

2048-07102



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

OCT 7 1992

To Addressees on the Attached List

Gentlemen:

SUBJECT: OFFSITE AGENCY COMMENTS ON LICENSEE EMERGENCY PLAN CHANGES

The provisions of 10 CFR Sections 40.31(j)(1) and 70.22(i)(1) require source and special nuclear material licensees to prepare and implement Emergency Plans (EP) under certain circumstances. Sections 40.31(j)(4) and 70.22(i)(4) specify that licensees will allow offsite response organizations expected to respond in case of an accident 60 days to comment on the EP before submitting it to the Nuclear Regulatory Commission. Sections 40.35(f) and 70.32(i) allow licensees to change the EP without Commission approval if the changes do not decrease the effectiveness of the EP. Licensees are required to furnish the NRC and affected offsite response organizations a copy of these changes within 6 months after the changes are made.

It has been the NRC's practice to require licensees to allow offsite response organizations 60 days to comment on any changes to the EP. This practice has occasionally delayed the modifying of licenses to reflect EP changes. This is particularly true in cases where, upon receiving staff comments and questions, the licensee revises the EP and then must resolicit comments from the offsite response organizations.

The NRC has reviewed the above regulations and has determined that licensees are not required to submit EP changes to offsite response organizations for comment when the changes do not decrease the effectiveness of the EP. In accordance with 10 CFR Sections 40.35(f) and 70.32(i), licensees are required to provide offsite response organizations with a copy of the changes within 6 months after the changes are made, and should notify the NRC of this action. Licensees are required to allow offsite response organizations 60 days for commenting on EP changes when those changes decrease the effectiveness of the EP. Licensees are also required to allow offsite response organizations 60 days for commenting on the EP submitted with a new license application or license renewal application.

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This letter is for information only and does not require any specific action or written response. If you have any questions about the information in this letter, please contact Thomas Wenck at (301) 504-2404 or the appropriate regional office.

Sincerely,

Original Signed By:

John W. N. Hickey, Chief
Fuel Cycle Safety Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

Distribution:

Docket Files (Attached)	PDR/LPDR	NRC File Center	IMUF R/F
JCallan, RIV	JGreeves	MTokar	FBrown
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IMSB R/F	RFonner, OGC	<i>K. Jones</i>	

	IMUF:	IMUF: <i>X</i>	IMUF: <i>mt</i>	<i>OGC: Jones</i>	IMSB:
NAME	TWenck:mh: <i>w</i>	VTharpe:	MTokar:	RFonner:	JHickey:
DATE	9/30/92:	9/30/92:	9/30/92:	10/1/92:	10/7/92

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Docket No. 40-3392
License No. SUB-526

Allied-Signal, Inc.
ATTN: Mr. M. D. Kosmider
P.O. Box 430
Metropolis, Illinois 62960

cc: Mr. Jack E. Honey

Docket No. 70-27
License No. SNM-42

Babcock & Wilcox Company
Naval Nuclear Fuel Division
ATTN: Mr. J. A. Conner
P.O. Box 785
Lynchburg, Virginia 24505-0785

cc: Mr. Arne F. Olsen

Docket No. 70-824
License No. SNM-778

Babcock & Wilcox
NNFD Research Laboratory
ATTN: Mr. Richard Carlson
P.O. Box 11165
Lynchburg, Virginia 24506-1165

cc: Mr. Charlie C. Boyd, Jr.

Docket No. 70-1201
License No. SNM-1168

B & W Fuel Company
Commercial Nuclear Fuel Plant
ATTN: Mr. C. W. Carr
P.O. Box 11646
Lynchburg, Virginia 24506-1646

cc: Ms. Kathryn S. Knapp

Docket No. 70-36
License No. SNM-33

Combustion Engineering, Inc.
ATTN: Mr. J. A. Rode
P.O. Box 107
Hematite, Missouri 63047

cc: Mr. H. E. Eskridge

Docket No. 70-1100
License No. SNM-1068

Combustion Engineering, Inc.
ATTN: Mr. Gary C. Kersteen
1000 Prospect Hill Road
Windsor, Connecticut 06095-0500

cc: Mr. John F. Conant

Docket No. 70-734
License No. SNM-696

General Atomics
ATTN: Mr. Bob Krueger
P.O. Box 85608
San Diego, California 92186-9784

cc: Mr. R. N. Rademacher
Dr. Keith Asmussen

Docket No. 70-1113
License No. SNM-1097

General Electric Company
ATTN: Mr. Dallas L. Silverthorne
P.O. Box 780
Wilmington, North Carolina 28402

cc: Mr. T. Preston Winslow

Docket No. 70-143
License No. SNM-124

Nuclear Fuel Services, Inc.
ATTN: Mr. Dwight B. Ferguson
P.O. Box 337, MS 123
Erwin, Tennessee 37650

cc: Mr. Rik Droke

Docket No. 40-8027
License No. SUB-1010

Sequoyah Fuels Corporation
ATTN: Mr. James J. Sheppard
P.O. Box 610
Gore, Oklahoma 74435

cc: Mr. John S. Dietrich

Docket No. 70-1257
License No. SNM-1227

Siemens Nuclear Power Corporation
ATTN: Mr. Robert G. Frain
2101 Horn Rapids Road
Richland, Washington 99352-0130

cc: Mr. L. J. Maas

Docket No. 70-1151
License No. SNM-1107

Westinghouse Electric Corporation
ATTN: Mr. Ronald H. Koga
Nuclear Fuel Division
P.O. Box Drawer R
Columbia, South Carolina 29250

cc: Mr. E. Reitler

Docket 40-6940
SMB-920

Cabot Corporation
ATTN: Mr. William G. Gannon
Radiation Safety Officer
County Line Road
Boyertown, PA 19512

Docket No. 40-8984

Magnesium Elektron
ATTN: Dr. Richard F. Jaeger
Technical Manager
500 Point Breeze Road
Flemington, NJ 08822

Docket No. 40-8794
License No. SMB-1408

Molycorp, Inc.
ATTN: Mr. Robert B. Brown
General Manager
350 North Sherman Street
York, PA 17403

Docket No. 40-7102
License No. SMB-743

Shieldalloy Metallurgical Corporation
ATTN: Mr. David R. Smith
Division of Environmental Services
12 West Boulevard
Newfield, NJ 08344

Docket No. 70-08
License No. SNM-7

Battelle Columbus Division
ATTN: Mr. William J. Madia, Director
505 King Avenue
Columbus, OH 43201

Docket No. 70-364
License No. SNM-414

Babcock & Wilcox
ATTN: Mr. Berne L. Haertjens
Manager, Pennsylvania
Nuclear Service Operations
609 North Warren Avenue
Apollo, PA 15613

Docket No. 70-754
License No. SNM-960

General Electric Company
Vallecitos Nuclear Center
ATTN: Mr. G. E. Cunningham
Senior Licensing Engineer
P. O. Box 460
Pleasanton, CA 94566

Docket 70-3070

Louisiana Energy Services, L. P.
ATTN: Mr. W. H. Arnold, President
2121 K Street, N.W. Suite 850
Washington, DC 20037

cc: Mr. Peter LeRoy
LES Licensing Manager
Duke Engineering & Services, Inc.
P. O. Box 1004
Charlotte, NC 28201-1004