



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 29, 1988

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The Honorable Edward M. Kennedy
Committee on Labor and Human Resources
United States Senate
Washington, D. C.

Dear Mr. Chairman:

I am responding to your February 17, 1988 letter, in which you expressed concern regarding both the process we adopted to reach a decision on the restart of the Pilgrim Power Station and the possible timing of that decision. You also offered five specific recommendations for our consideration that in your view would remedy the defects you perceive in our procedures.

The Commission ultimately must decide whether to authorize the Pilgrim plant to restart. We must do so based on the best information available to us and with full awareness of our responsibility for the protection of the public health and safety. We take this responsibility very seriously. Our staff is carefully monitoring the progress of the Boston Edison Company in addressing the issues that must be resolved prior to restart. We believe we are taking the necessary steps to assure ourselves that the Pilgrim plant will not restart unless and until we are fully satisfied that the licensee is ready and capable of resuming safe operations and that the public health and safety is protected.

Our detailed responses to your recommendations are enclosed. We believe that the information provided in our recent correspondence and in the enclosure to this letter addresses the concerns that you raised.

Sincerely,

Lando W. Zech Jr.
Lando W. Zech, Jr.

Enclosure:
Responses to Recommendations

Originated: NRR:McDonald

8804050343 880329
PDR COMMS NRCC
CORRESPONDENCE PDR

RESPONSES TO RECOMMENDATIONS

Recommendation 1. Until we receive satisfactory answers to the question whether there is a link between cancer and nuclear power, the Pilgrim plant should not be permitted to restart.

Response 1. The NRC staff has reviewed the epidemiological study entitled, "Health Surveillance of the Plymouth Area," which was performed by the Massachusetts Department of Health and referenced in the enclosure to your letter. The study reports detecting an increased incidence of leukemia cases in five towns in the vicinity of the Pilgrim Nuclear Power Plant. Because many factors other than the Pilgrim plant could cause this increase, the authors of the study state that the cause of the increased incidence has not been determined. The staff agrees with the authors' statement.

The effects of radiation on living systems have been studied for decades by individual scientists as well as by select committees that have been formed to objectively and independently assess the risks from radiation. These studies were considered in the development of the public health and safety limits that apply to the Pilgrim plant, as well as to other nuclear power plants. The studies have not detected a statistically significant increase in cancer for doses and dose rates normally encountered in the vicinity of nuclear power plants. However, as a prudent measure, the NRC staff assumes that there is a linear relation between cancer and low doses of radiation. NRC limits are selected so that the statistical probability of risk is extremely low.

We are also aware of the National Institutes of Health's involvement in studying the adverse effects of low-level ionizing radiation. We support the need to further define the effects of this phenomenon, but we believe it will be several years before the results of these studies will be available. We look forward to incorporating those results into the body of data already available on this subject.

Thus, the staff has found that on the basis of the substantial data available in the area of health effects from exposure to radiation, it is not appropriate to delay restarting the Pilgrim plant pending completion of further study to determine if there is a link between certain types of cancer and commercial nuclear power generation.

Recommendation 2. Until there is an evacuation plan which is approved by the Federal Emergency Management Agency (FEMA) and is acceptable to the Commonwealth of Massachusetts, the plant should not be permitted to restart.

Response 2. The NRC will not permit the Pilgrim facility to resume operation until corrective actions satisfactory to NRC have been taken to address the emergency planning deficiencies identified by FEMA. The NRC will give special attention to the corrective actions involving the emergency plans for schools and day care centers, as well as for special needs and transport-dependent populations in the plume exposure pathway emergency planning zone. Before allowing Pilgrim to restart, the NRC will require some demonstration that critical aspects of the emergency plan can be adequately implemented.

Under the NRC's regulatory framework, whether an outstanding emergency planning deficiency delays restart will depend on the gravity of the deficiency, the nature of any compensatory actions, and progress toward correction of the deficiency. Thus, it may be that restart can be authorized with some emergency planning issues not fully resolved. For Pilgrim, the restart decision will be made by the Commissioners.

Recommendation 3. Members of the Commission should make an on-site visit to the Pilgrim plant to assess for themselves the merits of the serious health and safety problems which have been raised.

Response 3. The Commissioners have been personally and directly involved in the consideration of the Pilgrim issues. Chairman Zech and three other Commissioners made visits to Pilgrim during 1987. One Commissioner met in State offices with State officials to hear their concerns about Pilgrim. At this time, there are no additional Commissioner visits to Pilgrim scheduled in 1988.

