

Comments of the Alliance for Nuclear Responsibility,
Nuclear Watch South and Pilgrim Watch
(RIN 3150-AG63) Supplement Rule CFR 50.54

The Alliance for Nuclear Responsibility (A4NR), Nuclear Watch South (NWS), and Pilgrim Watch (PW), submit the following comments for the NRC consideration Under 50.54 Conditions of licenses:

(hh)(1) Each licensee shall develop, maintain and implement procedures that describe how the licensee will address the following areas if the licensee is notified of a potential aircraft threat.

- (i) (i) Verification of the authenticity of threat notifications

A4NR, NWS, and PW, believe the timeframe on which this verification is based is a vital consideration for protective response. It may be that “verification” is an issue that the NRC and its licensee might wish to keep secure, yet the timeframe in which a response must be verified must be clear and it is not currently clear.

- (2) (ii) Maintenance of continuous communication with applicable entities.

A4NR has witnessed and documented the inoperability of telecommunications during a California earthquake in December 2003, and has read of the failures of sirens and telecommunications at other reactor facilities in the years since that event. Though the NRC and its licensees often relate that the “problems have been remedied,” when they are again tested under stressed circumstances (earthquakes, hurricanes, floods), problems continue to arise. We believe that Emergency Planning exercises must assume the potential for communication failures or inadequate communications, must resolve the shortcomings in exercises, must assume the potential for communication failures or inadequate communications, and must resolve the shortcomings in both planning and technology.

- (3) (iii) Notifications to all onsite personnel and applicable offsite response organizations.

Again A4NR, NWS, and PW would like to point out that telecommunications remains an unresolved issue (see comments above for (ii)). Another issue of communications with on and offsite personnel and response organizations is the very real likelihood that, if possible, these personnel will immediately notify their families and friends. This could create severe problems in Emergency Planning that could exacerbate the already tenuous sheltering and evacuation scenarios.

- (4) (iv) Onsite protective actions to enhance the capability of the facility to mitigate the consequences of an aircraft attack.

The “consequences of an aircraft attack” must first be recognized by the NRC and its licensees as a real possibility. Recently the San Onofre Nuclear Generating Station held an emergency drill in which it was assumed an aircraft had crashed onsite. Currently the NRC’s website opens to a photograph of “NRC Chairman Dale Klein (second from left) observed an emergency drill at the San Onofre Nuclear Power Plant in Calif. where a call came in indicating that a hijacked aircraft was headed toward the plant. In the scenario, the plane crashed on site but no radiation was released.” The first thought that came to mind was: did this imaginary plane fly into containment, or the spent fuel pool building, or the high-level radioactive waste storage casks? If the NRC and its licensees persist in their believe and encourage the public to believe that offsite releases of radiation are not a realistic scenario, our country will remain

unprepared to address an issue that could cost lives and billions of dollars in economic impacts to states, the nation and, as in the case of Chernobyl, the world. Assuming a radioactive fuel pool fire results from an air attack, the NRC has not detailed how this devastating event will be resolved.

- (5) (v) Measures to reduce visual discrimination of the site relative to its surroundings or individual buildings within the protected area.

A4NR, NWS, and PW question the sincerity of this requirement as it would be virtually impossible on the coast of California or any other reactor facility. The sites of existing nuclear facilities are already well known. We have noticed no reduction in the “visual discrimination” of nuclear sites since 9/11/01.

- (6) (vi) Pre-staging and dispersal of equipment and personnel, as well as rapid reentry of onsite personnel and offsite responders into site protected areas;
- (7) (vii) and recall of site personnel

The assumption that all personnel would be willing to return to the reactor facility, rather than see that their families are safe for the duration of the event, is a false one. A4NR, NWS, and PW, request that the NRC assume that a percentage (10-25%) will not return, nor will some of the personnel of the responding agencies.

(2) Each licensee shall develop and implement guidance and strategies intended to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities under circumstances associated with loss of large areas of the plant due to explosions or fire, to include strategies in the following areas:

- 1. (i) Fire fighting

A4NR, NWS, and PW understanding is that a fire at a radioactive fuel pool would not be able to be exterminated for days and that during this time radioactive smoke would follow wind patterns. The NRC may not agree with this understanding, yet it is valid. Emergency planning must include a scenario in which all the guidance and strategies on paper will be useless, and plan accordingly. Also vital is fire protection equipment and training for communities who may be called upon to respond to a fire emergency. Communities where the reactors are located will likely be stressed and in the case of seasonal forest fires in California, fire personnel are called in from across the state and from other states. While fire fighters across the nation are trained in advance for season fires, the vast majority are ill-equipped and/or ill-trained for a fire dispersing radioactive smoke.

- (2) (ii) Operations to mitigate fuel damage, and

This section is unclear and therefore difficult to provide comments. A4NR, NWS, and PW will assume damage to the radioactive fuel due to an air attack. The radioactive fuel is in containment or cask systems. The NRC continues to believe this is not possible and therefore A4NR, NWS, and PWWATCH find that the requirements for guidance and strategies to mitigate damage to radioactive fuel to be disingenuous. Yet, if the NRC is sincere about strengthening radioactive fuel sites, we suggest containment, equal to reactor containment, over all pools and cask storage facilities.

- (3) (iii) Actions to minimize radiological releases. And these are all classified.

Again A4NR, NWS, and PW have found that the blasé attitude of NRC personnel and personnel of its licensees relating to air attack belies the sincerity of the Commission to require hardened radiological pools and cask storage facilities to truly minimize radiological releases.

A 2001, NRC press release states, “However, the NRC did not specifically contemplate attacks by aircraft such as Boeing 757’s or 767’s and nuclear power plants are not designed to withstand such crashes. Detailed engineering analyses of a large airliner crash have not been performed.” A4NR, NWS, and PW have not noticed any independently reviewed detailed engineering analyses of a large airliner crash as of today, May 12, 2008. Our concern that the NRC and its licensees do not really believe that an air attack could result in an offsite radiological release will result in inadequate protection if this “failure to imagine the unimaginable” (as stated in the official 911 Report) has not been allayed by this or any other NRC rule or regulation.

The NRC is well aware that an ounce of prevention is worth a pound of cure, yet it has ignored the recommendations cited in submittals by Dan Hirsch relating to wire mesh coverings, IEER on hardened onsite storage and the recommendations of the San Luis Obispo Mothers for Peace. ANR, NWS and PW would ask that the NRC reconsider those preventative measures.

A4NR, NWS, and PW, request that the NRC seriously consider all comments provided to the NRC and that a response to these valid concerns be made in writing before a final decision is made on this Supplemental Rule.

Sincerely,

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