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SECY -  
82-0618(8)

The Honorable William L. Armstrong  
United States Senate  
Washington, D. C. 20510

Dear Senator Armstrong:

This is in response to your note dated June 14, 1982, requesting our assistance in responding to concerns of Ms. Wysocki. The NRC staff has reviewed the concerns of Ms. Wysocki regarding the information contained in the Natural Rights Center's letter. Enclosed is a copy of the NRC staff's response to her concerns.

If you have any questions concerning this matter, we will be pleased to discuss them with you.

Sincerely,

(Signed) T. A. Rehm

*for* William J. Dircks  
Executive Director for Operations

Enclosures:

- 1. Incoming letter from Ms. Wysocki
- 2. Letter of Natural Rights Center
- 3. NRC staff responses
- 4. D.C. Cir. No. 81-2006

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\*SEE PREVIOUS CONCURRENCE

\*NRR  
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7/16/82

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Sincerely,

William J. Dircks  
 Executive Director for Operations

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\*SEE PREVIOUS CONCURRENCE

*WJ*  
7/16

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HONORABLE WILLIAM L. ARMSTRONG  
 THE UNITED STATES SENATE  
 Washington, D.C. 20510

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Sincerely,

William J. Dircks  
 Executive Director for Operations

Attachments:

- A. Incoming letter from Ms. Wysocki
- B. Letter of Natural Rights Center
- C. NRC staff responses
- D. D.C. Cir. No. 81-2006

OFFICE	DSI:RAB	DSI:RAB	DSI:RAB	AD:RP	D:DSI	D:NRR	EDD
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DATE	7/15/82	7/15/82	7/15/82	7/15/82	7/15/82	7/15/82	7/15/82

NRC STAFF RESPONSES TO LETTER OF  
MAUREEN WYSOCKI TO SENATOR WILLIAM ARMSTRONG  
DATED APRIL 19, 1982

The letter from the Natural Rights Center attached to Maureen Wysocki's letter dated April 19, 1982, reflects concerns raised by Jeannine Honicker in a petition filed by her requesting the NRC to revoke the licenses of all nuclear power plants and all other fuel cycle facilities except those involving isolation of hazardous radioactive material. The Nuclear Regulatory Commission denied Ms. Honicker's petition effective August 4, 1981. The statement of denial appeared in the Federal Register Vol. 46, No. 149 (46 FR 39573). Ms. Honicker appealed this decision to the U.S. Court of Appeals. On May 11, 1982, the Court of Appeals decided in NRC's favor and upheld the NRC's denial of Ms. Honicker's petition.

Four "facts" are cited in the Natural Rights Center letter. Specifically, "fact" 1 appears to combine a statement by Ms. Honicker and one by the Commission. Ms. Honicker stated: "hundreds to thousands of additional cancers are now occurring as a result of routine releases...." (46 FR 39573). One of the statements made by the Commission in dealing with this petition was: "Nonetheless, costs in human lives stand apart from other costs... some deaths from activities with the scope and value of nuclear power are "acceptable", at least in the sense that Congress, the Executive and the Judiciary know about them and accept them..." (46 FR 39580). Not only did the combining of these two separate statements change the meaning of the Commission's conclusion regarding potential health effects, nowhere in its review of the petition did the

Commission find evidence to support the estimates of the number of additional cancers quoted by Ms. Honicker. The Commission believes the number of health effects to be much lower.

According to the Natural Rights Center letter, "fact 2" was extracted from a brief filed by the NRC with the U.S. Court of Appeals (D.C. Cir. No. 81-2006). We have reviewed the brief and conclude that this "fact" was not taken directly from it. A footnote on page 11 of the brief refers to hypothetical 250,000-year impact, but does not refer to 1,740,000 cancer and birth defects noted in the "fact". The number of cancer and birth defects noted in this "fact" misrepresents actual effects likely to occur. The footnote goes on to say that "The Commission's Denial (of the petition) took explicit note that radon releases health effects could be reduced to zero if necessary, by measures short of nuclear shutdown." It should also be pointed out that the NRC staff believes estimates of impacts for periods as long as 250,000-years to be inappropriate for regulatory decision purposes. Predictions over time periods greater than even 100 years are subject to great uncertainties. These uncertainties result from, but are not limited to, political and social considerations, population size and health characteristics, and, for time periods on the order of thousands of years geologic and climatologic effects. Consequently, the NRC staff limits its time periods of consideration to 1000 years or less for decision-making and impact-calculational purposes.

"Fact" 3 states that 80 percent of the health effects calculated will be to children. There is some evidence in the scientific literature which suggests that for certain types of health effects associated with radiation exposure, the risk to children is twice that to the average person. However, since children make-up less than 30 percent of the U.S. population, even with a risk factor twice the average, the fraction of health effects borne by children would be less than 50%. We find no basis for the 80% value.

It is not clear in "fact" 4 what specific numbers are considered to be "true numbers" by the Natural Rights Center. However, based upon the contents of the letter, the NRC staff assumed that the referenced "true numbers" referred to the estimated health effects cited in Ms. Honicker's petition. The Commission believes that the best available evidence contradicts the petition's quantitative estimates of nuclear power health effects and continues to support the NRC Staff's estimates (46 FR 39676).

Regarding the "secret memo" referenced in the Natural Rights Center letter, an analysis was made by the NRC staff some years ago of fuel cycle impacts that dealt only with radioactive releases from mining and milling operations. It was pointed out by Walter Jordan in an NRC memorandum that the analysis neglected to consider extended releases from other parts of the fuel cycle. This memorandum was made part of the public record for Pebble Springs Nuclear Station on October 14, 1977. Subsequently, a complete analysis has been made by the NRC staff that also

includes releases from active tailings, stabilized tailings, and reclaimed and unreclaimed open pit mines over extended periods of time. These new estimates were considered by the Commission in the denial of the Honicker petition.

In summary, the "facts" presented in the Natural Rights Center letter misinterpret conclusions of the Commission's basis for denial of Ms. Honicker's petition.

Enclosed for your use is a copy of the above referenced brief and the reason for denial contained in the Federal Register.

No. 0618

Logging Date 6/15/82

NRC SECRETARIAT

TO:

Commissioner

Exec. Dir./Oper.

Cong. Liaison

Public Affairs

Inspector & Auditor

Policy Evaluation

Date \_\_\_\_\_

Gen. Counsel

Solicitor

Secretary

Incoming: Sen. William Armstrong, Constit Referral.

From: Maureen Wysocki

To: \_\_\_\_\_ Date 6/14/82

Subject: States concerns regarding Natural Right Center letter of March 1982 concerning "acceptable number of deaths" from nuclear energy.

Prepare reply for signature of:

- Chairman
- Commissioner
- EDO, GC, CL, SOL, PA, SECY, IA, PE
- Signature block omitted
- Return original of incoming with response

- For direct reply \*
  - For appropriate action
  - For information
- Suspense date: June 28

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Remarks: OCA to ackn.

For the Commission: GNL

\*Send three (3) copies of reply to Secy Correspondence and Records Branch

ext. 7/16/82

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SPECIAL INSTRUCTIONS OR REMARKS		INTERIM REPLY		<input type="checkbox"/> CHAIRMAN
Encl ltr fr Maureen Wysocki regarding The Natural Rights Center ltr concerning cancer & death caused by nuclear energy  Return incoming w/reply  SECY-82-0618		FINAL REPLY <u>188/82</u>		<input type="checkbox"/> EXECUTIVE DIRECTOR
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