



State of New Jersey (55 FR 29043)
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY

CN 415
Trenton, N.J. 08625-0415
(609) 987-6402
Fax (609) 987-6390

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Jill Lipoti, Ph.D., Assistant Director
Radiation Protection Programs

October 15, 1990

The Secretary of the Commission
U.S. Nuclear Regulatory Commission
Attention: Docketing and Service Branch
Washington, DC 20555

Gentlemen:

Subject: Nuclear Power Plant License Renewal Proposed Rule
(10CFR Part 54 Proposal, 55FR 29043, July 17, 1990)

The Bureau of Nuclear Engineering (BNE) staff of the New Jersey State Department of Environmental Protection has reviewed the proposed rule for the nuclear plant license renewal, published in the Federal Register dated July 17, 1990. The staff, as a result of this review, submits the following comments:

The proposed rule does not include a plant-specific probabilistic risk assessment (PRA) or a plant safety assessment (PSA) as a requirement for the renewal of operating licenses. The license renewal proposal does require the licensee to comply with Generic Letter 88-20 "Individual Plant Examination" (IPE). However, Generic Letter 88-20, allows the utilities to select one of three options for compliance: 1. PRA, at least a Level I PRA, 2. The IDCOR system analysis, 3. Other systematic examination methods. The licensees, given this flexibility, may avoid performing a plant-specific PRA, thereby not identifying possible plant vulnerabilities. We believe a Level I PRA is essential.

The proposed rule does not include a requirement to apply the results of a Level I PRA to reduce plant vulnerability to accidents. The BNE is responsible for maintaining an emergency preparedness program for nuclear plants in the State of New Jersey. Requiring an accident management program in the license renewal process would enhance power plant safety over the plant's life, and reduce the risk of a nuclear power plant accident in New Jersey. The nuclear industry including the Nuclear Utilities Management and Resource Council (NUMARC), and the Nuclear Regulatory Commission (NRC) are working on this program which we believe should be considered as a requirement for operating license renewal.

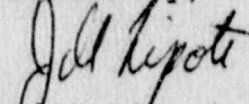
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The lack of rulemaking on the environmental impact of waste generation for license renewal is a cause for great concern in New Jersey. The proposed rule states, "annual radioactive waste production is not expected to change significantly from rates during the original license term". The rule also states the following about environmental impact, "there would be an undesirable level of uncertainty and lack of predictability in the plant relicensing process." The NRC should consider that there is some predictability that an aging power plant would have contamination problems, thereby increasing waste over time. Additionally, spent fuel pools are finite in capacity, therefore there is some predictability that spent fuel assemblies will be transferred from the spent fuel pools to drycasks somewhere on site. The environmental impact of these items should be required or addressed in the license renewal process since they pose some unique environmental and emergency planning questions. When licenses were originally granted to nuclear power plants it was assumed that a solution to nuclear waste disposal would be forthcoming in granting a license renewal, the environmental impact of radioactive waste storage must be addressed.

Lastly, a public hearing should also be a requirement for the license renewal process. The proposed rule, as published in the Federal Register, only provides an opportunity for an interested person to request a hearing. Renewal of an operating license is essentially the granting of a license for an extended term. Therefore, the BNE staff believes that a general hearing should be held before NRC approves the application for license renewal.

If you have any further questions or need clarifications on our comments, please contact staff representative Suren Singh at (609)-987-2039.

Sincerely,



Jill Lipoti, Ph.D.
Assistant Director

c: K. Tosch, BNE
J. Stoltz, NRR
A. Dromerick, NRR