

March 23, 1983

DISTRIBUTION

Docket ACRS (10)  
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ELJordan  
JMTaylor

Docket No. 50-244  
LS05-83-03-041

Mr. John E. Maier  
Vice President  
Electric and Steam Production  
Rochester Gas and Electric Corporation  
89 East Avenue  
Rochester, New York 14649

Dear Mr. Maier:

SUBJECT: EXEMPTION RELATED TO THE ANNUAL EMERGENCY PREPAREDNESS EXERCISE  
R. E. GINNA NUCLEAR POWER PLANT

In response to your letter dated November 18, 1982, the Commission has issued the enclosed Exemption from certain annual emergency plan exercise requirements of 10 CFR Part 50, Appendix E, Section IV.F.1.a, to allow for the full-scale participation of all parties no later than June 30, 1983.

We have concluded, based on the considerations discussed in the Exemption, that: (1) because the exemption does not involve a significant increase in the probability or consequences of an accident previously evaluated, does not create the possibility of an accident of a type different from any evaluated previously and does not involve a significant reduction in a margin of safety, the exemption does not involve a significant hazards consideration, (2) there is reasonable assurance that the health and safety of the public will not be endangered by this action, and (3) such activities will not be inimical to the common defense and security or to the health and safety of the public.

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

Sincerely,

Original signed by/

Dennis M. Crutchfield, Chief  
Operating Reactors Branch #5  
Division of Licensing

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DSU USE EA(07)*

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PDR ADDCK 05000244  
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Enclosure:  
Exemption

cc w/enclosure:

<sup>see</sup> \*Please previous concurrence page.

See next page

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SURNAME	HSmith:ajs*	GDick*	MYoung*	DCrutchfield	FMiraglia	DEisenhut
DATE	03/14/83	03/15/83	03/16/83	03/22/83	03/23/83	03/23/83

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Dennis M. Crutchfield, Chief  
 Operating Reactors Branch #5  
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Enclosure:  
 Exemption

cc w/enclosure:  
 See next page

*with noted  
 revisions to  
 exemption &  
 distribution*

OFFICE ▶	DL:ORB#5	DL:ORB#5	OELD	DL:ORB#5	DL:AD-SA	DL:DIR	
SURNAME ▶	HSmith:ajs	GDick	M-Young	DCrutchfield	FMiraglia	DEisenhut	
DATE ▶	03/14/83	03/15/83	03/16/83	03/ /83	03/ /83	03/ /83	

Mr. John E. Maier

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March 23, 1983

cc

Harry H. Voigt, Esquire  
LeBoeuf, Lamb, Leiby and MacRae  
1333 New Hampshire Avenue, N. W.  
Suite 1100  
Washington, D. C. 20036

U. S. Environmental Protection Agency  
Region II Office  
ATTN: Regional Radiation Representative  
26 Federal Plaza  
New York, New York 10007

Mr. Michael Slade  
12 Trailwood Circle  
Rochester, New York 14618

Herbert Grossman, Esq., Chairman  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Ezra Bialik  
Assistant Attorney General  
Environmental Protection Bureau  
New York State Department of Law  
2 World Trade Center  
New York, New York 10047

Ronald C. Haynes, Regional Administrator  
Nuclear Regulatory Commission, Region I  
631 Park Avenue  
King of Prussia, Pennsylvania 19406

Resident Inspector  
R. E. Ginna Plant  
c/o U. S. NRC  
1503 Lake Road  
Ontario, New York 14519

Director, Bureau of Nuclear  
Operations  
State of New York Energy Office  
Agency Building 2  
Empire State Plaza  
Albany, New York 12223

Supervisor of the Town  
of Ontario  
107 Ridge Road West  
Ontario, New York 14519

Dr. Emmeth A. Luebke  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. Richard F. Cole  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

UNITED STATES OF AMERICA  
 NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
Rochester Gas and Electric Corporation	)	Docket No. 50-244
	)	
R. E. Ginna Nuclear Power Plant	)	

EXEMPTION

I.

Rochester Gas and Electric Corporation (the licensee) is the holder of Provisional Operating License No. DPR-18 which authorizes the operation of the R. E. Ginna Nuclear Power Plant (the facility). The license provides, among other things, that it is subject to all rules, regulations and Orders of the Nuclear Regulatory Commission (the Commission) (NRC). The facility comprises one pressurized water reactor at the licensee's site in Wayne County, New York.

II.

10 CFR §50.54(q) of the Commission's regulations requires a licensee authorized to operate a nuclear power plant to follow and maintain in effect emergency plans which meet the standards of 10 CFR §50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV.F.1 of Appendix E requires each licensee annually to conduct an emergency preparedness exercise with full participation by the State and local county governments unless the State and all local county governments in the plume exposure pathway Emergency Planning Zone (EPZ) for the licensee's facility have otherwise participated in a full-scale exercise during the annual period (with such participation occurring in conjunction with a full-scale exercise at another nuclear power

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plant). In this latter case, the licensee is required to conduct an annual exercise with the participation of State and local governments consistent with the provisions of Section IV.F.3 of Appendix E for small scale exercises.

### III.

By letter dated November 18, 1982, Rochester Gas and Electric Corporation (the licensee, RG&E) requested an exemption from certain annual emergency plan exercise requirements of 10 CFR Part 50, Appendix E, Section IV.F.1.a such that the next exercise would be held no later than June 30, 1983.

The licensee is unable to meet the annual exercise requirement because RG&E needs to meet the coordinated schedule developed by their organization and representatives from NRC, the Federal Emergency Management Agency (FEMA), and the State of New York. As a result, the next exercise has been tentatively scheduled for no later than June 30, 1983.

Based on the fact that the last full-scale exercise was held January 21, 1982; that the Ginna Emergency Plan implementation during the January 25, 1982 incident demonstrated an acceptable level of preparedness; that such a delay is necessary based on prior commitments of the State of New York, FEMA and NRC to support exercises at other nuclear facilities in New York State and NRC Region I; that the training of emergency response personnel will continue within RG&E; and that the most effective and beneficial annual exercises are those involving the full-scale participation of State and local county government organizations, the NRC finds that a one-time

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delay until no later than June 30, 1983 in performing the next annual emergency preparedness exercise will not adversely affect the overall state of emergency preparedness at Ginna.

#### IV.

Accordingly, the Commission has determined that an exemption in accordance with 10 CFR 50.12 is authorized by law, will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, the requested exemption from the exercise requirements of 10 CFR Part 50, Appendix E, Section IV.F.1.a to allow for full-scale participation in the licensee's current annual exercise by NRC, FEMA and the State of New York no later than June 30, 1983 is hereby granted.

The Commission has determined that this exemption does not authorize a change in effluent types or total amounts nor an increase in power level and will not result in any significant environmental impact. Having made this determination, we have further concluded that the exemption involves an action which is insignificant from the standpoint of environmental impact and, pursuant to 10 CFR §51.5(d)(4), that an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

We have concluded, based on the considerations discussed in the Exemption, that: (1) because the exemption does not involve a significant increase in the probability or consequences of an accident previously evaluated,

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does not create the possibility of an accident of a type different from any evaluated previously and does not involve a significant reduction in a margin of safety, the exemption does not involve a significant hazards consideration, (2) there is reasonable assurance that the health and safety of the public will not be endangered by this action, and (3) such activities will not be inimical to the common defense and security or to the health and safety of the public.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert A. Purple, Deputy Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland  
this 23rd day of March, 1983.