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KERR-McGEE CORPORATION
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ENVIRONMENT AND HEALTH MANAGEMENT DIVISION
EDWIN T. STILL, DVM
VICE PRESIDENT AND DIRECTOR

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Secretary of the Commission
Attn: Docketing and Service Branch
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Proposed Rule -- Emergency Preparedness for Fuel Cycle and other Radioactive Materials Licensees; 52 Federal Register 12921, April 20, 1987

Dear Mr. Secretary:

Kerr-McGee Corporation offers for your consideration these comments about the referenced proposed rule that would require various fuel cycle licensees to revise substantially their existing emergency plans or demonstrate that an emergency plan is not needed. Through wholly-owned subsidiaries, Kerr-McGee operates facilities that would be subject to the proposed rule.

Kerr-McGee concurs generally with the concept and elements that are proposed for an acceptable emergency plan. We agree that emergency response capability is necessary where a credible potential exists for a significant accidental release that would result in radiation exposures of concern to the public. In this regard, the exemption of uranium milling facilities and tailings impoundments from the requirement is proper; even the most conservative evaluations show the probability of radiation exposure to the public is very low from any credible release scenario associated with these activities.

We note, however, that even though NRC speaks to "credible" situations, the proposed rule nevertheless is founded upon a very conservative construct. Specifically, and as stated in the Notice, "conservative accident scenarios and dose calculations -- form the basis for the proposed rule ---". Moreover, the threshold for determining whether a licensed facility would be required to establish and maintain special emergency plans is "whether a credible severe accident could theoretically deliver a radiation dose of 1 rem effective dose equivalent, 5 rems to the thyroid, or soluble uranium intake exceeding 2 milligrams to a member of the public". The multiplicative effect of these factors, with the already inherent conservatisms in dose conversion factors, dispersion and transport models and metabolic models, assures that every licensed facility -- except those specifically exempted -- will meet the threshold requirement and be required to submit a plan.



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add-S.A. McGuire, NL-007

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We believe little useful purpose is served in constructing extreme scenarios, assuming maximum worst-case conditions predominate and developing dose projections based on models that contain inherent conservatisms. We support Commissioner Carr's concern about the conservatism used by the staff and endorse his view that emergency planning should be based on realistic assumptions.

The proposed rule indicates annual on-site exercises would be required for testing the response. This requirement should provide the flexibility for conducting bi-annual exercises depending upon the complexity of the individual licensee's operation and attendant emergency plan. In fact, licensees must have sufficient flexibility to establish a plan that is responsive to reasonable requirements and individual facility circumstances.

Sincerely,

Edwin T. Stuhl

ETS/lh