

May 17, 1984

Docket Nos. 50-325/324

Mr. E. E. Utley
Executive Vice President
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602

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Dear Mr. Utley:

SUBJECT: EXEMPTION REQUEST - EMERGENCY PREPAREDNESS EXERCISE

Re: Brunswick Steam Electric Plant, Units 1 and 2

The Commission has issued the enclosed Exemption from the requirements of 10 CFR 50, Appendix E, Section IV.F.1.a concerning provisions for participation of State and local government agencies in Carolina Power and Light Company's 1984 annual emergency preparedness exercise at the Brunswick Steam Electric Plant. The Exemption provides that the State and local government agencies having jurisdiction in the 10 mile EPZ need not fully participate in the May 8, 1984 emergency preparedness exercise at the Brunswick Steam Electric Plant; however as agreed in the February 21, 1984 letter, the subject agencies should be prepared to provide such limited support as may be essential to the conduct of the licensee's exercise.

This Exemption is specific to the May 8, 1984 emergency preparedness exercise at the Brunswick Steam Electric Plant.

A copy of the enclosed Exemption is being filed with the Office of the Federal Register for publication.

Sincerely,

*Original signed by
Darrell G. Eisenhut*

Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Enclosure:
Exemption

cc w/enclosure:
See next page

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SNorris:ajs
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04/17/84

*CP-3 No comment to
Re: 5/16/84
memo*

4/22/84

5/15/1984 XA

*If there are
any comments
modification return to*

Mr. E. E. Utley
Carolina Power & Light Company
Brunswick Steam Electric Plant, Units 1 and 2

cc:

Richard E. Jones, Esquire
Carolina Power & Light Company
336 Fayetteville Street
Raleigh, North Carolina 27602

George F. Trowbridge, Esquire
Shaw, Pittman, Potts and Trowbridge
1800 M Street, N. W.
Washington, D. C. 20036

Mr. Charles R. Dietz
Plant Manager
Post Office Box 458
Southport, North Carolina 28461

Mr. Franky Thomas, Chairman
Board of Commissioners
Post Office Box 249
Bolivia, North Carolina 28422

Mrs. Chrys Baggett
State Clearinghouse
Budget and Management
116 West Jones Street
Raleigh, North Carolina 27603

U. S. Environmental Protection
Agency
Region IV Office
Regional Radiation Representative
345 Courtland Street, N. W.
Atlanta, Georgia 30308

Resident Inspector
U. S. Nuclear Regulatory Commission
Star Route 1
Post Office Box 208
Southport, North Carolina 28461

James P. O'Reilly
Regional Administrator
Region II Office
U. S. Nuclear Regulatory Commission
101 Marietta Street, Suite 3100
Atlanta, Georgia 30303

Dayne H. Brown, Chief
Radiation Protection Branch
Division of Facility Services
Department of Human Resources
Post Office Box 12200
Raleigh, North Carolina 27605

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
CAROLINA POWER AND LIGHT COMPANY)	Docket Nos. 50-325/324
(Brunswick Steam Electric Plant)	
Units 1 and 2))	

EXEMPTION

I.

The Carolina Power & Light Company (the licensee) is the holder of Facility Operating License Nos. DPR-62 and DPR-71 (the licenses) which authorize the operation of the Brunswick Steam Electric Plant, Units 1 and 2, respectively (the facilities) at a steady-state power level not in excess of 2436 megawatts thermal. The facilities consist of two boiling water reactors (BWRs) located in Brunswick County, North Carolina. These licenses provide among other things, that they are subject to all rules, regulations and Orders of the Commission now or hereafter in effect.

II.

Section 50.54(q) of 10 CFR Part 50 requires a licensee authorized to operate a nuclear power reactor to follow and maintain in effect emergency plans which meet the standards of 50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV.F.1.a of Appendix E requires each licensee

to hold emergency preparedness exercises at a frequency which will enable each State and local government within the plume exposure pathway EPZ to participate in at least one full-scale exercise per year.

By letter dated February 21, 1984, the licensee requested an exemption from the requirements of 10 CFR 50, Appendix E, Section IV.F.1.a as it applies to the participation of State and local government agencies in the forthcoming May 8, 1984 emergency preparedness exercise to be held at the Brunswick Steam Electric Plant. The licensee bases this request for exemption on correspondence from the State of North Carolina Department of Crime Control and Public Safety, acting on behalf of State and local government agencies within the plume exposure pathway EPZ, referencing the exemption option of FEMA 44 CFR 350.9, and on previous successful participation by State and local government agencies in exercises in August 1981 and May 1983. Based on participation in the 1983 exercise, the licensee contends that the experience gained by the State and local government agencies during the exercise is sufficient basis for relief from the annual exercise frequency requirement.

The NRC staff has reviewed the results of FEMA findings of past exercises which indicate the performance of State and local government agencies to be satisfactory. Based on this review and a review of past NRC inspection and appraisal results, the staff has determined that the agencies demonstrated a capability to respond effectively to nuclear power station emergency conditions. The staff has also discussed the licensee's request with FEMA Headquarters. FEMA indicates that the State and local government

agencies involved in the Brunswick emergency plan are qualified under the provisions of 44 CFR 350.9(c) and they need not participate in a full-scale exercise in 1984. From the above evaluation, the staff concludes that an exemption pursuant to the requirements of 10 CFR 50, Appendix E, Section IV.F.1.a, is justified, provided that as agreed in the February 21, 1984 letter, the State and local government agencies provide such minimal support as may be essential to the conduct of the May 8, 1984 emergency preparedness exercise.

Based on our evaluation, the staff has concluded that non-participation by state and local government agencies in the May 8, 1984 emergency preparedness exercise at the Brunswick Steam Electric Plant will not adversely affect the overall state of emergency preparedness at the Brunswick site and that the requested exemption from the requirements of 10 CFR 50, Appendix E, Section IV.F.1.a should be granted.

III.

Accordingly, the Commission has determined that pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, the Commission hereby approves the following exemption request.

Exemption is granted from the requirement of 10 CFR 50, Appendix E, Section IV.F.1.a, that State and local government agencies fully

participate in the emergency preparedness exercise scheduled to be held at Brunswick Steam Electric Plant, Units 1 and 2 during May 1984.

The Commission has determined that the granting of this exemption will not result in any significant environmental impact and that, pursuant to 10 CFR 51.5(d)(4), an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in dark ink, appearing to read "Darrell G. Eisenhower", is written over the typed name.

Darrell G. Eisenhower, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland
this 17th day of May, 1984