Dan'l I got ... Friday afternoon - Bill

Ref. G970494

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October 21, 1997

Samuel J. Collins, Director
Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

REF: G970494
ASSIGNED: DRPW:ADENSAM

RE: Reply to Petition Acknowledgement Letter (dated 9-22-97)

Dear Mr. Collins,

Thank you for your Acknowledgment letter regarding my 2.206 Petition (received 9-29-97). Your letter indicated I may submit additional information to support portions of my Petition, if submitted within 30 days, so I would appreciate your consideration of the following comments.

1) On page 2, paragraph 3, the NRC cover letter indicated there was no need for an immediate response to the Petition's suggestion that NRC's response patterns tend to fragment or isolate issues, and fails to comprehensively address issues in total. This observation was therefore excluded from any discussion in Enclosure 1 (Discussion of Issues). The NRC cover letter did however, commit to evaluate potential trends or systemic problems associated with the safe operation on SONGS in NRC's final evaluation. I believe this future work to be performed in NRC's final evaluation should be specifically noted in the Enclosure 1's Discussion of Issues, to define the full scope of this future work. as specified in the NRC cover letter.

2) On page 3 of Enclosure 1 (Discussion of Issues), subitem c), there is a reponse to an issue about the condition of the plastic membrane on the Unit 1 spent fuel pool (SFP). This reply indicates that "NRC did not credit the membrane as a barrier to prevent SPF leakage to the environs". That reply was consistent with an earlier 7-31-97 reply from Marvin M. Mendonca to John Robertus of San Diego Regional Water Quality Control Board (RWCQB), which included 3 Enclosures. In Enclosure 3, (page 2), the NRC's response is "With respect to the specific concern that the plastic liner has never been tested for resistance to radioactive decay, the question is moot since *neither the licensee nor the NRC credits the plastic liner to prevent leakage.*" This position is *contrary* however, to an earlier response to Glen R. Mills on this issue, in a letter dated 2-28-95 from Richard M. Rosenblum of Southern California Edison, where the *licensee did credit the plastic liner* with preventing leakage from Unit 1 SFP. This discrepancy reinforces my concern about patterns where substantive issues are deliberately fragmented, or where contradictory positions are taken over various points in time, and where there seems to be a careless lack of attention to

detail. Based on this discrepancy, I disagree that the issue is moot, since the licensee apparently does not share NRC's position on the function of the plastic liner, as indicated in the 2-28-95 letter. (A copy of the referenced 2-28-97 letter will be transmitted under separate cover).

3) On page 2, paragraph 4, the NRC cover letter dismisses issues related to the use of "manipulated data, and adjusted modeling techniques", since the Petition did not provide supporting information to substantiate their validity. Such concerns will be excluded from further consideration unless additional information is provided. In an enclosed letter dated 7-20-97 from Glen R. Mills to Inspector General of U.S. Nuclear Regulatory Commission, a specific example was identified, regarding NRC's contention that a small break loss of coolant accident (SBLOCA) will not produce unacceptable fuel clad temperatures. SONGS responded to Mr. Mills' numerous Nuclear Safety Concerns (NSC)s, by stating there is a margin of about 531 degrees F between SBLOCA clad temperatures and the limit of 2200 degrees F, and NRC also supplied similar response to his concerns after consideration of Maine Yankee allegations that SBLOCA results were fradulent. The 1979 TMI accident was a SBLOCA which melted a core, so it is known that SBLOCA can produce unacceptable fuel clad temperatures. The SBLOCA analysis is an example of how the industry established the desired results and then programs calculations and computer codes to show acceptability. The nuclear steam supply system (NSSS) design was completed and contracts signed before the industry understood the magnitude and severity of the problem. Mr. Mills' 7-20-97 letter specifically requested a copy of all computer codes used by the nuclear industry to obtain their clad temperature results, to enable a scientific review of analyses, however I understand NRC has not provided this information to enable Mr. Mills, I, or others to present a stronger case to support the SBLOCA position. It therefore appears that pertinent data has knowingly been withheld.

4) The 7-31-97 letter from Marvin M. Mandonca to John H. Robertus (RWQCB) included three Enclosures. In Enclosure 1 (page 1, paragraph 3,) states "The production of Tritium will stop once power operation ceases. ***As such, the amount of Tritium released during decommissioning and disposal of the spent fuel will be insignificant compared to that released during power operation***". This sentence implies that ***levels of Tritium released during power operation are significant***. Also, it is noted that on page 2, paragraph 3, the Enclosure 1 indicates that "a review was performed of licensee's most current published radiological environmental operating report (1996). The result of report shows that no detectable amounts of Tritium were found in any of the samples, and only naturally occurring material was detected. This data shows that ***while Tritium is released from the three units, it has a neglible impact on the public and the environment.***"

5) The Enclosure 1 transmitted with the above 7-31-97 letter from Marvin M. Mandonca to RWQCB included a response on Radological Monitoring at Nuclear Plants. The enclosure discusses NRC standards for airborne and waterborne effluent releases contained in 10 CFR Part 50.36a, and 10 CFR Part 20 for members of the public from exposure to NRC licensed facilities. As understood, exposures below these limits are not considered significant, as such exposures to low level waste are thought to have only negligble effects. Exposures to low level waste has become a very significant and substantive issue, based on a recent UCLA study (publicized in September 1997), which found that workers at the Rocketdyne plant at Simi Valley were exposed to low doses of radiation had a cancer risk of at least six to eight time greater than previous studies had found. The study also found that some workers who died of cancer were exposed to radiation levels far below the national standards, and that the risks of 100 mSv was at least six to eight times greater than comparable estimates. The study found that cumulative low-level exposure to radioactive substances is more dangerous than currently believed under U.S. and international regulatory standards. Reliance on such standards as a means to dismiss cumulative effects of exposure to low level radioactive wastes is therefore greatly suspect, and is submitted specifically to support my opposing view about "standards" and their use, or misuse, such as when Agencies continue reliance on knowingly obsolete standards.

6) The Discussion of Issues in Enclosure 1 indicated that the issue about the utility "taking a greater interest in company profits than in public's health or safety" was not supported by any specific examples, therefore the issue will be excluded from further consideration. While it is difficult for a member of the public to quantify, the enclosed article (7-22-97 North County Times) noted that "Edison strives to keep outages to a minimum. The plant's owners lose about $600,000 per day in revenue when one of the reactors is out of serivce. They have declined to reveal how much the repairs cost in labor and materials." It is noted that Edison's statement was silent about striving to protect public health and safety. Since NRC and SCE has access to the actual costs of outages, your staff should evaluate decision factors used in decisions to return Units 2 and 3 to full service.

It is noted that in my Petition's July 11, 1997 letter, the issue of deregulation of the electric industry was identified to expand the Petition's scope, specifically about how deregulation will not be manipulated and used by the industry as a bail out for aging, unprofitable plants, and that all projected real costs be absorbed by shareholders, as opposed to ratepayers and residents surrounding your plants. It is noted that this issue was either omitted by oversight, or by deliberate design. The absence of any response on this issue is opposed, and I request a reply.

Thank you for the opportunity to enter this submittal into the

record for this Petition.

Please advise if amended Acknowledgement letter will be prompted by these comments.

Sincerely,

Patricia Borchmann