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USNRC

October 4, 1982

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

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Attention: Docketing and Service Branch

DOCKET NUMBER

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

Subject: Notice of Receipt of Petition for Rulemaking from
Ohio Citizens for Responsible Energy (47 FR 27371)

Dear Sir:

The Atomic Industrial Forum's Committee on Reactor Licensing and Safety has reviewed the subject petition and recommends that it be denied. Our recommendation for denial is based upon the following:

1. The petitioner states that "Electromagnetic pulses are generated by high altitude nuclear explosions and can induce current or voltage through electrically conducting materials, thereby either destroying or temporarily disrupting control systems in a nuclear power plant that are essential for safety." The petitioner requests that 10 CFR Part 50, Section 50.13, be revised to require that applicants for a license to construct and operate a production or utilization facility provide for design features to protect against the effects of electromagnetic pulse.

Existing section 50.13, promulgated in 1967 (32 FR 13445) precludes the requirement for providing design features or other measures to protect against hostile acts by an enemy of the United States. In support of this rule, the Atomic Energy Commission noted:

- 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;
- 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;

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add: John Philips 4000 NBB
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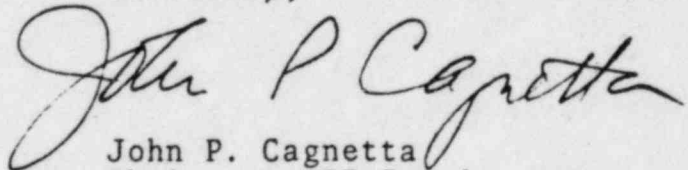
- The risk of enemy attack or sabotage against such structures, like the risk of all other hostile attacks which might be directed against this country, is a risk that is shared by the nation as a whole;
- Assessment of whether, at some time during the life of a facility, another nation actually would 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.

In our judgment, these points remain valid and provide clear support for retaining section 50.13 in its present form.

2. The petitioner alleges that "a serious loophole in nuclear power plant safety design can be closed quite simply with little hardship worked upon applicants" and that "EMP - hardening circuitry can be incorporated with not great expense in a nuclear plant." In reviewing the petition for rulemaking, we find no reasonable support for these allegations.

We therefore recommend that the subject petition be denied.

Sincerely,



John P. Cagnetta
Chairman, AIF Committee on
Reactor Licensing and Safety

JPC:hly