

April 6, 2017

Jonathan Hoyes, Director
Technological Hazards Division
Federal Emergency Management Agency
Area 8
400 C Street, South West
Washington, DC 20024

SUBJECT: PROPOSED COMMISSION PAPER LANGUAGE FOR FORT CALHOUN STATION
EMERGENCY PLAN DECOMMISSIONING EXEMPTION REQUEST

Dear Mr. Hoyes:

The U.S. Nuclear Regulatory Commission (NRC) is currently reviewing the Fort Calhoun Station (FCS) Unit 1 request for exemption from portions of the emergency preparedness (EP) requirements of Section 50.47 to Title 10 of the *Code of Federal Regulations* (10 CFR) and to Appendix E to 10 CFR Part 50 (Agencywide Document Access and Management System (ADAMS) Accession No. ML16356A578), which was submitted to the NRC on December 16, 2016.

The technical review of the FCS EP exemptions is being performed in accordance with NRC Interim Staff Guidance (ISG) document – NSIR/DPR-ISG-01, “Emergency Planning Exemption Requests for Decommissioning Nuclear Power Plants” (ADAMS Accession No. ML14106A057), and is consistent with past reviews for EP exemption requests from Kewaunee Power Station (KPS), Crystal River Unit 3 (CR-3), Vermont Yankee Nuclear Power Station (VY), and San Onofre Nuclear Generating Station (SONGS). This approach has also recently been documented in Appendix A of the Draft Regulatory Basis Document for the proposed Regulatory Improvements for Power Reactors Transitioning to Decommissioning, currently available for public comment (ADAMS Accession No. ML15294A490).

If the staff finds the licensee’s request acceptable, we anticipate forwarding our recommendation to the Commission for approval by August 2017. Prior to doing so, we will provide a draft of this recommendation to the Federal Emergency Management Agency (FEMA) in early June 2017 as part of our consultation process.

As part of the staff’s evaluation of the recent EP exemption requests, FEMA provided the following statement for incorporation in commission papers SECY-14-0066 (KPS), SECY-14-0118 (CR-3), SECY-14-0125 (VY), and SECY-14-0144 (SONGS):

FEMA is not taking a position on the technical arguments presented by the licensee or the NRC’s assessments. FEMA recognizes the NRC’s role to analyze the possibility of incidents that could result in offsite dose impacts. FEMA acknowledges that individual states and local governments have the primary authority and responsibility to protect their citizens and respond to disasters and emergencies. The exemption, if issued, could create a transitional

environment for off-site emergency planners in how they consider radiological hazards. FEMA will continue to support offsite organizations as they adjust their plans, capabilities, and resources to the changing radiological threat. Among the resources available to support FEMA stakeholders during the transition process include, but are not limited to, the National Preparedness System guidance materials, the Federal Radiological Preparedness Coordinating Committee, and assistance from FEMA Headquarters and Regional Staff.

While the NRC staff has not completed its evaluation of the FCS EP Exemption Request, we are seeking FEMA's continued alignment with the statement above for inclusion in the proposed commission paper. At this time, I am requesting any changes that FEMA may suggest to the above statement by no later than April 28, 2017, in order to support the schedule for a Commission decision on FCS's request.

Please do not hesitate to contact me to discuss this request further. As always, my staff stands ready to support any discussions with FEMA staff on the FCS EP exemption request, as well as the criteria and process being used to evaluate this licensing action.

Sincerely,

/RA/

Stephanie M. Coffin, Acting Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

cc: Kathleen Fox, FEMA Acting Deputy Administrator
for Protection and National Preparedness
Katherine Fox, FEMA Acting Assistant Administrator
for National Preparedness
Timothy Greten, FEMA Deputy Director
for Technological Hazards Division

SUBJECT: Proposed Commission Paper Language For Fort Calhoun Station Emergency Plan Decommissioning Exemption Request

DOCUMENT DATED: 04/ /17

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