September 24, 1990

MEMORANDUM FOR: Hugh L. Thompson, Jr.

FROM: Peter Crane

SUBJECT: POTASSIUM IODIDE DPO

My concerns about the current status of the potassium iodide DPO include the following:

1. Instructing the staff to revise NUREG-CR-1433 will accomplish nothing if that instruction is not accompanied by guidance as to what is wrong with the existing cost-benefit analysis. In the absence of such guidance, the staff is merely correcting some of the inaccuracies in the numbers used in the NUREG, as recommended by the DPO panel. (One of the members of the DPO panel has been assigned the task of revising the NUREG.) The staff has yet to come to grips with a crucial point of the DPO: that the problem with the NUREG was not just one of inaccurate numbers, but also, more fundamentally, of an erroneous approach to applying cost-benefit techniques to an issue of public health policy (see 2. below).

The EDO's office knows the approach used by the staff and the DPO panel; it knows the criticisms of that approach made in the DPO and subsequent memos. A timely resolution of the difference between the two can only serve the Commission's interests. If the DPO's criticisms are correct, then the staff member should be advised of that before a year's work on the NUREG revision is misdirected. If, on the other hand, the EDO believes that the DPO's criticisms of the staff's approach are meritless, then it should so inform the Commission and me.

2. Among the deficiencies of the staff's approach, the following stand out:

a. The cost-benefit analysis of NUREG-CR-1433 mechanistically balanced the cost of KI pills against the cost of treating the cancers and nodules that can be expected to develop if KI is not used. The DPO panel followed the same approach. In reasoning that it does not make sense to spend more on preventing a given number of cases of disease than it would cost to treat those cases if they occurred, these analyses implicitly took the position that it is just as desirable to develop a disease and have it treated as it is not to have the disease in the first place. That approach fails the test of common sense: obviously, disease prevented is preferable to disease cured. It follows that society (and individuals) may want to spend more to prevent a particular illness than it would cost in

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dollars to treat that illness if it occurred. How much more depends on the nature of the illness.

b. For cost-benefit analysis to have any usefulness, when applied to a disease prevention measure, there must be a serious attempt to come to grips with the totality of the costs associated with having the illness. That does not simply mean doctor bills. It also includes, in straight economic costs, loss of productivity. The diversion of medical resources from other concerns should also be taken into account. There are also non-economic consequences of the illness in question that may be far greater than the dollar costs. (Moreover, some aspects of an illness, though extremely unpleasant, do not lend themselves to treatment, and thus do not show up on medical bills.)

The real costs of an illness thus cannot be assessed without asking some basic questions of competent medical authorities: How disagreeable is the illness? What are its consequences in terms of the quality of life? How complete and successful is treatment? How burdensome is treatment? NUREG-CR-1433 avoided all such inquiry, and so did the report of the DPO panel, notwithstanding that the issue was raised prominently in the DPO.

I realize that the objection might be made to such a line of inquiry that the NRC is not competent to make qualitative judgments about the burdens created by an illness. There are two answers for that: first, that with a few phone calls, the NRC could obtain expert advice about the nature and consequences of various illnesses. Second, if the NRC, even with advice, cannot make qualitative judgments about diseases, then it cannot purport to make cost-benefit judgments about measures to prevent those diseases.

c. A cost-benefit analysis that assumes that a major accident in which KI would be useful will occur only once every thousand years should not only explain the basis for that assumption, it should also make clear the uncertainties surrounding that estimate.

3. It was on April 16 that the EDO directed the staff to prepare a Federal Register notice informing the public that the NRC would revise NUREG-CR-1433 and that the NRC would participate in the new review of the potassium iodide issue that an interagency panel of the Federal Government would be conducting. Five months later, and two months after the interagency panel held its meeting on the KI issue, the Federal Register notice has yet to come out. (I am aware that the text of a Federal Register notice has recently been approved -- I have not seen it and do not know

its contents -- but the fact that it has taken so long says something about the priority this matter has been accorded.) I note from the attached trip report that "There was no opinion expressed by the [interagency] group as to whether the NRC should publish a Federal Register notice at this time." I would not have thought, after the EDO's memo of April 16, that the question of whether to publish a Federal Register notice was still up for discussion.

