

50-133

NRC Central

March 19, 1982



MEMORANDUM FOR: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

FROM: James P. Murray
Director and Chief Counsel
Rulemaking & Enforcement Division, OELD

SUBJECT: Petition Requesting Decommissioning of
Humboldt Bay Facility

Ron Guenther, by petition dated February 20, 1982, has requested that the Commission order the decommissioning at this time of the Pacific Gas & Electric Co's Humboldt Bay facility. Mr. Guenther has set forth several reasons for his request, including the failure of the facility to comply with Commission seismic standards, the poor operating history of the facility, and several types of adverse environmental and safety impacts which would presumably occur if the facility resumed operating. Mr. Guenther's petition was originally submitted to the Atomic Safety & Licensing Board sitting in the Humboldt Bay case. In response to a letter from Staff Counsel, Mr. Guenther resubmitted his petition to your office.

This office will work with you and your staff to develop an appropriate response to the petition. Enclosed for your use are:

1. A copy of the petition;
2. A draft letter of acknowledgment; and
3. A draft Federal Register notice.

Please inform us who your staff contact on this matter will be.

James P. Murray
Director and Chief Counsel
Rulemaking & Enforcement
Division

Dist.

Enclosures: As stated:

NRC Cent. 2.206 chron Cunningham
ELD Rdr Murray chr. Christ./Scin.
Rdg Burns chron.RH/SB/DF/AG
Subj Cyr

CONTACT: Karen Cyr, ELD

OFFICE	OELD	27269				
SURNAME	K.Cyr:mhl	8203240167 820319				
DATE	3/19/82	PDR ADOCK 05000133				
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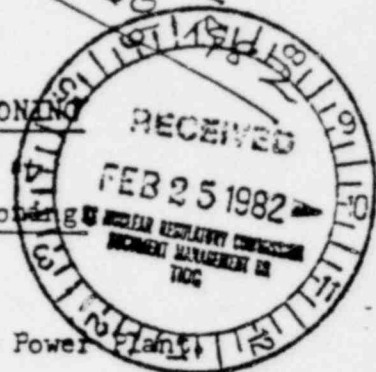
To: Harold Denton
Director of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

January 16, 1982
29900 Highway 20
Fort Bragg, California 95437

To: Mr. Robert Lazo, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

PETITION FOR DECOMMISSIONING

Public Record - Humboldt Bay Nuclear Power Plant Decommissioning



Mr. Chairman and Members of the Board:

This is a petition for the decommissioning of the Humboldt Bay Nuclear Power Plant.

My reasons for petitioning the Board in this matter are as follows:

- 1) The subject nuclear power plant is poorly and inadequately designed for safe operation, and has a long history of operating and safety failures deriving directly from design deficiencies.
- 2) Three earthquake faults have been discovered within 4,000 feet of the reactor, and appropriate design safety measures were not incorporated into either the reactor's design or construction. The subject plant does not conform to the Nuclear Regulatory Commission seismic standards. The cost of bringing the subject plant into compliance with these standards could exceed \$300 million, compared with estimated decommissioning costs of \$35 million. Decommissioning is therefore the preferred economic alternative.
- 3) The subject nuclear power plant's operating record is among the worst in the history of nuclear power. The public has been presented with no convincing evidence that this sorry and irresponsible operating history will, or even can change for the better. The latest evidence indicates that the utility will continue to operate the subject plant in a negligent, irresponsible, and unsafe manner.
- 4) The utility has failed to comply with an Atomic Safety and Licensing Board order to reveal how the company expects to bring the subject power plant up to current Nuclear Regulatory Commission standards. This latest example of the utility's continuing reckless disregard for the public health and safety indicates plant decommissioning as the only practicable solution for problems of public protection.
- 5) The subject power plant is one of the oldest commercial nuclear power plants under the Board's jurisdiction. It went on line in 1963. Approximately 1/2 to 1/3 of the plant's life expectancy has elapsed. Decommissioning at this time would save future ratepayers substantial expenditures before embrittlement, increased residual radioactivity, and other safety problems become acute, and decommissioning costs rise dramatically.
- 6) As the utility continues to engage in delaying tactics which prolong the process of solving public protection problems, it continues to maintain, and to protect the subject plant. Since 1976 the costs of maintenance have been approximately \$15 million. Decommissioning the plant would eliminate at least maintenance problems for core loadings, and would cut the necessary costs of plant surveillance until the plant could be either dismantled and moved to its final repository, or entombed in situ.

- 7) No permanent facility for safely disposing of the nuclear wastes deriving from the operation of the subject plant exists at this time. This would include the approximately 35 tons of high-level waste now being stored at the plant site at substantial risk to the public health and safety in the area, downwind, and down-current from the site.
- 8) Human population densities exist only a very short distance from the subject plant site. As examples, heavily travelled Highway 101 is only 1,500 feet from the reactor. There exists a nearby residential community, beginning only 1/4 mile from the plant. In case of accident, release of radioactivity from the plant would seriously endanger human life in the area. Additionally, cumulative losses of life could occur in areas downwind and downcurrent from the subject site.
- 9) Humboldt Bay is immediately proximate to the subject nuclear power plant site. Safety problems inherent in the plant's radioactive discharges on sealife, and on the human foodchain, have not been effectively recognized, evaluated, or dealt with.

* * * * *

Thank you for your consideration. I request your immediate action on this petition for decommissioning.


Ron Guenther

Bon Quenther
29900 Highway 20
Fort Bragg, California 95437



Harold Denton
Director of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

(Draft)

Ron Guenther
29900 Highway 20
Fort Bragg, California 95437

Dear Mr. Guenther:

This is to acknowledge receipt of your petition, previously submitted to the Atomic Safety & Licensing Board, requesting that the Humboldt Bay facility be decommissioned. Your petition will be treated under 10 CFR 2.206 of the Commission's regulations. Accordingly, appropriate action will be taken on your petition within a reasonable time.

I enclose for your information a copy of the notice that is being filed for publication with the Office of the Federal Register.

Sincerely, .

Harold R. Denton, Director
Office of Nuclear Reactor
Regulation

Enclosure:

As stated

cc: To licensee

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
[Docket No. _____]

Pacific Gas & Electric Co.
(Humboldt Bay Power Plant)

Request for Action Under 10 C.F.R. 2.206

Notice is hereby given that by request dated February 20, 1982, Mr. Ron Guenther petitioned the Commission to order the decommissioning of Pacific Gas & Electric Company's Humboldt Bay facility. This petition is being treated as a request pursuant to 10 C.F.R. 2.206 of the Commission's regulations, and accordingly action will be taken on the petition within a reasonable time.

Copies of the petition are available for inspection in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. 20555, and in the local public document room at the _____.

Dated at Bethesda, Maryland, this _____ day of March, 1982.

For the Nuclear Regulatory Commission

Harold R. Denton, Director
Office of Nuclear Reactor
Regulation