

H. J. Clinch

Congress of the United States

House of Representatives

Washington, D.C. 20515

July 30, 1982

The Honorable Nunzio J. Palladino  
Chairman  
Nuclear Regulatory Commission  
Washington, D.C. 20555

The Honorable James K. Asselstine  
Commissioner  
Nuclear Regulatory Commission  
Washington, D.C. 20555

The Honorable Victor Gilinsky  
Commissioner  
Nuclear Regulatory Commission  
Washington, D.C. 20555

The Honorable John F. Ahearne  
Commissioner  
Nuclear Regulatory Commission  
Washington, D.C. 20555

The Honorable Thomas F. Roberts  
Commissioner  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Clinch River Breeder Reactor Project  
Docket No. 50-537 (Section 50.12 Request)

Gentlemen:

We are writing to urge you to deny the July 1, 1982 request from the Department of Energy for an emergency exemption from Nuclear Regulatory Commission licensing procedures which would allow the Department to conduct site preparation activities for the Clinch River Breeder Reactor Project prior to the issuance of a construction permit or limited work authorization. The Department has provided no new significant evidence in support of this request since the Commission first denied it in March and then rejected its reconsideration in May of this year.

In his letter to the Commission of July 1, 1982, Acting Secretary W. Kenneth Davis claims that approval of the exemption would result in a 6 to 12 month acceleration of the project which would yield programmatic and informational benefits, as well as savings for the American taxpayer. These claims raise two questions which must be closely examined.

First, can it be demonstrated that a 6 to 12 month acceleration of the Clinch River project would result in significant benefits and more timely information?

The answer is "no". A new General Accounting Office report, using the Department's data, has concluded that breeder reactors will be unable to compete with existing light water reactors in the commercial marketplace until at least a 2025 to 2035 time frame. (It should also be noted that the GAO report did not take into consideration the significant improvements in uranium efficiency that could be achieved by the Department's Extended Burnup program which

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would even further delay the day that breeders become cost competitive with existing reactors.) In addition, the Department's own Energy Research Advisory Board "believes that the construction of a breeder reactor demonstration at this time is not an urgent priority..." Clearly, it is impossible to justify the exemption on the grounds that "urgency" requires the acceleration of the project.

In terms of informational gain, the long time frame associated with the Liquid Metal Fast Breeder Reactor program means that any information to be gained from the Clinch River project would not be any more timely with a 6 to 12 month acceleration than if the Commission's regular licensing procedures are followed.

Moreover, we believe that it would be a travesty to alter the normal Commission licensing process to achieve an unneeded acceleration when it is clear that Congress has determined that one of the major purposes of the Clinch River project is to prove the licensability of breeder reactors.

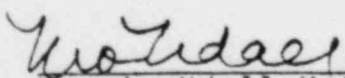
§ if it cannot be demonstrated that the requested exemption will result in significant programmatic benefits, why is the Department pursuing this matter so vigorously?

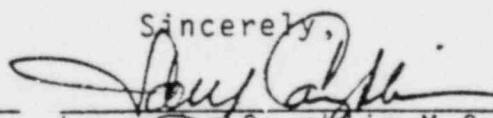
To begin with, we are not convinced that the Department is requesting the exemption due to its supposed commitment to preventing the waste of taxpayer dollars. The Department is clearly determined to proceed with the Clinch River project without any regard to the future economic feasibility of breeder technology.

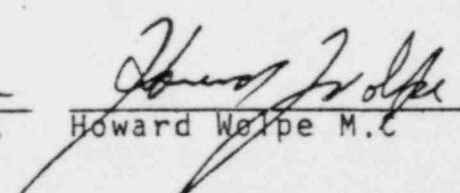
Unfortunately, we are therefore forced to conclude that the Department's request is politically motivated. The Department apparently believes that Congress will be more inclined to continue funding for this controversial project -- despite the need to reduce federal spending -- if it can be shown that construction of the project has actually begun. We regret that the Department has apparently chosen to use the proceedings of the Commission in an attempt to influence the decisions of Congress. We firmly believe that it is the role of Congress, not the Department, to determine if we are to save the American taxpayer a purported \$28 million by accelerating the Clinch River project or \$2½ billion by terminating it.

In closing, we would once again emphasize that no new compelling evidence has been presented to justify the licensing exemption for the Clinch River project since the Commission first rejected the Department's request in March. We strongly believe that it is in the public interest for the Commission to once again deny the Department's request to needlessly accelerate the Clinch River Breeder Reactor licensing process.

Sincerely,

  
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