4. Also on April 16, 1990, the EDO informed the Commissioners that the NRC staff would participate in the interagency reexamination of the KI issue and make recommendations to the Commission on whether current KI policy should be changed. Yet the trip report and viewgraphs suggest that the interagency group was presented with the DPO panel's views, including the recommendation against any change in existing Federal policy on KI, apparently as though they represented the agency's final policy position on the subject. I did not understand that the DPO panel was in any position to speak definitively for the agency -- especially in view of the fact that Eric Beckjord had concluded on March 15 that the panel had failed fully to resolve the DPO.

5. The EDO's April 16, 1990 memo to the Commissioners stated that Eric Beckjord's March 15 memo had found, as noted in (4) above, that "some aspects of the DPO were not resolved by the review panel." (Mr. Beckjord was referring to the fact that the DPO panel had not addressed one of the two main points of the DPO, i.e. that the Commission's 1983 policy decision on KI was based on inaccurate information from the staff.) The EDO said: "The staff is working on their resolution as suggested by Mr. Beckjord." On this point, I think the EDO may have been in error. I am not aware that any agency resources have yet to be applied to resolving the aspects of the DPO that Mr. Beckjord found in March to have been left unaddressed by the DPO panel.

* * * *

The DPO process is supposed to provide a means to address concerns rapidly, especially when they involve health and safety issues. It is also supposed to provide a definitive resolution, up or down, on issues that are raised. I do not see either of those goals being met in the more than fifteen months since I filed my DPO on potassium iodide.

would not reduce environmental impacts of plant operation and would result in reduced operational flexibility.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statements Related to Operation of Perry Nuclear Power Plant, Units 1 and 2, dated August 1987.

Agencies and Persons Consulted

The NRC staff reviewed the licensees' request and did not consult other agencies or persons.

Finding of No Significant Impact

The Commission has determined not to prepare an environmental impact statement for the proposed license amendment.

Based upon the foregoing environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the application for amendment dated March 16, 1990, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC and at the Perry Public Library, 3753 Main Street, Perry, Ohio 44081.

Dated at Rockville, Maryland, this 20th day of September 1990.

For the Nuclear Regulatory Commission.

John N. Hannon,

Director, Project Directorate III-3, Division of Reactor Projects—III, IV, V and Special Projects, Office of Nuclear Reactor Regulation.

[FR Doc. 90-22971 Filed 9-27-90; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-483]

The Union Electric Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 57 to Facility Operating License No. NPF-30, issued to the Union Electric Company (the licensee), which revised the Technical Specifications for operation of the Callaway Plant Unit 1 located in Callaway County, Missouri. The amendment was effective as of the date of issuance.

The amendment modified the Technical Specification Tables 2.2-1, 3.3-4, and 4.3-1 and associated Bases to accommodate the replacement of the current Resistance Temperature Detector (RTD) bypass system with an RTD/thermowell system mounted directly into the hot and cold legs of the reactor coolant system.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment and Opprotunity for Prior Hearing in connection with this action was published in the Federal Register on June 14, 1990 (55 FR 24172). No request for a hearing or petition for leave to intervene was filed following this notice.

The Commission has prepared an Environmental Assessment related to the action and had determined not to prepare an environmental impact statement. Based upon the environmental assessment, the Commission has concluded that the issuance of this amendment will not have a significant effect on the quality of the human environment.

