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Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Commissioners,

We wish to record our dismay at the Commission's recent decision to post the proposed rule change to allow licensing of nuclear plants on the basis of Emergency Response Plans submitted by the applicants in cases where state authorities have decided to submit no plans.

State authorities best know the conditions in their own state. They are appropriately given the task of developing plans. If they believe no adequate plan can be developed, it is their responsibility to refrain from submitting plans.

If state authorities do submit plans, it is the responsibility of the Atomic Safety and Licensing Board to judge the adequacy of those plans. We ourselves have followed closely the development of New Hampshire plans for the past several years. One of us served on a local committee charged with evaluating the plans for the town of Exeter when we lived in that town, and we have both been active on this issue since our move to Brentwood. It is evident to us that the plans submitted by the State of New Hampshire for local communities are woefully inadequate. We have expressed our concerns to local authorities, to the New Hampshire Civil Defense Agency, to the Federal Emergency Management Agency on numerous occasions. The State Civil Defense Agency seems to us to be operating as an arm of the utility. It is our view that the State of New Hampshire, rather than submitting plans with the assertion that "with reasonable assurance, they provide for the safety of citizens of New Hampshire living within the emergency planning zones for Seabrook Station as well as for the transient population..." should have followed the course taken by the State of Massachusetts. Since they did not, we must count on the Atomic Safety and Licensing Board to look with an honest eye at those plans and the objections that have been raised to them.

There is, then, absolutely no conflict between the roles of the states and the licensing board. It is perfectly appropriate, if safety is the primary consideration, that both local officials and the Nuclear Regulatory Commission be satisfied of the adequacy of emergency response plans before a license can be granted, just as the Senate and House of Representatives, as well as the President, must agree before a proposed bill becomes law.

Allowing a utility to submit plans for a state would be folly. If the state does not participate in the development

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of the plans, the plans can not be effectively implemented in an emergency. Yes, it is likely that some or most officials would fill their assigned roles in case of an actual incident. But the plans are good for thirty to forty years, and the plans must be also. Constant and serious training and drilling are required. Many important roles in our local plans are assigned to volunteers or near volunteers -- the town Civil Defense Director, the Selectmen, volunteer firepersons, and others. A plan adopted without the cooperation of and against the will of state and local officials will at best be regarded with cynicism and drilled without faith. Clearly, to approve a plan under such conditions is to compromise safety.

No plants should be constructed until Emergency Response Plans have been developed and approved. In the case of Seabrook Station, plant owners went on record long ago stating their full awareness that they were building the plant at their own risk, with no guarantee that Emergency Response Plans would be approved or the plant licensed. The argument of the NRC staff that the rule change is necessary to avoid economic hardship to the applicant is therefore totally without merit.

We trust that you will not give final approval to this proposed change.

Sincerely,

Charles Pratt Joan Pratt
Charles and Joan Pratt

copies to: Governor John Sununu
Governor Michael Dukakis
New Hampshire Senators and Representatives
Director, New Hampshire Civil Defense Agency
Selectmen, Town of Brentwood
Civil Defense Director, Town of Brentwood