Recommendation 4. Prior to any consideration of whether the Pilgrim plant should be permitted to restart, Commission members should convene a public meeting to receive first-hand testimony from State and local officials and experts from the Plymouth area.

Response 4. As described in our letter of November 20, 1987, the NRC is holding several meetings in the Plymouth area regarding Pilgrim. These meetings are open to the public and are structured to allow the broadest possible public participation. The most recent of these meetings was held on February 18, 1988, and provided an opportunity for State and local officials, as well as members of the public, to provide their views to the staff. The Commonwealth was consulted and agreed to the scheduling and purpose of these meetings but did not participate, although approximately 50 members of the public did provide comments regarding the Pilgrim Restart Plan and other matters of individual concern. We intend to conduct followup public meetings in the Plymouth area to discuss the disposition of comments and concerns raised during the February 18, 1988 meeting. The Commonwealth would be free, of course, to participate in any of these follow-on meetings if it chooses to do so, and we urge the Commonwealth and local officials to provide whatever information they believe should be considered by the Commission in making a restart decision.

The Commission is continuing to involve Commonwealth and local officials, and leaders of local citizens groups, with respect to the restart issues at Pilgrim. On February 9, 1988, a senior member of the NRC staff met with the Massachusetts Assistant Secretary of Public Safety, State Senator William Golden, and others to discuss the Commission's approach toward the restart readiness assessment of Pilgrim. An additional meeting with Senator Golden and others who submitted a July 1986 10 CFR 2.206 Petition is planned.

In summary, the staff has provided and is continuing to afford the opportunity for ample public participation.

Recommendation 5. Finally, I request that in my capacity as Chairman of the Senate Committee on Labor and Human Resources, with experience concerning, and responsibility for, the health and safety issues involved, I be given the opportunity to appear before the Commission to present information on this issue, prior to any Commission deliberation on the question whether the Pilgrim plant should be permitted to restart.

Response 5. Although the Commission does plan to hold one or more public meetings in Rockville, Maryland, concerning the restart of the Pilgrim plant, it is difficult at this time to predict when these meetings might be scheduled. The structure for the meetings will be established at the appropriate time and, if official and public appearances are planned, we would be pleased to have you appear before the Commission to present your views.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

ACTION

EDO PRINCIPAL CORRESPONDENCE CONTROL

FROM: DUE: 03/05/88

EDO CONTROL: 007523
DOC DT: 02/17/88
FINAL REPLY:

SEN. EDWARD M. KENNEDY, CHAIRMAN
COMMITTEE ON LABOR AND HUMAN RESOURCES

TO:

CHAIRMAN TECH

FOR SIGNATURE OF:

** PRIORITY **

SECY NO: 88-140

CHAIRMAN

DESC:

ROUTING:

CONCERNING PROBLEMS INVOLVED WITH RE-START OF
PILGRIM I

STELLO
TAYLOR
REHM
RUSSELL

DATE: 02/26/88

ASSIGNED TO: NRR

CONTACT: MURLEY

SPECIAL INSTRUCTIONS OR REMARKS:

NRR RECEIVED: FEBRUARY 26, 1988

ACTION: DRPR:VARGA

NRR ROUTING: MURLEY/SNIEZEK
MIRAGLIA
MARTIN
GILLESPIE
MOSSBURG

ACTION
DUE TO NRR DIRECTOR'S OFFICE
BY March 8, 1988

- Per Jones 3/1/88
- Due to EDO 3/11/88
Per Dwayne

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-88-0140 LOGGING DATE: Feb 24 88
ACTION OFFICE: *QOC EDO (per M. Nealsch)*
AUTHOR: E.M. Kennedy
AFFILIATION: U.S. SENATE
LETTER DATE: Feb 17 88 FILE CODE: ID&R-5 Pilgrim
SUBJECT: Proposed restart of the Pilgrim I nuclear power
plant
ACTION: Signature of Chairman
DISTRIBUTION: RF, Docket, OCA to Ack, EDO
SPECIAL HANDLING: None
NOTES:
DATE DUE: Mar 8 88
SIGNATURE: . DATE SIGNED:
AFFILIATION:

Rec'd Off. EDO
Date 2-29-88
Time 9:30 A

ED 03523