



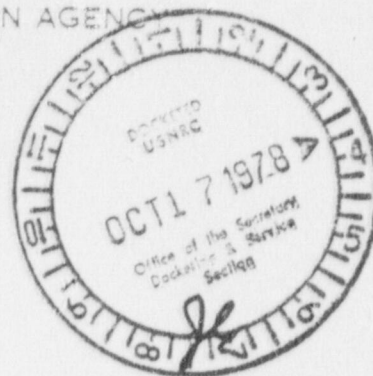
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DOCKET NUMBER

PROPOSED RULE

PR-50(43FR37473)

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Secretary of the Commission  
Attention: Docketing and Service Branch  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Sir:

EPA has reviewed the proposed amendment to 10 CFR Part 50, Appendix E, as presented in the Federal Register, Volume 43, No. 164, August 23, 1978. We certainly agree with the general thrust of this amendment which would require a license applicant to consider emergency planning beyond the Low Population Zone (LPZ).

Over the past two years EPA has been involved in a joint task force with NRC to develop a planning basis for the development of State and local government radiological emergency response plans in support of light water nuclear power plants. Although this effort has not been completed, the task force report is in its second draft. The evaluation has developed to a point where it appears certain that some consideration of emergency planning beyond the LPZ will be recommended by the task force. It is then appropriate that, as called for in this proposed amendment, some consideration be given to this matter by the applicant in the licensing procedure.

We do have one significant concern with the proposed amendment in its present form, however. That concern is that the proposed amendment is too specific in indicating the factors to be used in determining the extent to which emergency planning should extend to areas beyond the LPZ. For instance, as the efforts of the aforementioned task force have indicated, it may not be possible or appropriate to make such a determination based on the detailed design features of the facility. In a similar vein, while the "physical characteristics of the environs in the vicinity of the site" may have a great deal to do with what is the nature of the plan, it would not be expected to influence the necessity of "considering planning." The present proposed language, i.e., "the extent to which emergency planning, ..., should extend to areas beyond the LPZ...", is sufficiently ambiguous as to leave its meaning unclear in its intention in this respect.

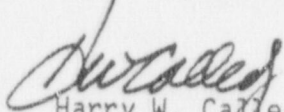
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In summary, until some experience has been obtained in applying the general intent of the policy proposed here, and until the aforementioned task force report has been reviewed by the Nuclear Regulatory Commission (NRC), we feel that such specificity is too limiting relative to the options that should be considered in the policy application.

We, therefore, recommend that the second sentence in the proposed amendment be revised to read: "The extensiveness to which emergency planning should be developed for areas beyond the LPZ will take into account the physical characteristics of the environs in the vicinity of the site and the emergency protective action criteria and guidance developed by appropriate Federal authorities and by appropriate State and local governmental authorities in cooperation with the Commission."

Sincerely yours,



Harry W. Catley  
Acting Director  
Environmental Analysis Division  
Office of Radiation Programs (ANR-461)