

# GUARD



DEDICATED TO POSSIBLE FUTURE GENERATIONS AND TO THE PRESERVATION OF THEIR NATURAL AND CULTURAL HERITAGE

3908 CALLE ARIANA, SAN CLEMENTE, CALIFORNIA 92672 / TELEPHONE: (714) 492-5078

10912 Nestle Ave.  
Northridge, CA 91326  
May 3, 1981

85  
DOCKET NUMBER PR-2  
PROPOSED RULE  
46FR20215

Re: Proposed amendments  
to Appendix B, Part 2 of  
NRC Regulations



Nuclear Regulatory Commission  
Docketing & Service Branch  
Washington, DC 20555

Dear Members, Nuclear Regulatory Commission

GUARD is intervenor in licensing proceeding of San Onofre II and III. At the time of construction state hearings, 1973, the Chairman of the Safety and Licensing Board ruled that consideration of the specifics of evacuation was "premature" and should be argued at the license stage.

However, he did let GUARD present its contention that there were not adequate roadways for evacuation. The Board ruled in favor of the applicant and granted the construction permit. GUARD appealed, and the Appeal Board sustained us, saying that, indeed, there were not adequate roadways, but allowed construction to proceed on the grounds that the Board judged there are roadways through Camp Pendleton which could be improved and extended to provide the needed egress.

These improvements have not been made, nor arrangement made for use of those roads necessary for evacuation of the general public.

Now we are near the licensing hearing date, and the NRC is proposing to change the rules so that the question of adequate evacuation routes can be raised only "after the fact" of operation, since no stay determination would be allowed.

Clearly, this is in violation of public safety considerations as well as in violation of any concept of fair play. The purpose of the appeals process is to give necessary assurance of safety. Our experience in the construction stage shows that the appeals process may be crucial to public protection.

The NRC should not be in the position of replacing that which is already inadequate, with totally unfair rules.

We continue to hope that our efforts will help bring the needed light to the Commission to understand the dangers San Onofre poses.

Cordially,  
*Dorothy Boberg*  
Dorothy Boberg  
Research Coordinator  
GUARD

4-11-81

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POOR ORIGINAL