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

Attn: Docketing and Service Branch

Comments on Nuclear Power Plant License Renewal, Proposed addition to 10 CFR Part 54, and amendments to Parts 2 and 50

Dear Sirs:

We have the following comments on the proposed rules which appear in the July 17, 1990 Federal Register, Vol 55, No.137, pages 29043 - 29062:

IV Principal Issues

a(i) Two Principles

We question whether the current licensing basis for each reactor provides and maintains an adequate level of safety for operation during a proposed renewal period...even if there have been modifications implemented which address certain safety issues. Those which would not qualify to be licensed today should not be considered for license renewal.

a(iv) Generic Safety Issues

No license should be renewed at any facility for which generic safety issues are still outstanding. Who decides whether the gravity of the generic safety issues is such that the cost-benefit analysis is employed? No backfit requirement should be allowed a cost-benefit option.

a(ix) Maintaining the Licensing Basis During Renewal Term

We believe NRC oversight of facilities which might receive license renewals should become more rigid and conscientious than during its initial operating license period. The uncertainties of plant aging, and the declining pool of technically trained personnel...coupled with uncertain environmental factors indicate the need for greater vigilance during possible license renewal.

c Aging Management

Even though considerable attention has been given to plant aging, both in the Federal Register listing, and from the number of conferences sponsored by the NRC, the NRC's history of dealing with these problems is less than assuring. For instance, the torus thinning at Nine Mile Point I was progressing twice as fast as had been expected. How many other surprises are in store? If plants are granted extensions of licenses, we request that plant surveillance by NRC, INPO and trained utility personnel be

increased, with particular observation about plant aging problems.

j. Environmental Information

It is logical that environmental considerations be given among the greatest weight in determining the advisability of license renewal. The environmental information portion of the rulemaking should be reviewed and commented upon before the license renewal section.

k. Backfit Considerations

It is reassuring to read that "all age-related requirements that the staff believes are necessary to ensure adequate protection during the extended life would be imposed without regard to cost". But who decides whether age-related degradation goes beyond what is necessary to ensure adequate protection or compliance with the current licensing basis (and for which costs may enter into decisions as to whether modifications would be required)? The history of regulator-regulatee coziness, and the performance record of the NRC indicates that economic considerations have prevailed over safety considerations, revealing acquiescence by the NRC in regard to pressure from the utilities.

l. Hearings

Again, it sounds good that opportunity for hearings are to be provided. However, the constraints upon petitioners which limit their access to information and which narrow the issues which can be challenged, the speed with which petitioners must act, and the completeness of information required early in the process, make a true mockery the process. The hearing process must be guaranteed, and the limitations must be removed. The hearing process which existed at the beginning of the nuclear power business was biased against the intervenors. This proposed ruling further restricts intervenors' rights. The Hearings system must be reviewed by INDEPENDENT jurisprudence and a FAIR system be established.

n. Emergency Planning Considerations

We believe the NRC's requirements do not provide an acceptable level of emergency preparedness at many existing reactors (Indian Point, Pilgrim, Seabrook, Diablo Canyon and others), and therefore believe there is a deficiency or requirements for any license renewal applications. Emergency Planning needs to be totally re-evaluated in the wake of the Chernobyl accident.

o. Plant Physical Security Considerations

Since the federal facility for high level radioactive waste may be indefinitely deferred, all nuclear power plant sites are candidate to becoming permanent high level waste dumpsites by default (they are certainly not designed to be adequate for this contingency). Most spent fuel pools have been designed as interim disposal sites, providing inadequate space in fuel pools for the additional waste which would be generated because of possible

license renewals. Therefore most plants which plan license renewals will build new dry cask above-ground-storage to accommodate the continuing generation of radioactive waste. Because of the likelihood of additional high level waste being stored on site, we recommend that Plant Physical Security be totally reviewed, and efforts be made to increase security precautions. Our experience at Peach Bottom gives us NO CONFIDENCE in the quality of plant physical security. Nuclear power plants are a possible target for terrorism under any circumstance, but the greater the inventory of radioactive waste, the greater the risk for security violations.

q. Financial Qualification Consideration

We feel that utilities should be required to conduct full cost evaluations that show options which the utility considered. Whether a utility has adequate funds for safe operations is important, but in addition, utilities should plan to provide service to customers at reasonable costs. All utilities should be required to re-evaluate their whole services to customers and conduct least cost planning, and include all environmental costs as well. I have seen no utility cost accounting that itemizes the extensive federal subsidies to nuclear power.

ADDITIONAL CONSIDERATIONS:

Capacity Factor If a utility cannot operate a nuclear power plant so that it produces electricity at a minimum of 70% capacity factor during the 5 years before a request for license renewal, the NRC should not even consider its renewal. It is a reflection of either poor management, poor design, poor construction, poor operation, or a combination of these, that causes such poor performance. The NRC should not reward deficient operation with license extension.

Management Qualification We request that, because of the specialized requirements for managing nuclear power plants, that the NRC establish specific required qualifications with which managers of utilities must comply before license renewal could be granted. Management incompetence has been one of the leading factors in the declining performance of the reactors with which we are familiar.

Pool of Nuclear Engineers Fewer college students are choosing the field of nuclear engineering for their careers. This limits the pool of qualified scientists who can recognize serious safety problems, and guide the safe operation of nuclear power plants. More and more personnel are being recruited from the nuclear navy. The NRC should assess the availability of qualified personnel to operate the nuclear power plants before renewing the licenses of any of them.

Inadequate designs The nuclear industry is presently promoting new, supposedly improved designs of reactors that are touted to be

"safe and melt-down-free". How can the NRC justify allowing the present greatly troubled reactors to continue operation if they are acknowledged to have known potential for very serious accidents. The combination of deficient reactor designs, complicated safety devices on top of complicated safety devices, plant aging, management incompetence, engineering deficiency, substance abuse, and human error give little assurance to the public that this increasingly expensive form of electricity generation is desirable. It is not cost-effective to the consumer, and generates a profit for the utilities with an unacceptable risk to the public not at the choice of the public.

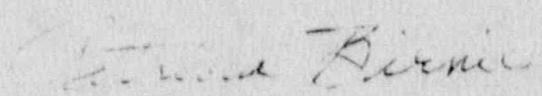
Public acceptance License renewal should be granted only if all of the above safety parameters are met, and then the proposed license renewal is submitted to the public for their approval, as a referendum. Those who bear the risk should be allowed to make that choice.

Worker exposure Those plants which have experienced excessive worker exposure to radiation should not be given license renewals.

Location near congested areas Those plants located within a 50 mile radius of population centers should not have license renewals.

Radioactive waste It is the ultimate in irresponsibility that the NRC should even CONTEMPLATE license renewal in the absence of proven technology and operational sites for the safe isolation of radioactive wastes.

Respectfully Submitted



Patricia Birnie,
Co-Director