



Department of Energy
Idaho Operations Office
1955 Fremont Avenue
Idaho Falls, ID 83415

October 27, 2005

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

SUBJECT: Response to Request for Additional Information for the Three Mile Island Unit 2 Independent Spent Fuel Storage Installation Emergency Response Plan (Docket 72-20) (TAC No. L23825) (EM-FMDP-05-053)

REFERENCE: Letter, J. Caverly, NRC Project Manager, to E. Sellers, DOE-ID Manager; "Request for additional Information for Review of Emergency Plan for the Three Mile Island Unit 2 Independent Spent Fuel Storage Installation (Dockets 72-20) (TAC. No. L23825), dated September 30, 2005

Dear Sir or Madam:

Please find enclosed the Department of Energy (DOE) Idaho Operations Office response to your Request for Additional Information (RAI) dated September 30, 2005 referenced above. The enclosed response does not contain any information considered sensitive by DOE.

Please do not hesitate to contact Jan Hagers (208-526-0758) or Mark Gardner (208-526-5655) of my staff at your convenience should you require any clarification or have questions regarding this submittal.

Your timely consideration of our license amendment request is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth D. Sellers", is positioned above the printed name.

Elizabeth D. Sellers
Manager

Enclosure

Cc w/enc.
J. Randall Hall, NRC SFPO

NMSS01

Response to Request for Additional Information
Department of Energy, Idaho Operations Office
Docket 72-20
Revised Emergency Response Plan for the Three Mile Island Unit 2
Independent Spent Fuel Storage Installation

RAI No. 1 Reference the TMI-2 ISFSI emergency plan (EP) in the Idaho National Environmental and Engineering Laboratory's (INEEL) base emergency plan.

This amendment request is to remove the TMI-2 ISFSI EP from the INEEL base plan in an attempt to simplify and facilitate administration and oversight of the TMI-2 ISFSI EP. The ISFSI EP should be referenced in the base plan.

This information is needed to determine compliance with 10 CFR 72.32(a)(7).

Response The current INEEL (now "INL" for Idaho National Laboratory) base plan does list the existing base plan addendum used to provide TMI-2 ISFSI-specific information. The stand-alone TMI-2 ISFSI EP will be similarly listed and attached as if it was an addendum, but contains the information necessary to stand alone.

Commitment #1 Upon approval of the revised TMI-2 ISFSI emergency plan, DOE commits to replace the reference in the INL base plan from the TMI-2 ISFSI addendum to the stand-alone TMI-2 ISFSI emergency plan.

RAI No. 2 Specify whether the EP has been provided to any offsite response organizations for review and comments.

In the letter dated March 11, 2005, DOE indicated it provides its own emergency response and believes the 60-day review and comment requirements of 10 CFR 72.32(a)(14) for emergency response organizations has been met due to this arrangement. In an emergency, the main response at the TMI-2 ISFSI will be from DOE response groups. However, Section 2.1.3 of the revised plan indicates that offsite hospitals, and fire and police departments may be contacted in an emergency and that DOE has memoranda of understanding (MOU) and memoranda of agreement (MOA) with a number of offsite response organizations.

This information is needed to determine compliance with 10 CFR 72.32(a)(14).

Response The TMI-2 ISFSI EP has been developed from information in the existing INL base plan and its addenda. Thus, the 60-day opportunity for review by offsite responders is met through the integrated development of the TMI-2 ISFSI EP.

The agreements with offsite response organizations are based on the emergency plan for the entire INL site, known as the INL base plan. Providing the new TMI-

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2 ISFSI stand-alone plan to these parties would not provide any additional information or present any potential response requirements beyond that which is already addressed in and provided by the INL base plan. The nature of on-site support for the TMI-2 ISFSI includes radiological control, fire suppression, security, etc. and during an emergency would be provided by on-site internal DOE resources. The nature of off-site support during and after an emergency at the TMI-2 ISFSI such as medical services for severely injured personnel at the TMI-2 ISFSI is bounded by off-site services for which planning and commitments exist in the INL base plan.

RAI No. 3 Describe who will have responsibility for maintaining, reviewing and revising the EP.

The TMI-2 ISFSI will be operated and maintained by a contractor to DOE. In Section 2 of the EP, the Emergency Response Organization is described but it is unclear who has the responsibility for maintaining the EP or for planning drills and exercises.

