

From: Morgan, Nadiyah
Sent: Friday, April 25, 2014 6:00 PM
To: Mary Lampert
Subject: RE: G20130629 - 2.206 on Pilgrim and Emergency Preparedness Plans

Hello Ms. Lampert:

I hope that this email will clear any misunderstandings.

In my April 9, 2014, email, I stated that the staff reviewed the Southwest Research Institute – Center for Nuclear Waste Regulatory Analyses (Center) comments regarding Pilgrim’s December 18, 2012, ETEs submission. Staff from the Office of Nuclear Security and Incident Response (NSIR) reviewed the Center’s comments in 2013. The PRB did not review those comments. The PRB’s initial recommendation is not based on the Center’s comments. I do apologize if that was unclear. Below is some background information on completeness reviews:

- Appendix E to Part 50 requires licensees to submit ETE updates to the NRC, but does not require NRC approval. Per the Statement of Considerations for the recent EP Rule, the NRC staff’s review of a submitted ETE update will be limited to a “completeness review,” which is a comparison of how the ETE update aligns with the new guidance for development of ETEs contained in NUREG/CR-7002. This “completeness review” is performed using a checklist contained in Appendix B to NUREG/CR-7002.
- The completeness review performed by the Southwest Research Institute – Center for Nuclear Waste Regulatory Analyses (Center), using the checklist, served as a technical feeder in the NSIR staff’s review and decision on completeness.
- The NSIR staff conducted the completeness review as an inspection activity, in support of our regional emergency preparedness inspectors and to ensure consistency in how completeness reviews were performed. The results were documented in a feeder to Section 1EP4 of the NRC’s Inspection Report 05000293/2013002.
<http://adamswebsearch.nrc.gov/webSearch2/doccontent.jsp?doc={9ABDEB85-00FA-4B09-90C6-FB5441E0532A}>

The NRC’s pre-decisional, internal correspondences used as input (feeder) for consideration in the staff’s final decision are profiled as non-public records. The documents you requested are pre-decisional, internal documents; and therefore, I cannot provide them for you.

The FOIA process allows you to request access to any record maintained by the NRC, however, that does not mean that the NRC will disclose the requested record. In short, once a request is received, the assigned staff will search for responsive records, review the records to determine whether they can be released to you and, if they cannot, identify the information that they propose to withhold and the reason for nondisclosure. <http://www.nrc.gov/reading-rm/foia/foia-request.html#how>

Thanks and have a great weekend.

Nadiyah S. Morgan
Calvert Cliffs and Pilgrim Project Manager, NRR

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From: Mary Lampert [<mailto:mary.lampert@comcast.net>]
Sent: Thursday, April 24, 2014 5:35 PM
To: Morgan, Nadiyah
Cc: michal freedhoff
Subject: RE: G20130629 - 2.206 on Pilgrim and Emergency Preparedness Plans

Hello Nadiyah:

Please see attached and look forward to your and the Commission's response.

Enjoy the evening.

Mary

From: Morgan, Nadiyah [<mailto:Nadiyah.Morgan@nrc.gov>]
Sent: Wednesday, April 23, 2014 4:10 PM
To: Mary Lampert
Subject: RE: G20130629 - 2.206 on Pilgrim and Emergency Preparedness Plans

Hello Ms. Lampert,

I just want to make sure that you know that the PRB's initial recommendation is based on the following:

1. The issues raised are addressed by NRC guidance NUREG/CR-7002, "Criteria for Development of Evacuation Time Estimate Studies" and Supplement 3, "Guidance for Protective Action Strategies," to NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," prepared by the Federal Emergency Management Agency and the NRC.
2. Following the submission of your petition, the NRC staff conducted a review of the 2012 Pilgrim ETE and found that it was consistent with the guidance contained in NUREG/CR-7002.

The documents that you have requested are internal documents and are not available for public distribution. However, you may use the FOIA process to request the documents. The link below is a reference guide designed to familiarize you with the specific procedures for making a FOIA request to the NRC.

<http://www.nrc.gov/reading-rm/foia/foia-request.html>

Thanks,

Nadiyah S. Morgan
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From: Mary Lampert [<mailto:mary.lampert@comcast.net>]
Sent: Tuesday, April 22, 2014 5:46 PM
To: Morgan, Nadiyah
Cc: michal freedhoff
Subject: RE: G20130629 - 2.206 on Pilgrim and Emergency Preparedness Plans

April 22, 2014

Hello Nadyah:

On April 18th, I sent the attached request for documents. The documents included:

1. NRC's request to the Southwest Research Institute (SWRI) for review and analysis of ETEs submitted by Pilgrim on December 2012; and
2. The Comments provided by SWRI in response to that request.

The documents have not been produced. Because the two requested documents are central to the PRB's initial recommendation, it is necessary for me to see the documents prior to the requested meeting.

I appreciate your straightening this out.

Thank you and enjoy the evening.

Mary

From: Morgan, Nadiyah [<mailto:Nadiyah.Morgan@nrc.gov>]
Sent: Tuesday, April 22, 2014 10:37 AM

To: Mary Lampert
Subject: RE: G20130629 - 2.206 on Pilgrim and Emergency Preparedness Plans

Hello Ms. Lampert,

Are you available for the requested meeting on Wednesday, May 7, 2014, from 2 – 3 pm?

From: Mary Lampert [<mailto:mary.lampert@comcast.net>]
Sent: Wednesday, April 09, 2014 2:49 PM
To: Morgan, Nadiyah
Subject: RE: G20130629 - 2.206 on Pilgrim and Emergency Preparedness Plans

Hello:

Mary Lampert, Petitioner, requests to comment on the PRB's initial recommendation by teleconference.

Thank you

From: Morgan, Nadiyah [<mailto:Nadiyah.Morgan@nrc.gov>]
Sent: Wednesday, April 09, 2014 2:22 PM
To: Mary Lampert
Subject: G20130629 - 2.206 on Pilgrim and Emergency Preparedness Plans

Hello Ms. Lampert,

I hope that you enjoyed your trip to Asia and made it back safely.

The PRB's initial recommendation is to reject the petition for review. The PRB noted that the issues raised in regards to Pilgrim's Evacuation Time Estimates (ETEs) were addressed by NRC's guidance, NUREG/CR-7002, "Criteria for Development of Evacuation Time Estimate Studies" and Supplement 3, "Guidance for Protective Action Strategies," to NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," prepared by the Federal Emergency Management Agency and the NRC. Also, the NRC contracted the Southwest Research Institute – Center for Nuclear Waste Regulatory Analyses (Center) for the completeness review of the ETEs submitted by Pilgrim on December 18, 2012. The NRC staff conducted a review of the comments provide by the Center and found that no further actions were required. Following the submission of your petition, the NRC staff conducted a subsequent review of the 2012 Pilgrim ETE and found that it was consistent with the guidance contained in NUREG/CR-7002.

Therefore based on the above, the PRB's initial recommendation is to reject the petition, in accordance with MD 8.11 Handbook Part III, paragraph C.2, "Criteria for Rejecting Petitions Under 10 CFR 2.206," because the petitioner raised "issues that have already been the subject of NRC staff review and evaluation either on that facility, other similar facilities, or on a generic basis, for which a resolution has been achieved, the issues have been resolved, and the resolution is applicable to the facility in question."

In accordance with the 2.206 process, you may request to comment on the PRB's initial recommendation, either in person or by teleconference. It is your opportunity to provide any

relevant additional explanation and support for your petition, in light of the PRB's recommendation. Please let me know if you would like to address the PRB again.
Thanks,

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