

NON-SENS
Release

From: Steve LaVie *NSIR*
To: Boska, John
Date: Fri, Aug 26, 2005 12:10 PM
Subject: Re: Indian Point

John

I received your query. It is my belief that this was the last formal 44 CFR 350 reasonable assurance notification. I located a briefing package for a meeting with the NY congressional delegation dated Jan. 17, 2002 that includes the statement that "On May 3, 1996, FEMA provided a formal 44 CFR 350 finding....There has been no retraction of that finding."

FEMA generally does not re-issue reasonable assurance findings; what they do is retract their earlier finding. In the biennial exercise reports, they make a statement to the effect that "....we continue to have reasonable assurance...." There should have been an biennial exercise in 2002, 2004 (their next is scheduled for November 2006).

I asked Bob Bores, Region 1 RAC representative and he is unaware of a subsequent 44 CFR 350 letter either.

Steve LaVie - Sr EP Specialist NSIR/DPR/EDP, 301-415-1081, sfl@nrc.gov

>>> John Boska 08/26/05 11:18 AM >>>

Gentleman, my information is that on May 3, 1996, FEMA provided a formal 44 CFR 350 finding of reasonable assurance to the NRC that the State of New York and local emergency plans and preparedness site-specific to the Indian Point Nuclear Power Generating Station are adequate to protect the health and safety of the public living in the vicinity of the site. I was asked if there is any FEMA finding of reasonable assurance on IP that is newer than that. Is anyone aware of one?

John P. Boska
Indian Point Project Manager, DLPM
FitzPatrick Project Manager
U.S. Nuclear Regulatory Commission
301-415-2901
email: job1@nrc.gov

CC: Barss, Daniel; Kahler, Robert; Milligan, Patricia

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From: Steve LaVie

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