This information is needed to determine compliance with 10 CFR 72.32(a)(7).

Response Any and all changes to the NRC-approved emergency plan for the TMI-2 ISFSI require written evaluations pursuant to 10 CFR 72.44(f) that demonstrate the changes to the plan do not decrease the effectiveness of the plan. In accordance with TMI-2 ISFSI Technical Specification (TS) 5.1.5, the DOE-ID Facility Director for the TMI-2 ISFSI is required to review and concur with the 72.44 evaluations. The effect of the requirements in 10 CFR 72.44(f) and TS 5.1.5 is that DOE-ID approves all changes to the NRC-approved emergency plan for the TMI-2 ISFSI made without NRC approval.

The daily maintenance of the EP and the planning of drills and exercises are performed by the DOE contractor. DOE performs oversight of its contractor through audits and surveillances and by maintaining routine communication with the contractor's facility staff (in accordance with TS 5.1.3). As licensee, DOE retains full responsibility for the operation of the TMI-2 ISFSI and for compliance with all applicable regulations and license conditions in accordance with TS 5.1.1.

RAI No. 4 Describe how often the MOUs and MOAs are reviewed and updated.

As indicated in Section 3 of the EP, DOE has MOUs and MOAs with a number of offsite response organizations that are reviewed on a periodic basis but the time period was not specified.

This information is needed to determine compliance with 10 CFR 72.32(a)(7).

Response The MOUs and MOAs are written agreements between DOE and offsite agencies and mutual aid organizations that would support DOE in responding to significant

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INL emergencies. These written agreements are updated every five years. The TMI-2 ISFSI would receive emergency response from INL organizations for fire, security, radiological, and hazardous material events. INL organizations can also provide limited medical services for the TMI-2 ISFSI. More extensive medical response requires offsite emergency medical services in accordance with INL written agreements with local hospitals.

Commitment #2 Upon NRC approval of the revised TMI-2 ISFSI emergency plan, DOE commits to add the following sentence to the end of section 3.7 of the TMI-2 ISFSI emergency plan, "The written agreement for offsite emergency medical services will be reviewed every five years and updated as needed." This additional change will be made in accordance with 10 CFR 72.44(f).

RAI No. 5 State whether security events are the types of events or occurrences covered under Section 4.2.3, "Non-Emergency Action Level Covered Events."

Section 4.2.3 indicates that any event or occurrence that represents a reduction in safety, hazard to personnel or the environment not previously addressed shall be classified in accordance the emergency classification system.

This information is needed to determine compliance with 10 CFR 72.32(a)(2).

Response Security events which result in facility damage would be covered by Section 4.2.3, "Non-Emergency Action Level Covered Events."

Commitment #3 Upon NRC approval of the revised TMI-2 ISFSI emergency plan, DOE commits to add the following at the end of section 4.2.3, "Security events or other events that result in facility damage are examples of events in this category. Responses to security events are also covered by the TMI-2 ISFSI Physical Protection Plan." This additional change will be made in accordance with 10 CFR 72.44(f).

RAI No. 6 Include, in Section 5.2-Communications, the frequency which communication checks are performed.

Section 5.2 indicates that the list of onsite and offsite responders are maintained and periodically checked. 10 CFR 72.32(a)(12) requires communications be checked and the telephone notification lists be updated semiannually.

This information is needed to determine compliance with 10 CFR 72.32(a)(12)(i) and (ii).

Response Communication checks with affected offsite organizations are made at least semiannually. The call (telephone) list of offsite response organizations is implemented as a controlled document and is reviewed, verified, and updated (if corrections are needed) at least semiannually.

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Commitment #4 Upon NRC approval of the revised TMI-2 ISFSI emergency response plan, DOE commits to replace the last sentence in the first paragraph of section 5.2 of the TMI-2 ISFSI emergency plan with the following:

“The list of telephone numbers of offsite response organizations is reviewed, verified, and updated (if corrections are needed) semiannually. Other communication systems (such as fixed and mobile radios for emergency medical services) are used more frequently than semiannually in the course of routine operations performed by those organizations.”

This additional change will be made in accordance with 10 CFR 72.44(f).