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MFN 12-133

December 20, 2012

US Nuclear Regulatory Commission  
Attn: Christine Lipa  
Chief Materials Control, ISFSI, and  
Decommissioning Branch  
U.S. NRC Region III  
2443 Warrenville Road  
Suite 210  
Lisle, Illinois 60532-4352

Subject: Morris Operations Biennial Emergency Plan Exercise

References: 1 –Morris Operation NRC License SNM 2500, Docket 72-1  
2- Morris Operation Emergency Plan- NEDO 31955  
3- GEH Letter LB 12-28; dated October 26, 2012; Tenorio to USNRC M. Learn

Pursuant to our telephone discussions regarding the adequacy of our Emergency Plan (EP) exercise on December 12, 2012, GEH will perform another drill in the first quarter of 2013 to replace the less than adequate drill last week. The December 12<sup>th</sup> exercise required the emergency response organization (ERO) to enter the EP and associated procedures, however, the scenario did not escalate to an ALERT status requiring further ERO actions. The ERO responded appropriately for the given exercise situations but the scenario development was less than adequate. Given that the last biennial exercise at the Morris Operation was November 3, 2010 completion of an exercise is required in 2012.

GEH recognizes the need to perform an EP exercise to replace the one on December 12<sup>th</sup>. However, the required effort to complete all required activities by December 31, 2012 is not reasonable. We base our determination on the following tasks required to conduct another exercise: 1) complete the analysis and implement corrective actions from the condition report associated with the December 12<sup>th</sup> exercise; 2) develop and plan a new scenario and exercise package that will result in declaration of an Alert, including outside agency interaction and 3) Section 8.5 of Reference 2, states that the proposed scenario is provided to the State of Illinois

(IEMA DNS) and NRC 45 days in advance of the exercise for review and comment. GEH cannot meet these notification requirements if the exercise is re-performed by December 31, 2012.

During the GEH internal review of this matter, we have identified that some information provided to the USNRC in Reference 3) is inaccurate. Specifically, superseded revisions of select portions of the EP and excerpts from related site procedures were inadvertently included in the exercise scenario package. This limited amount of information was specifically provided for this exercise and we would not expect it to be used in response to an actual event. GEH believes that since this information does not have a significant implication for public health and safety or common defense and security, notification to the Regional Administrator is not required per 72.11. This discrepancy will be assessed in the cause determination of the associated condition report to ensure future exercise packages contain complete and accurate information.

If you have any questions in the above matters, please contact me.

Respectfully Yours,

A handwritten signature in blue ink that reads "Mark T. Varno". The signature is written in a cursive style with a large initial "M".

Mark T. Varno