For further details with respect to the action see (1) The application for amendment dated April 12, 1990, and supplemented by letter dated July 7, 1990, (2) Amendment No. 57 to License No. NPF-30, (3) the Commission's related Safety Evaluation dated September 20, 1990, and (4) the Environmental Assessment dated September 5, 1990. All of these items are available for public inspection at the Commission's Public Document Room, Gelman Building 2120 L Street NW., Washington, DC and at the Callaway County Public Library, 710 Court Street, Fulton, Missouri 65251 and the John M. Olin Library, Washington University, Skinker and Lindell Boulevards, St. Louis, Missouri 63130. A copy of items (2), (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Reactor Projects III, IV, V and Special Projects.

Dated at Rockville, Maryland, this 20th day of September 1990.

For the Nuclear Regulatory Commission.

John N. Hannon,

Director, Project Directorate III-3, Division of Reactor Projects—III, IV, V and Special Projects, Office of Nuclear Reactor Regulation.

[FR Doc. 90-22971 Filed 9-27-90; 8:45 am]

BILLING CODE 7590-01-M

Potassium Iodide

AGENCY: Nuclear Regulatory Commission.

SUMMARY: The purpose of this notice is to inform the public that, because of new information, the analysis supporting the current federal policy regarding the distribution and use of Potassium Iodide (KI) as a thyroidal blocking agent during accidents at nuclear power plants is being revised. Preliminary analysis of this new information indicates that the cost-benefit ratio associated with stockpiling KI may have narrowed. As a result of this new information and a request by the American Thyroid Association to establish a national stockpile of KI, the current federal policy regarding the stockpiling and use of KI is undergoing a reexamination.

FOR FURTHER INFORMATION CONTACT: Leonard Soffer, Severe Accident Issues Branch, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (301-492-3916).

BACKGROUND: On July 24, 1985 the present federal policy (50 FR 30258) on distribution of Potassium Iodide (KI) around nuclear power sites for use as a thyroidal blocking agent was issued. In summary, the federal policy recommends the stockpiling of KI and its distribution for emergency workers and institutionalized persons, but does not recommend requiring predistribution or stockpiling for the general public. The basis for this policy is that, in the event of an accident, protective actions are planned and would be taken for the general public that are capable of reducing doses to all body organs, and not merely the thyroid gland. This policy is advisory for state and local governments which can, within the limits of their authority, take measures beyond those recommended or required nationally. In this regard, two states (Alabama and Tennessee) have decided to stockpile or predistribute KI tablets for use by the public in the event of a serious reactor accident.

Since issuance of this policy, new information regarding KI has become available. Information is now becoming available on the experience during the Chernobyl accident in the Soviet Union in April 1986 where significant quantities of KI were administered by Polish and Soviet authorities. Additionally, since completion of the original analysis in 1980 supporting the federal policy (NUREG/CR-1433),

information has become available indicating a reduction in iodine releases associated with a severe reactor accident and a reduced cost and increased shelf-life of KI. Preliminary analysis of this information indicates that the cost-benefit ratio which supports the current federal policy may have narrowed from the 1980 analysis. Further, in September 1989, representatives of the American Thyroid Association (ATA) requested that a national stockpile of KI be established. In view of this request and the availability of new information which affects the underlying analysis, an effort to reexamine the federal policy on KI has been undertaken.

ACTIVITIES UNDERWAY: The Nuclear Regulatory Commission (NRC) is presently preparing an update of the original 1980 analysis (NUREG/CR-1433). The updated report will consider the latest available research on estimated iodine releases from severe reactor accidents, will incorporate the most recent estimates on risk to the thyroid from internal radioiodine exposure, and will factor in revised values for cost and shelf-life of KI. This report is expected to be issued by July 1991 to state and local authorities and to the public.

In parallel, as a result of the request by the ATA to establish a national stockpile of KI, the Federal Radiological Preparedness Coordinating Committee (FRPCC) has requested that the Department of Health and Human Services, through the Centers for Disease Control (CDC), convene an *ad hoc* meeting of experts in this field to solicit and review relevant scientific information on this issue, and to provide its recommendations to the FRPCC. Accordingly, a workshop on the scientific and medical aspects of KI was held in Atlanta on July 24, 1990. The review by CDC will consider the available new information noted above. The CDC is expected to provide its recommendations to the FRPCC on whether the current federal policy should be reassessed by November 1990. Should the FRPCC determine that the federal policy warrants reassessment by all involved federal agencies, an associated schedule for accomplishing this would be established.

