

Farrar, Karl

From: Collins, Sam
Sent: Friday, November 27, 2009 12:21 PM
To: Clifford, James
Cc: Mallett, Bruce; Leeds, Eric; Farrar, Karl; Crockett, Steven
Subject: REPLY re: Followup on TMI/EXELON agreement on one hour State notification

Understand and agree...thanks, Sam

From: Clifford, James
Sent: Friday, November 27, 2009 12:10 PM
To: Collins, Sam
Cc: Bellamy, Ronald; Lew, David; Tifft, Doug; Roberts, Darrell; McNamara, Nancy; Wilson, Peter; Roberts, Darrell; Barber, Scott; Jackson, Donald
Subject: RE: Followup on TMI/EXELON agreement on one hour State notification

Sam,

We talked with Dave Atherholt this morning; he provided the following information:

Prior to Wednesday, the licensee had agreed to provide the State with a courtesy call (they were specific that this was NOT a courtesy notification iaw 50.72) within one hour of any atmospheric monitoring system alarm at the TMI site. The licensee does not consider this to require notification to the NRC (specifically, within the four hours specified in 50.72).

Wednesday evening, the licensee's agreement with the State was modified that the licensee would provide a courtesy email to PEMA and to Rich Gianati within ninety minutes of any reactor building atmospheric monitoring system alarm. This agreement would remain in place until the construction opening in the containment is closed after SG replacement. The licensee also expects to inform the resident staff as part of the ongoing process of keeping the residents aware of ongoing site activities. Again, no requirement or expectation for formal notification to the NRC.

Based on this information provided by the licensee, there does not appear to be an additional regulatory burden on the licensee (only a voluntary burden the licensee accepted with the State), nor would it appear to my layman's understanding that this would involve preemption issues.

Dave Atherholt is available to provide additional details if we would like more information.

Jim

From: Clifford, James
Sent: Friday, November 27, 2009 11:02 AM
To: Collins, Sam
Cc: Bellamy, Ronald; Lew, David; Tifft, Doug; Roberts, Darrell; McNamara, Nancy; Wilson, Peter; Roberts, Darrell; Barber, Scott; Jackson, Donald
Subject: Followup on TMI/EXELON agreement on one hour State notification

Sam,

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To follow up on our conversation this morning - John White is not in the office; I did discuss the question with Pete Wilson, and at this point neither of us have more detailed understanding of EXELON's agreement with the State to provide notification within one hour of containment radiation alarms.

We are discussing the employee exposure record concern that we received this morning with the site regulatory assurance manager (Dave Atherholt). We'll use the opportunity in communicating with him to see if we can get some more information on the licensee's agreement with the State. We propose to follow up with a briefing for you next week, to include the SLOs and DRS, on what we know about the agreement, and potential preemption or regulatory impact concerns; unless you are looking for the information sooner.

Jim