

EDWARD J MARKEY
7TH DISTRICT MASSACHUSETTS

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COOPERATION IN EUROPE

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2133 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON DC 20515
(202) 225-2836

Congress of the United States

House of Representatives

Washington, DC 20515

DISTRICT OFFICE
2100A JOHN F KENNEDY BUILDING
BOSTON, MA 02203
(617) 585-2900

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The Honorable Lando W. Zech, Jr.
Chairman
U.S. Nuclear Regulatory Commission
1717 H Street, NW
Washington, DC 20555

Dear Chairman Zech:

I am writing in strong opposition to the NRC's proposed rule on emergency planning and preparedness requirements for nuclear power plant fuel loading and initial low power operations, 53 FR 16435, May 9, 1988. Enactment of the proposed rule by the NRC would seriously undermine public safety in the event of an accident during low power testing or fuel loading.

The NRC states that the proposed rule "establish[es] more clearly what emergency planning and preparedness requirements are needed for fuel loading and low power operation of nuclear power plants." In fact, however, the proposal is nothing less than a reversal of the NRC's 1982 decision to consider offsite elements in emergency planning and preparedness requirements. This about-face on an important public safety issue is most troubling as it appears to have been motivated not by any factors which lessen the need for protection of the public, but rather only by the NRC's desire to bring the Seabrook plant on line.

In the proposed rule, the NRC has not addressed the dangers and potential for accidents associated with low power testing and fuel loading which in 1982 led to the inclusion of offsite elements in licensing considerations. The general public is still placed at risk by these dangers.

For example, a plant running at 5 percent power for a month will build up a greater quantity of fission product inventory than a plant running at 100 percent power for a day. Low power operation can produce as much and more radioactive material as a plant operating at full power, depending on the length of low power operation. The NRC itself has acknowledged that the release of fission products accumulated at low power is a possibility. If a large quantity of fission products were released, the consequences would not be limited to those onsite alone.

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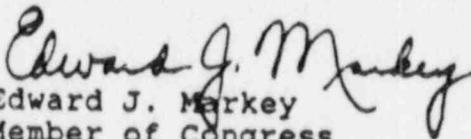
Yet under the proposed rule no consideration of any offsite aspects of emergency plans would be required before low power operations and fuel loading are approved. In fact, the proposed rule does not require arrangements for medical services for those contaminated and injured individuals who are offsite. Nor does the proposed rule require any prompt communication to the public in the event of an emergency.

While the distinction between an accident at low power and full power may be clear to the NRC, to public there may be no distinction at all. Word of an accident at a nuclear power plant would create public panic whether it occurs at full power or low power. The absence of emergency plans for communicating with and providing medical services to those offsite is likely to intensify this reaction. Ironically, the NRC's own disregard for those offsite has placed a high premium on including the public in emergency planning, even at low power.

Finally, in its haste to license the Seabrook plant for low power operations, the NRC ought to consider the long term effect of its actions. Low power operation will contaminate the plant, forever precluding its conversion to a non-nuclear generating station. There should be no doubt that the plant will operate at full power before the low power license is issued. The NRC should harbor no illusions about the magnitude of this uncertainty.

I urge the NRC to reject the proposed rule.

Sincerely,


Edward J. Markey
Member of Congress

EJM/awc