



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 30, 2019

Vanessa Quinn, Chief
Radiological Emergency Preparedness Branch
Technological Hazards Division
Federal Emergency Management Agency - Area 8
400 C Street, South West
Washington, DC 20024

SUBJECT: FEDERAL EMERGENCY MANAGEMENT AGENCY REVIEW
REQUESTED OF REVISION TO THE DUANE ARNOLD ENERGY
CENTER EMERGENCY PLAN TO ADDRESS THE PERMANENTLY
SHUT DOWN AND DEFUELED CONDITION

Dear Ms. Quinn:

By letter dated January 18, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19023A196), NextEra Duane Arnold, LLC (NEDA) provided formal notification to the U.S. Nuclear Regulatory Commission (NRC), in accordance with Section 50.82(a)(1)(i) of Title 10 to the *Code of Federal Regulations* (10 CFR), of the intention to permanently cease power operations at the Duane Arnold Energy Center (DAEC) in the 4th quarter of Calendar Year 2020. Accordingly, by letter dated April 9, 2019 (ADAMS Accession No. ML19101A280), NEDA submitted for prior NRC approval, a license amendment request (LAR) to revise the DAEC Emergency Plan to address the permanent cessation of power operations and defueled condition. Refer to URL below to access the LAR submittal.

<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML19101A280>

Specifically, the proposed changes to the DAEC Emergency Plan would revise the licensee's on-shift and augmented emergency response organization (ERO) staffing in response to the reduced spectrum of credible accidents, given the permanent cessation of power operations and permanent removal of fuel from the DAEC reactor vessel. These proposed changes are not associated with any subsequent requests for exemption to NRC regulations and must continue to meet the standards of 10 CFR 50.47, "Emergency plans," and the requirements of Appendix E to 10 CFR Part 50, "Emergency Planning and Preparedness for Production and Utilization Facilities."

Pursuant to 10 CFR 50.82(a)(i) and (ii), implementation of the proposed DAEC Emergency Plan would not occur until after NEDA certifies in writing to the NRC that the reactor has permanently ceased operations and fuel has been permanently removed from the reactor vessel. Upon docketing of these certifications, the 10 CFR Part 50 license for DAEC will no longer authorize operation of the reactor or emplacement or retention of fuel into the reactor vessel.

In accordance with 10 CFR 50.91, "Notice of public comment: State consultation," paragraph b, NEDA has indicated that a copy of NEDA's April 9, 2019, letter was provided to the designated State of Iowa official.

Due to the extent of proposed changes to the licensee's ERO staffing, the NRC is requesting FEMA's review of the proposed licensee ERO staffing changes to verify that no potential adverse impacts exist that would preclude the effective implementation of the existing FEMA-approved State and local radiological emergency response plans and procedures.

Unlike previous post shutdown emergency plan submittals, NEDA did not provide in Attachment 1, "Description and Evaluation of the Proposed Changes," to its April 9, 2019, submittal, either an assessment of proposed staffing changes on off-site response organization interfaces, or a regulatory commitment to perform a validation drill prior to implementation of proposed staffing changes. While these are not required under NRC regulations, these inputs facilitate the NRC staff's evaluation of the proposed changes and, as such, the NRC plans to request additional information from NEDA on these aspects as part of our technical review.

NEDA is requesting NRC approval of the proposed changes to the DAEC Emergency Plan by June 1, 2020. However, based on the significant number of on-going and projected licensing actions, I am requesting that FEMA provide its initial assessment to the NRC by no later than July 31, 2019, to support any further request for additional information to NEDA, as needed to support the NRC's continued technical review and final determination, and completion and issuance of the safety evaluation report approving the licensing action.

As always, thank you for your assistance. If you have any questions regarding the changes proposed to the DAEC Emergency Plan, the NRC's evaluation of these proposed changes, or if FEMA will be unable to meet the requested due date of July 31, 2019, please contact Richard Kinard at (301) 287-3768.

Sincerely,

/RA/

Joseph D. Anderson, Chief
Reactor Licensing Branch
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

cc: C. Fiore, FEMA HQ
T. Morgan, FEMA Region VII

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DATE: 04/30/19

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ADAMS Accession No.: ML19116A146

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| DATE | 04/25/19 | 04/30/19 |

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