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COMMITTEE ON GOVERNMENTAL AFFAIRS

88 MAY -5 P1:36

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May 2, 1988

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The Honorable Lando W. Zech, Jr.
Chairman
U.S. Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D.C. 20555

SERVED MAY -5 1988

Dear Chairman Zech:

I am writing regarding the Nuclear Regulatory Commission's (NRC) role in emergency planning for the Seabrook nuclear power plant in New Hampshire. Specifically, I am concerned with possible NRC involvement in FEMA's recent decision to alter significantly its position on the sheltering/beach population issue currently under consideration as part of the Nuclear Regulatory Commission (NRC) Atomic Safety and Licensing Board proceedings on the New Hampshire Radiological Emergency Response Plan (NHRERP). Following are excerpts on the sheltering/beach population issue from two recent FEMA submissions:

September 11, 1987 prefiled testimony -- "...it appears that thousands of people could be unable to leave during an accident at Seabrook involving a major release of radioactivity without adequate shelter for as much as the entire duration of that release. Therefore, until these issues are resolved ...FEMA would not be able to conclude that the New Hampshire state and local plans to protect the public in the event of an accident at the Seabrook Nuclear Power Plant are adequate to meet our regulatory standards."

March 14, 1988 testimony -- "The requirement for a range of protective measures has been satisfied even though the State of New Hampshire has chosen not to shelter the summer beach population except in very limited circumstances."

I understand that Mr. Edward Thomas, Chief of the Natural and Technological Hazards Division of FEMA at Region 1 in Boston, was removed as FEMA's witness shortly before the March 14 testimony after having served in that capacity since licensing proceedings began. This action followed a series of contacts between the NRC

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and FEMA on the sheltering/beach population issue, including a high-level meeting convened on January 19, 1988 from which Mr. Thomas was excluded.

I further understand that over the years the White House has taken an interest in emergency planning proceedings for Seabrook. For example, Mr. Thomas testified that when he urged FEMA to assert its lead with the NRC on emergency planning, he was warned by FEMA headquarters staff that "every time we take that kind of a stand, there were calls from the White House." I also note that FEMA's reversal on the sheltering/beach population issue followed the February 16 New Hampshire presidential primary, in which the status of Seabrook was a political issue of some importance.

I am concerned that FEMA's shift in position and personnel resulted from potentially inappropriate pressure on FEMA. Specifically, I am concerned about the integrity of FEMA's role (under 10 CFR Section 50.47) in providing the NRC with "findings and determinations as to whether the State and local emergency plans are adequate and whether there is reasonable assurance that they can be implemented." In order to facilitate my review of this matter, I am making a request for relevant documents and information.

For the purposes of this request, "documents" includes, but is not limited to, all handwritten or typed communications, drafts, minutes, memoranda, letters, notes and logs. "Communications" refers to all verbal exchanges including conversations, meetings and telephone calls. Please provide copies of all documents referenced below. For each communication referenced below, please provide the names and titles of the participants, the date, a transcript (if available) or a detailed summary of what was said, an explanation of who initiated the communication and why, and any additional pertinent material.

1. Please provide copies of all documents and information on all communications between the NRC and the White House on the subject of emergency response planning for the Seabrook nuclear power plant from 1981 through the present.

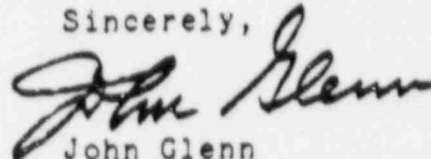
2. Please provide copies of all documents and information on all communications between the NRC and FEMA regarding the sheltering/beach population issue. This request includes, but is not limited to, copies of all documents relating to the January 19, 1988 meeting between the NRC and FEMA, along with copies of all documents and information on all communications responding to Mr. Thomas' December 31, 1985 memorandum on the sheltering/beach population issue, such as the memos referred to by Mr. Thomas as "Bores 1" and "Bores 2".

3. Please provide copies of all documents and information on all communications between the NRC and Governor Sununu's office concerning emergency planning for the Seabrook nuclear power plant.

I believe that the public and the process will benefit by prompt and full disclosure of the above-referenced documents and communications. Therefore, I am requesting that within 10 days you provide me with the documents I have specifically referenced. I would hope for a full response to this request within 30 days. If you have any questions or need further information, please contact Stephen Ryan or Ted Hirsch of my staff at 224-4751.

Best regards.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Glenn".

John Glenn
Chairman