

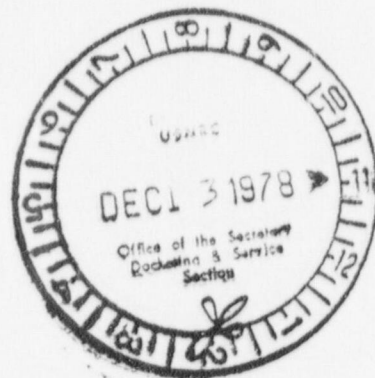
DOCKET NUMBER

PROPOSED RULE

8
PR - 72(43FR46309)

November 29, 1978

Mr. Russell E. L. Stanford
Fuel Process Systems Branch
Division of Engineering Standards
Office of Standards Development
Nuclear Regulatory Commission
Washington D.C. 20555



Dear Mr. Stanford:

Re: Proposed spent fuel storage regulation,
10 CFR Part 72

It would appear that the ISFSI facility and its large associated costs of construction, operation, decommissioning, and concomitant transportation, public health, and environmental costs cannot be adequately justified at this time. The ISFSI proposal constitutes at best a very short term strategy which in the longer run would create more problems for the nuclear industry than it would solve. Creation of the facility would add both to the likelihood of environmental hazards and the proliferating inventory of nuclear wastes. As it is, spent fuel is distributed over a relatively large number of sites which minimizes the danger of catastrophic accidents.

If nuclear wastes are as dangerous as the following implies, "The large inventory of radionuclides in an ISFSI represents a potential hazard to public health and safety", then perhaps the nuclear industry should consider stopping the generation of wastes altogether pending final development of a viable mode of permanent waste disposal. Another "temporary storage" facility would only further remove the responsibility for wastes being generated from those entities generating them. "Storage for an indefinite (sic) period of time, and its ultimate disposition unknown" represents yet another step in divorcing waste generation from the consequences of same. "To accomodate some light water. . . plant fuel which has at least one year's decay" is patently transparent. The clause, the "Commission consents. . . to the creation of any. . . pledge or. . . lien upon. . . nuclear material. . . not owned by the US. . ." would provide industry with a means of circumventing President Carter's nuclear non-proliferation policy which prevents the sale or lease of fuel, technology, and hardware abroad to non-nuclear nations. By reason of this clause, nuclear wastes could be received at the proposed U.S.-ISFSI from proliferating sources worldwide, in anticipation of the resumption of spent fuel reprocessing and creation of mixed oxide fuels for resale or lease again abroad. That wastes are a valuable commodity is demonstrated by the consistent placement of "common defense and security"

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before "human health and safety" throughout the text. The ISFSI obviously would be a valuable concession, to be built at public expense and operated privately for the benefit of the operators and those utility corporations using the facility -- another example of the seemingly endless line of subsidies required to keep the nuclear fission industry "viable" (The cost of storing spent fuel temporarily would exceed \$500.00/lb, more than 10 times the cost of new enriched fuel.)

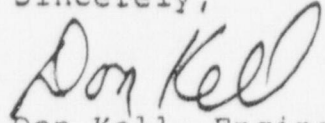
The ISFSI, furthermore, would add to the national burden of inflation, and to the increasing uncertainty regarding the future role of the U.S. dollar abroad, both in foreign trade and as an international reserve currency. It would also render the belt-tightening implied in President Carter's anti-inflation program less palatable for those who would not be in a position to "pass on" the increased costs of operation or of living.

Inherent in the ISFSI concept is the potential for grave environmental and public health hazards, including the possibility of criticality. Frequent references to "emergencies", "accidents", "malfunctions", "margin of safety as defined", and "retrofitting" inspire little confidence in systems-analysis design capability, especially in the light of past and current efforts at "temporary" waste storage. Nor do the following apologies inspire much confidence: "taking into account (the) state of technology, . . . economics, severity of events selected (and) postulated events", "costs", "wherever practical", "costs", "during normal operation", "expected operational occurrences", "costs", "calculated exposure", "maximum degree reasonable", "costs", and "within the limits of EPA regulation". We have been asked to accept as articles of faith that, "the cooling system need not be designed to withstand the extremes of natural phenomena. Likewise, the emergency water supply system need not be permanently installed", that "A peak horizontal ground acceleration of not greater than 0.25g. . . shall be deemed suitable", and that, "no detailed site-specific. . . analysis is required unless some unusual geologic characteristic is identified". In truth, the added "costs" to the public and the environment from "controlled" liquid and gaseous releases, accidental releases of every kind, millions of ton-miles of transportation, sabotage and theft, and the defacto creation of additional wastes from the operation and decommissioning of the ISFSI, would clearly stand in opposition not only to the public's best interest, but in the longer term, to the interests of the industry as well.

Therefore, because the ISFSI concept cannot under any reasonable standards of conscience or economics be credibly justified, rule 10 CFR Part 72 would appear to be entirely superfluous -- a product of the agencies of haste and ad hoc reasoning that have brought upon this planet the current crisis

in nuclear wates. 10 CFR Part 72 is a bad regulation. It should be withdrawn entirely and scrapped.

Sincerely,


Don Kell, Engineer

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cc: Senator Gary Hart