

GENERAL ELECTRIC

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NUCLEAR POWER

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August 23, 1982
MFN-116-82

DOCKET NUMBER
PETITION RULE PRM-50-32
(47 FR 27371)

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

Attention: Docketing and Service Branch

Gentlemen:

SUBJECT: OHIO CITIZENS FOR RESPONSIBLE ENERGY FILING OF PETITION
FOR RULEMAKING, DOCKET NO. PRM-50-32, 47 FR 27371

This letter provides General Electric's comments on the above petition for rulemaking.

General Electric believes that it is inappropriate for electromagnetic pulses to be considered in the licensing of nuclear power plants because they fall into the realm of acts of war which have historically, and for good reason, been excluded from licensing process. Perhaps the best exposition of the reasons for this position appears in 32 FR 13345, September 19, 1967. At that time, the Atomic Energy Commission issued 10 CFR 50.13 which does not require an applicant or licensee to consider acts of war. The Commission stated that:

"The protection of the United States against hostile enemy acts is a responsibility of the nation's defense establishment and of the various agencies having internal security functions. ... One factor underlying the Commission's practice in this connection has been a recognition that reactor design features to protect against the full range of the modern arsenal of weapons are simply not practicable and that the defense and internal security capabilities of this country constitute, of necessity, the basic 'safeguards' as respects possible hostile acts by an enemy of the United States."

"The circumstances which compel this recognition are not, of course, unique as regards a nuclear facility; they apply also to other structures which play vital roles within our complex industrial economy. The risk of enemy attack or sabotage against such structures, like the risk of all other hostile attacks which might be directed against this country, is a risk that is shared by the nation as a whole".

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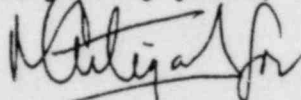
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"Furthermore, assessment of whether, at some time during the life of a facility, another nation actually would use force against that particular facility, the nature of such force and whether that enemy nation would be capable of employing the postulated force against our defense and internal security capabilities are matters which are speculative in the extreme. Moreover, examination into the above matters, apparent from their extremely speculative nature, would involve information singularly sensitive from the standpoint of our national defense and our diplomatic relations."

General Electric believes that these statements are valid today. Protection of nuclear power plants and all other major industrial installations in this country from electromagnetic pulse as a result of an act of war or defense activities is within the jurisdiction of the Department of Defense and should not be dealt with in the licensing process.

Very truly yours,



Glenn G. Sherwood, Manager
Nuclear Safety and Licensing Operation

GGs:hjr/C08208