

May 31, 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 THE FORT CALHOUN  
STATION EMERGENCY PLAN DECOMMISSIONING EXEMPTION REQUEST

Dear Mr. Hoyes:

In the Staff Requirements Memoranda (SRMs) associated with SECY-14-0125 and SECY-14-0144 (Agencywide Document Access and Management System (ADAMS) Accession Nos. ML15061A516 and ML15061A521 respectively), the Commission reaffirmed its support of the practice of approving appropriately justified exemptions from certain EP requirements while plants are transitioning to decommissioning based on site-specific evaluations. As such, the technical review of the Fort Calhoun Station (FCS) emergency planning (EP) exemption request (ADAMS Accession No. ML16356A578) was performed in accordance with NRC Interim Staff Guidance (ISG) document NSIR/DPR-ISG-02, "Emergency Planning Exemption Requests for Decommissioning Nuclear Power Plants" (ADAMS Accession No. ML14106A057), which reflects the evaluation criteria used in the reviews for EP exemption requests granted for recently decommissioned nuclear power plants.

This letter documents the transmittal to you, by electronic mail earlier this week, a copy of the draft Commission (SECY) paper, entitled "Request by the Omaha Public Power District [OPPD] for Exemptions from Certain Emergency Planning Requirements for the Fort Calhoun Station, Unit 1," for the Federal Emergency Management Agency's (FEMA's) review and comment. The SECY paper provides the Nuclear Regulatory Commission (NRC) staff's evaluation of OPPD's request for exemption from certain portions of the EP requirements in Section 50.47 of Title 10 of the *Code of Federal Regulations* (10 CFR) and in Appendix E to 10 CFR Part 50, and the NRC staff's proposed recommendation to the Commission. Please note that the draft SECY paper provided is currently under internal NRC review and will not be made publicly available in ADAMS by the Office of the Secretary until the paper is formally provided to the Commission.

In my April 6, 2017, letter to you, we sought FEMA's continued alignment with the statement below, which was concurred on by FEMA for incorporation in the SECY papers related to the EP exemption requests for the Kewaunee Power Station (SECY-14-0066, ADAMS Accession No. ML14072A257), Crystal River Unit 3 Nuclear Generating Plant (SECY-14-0118, ADAMS Accession No. ML14219A444), Vermont Yankee Nuclear Power Station (SECY-14-0125, ADAMS Accession No. ML14227A711), and the San Onofre Nuclear Generating Station (SECY-14-0144, ADAMS Accession No. ML14251A554):

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.

Since I did not receive a response to my April 6, 2017, letter, we assume that FEMA continues to support this statement and thus the statement has been incorporated into the draft SECY paper for the FCS EP exemption.

In order to support the timeline for providing the SECY paper to the Commission, any comments from FEMA must be received no later than June 16, 2017, for consideration.

Please do not hesitate to contact me to discuss this matter 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 the Fort Calhoun Station Emergency Plan  
Decommissioning Exemption Request

DATED:

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**ADAMS Accession No.: ML17124A273**

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