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Sept. 2, 1998

Christopher I. Grimes, Director  
License Renewal Project  
Division of Reactor Program Management  
Office of Nuclear Reactor Regulation  
Nuclear Regulatory Commission  
Washington, DC 20555-0001

50-317/318

Re: Your letter of August 28, 1998

Dear Mr. Grimes:

Thank you for your very complete and informative letter. It is gratifying to be of some assistance in the scoping process and to have your view on the limits to the field of the regulatory issue before you. I accept your appropriate corrections.

Permit me to place this response into the record, for consideration of you and those on the distribution list appended to your letter.

First, my views are not those of this Institute. They do not necessarily reflect the views of other officers and directors. These are personal views developed at the suggestion of local citizens who asked for my reaction to the regulatory issue at hand. We are primarily a facility for consortium arrangements between partner institutions. The Institute per se has not within its mission, and thus takes no position on, the exploration of regulatory issues.

Your comment on economic risks is understood. The information I provided was asserted in the hope that the inevitable cost/benefit analysis in which you will engage have the broadest possible scope, including social benefits of new technologies the development of which would be spurred by a denial of relicensing.

However, it is also important to do environmental risk/environmental risk analysis on the effects of fossil fuel generation versus nuclear power generation in the air shed of which we are a part. Often missed in this calculus is the impact on decisionmaking of the heuristic assumption of an infinite half life of heavy metals released versus the finite half life of

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radioactive materials. This analysis is relevant given the fact that alternate technologies are not widely in place.

Finally, your last paragraph on industry criticism before the Congress provides a welcome correction, but heightens rather than settles my concerns. If we accept as fact that your efforts continue "to improve the effectiveness and efficiency of [y]our regulatory processes...," we must also recognize that this is not possible without increasing the "regulatory burdens on the industry."

This contradiction stems in part from restrictions on the NRC inspectorate inherent in the compromised assumptions in the standards and rules they must use. For example, you state that "the existing processes for monitoring and maintaining active systems and components are sufficient to maintain safe plant operation" [underline mine]. Given the public meaning of "safe", tightened restrictions and permissions should occur. The industry imposed private definition means measurable risk acceptable on narrow economic grounds regardless of technologic necessity, promoting a decrease in efficiency measured by either engineering criteria or health risks.

The argument I make here, and in my prior comments, is not aimed at the prevention of relicensing, but at broadening the decisionmaking process to encompass the total burden of risk. Specifically, the plea is made that relicensing would be endangered in a rational process by failure of the community at risk to put into place an appropriately reactive infrastructure. Since that community is also an economic beneficiary, it has a special responsibility to take action.

In simple terms, I am saying that the burden of control [which parallels the total burden of risk] is not wholly on the company or the federal government, contrary to many public voices, but also on the county and the state. While the industry insists on its private definition of "safe", this message can not be effectively communicated to the public, and as a consequence no appropriate public action can be expected. A continuation of the current policies of the industry constitutes not only continued self-immolation, but also continued immolation of the hopes many of us have had, including myself, for the benefits of the harnessed power of the atom.

If the narrow rules for relicensing prevent you from making mandates for the local community, then I urge the Commission to re-examine its rules and, in the interim, you should delay relicensing.

Thank you very much for your thoughtful analysis of my comments.

Sincerely,

Sheldon W. Samuels

