

TMIA ■ THREE MILE ISLAND ALERT, INC.

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USNRC

June 21, 1988 JUN 24 P3:59

OFFICE OF PUBLIC AFFAIRS
DOCKETING & SERVICE
BRANCH

Samuel J. Chilk
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC 20555
Attention: Docketing and Service Branch

Dear Secretary Chilk:

Three Mile Island Alert (TMIA) is a non-profit, safe energy organization formed by citizens in the community, following the construction and licensing of the Three Mile Island (TMI) nuclear power plant in 1977. We have represented community concerns in Nuclear Regulatory Commission (NRC) hearings on a broad spectrum of issues dealing with the licensing and operation of TMI Unit 1, as well as the cleanup of Unit 2. As a public interest group dedicated to maintaining the integrity of the environment and to protecting public health and safety, we are concerned with NRC rule changes for the nuclear industry that will have ramifications for citizens across the country.

TMIA has reviewed the Commission's proposed rule change to 10 CFR Part 50, Emergency Planning and Preparedness Requirements for Nuclear Power Plant Fuel Loading and Initial Low-Power Operations. It is clear that the NRC is using a generic rulemaking procedure to address problems posed by the Seabrook nuclear power plant. This rule change is a shocking attempt to blackmail state and local officials into providing emergency plans when previous determinations have found that such plans are unworkable. The Federal Emergency Management Agency (FEMA) also issued findings supporting the conclusion that it is not possible to provide adequate protection for the transient beach population adjacent to the Seabrook plant.

The Commission states that the risk to public health and safety at low power is significantly lower than at full power because "the time available for taking actions to identify accident causes and mitigate accident consequences is much longer than at full power," but no evidence is given to support this conclusion. Does this statement apply to all possible kinds of accidents? Did the Commission study all possible scenarios, such as a loss of coolant accident, containment failure, steam tube failure, etc., as well as varying reactor designs and unique plant conditions at various locations around the country?

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In addition, the Commission noted that in the "worst case, the additional time available (at least 10 hours) would give the operators sufficient time to prevent a radioactive release from occurring, and would allow adequate precautionary actions to be taken to protect the public near the site." This is absurd. If an accident were to occur at low-power without established community emergency planning procedures community officials would be unable to respond quickly. Emergency workers would be untrained. Evacuation would be a nightmare, and undoubtedly panic would ensue.

There is no guarantee that the licensee will notify the appropriate local officials in the event of an accident, especially since (as the Commission noted) "at low power plant operators typically have less experience and there is a greater potential for undiscovered defects." Low-power operations are no safer now than in 1982, when the NRC recognized that "review of licensees' onsite response mechanism will necessarily include aspects of some offsite elements." The Commission is inappropriately reversing its previous position, without establishing a truly factual basis.

In conclusion, TMIA is opposed to the proposed rule change. It would set a dangerous precedent for community emergency planning. This rule change is based on the NRC's frustration with the Seabrook nuclear power plant. It is another attempt by the Commission to circumvent the findings of state and local officials and FEMA by changing established rules, at the cost of public safety, in order to license this nuclear power plant.

Sincerely,

Vera L. Stuchinski

Vera L. Stuchinski
Chairperson, TMIA

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