

Secretary U.S. Nuclear Regulatory Commission
Washington D.C. 20555

ATTN: Docketing and Servicing Branch

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As a registered Professional Electrical Engineer in the State of Colorado # 2677, a member of the National Society of Professional Engineers (NSPE), the Professional Engineers in Private Practice (PEPP), the Professional Engineers of Colorado (PEC), a life member of the Institute of Electrical & Electronic Engineers (IEEE), I wish to present the following comments with reference to:

- (1) Emergency Evacuation Plans for Nuclear Electrical Power Plants
- (2) Cooperation of State & Local Authorities in Emergency Evacuation Plans
- (3) The Role of U.S. Nuclear Regulatory Commission (NRC) in the regulation of Nuclear Electrical Power Plants

(1) Just how important are local emergency evacuation plans? Commissioner Asselstine submitted a very lengthy presentation relative to the importance of local emergency evacuation plans as presented in the Federal Register of March 6, 1987 pages 6984 to 6987.

With all due consideration of Asseltines personal viewpoints, any knowledgeable engineer concerned with the ultimate safety to the public would most likely conclude that he is putting "the cart before the horse".

If engineering design, construction & operation of the nuclear electrical generating plant is not designed and built to prevent and contain initial operational mishaps, no amount of emergency evacuation planning will be sufficient to protect the public. The Russian Chernobyl Nuclear electrical generating plant disaster is a prime example of the farce of depending on local emergency evacuation plans!

Fortunately, our American Nuclear electrical generating plants are designed and built to prevent such failures and destruction as Chernobyl. Our designs and construction make emergency evacuation of trivial significance which is fitting and proper for such plants. The Nuclear Regulatory Commission (NRC) has initiated safety improvements, emergency back-up systems etc. on a continuing basis which has protected the public to such a marvelous extent that in excess of 20 years of Nuclear electrical generation, escaping radiation has been well below that which is supplied by our solar background levels, even considerably below backgroundradiation in our mountainous areas which nature provides us. Nuclear electrical generating plant designs have been regulated by the NRC in a thorough and efficient manner such as to obviate any actual necessity for emergency evacuation plans.

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With reference to COOPERATION OF STATE & LOCAL AUTHORITIES IN EMERGENCY EVACUATION PLANS, on October 19, 1984, I wrote a letter to New York Governor Cuomo urging him to seek information from scientists concerning the safety of the Long Island Lighting Company Shoreham Nuclear electrical generating plant and to cooperate in the emergency evacuation planning and licensing of the plant. I received a letter from a lady saying Governor Cuomo had referred my letter to an association for the protection of the public to answer.

She gave no engineering or scientific information for the reluctance of Governor Cuomo to cooperate with the emergency evacuation plan nor any significant details but she did state emphatically that "We will never allow the Long Island Lighting Nuclear electrical generating plant to operate!".

The Public Service Company of New Hampshire has been unable to obtain the cooperation of local authorities in planning for emergency evacuation. Even though emergency evacuation has not in some 20 years been proven to be necessary, in as much as licensing of the Nuclear electrical generating plant has necessitated or specified such plans, State and local cooperation should be forthcoming.

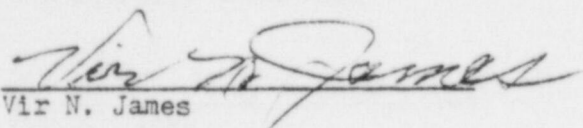
In view of such a marvelous record in the operation of U.S. Nuclear electrical generating plants, failure or refusal of State and local authorities to cooperate in emergency evacuation planning should not be required and should NOT be allowed to restrain the operation of our Nuclear electrical generation systems.

3 Role of U.S. Nuclear Regulatory Commission. Nuclear electrical generating plants are interstate in operation. Their electrical services frequently extend into adjacent States and their transmission lines receive or transmit power to or from other States, often in emergencies, and because of the very complicity of their plant designs and construction, a Federal agency (NRC) is essential to their regulation. States just are not capable of providing the engineering and scientific know-how to approve their complicated design & construction details. Hence the U.S. NRC has the sole responsibility for their technical control, as well it should. The NRC in controlling the design, construction, licensing, power production etc is responsible for the operation by their respective utility owners, to make sure they meet all the safety criteria for state-of-the-art Nuclear electrical plants. Since their technical regulation is totally Federal, their engineering operation should in no way be controlled, denied or impeded by State or local authorities. Whenever necessary to the operation of U.S. Nuclear electrical generation plants, the U.S. NRC must preempt any action of State or local authorities.

This preemption of State or local action is not unique with the Nuclear electric industry. The Federal Communications Commission (FCC) in carrying out its Federal regulations, has had to preempt actions by local authorities which have prevented radio stations from providing radio service to the public. Regulation of Nuclear Electrical plants and Radio Stations cannot be controlled by local agencies since they are not qualified nor do they have Federal responsibilities. Unfortunately, because of laxity in preemption of local agencies, extreme financial losses have been incurred by the utilities, the utility users and the utility stockholders.

In conclusion, it should be noted that local opponents of Nuclear electrical plants have failed completely, to consider all the facts and alternatives. Over 20 years of safe Nuclear operation. While with other existing power plants, they overlook the heavy pollution, acid rain etc. and large numbers of coal mine disasters including black lung disease, the large number of fires and explosions encountered with natural gas mains in homes as well as in businesses to say nothing of the lives lost in fuel oil disasters and pollution problems. Nuclear electrical generating plants have clean environmental records, safe operations doing so well that some other countries have over 40 percent of their power generated by Nuclear electric plants and have plans for increasing them up to 70 percent of their electric generating capacity. U.S. Nuclear electrical plants have an envious record and some people forget or don't know, they are not NUCLEAR BOMBS !

Respectfully submitted,



Vir N. James

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