

June 3, 1988

DO NOT PRODUCE RULE PR 50  
(53 FR 16435)

DOCKETED  
USNRC

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Samuel J. Chilk  
Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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Attention: Docketing and Service Branch

OFFICE OF REGULATORY  
DOCKETING & SERVICE  
BRANCH

Dear Mr. Chilk:

It has come to our attention that the Nuclear Regulatory Commission is considering a proposed rule (as noticed in the Federal Register, Vol. 53, No. 89, 5-9-88) that would change the emergency planning and preparedness requirements concerning nuclear power plants. In particular, the proposed rule modification would discontinue certain offsite elements of emergency plans when seeking a low power operating license.

In our view, this is an effort to weaken emergency planning procedures for the purpose of expediting licenses for low power operation. It is clear that this proposal is pertinent to the situation at the Seabrook plant in New Hampshire. As the NRC is aware, numerous problems with the emergency planning process have delayed start-up of this facility.

This proposed rule is a blatant attempt to ignore concerns raised by the people and elected officials of New Hampshire and Massachusetts, as well as the Federal Emergency Management Agency, which found that there was inadequate protection for the transient beach population adjacent to the Seabrook plant. The NRC argues that there is a low and acceptable degree of risk posed to offsite persons by fuel loading and low power operation. Therefore, there is no need for the capability for prompt notification of the surrounding populace (i.e. sirens).

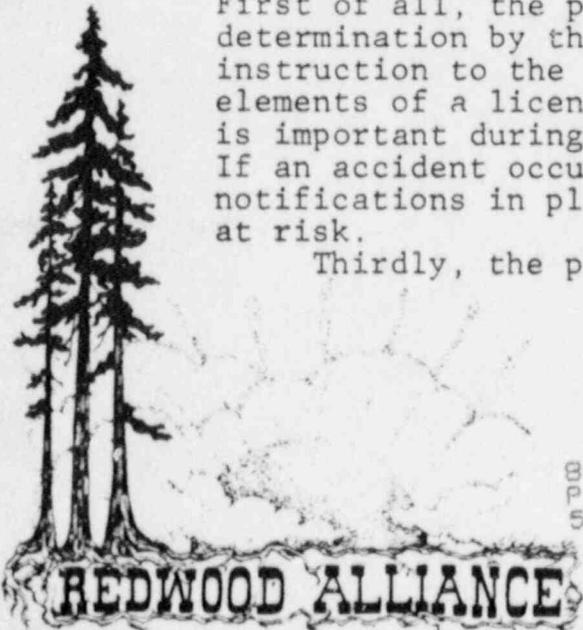
These arguments are not convincing for several reasons. First of all, the proposed rule reverses an earlier determination by the NRC that early notification and clear instruction to the adjacent populace were important offsite elements of a license review. Secondly, offsite preparedness is important during any fuel loading or low power testing. If an accident occurs without the proper planning and notifications in place, the surrounding population would be at risk.

Thirdly, the proposed rule is very broad and could apply

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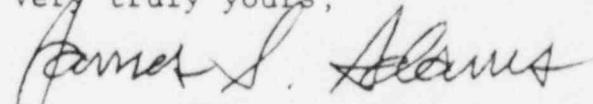
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to all future reactors. It may intimidate state and local officials into providing emergency plans even though they may be completely untenable. In addition, the recent abandonment of Shoreham raises the distinct possibility that Seabrook may never operate commercially. It is completely inappropriate for the NRC to weaken regulations that have, in effect, kept the Seabrook plant from becoming radioactive. Given the financial condition of the facility's owner and the general opposition from the public, it may be better to abandon the plant before it goes critical. In any event, the NRC's job is to strengthen regulations, not weaken them.

Finally, the Alliance is compelled to note that the NRC is again contemplating a rule modification that directly conflicts with its public responsibility and legislative mandate, that is, the protection of public health and safety with respect to the operation of nuclear power plants. Therefore, we respectfully request that the NRC refrain from adopting the proposed rule.

Very truly yours,



James S. Adams

JSA/db

cc. Senator Alan Cranston  
Congressman Douglas H. Bosco  
Congressman Philip R. Sharp  
Mr. Jim Riccio - NIRS