February 23, 2005

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - SECY-04-0236 - SOUTHERN NUCLEAR OPERATING COMPANY'S PROPOSAL TO ESTABLISH A COMMON EMERGENCY OPERATING FACILITY AT ITS CORPORATE HEADQUARTERS

The Commission has approved the proposal by Southern Nuclear Operating Company to combine the existing near-site emergency operating facilities (EOFs) for the Edwin I. Hatch Nuclear Plant, the Joseph M. Farley Nuclear Plant, and the Vogtle Electric Generating Plant into a common facility at its corporate headquarters in Birmingham, Alabama.

The former near-site EOFs should maintain functionality in order to accommodate the NRC site team, if needed.

The staff should inform the Commission of any future significant emergency response issues which may adversely impact communication and coordination between the licensee, the public, and County, State, and Federal agencies, especially as they relate to the distances between the three sites and the new EOF.

The staff should consider revising 10 CFR Part 50 to make the requirements for EOFs more performance-based to allow other multi-plant licensees to consolidate their EOFs, if those licensees can demonstrate their emergency response strategies will adequately cope with an emergency at any of the associated plants. This potential rulemaking should be evaluated in accordance with the interoffice common prioritization process for rulemaking, and ranked accordingly. If the staff determines that this rulemaking is warranted, a proposed rule could be developed without first submitting a rule plan to the Commission. External stakeholders, including State and local offsite response organizations, should be encouraged to provide comments if the rulemaking goes forward.

In the interim, the Commission will continue to evaluate EOF consolidation requests on a case-by-case basis.

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
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