

AUG 20 1986

The Honorable Robert C. Smith
United States House of Representatives
Washington, DC 20515

Dear Congressman Smith:

I am pleased to respond to your letter of July 7, 1986, to Chairman Zech of the Nuclear Regulatory Commission. Your letter addressed the concerns of a group of your constituents regarding emergency planning for the Seabrook nuclear generating station. I wish to assure you and your constituents that neither a license to load fuel nor a license to operate at full power will be issued for Seabrook until we are satisfied that relevant safety and emergency planning criteria have been met.

Enclosed is a restatement of the specific concerns of your constituents and the explanations we are able to provide to alleviate those concerns. I trust this information is responsive to the concerns of your constituents.

Sincerely,

Original signed by
Victor Stello ✓

Victor Stello, Jr.
Executive Director
for Operations

Attachment:
Response to Constituent Questions

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RESPONSE TO CONSTITUENT QUESTIONS

Issue 1(a)

Why approval of off-site emergency planning is not a Nuclear Regulatory Commission (NRC) criteria for issuance of a limited 5% power license to nuclear power plants.

Response

The Commission has fully considered the risks of operating a nuclear power reactor at low power in determining the requirements for offsite emergency planning. In a revision to the emergency planning and preparedness rule (47 FR 30232, July 13, 1982), the Commission noted that the risks of low-power operation (defined as up to 5% of rated power) are significantly lower than the risks of operating at full power and the degree of emergency preparedness necessary to provide adequate protection of the public health and safety is significantly less than that required for full power operation. In this regard, the Commission noted: (1) the fission product inventory during low-power testing is much less than during higher power operation due to the low level of reactor power and short period of operation; (2) at low power there is a significant reduction in the required capacity of systems designed to mitigate the consequences of accidents compared to the required capacities under full-power operation; and (3) the time available for taking actions to identify accident causes and mitigate accident consequences is much longer than at full power. This means the operators should have sufficient time to prevent a radioactive release from occurring. In the worst case, the additional time available (at least 10 hours), even for a postulated low-likelihood sequence which could eventually result in release of the fission products accumulated at low power into the containment (which must be breached before the fission products reach the environment), would allow adequate precautionary measures to be taken to protect the public near the site. Although it is physically possible for an accident to occur in a nuclear plant operating at low power levels, it is the Commission's judgment that the likelihood of occurrence of an accident at low power that would require protective measures beyond the boundaries of the plant, is negligibly small, and even then a considerable amount of time would be available to effect these measures.

Issue 1(b)

Has the NRC ever issued a 5% power license without first approving off-site emergency planning.

Response

Yes, there have been several licensing cases in which the NRC has issued a license authorizing fuel loading and low power operation (up to 5% of rated power) prior to receiving a finding of adequacy on offsite emergency planning and preparedness from the Federal Emergency Management Agency (FEMA). Two recent cases are Shoreham located on Long Island, New York, and Limerick which is located near Pottstown, Pennsylvania. Limerick received FEMA approval approximately five months after low-power authorization while Shoreham received low-power authorization in July 1985 and is currently in litigation involving offsite emergency planning.

Issue 2

There is persistent concern that Seabrook will be used for storage of nuclear waste generated by other nuclear plants in New England. Can you provide assurance that the Seabrook facility will not be used for regional storage of high-level nuclear waste.

Response

We have been informed by Public Service of New Hampshire that there are no plans to use the Seabrook facility for regional storage of high level nuclear waste generated by other nuclear plants. Under the Commission's regulations, a utility can apply to amend its license to store high-level nuclear materials such as spent fuel from another reactor at its site. Such an application would engender a lengthy review process including a safety evaluation and an environmental assessment by the NRC staff. A public hearing might also be held by request before any such application would be granted.

Issue 3

Issues relating to the role of local community involvement in emergency planning:

- (a) Why have there been no drills where Seacoast residents are actually evacuated.
- (b) What are the criteria which will ensure the safety and evacuation of schools, senior citizen centers, and hospitals.
- (c) How can the role of local communities in the emergency planning process be improved.
- (d) Are emergency plans which call for busing assistance from as far away as Loudon, easily an hour and a half drive to the Seacoast, adequate and realistic.

Response

As you may know, the NRC is primarily responsible for assessing the adequacy of onsite emergency plans developed by nuclear power plant licensees and for having the final licensing authority for these nuclear plants. However, FEMA has been assigned the responsibility for assessing the adequacy of offsite emergency preparedness for the area surrounding nuclear power plants. The concerns expressed in this issue relate to offsite matters and are under the immediate jurisdiction of FEMA. Therefore, I have forwarded a copy of your correspondence to FEMA for their response directly to you.