is required for environmental diversity to find a "safer" site that may be inferior on environmental issues?; etc. would have to be addressed.

The above objections to including safety issues in the NEPA alternative sites review are particularly applicable to the issue of emergency response capability. The state and local authorities, not the utility, have the responsibility to develop off-site response plans and the capability to implement them. While it is in the best interests of utilities to scrutinize the emergency planning zone in the vicinity of each alternative site to assure that there are no major site characteristics that would preclude development of a plan for prompt emergency response capabilities, it is not practicable or necessary to consider detailed emergency response capability for each alternative site for the following reasons:

- a. The long time span (10 - 15 years) between alternate sites review and plant operation allows for significant changes to be made offsite which could impact conclusions drawn from previous studies.
- b. There is no definitive basis on which to compare sites with respect to future emergency response capability.
- c. Emergency response capability is dependent on plant design details which may not be established at the alternate sites review stage.
- d. Emergency response capability is fully examined for the primary site during the successive stages of licensing prior to plant operation.

For the above reasons, it is our judgement that, expansion of the NEPA alternative sites review to include safety issues is not a feasible method of incorporating the facet of safety into the plant siting review process. To do so would unnecessarily complicate and lengthen the NEPA review process. The ACRS itself has pointed to the combining of NEPA and Safety Reviews in the ASLB hearing process as a possible contribution to delaying licensing actions and suggests that these issues be kept separate (NUREG 0642 Section 7.2.3). Safety related matters are, of course, fully examined for the primary site during the successive stages of licensing, thus assuring the health and safety of the public.

Therefore, in summary, although safety issues are considered by licensees as a matter of prudence in the decision-making on alternative sites, licensees should not be required by regulation to submit information on safety issues as part of the NRC NEPA alternative site review.