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February 9, 1996 DOCKET NUMBER
PETITION RULE PRM 50-63
(60 FR 58256)
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Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

ATTENTION: Docketing and Services Branch

SUBJECT: Calvert Cliffs Nuclear Power Plant
Unit Nos. 1 & 2; Docket Nos. 50-317 & 50-318
Petition for Rulemaking Filed by Mr. Peter G. Crane (60 FR 58256 -
November 27, 1995) Request for Comments

Baltimore Gas and Electric Company submits the following comments on the subject petition. We have reviewed the proposed petition to amend the emergency planning standard in 10 Code of Federal Regulations 50.47, (60 FR 58256 - November 27, 1995), "Peter G. Crane, Receipt of Petition for Rulemaking." The proposed petition recommends that the planning standard for protective actions for the general public include the prophylactic use of potassium iodide (KI).

Baltimore Gas and Electric Company urges the Nuclear Regulatory Commission (NRC) to deny the petition. We believe that stockpiling or predistribution of KI will not add any significant public health and safety benefit to the level of protection currently provided by existing emergency plans at and around commercial nuclear power plants. The current Federal Policy on Distribution of Potassium Iodide for Use as Thyroidal Blocking Agent provides sufficient guidance to state and local governments for determining appropriate actions to protect the general public.

The Nuclear Energy Institute (previously the Nuclear Management and Resource Council) provided a white paper to the Commissioners on December 7, 1993, stating why the industry had concluded that "stockpiling or predistribution of potassium iodide (for the general public) will not add any significant public health and safety benefit to the adequate level of protection currently provided by existing emergency preparedness at and around commercial nuclear power plants." The paper discussed the lessons learned from events and studies that occurred since the original 1985 federal policy. The events and studies include the Chernobyl accident and the NRC analysis report, advances in source term knowledge, continuing experience with a state KI distribution program, and the 1993 NRC report on KI. The white paper addresses the petitioner's concerns and urges the NRC to retain its current policy.

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The white paper also quoted Environmental Protection Agency's 1992 Protective Action Guides. The Guides state in part that although the use of KI has been identified as an effective protective action, evacuation and sheltering are preferred alternatives for most situations. Evacuation and sheltering provide protection for the whole body and avoid risk of misapplication of KI. The Guides make a strong case for maintaining the current policy, and associated regulation regarding KI.

Additional reviews that support denying the proposed petition include the May 6, 1994, NRC Commissioners vote to retain the current KI policy, and the Federal Radiological Preparedness and Coordinating Committee (FRPCC) Subcommittee on Potassium Iodide Report and Recommendations. Baltimore Gas and Electric Company agrees with NRC Commissioner de Planque's comments on SECY 93-318 and SECY-94-87. Commissioner de Planque supports the May 6, 1994, vote to retain the current KI policy. The Commission vote effectively endorses the current policy, is consistent with the expressed industry opinion and supports the case to deny the petition.

In 1991, the FRPCC established an Ad Hoc Subcommittee on Potassium Iodide to reexamine the 1985 policy and to consider the federal government's purchasing and stockpiling KI for use by the public. The subcommittee conferred with the Conference of Radiation Control Program Directors, evaluated state policies on KI, current needs, invited and solicited input from states concerning use and distribution of KI to the public, evaluated foreign experiences, and the updated NRC study on the cost-effectiveness of stockpiling KI for the public. The FRPCC subcommittee submitted its recommendations to the Chairman of the FRPCC on September 15, 1994. In the body of the report the subcommittee notes that, "In conducting its reviews of the post-1985 data, the Subcommittee on KI uncovered no new information that changes the bases for the 1985 recommendations concerning public use of KI." As part of the Subcommittee's review, Federal Emergency Management Agency conducted a survey of states that would be affected by a change in the current KI policy. The survey revealed that 33 of the 43 responding states were opposed to the creation of a KI stockpile program. The report notes, "The problems involved in distributing KI to the general public and the states' use of evacuation as the primary protective action were the major factors that these states cited in not supporting such a Federal initiative."

The subcommittee report concludes with the following recommendations: the FRPCC policy on KI (Federal Register Vol. 50, No. 142 - Wednesday, July 24, 1985) should not be changed, and the federal government should not stockpile KI for use by the public. This report was forwarded to Mr. Dennis H. Kwiatkowski, Chairman of the FRPCC on September 15, 1994.

In summary, it does not appear that making KI available to the general public will add any significant public health and safety benefit to the level of protection currently provided by existing emergency preparedness at and around commercial nuclear power plants. The low probability of an event occurring that would release radionuclides combined with the difficulties of effectively distributing KI make it unlikely that the public will ever benefit from a change in the current policy.

The events that have occurred and studies initiated since the 1985 federal policy make a strong case for maintaining the current KI policy. Guidance already exists for state and local governments that wish to make KI available to the general population if they feel it is appropriate. Given the safety record of the U.S. commercial nuclear power program and demonstrated strength of its emergency preparedness programs, Baltimore Gas and Electric Company strongly urges the NRC to deny the proposed petition.

We appreciate the opportunity to comment on the Petition for Rulemaking filed by Mr. Peter G. Crane. If you would like to discuss our comments further, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Charles A. Brune".

CHC/DJM/bjd

cc: Document Control Desk, NRC
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