Dated at Rockville, Maryland, this 21st day of October 1990.

Eric S. Beckjord,

Director, Office of Nuclear Regulatory Research.

[FR Doc. 90-22974 Filed 9-27-90; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Aviation Proceedings; Agreements filed during the Week Ended September 21, 1990

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: 47183.
Date filed: September 20, 1990.
Parties: Members of the International Air Transport Association.
Subject: Composite Resolutions R-1 to R-21.
Proposed Effective Date: April 1, 1991.
Docket Number: 47184.
Date filed: September 20, 1990.
Parties: Members of the International Air Transport Association.
Subject: Mail Vote 428—Fares from Ecuador to Central America.
Proposed Effective Date: October 1, 1990.
Docket Number: 47185.
Date filed: September 20, 1990.
Parties: Members of the International Air Transport Association.
Subject: Mail Vote 429—PEX fares from Japan to Southeast Asia.
Proposed Effective Date: October 28, 1990.

Phyllis T. Kaylor,

Chief, Documentary Services Division.

[FR Doc. 90-22919 Filed 9-27-90; 8:45 am]

BILLING CODE 4910-62-M

Notice of Applications for Certificates of Public Convenience and Neecessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ended September 21, 1990

The following applications for certificates of public convenience and necessity and foreign air carrier permits were filed under subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 *et. seq.*). The due date for answers, conforming application, or motion to modify scope are set forth below for each application. Following the answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in approrpiate cases a final order without further proceedings.

Docket Number: 47176.
Date filed: September 17, 1990.
Due Date for Answers, Conforming Applications, or Motion to Modify Scope: October 5, 1990.
Description: Application of Robiton Aereo, C. Por A., pursuant to section 402 of the Act and subpart Q of the Regulations, applies for a foreign air carrier permit authorizing the carriage of property and mail on a scheduled basis between a point or points in the Domincan Republic and Miami, Florida and San Juan, Puerto Rico. Robiton also requests that it be granted authority to operate cargo charters subject to the Department's rules and regulations.

Docket Number: 47180.
Date filed: September 19, 1990.
Due Date for Answers, Conforming Applications, or Motion to Modify Scope: October 3, 1990.
Description: Conforming Application of America West Airlines, Inc., pursuant to section 401 of the Act and subpart Q of the Regulations, requests a new or amended certificate of public convenience and necessity authorizing it to provide service between Phoenix, Arizona, Las Vegas, Nevada and Los Angeles, California, on the one hand, and Mexico City, Mexico, on the other.

Docket Number: 47181.
Date filed: September 19, 1990.
Due Date for Answers, Conforming Applications, or Motion to Modify Scope: October 3, 1990.
Description: Conforming Application of United Air Lines, Inc., pursuant to section 401 and subpart Q of the Regulations, requests a certificate of public convenience and necessity to authorize service between Los Angeles, California, and Mexico City, Mexico.

Phyllis T. Kaylor,

Chief, Documentary Services Division.

[FR Doc. 90-22920 Filed 9-27-90; 8:45 am]

BILLING CODE 4910-62-M

[Docket No. 47090]

United States-United Kingdom Regional Airport Case; Notice of Hearing

Notice is hereby given that the hearing in the above entitled matter will begin at 10 a.m. on October 9, 1990 and run for the necessary consecutive weekdays. The hearing site is in room 5332, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590. Questions concerning this proceeding that require a telephonic discussion should be telephoned to (202) 366-2144.

Notice is also given that in the event that funding for the Department of Transportation for Fiscal Year 1991 has not been effected by the Congress by October 4, 1990, thereby (1) precluding the timely procurement of a court reporter for the transcription of the hearing and/or (2) requiring the furloughing of Department employees