

Studies of Nuclear Hazards  
and Constitutional Law

July 8, 1985

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U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

DOCKET NUMBER  
PROD. & UTIL. FAC. SU-346

Dear Commission:

85 JUL 10 P5:15

Subject: The Davis-Besse nuclear power plant: Petition for  
a Hearing on the Question of Re-Startup of the Reactor  
OFFICE OF THE  
DOCKETING  
BR

The Davis-Besse nuclear power plant operated by the Toledo Edison Company of Toledo, Ohio has suffered a loss-of-cooling mishap on June 9th and is shutdown presently. According to the Toledo Blade newspaper, the NRC's Region-III's office has issued an order to the Toledo Edison Company not to re-startup the reactor without the NRC's approval, as the NRC is presently conducting an investigation of the incident. I request a hearing under the Atomic Energy Act and the NRC's regulations on the matter of the NRC's investigation and evaluation of the incident and its decision on whether or not to allow re-starting up of the reactor plant.

My interest is as follows: I am a citizen of Ohio and a resident of Sylvania, Ohio, which is about 30 miles from the Davis-Besse reactor. I contend that the reactor is a danger to me with respect to catastrophic reactor eruptions and radiation release possibilities and potentialities and consequent harmful radiation exposures to me living in Sylvania, Ohio. Therefore, I claim that I have a right to a hearing, to inquire into the dangers of the reactor operation in light of the fact of the June 9th loss-of-cooling mishap and its significance with respect to the public safety if the reactor were allowed to resume operation.

I have investigated the loss-of-cooling mishap of June 9th and have issued a report, titled: "A Report of an Investigation of the Loss-of-Cooling Mishap at the Davis-Besse Nuclear Power Plant on June 9th, 1985," with a Postscript dated June 27, 1985. I have sent a copy to the NRC's Resident Inspector at the Davis-Besse plant site, Mr. Donald Kosloff, and to Toledo Edison (Mr. Nedra)

I call for a public hearing, in order to:

1. Investigate just what happened in the incident and establish the facts, with witnesses under oath and the power of subpoena.
2. Demonstrate that the incident was a reactor accident which was beyond the "design basis" of the plant's safety systems and reactor system design; that beyond-design-basis accidents are credible; that the reactor emergency procedures were not/ did not include instructions on how to deal with the incident when it occurred---i.e., a complete loss of feedwater--- or otherwise to establish the facts in this regard; and that the Design-Basis Accidents in the plant's Safety Analysis Report are not adequate to cover the accident possibilities for which the public must be protected---that is, that the plant's Safety Analysis Report is not adequate to demonstrate

the safety of the reactor with respect to the Public Safety.

3. Show that the public was in danger during the mishap, contrary to what the NRC reportedly informed the Congress on June 21, according to the Toledo Blade newspaper, and to show that reactor system came very close to a catastrophic over-pressure condition, ~~namely~~ namely, filling the reactor system completely with water by thermal expansion of the ~~water~~ reactor water ("going solid"), which is a condition which evidently the system's safety relief valves are/were not designed to control, and also to investigate and establish whether or not the emergency core/reactor cooling system could have/was designed to keep the reactor fuel from over-heating, if the loss-of-cooling condition (complete loss of feedwater) had persisted much longer.
4. Investigate the potential consequences of a <sup>prolonged</sup> complete loss of feedwater to the steam generators, and establish the potential consequences.
5. Show that an immediate public evacuation should have been called for when the mishap occurred--that is, when the complete loss of feedwater to the steam generators occurred.
6. And, To subject the NRC's investigation and evaluation~~s~~ of the mishap to public review and thus permit a truly independent scientific evaluation.

I further request that the public hearing be held in Toledo, Ohio; as it is most practical for the public to ~~view~~ view the proceedings, if the hearing were conducted in Toledo. It would be near the Toledo Edison offices. Also, it is not practical for me to travel to Port Clinton or some such distant place near the reactor. Toledo, Ohio would be the closest large city to the reactor and would be most in danger of a reactor eruption, and is close to the Detroit Metro Airport or the Toledo Express Airport for ~~xxxxx~~ easiest access by NRC personnel and officials.

Respectfully submitted,

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Copy sent to Toledo Edison Co.  
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*P.S. I request  
waiver of all  
fees, as I  
have no income  
now money.*