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Geschäftsführung

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Vereinigung Deutscher
Elektrizitätswerke - VDEW - e.V.



Secretary
US Nuclear Regulatory Commission
Washington DC 20555

Attention: Docketing and Service Branch

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Aktenzeichen

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Proposed revision to US siting regulation
Federal Register Vol. 57, number 209

Dear Sirs,

the US NRC has issued for comments a proposed modification of 10 CFR 100, the deadline for submitting comments being March 24, 1993. Recent contacts with the US NRC have shown that it would receive with interest comments from foreign organizations.

Vereinigung Deutscher Elektrizitätswerke (VDEW) acting on behalf of the German Nuclear Power Operators welcomes the opportunity thus afforded and would like to confirm the arguments already exchanged between Mr. Murley, NRC, and Mr. Kienle, Head of Nuclear Power Division, on the occasion of the NRC/USC meeting held on January 22, 1993, in Palo Alto. You are kindly asked to take into account our arguments in a final version.

Consistency between Plant Safety and Choice of Sites

In 1981/82 the European and Japanese utilities had already stated their deep concern about the intention to lay down a rule for tolerable site conditions under discussion at that time. Main reason for the rejection of this former plan was our argumentation that site criteria cannot be defined independently of the design and safety goals of the plant to be built. Consequently, NRC has turned to the definition of safety goals aiming at a significant improvement of plant safety compared to the presently existing plants.

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Thus the announcement of new and sharper safety requirements becomes even more incomprehensible to us, as the safety level of presently planned plants which shall be built after the second half of the nineties has significantly been increased especially due to the EPRI requirements.

If these new plants, which shall receive a design certification until the end of 1995, have safety features limiting the impacts of an accident to the site boundary, it is incomprehensible why people are not allowed to settle within an exclusion zone beyond the plant fence and why the number of inhabitants is drastically limited within a radius up to 50 km. This limitation leads to the consequence that the construction of nuclear power plants would only be permitted in a large distance to population centres. Thus the option to use these plants also for district heating purposes has to be directly excluded, although this option would be desirable due to reasons of energy policy and climate protection.

Public Concern

In our view it cannot be explained to the public why such inconsistent requirements are requested by the authorities. Moreover, there is the fear that the public might become suspicious that the allegedly safe new reactor generation really shows significant deficiencies with respect to the control of severe accidents. Otherwise such a preventive concept against catastrophes would not be necessary.

As roughly 25 % of the present US sites for nuclear power plants do not fulfill the new criteria, the existing plants on these sites would require an exceptional permission or the schizophrenic case has to be explained to an astonished public that - on the same site - more modern and safer reactors are not allowed to be built, whereas the older reactors with lower safety levels exploit the residual lifetime of their operating license.

International Solidarity

Apart from these general reasons, we want to draw your attention to our special national concerns that practically none of our present sites is able to fulfill the criteria you demand. Due to data available to us, the



same holds for many sites in Great Britain, France and Japan. With regard to the International Community of States operating nuclear power plants we appeal to you not to publish any regulations (if not stringently required due to a specific national site situation) which might unnecessarily aggravate the controversially discussed use of nuclear power in many countries. The intentions pursued by NRC according to Mr. Murley (avoidance of plant sites within centres of dense population) could be fulfilled if population densities, which are compatible with site conditions in other countries, are accepted.

Less disadvantageous for non-US states would also be a procedure not to fix the intended data in a formal regulation but in a legally less binding administrative rule in the sense of an intended goal and not as a rigid boundary to be fulfilled in any case.

Preservation of the German Option for Nuclear Power

You are aware of the specific German situation where presently a hard struggle takes place for a political consensus concerning the future use of nuclear power and where new conditions may be fixed concerning licensing, construction and operation of new nuclear power plants. In this situation the German utilities are especially sensitive with respect to regulations, which they are unable to fulfill due to natural conditions. It cannot be excluded that a future use of nuclear power in our country will only be possible if we are willing to accept the worldwide highest safety requirements both concerning the plant design itself and the sites. Your intended new regulation might therefore significantly influence the long-term use of nuclear power in our country.

Yours sincerely

Vereinigung Deutscher
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Prof. Dr. Joachim Grawe