

-NSIR

From: Daniel Barss
To: OC.payne@dhs.gov; Vanessa.Quinn@dhs.gov
Date: 7/17/03 2:49PM
Subject: Status of Indian Point ETE

Vanessa,

In follow up to our action item from the Steering committee meeting on Tuesday, Patricia Milligan checked with the licensee on the status of the ETE for Indian Point. In response to our inquiry the licensee faxed to us a letter dated May 5, 2003, addressed to the four risk counties. If you need a copy of the letter please let me know.

The letter refers to Revision 1 of the ETE prepared by KLD Associates. The letter states the understanding that the updated population data and evacuation time estimates contained in the report have been used to update county radiological emergency response plans. The counties are authorized to insert relevant sections of the document into respective emergency plans.

The letter also notes that the Appendix for the Traffic Management Plan (TMP) and associated Section 9 of the report would be issued in the near future. The draft TMP is to be reviewed and revised by State and local law enforcement and emergency management personnel within the next few months. The letter indicates contacts had been made to schedule meetings for these reviews and discussions.

The letter also states that a CD containing the electronic files for the report will be sent after the TMP is finalized.

Based on this information, and discussion with licensee contacts, it is our understanding that with the exception of the TMP the ETE is complete and will not be changing. The only part to be finalized is the TMP.

Dan

CC: Debra Schneck; Eric Weiss; Patricia Milligan; Patrick Milano; Richard Conte; Robert Bores

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How did the staff make the finding of Reasonable Assurance for IP?

In order for a plant to operate, the staff must make a reasonable assurance finding. This finding is based on the staff's assessment of the onsite plans coupled with FEMA's findings regarding the offsite plans. This finding remains in effect pursuant to the licensee following and maintaining in effect emergency plans which meet the standards in 10 CFR 50.47(b) and the requirements in Appendix E of 10 CFR 50.

EP exercises are conducted every two years. FEMA does an evaluation of the off-site portion of the exercise and determines whether there are any deficiencies (areas where reasonable assurance is in question) or areas requiring corrective action (ARCAs) and communicates any deficiencies to the state and local officials about ten days after exercise completion. The preliminary findings are typically discussed in the public "exit" meeting after the exercise. Typically, in approximately 90 days, FEMA issues their exercise evaluation. If FEMA finds the offsite plans adequate then the FEMA exercise evaluation report will contain language to the effect that the offsite plans continue to provide "reasonable assurance" (that the plans can be adequately implemented). Although there were no deficiencies in the 2002 exercise for Indian Point, the FEMA exercise report did not contain the statement "continue to provide reasonable assurance." FEMA continues to work with the four local counties and New York State to correct the ARCAs and improve the emergency plan.

On July 25, 2003, FEMA made the finding that there was reasonable assurance that the Indian Point offsite plans could be implemented. NRC based its finding of reasonable assurance for the Indian Point emergency plan based on the staff review of Inspection Report No. 50-247/02-012 as well as the FEMA findings of July 25, 2003. The Inspection Report evaluated the performance of the IP on-site emergency response organization during the September 24, 2002, full-participation exercise and the post-exercise critique as specified in the reactor oversight program. A green finding, a finding of very low safety significant, was identified and consistent with our Reactor Oversight Program this finding was placed in the licensee's corrective action program. At this same time, inspectors reviewed the emergency preparedness performance indicators. Based on the overall evaluation, the staff concluded that reasonable assurance still exists that the plans could be adequately implemented to protect public health and safety.