

August 20, 1981

MEMORANDUM FOR: Victor Stello, Jr., Director, IE
 Robert B. Minogue, Director, RES
 Howard K. Shapar, ELD

FROM: William J. Dircks
 Executive Director for Operations

SUBJECT: EMERGENCY PREPAREDNESS ITEMS



A number of action items arose from the Chairman's meeting with General Lewis O. Giuffrida, Director, FEMA. I am requesting the following actions:

1. IE, the Boards, and ELD analyze on a case-by-case basis the schedule on which FEMA findings are required to avoid delays and provide a table establishing that schedule. (Suspense, 8/20/81)
 - (a) IE then meet with FEMA (Suspense, 8/21/81) to provide and discuss the schedule developed and request FEMA to provide schedules on which they will provide findings by c.o.b., Tuesday, August 25, 1981. (The schedules developed should reflect the agreement by FEMA and NRC that at least for the immediate licensing cases where there is a potential for delay, FEMA will provide NRC with findings, as opposed to FEMA 44CFR350 approvals, and that these findings need not include an exercise observation. NRC agreed that any resulting license would be appropriately caveated to ensure that FEMA's 44CFR350 approval process is completed.)
 - (b) IE submit the Simpson Report incorporating above schedules to EDO by c.o.b., Wednesday, August 26, 1981.
2. IE develop a procedure where, if FEMA provides a "finding," a license condition is placed on the license for completion of an "approved" plan by a specified date or power level. (Suspense, 9/21/81)
3. IE prepare a letter to licensees for Stello's signature that will stress that their exercise schedule impacts FEMA's "approval" process and is likely to impact the schedule or power level for their plant's operation. Therefore, it is in the licensee's interest to coordinate its exercise schedule with FEMA.
4. RES prepare a rulemaking package for the Commission on the following items on an expedited basis (in consultation with IE):
 - (a) Extend the date by which OR's are to have completed their exercises (July 1, 1982 was discussed in the context of its relationship to the alert and notification requirement).

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- (b) Relax the frequency at which OR must exercise from a full-scale exercise annually to something less (perhaps 1/3 of plan exercised annually, or total plan exercised every three years).
- (c) Clarify that for OL's, the exercise is not required for a Board decision, but is part of the preoperation inspection.
(Suspense to EDO, 9/14/81)

I want to emphasize that there was a strong commitment on the part of FEMA and NRC to keep each other currently informed. The two agencies agreed to coordinate early and informally on complex issues. IE, in particular, should take whatever action necessary to assure this coordination occurs.

With regard to the Simpson Report, I will work with OCA to contact Jim Asselstine to advise him the report will be in the first week of September. I also will work with OCA to pursue the interim OL legislation with the House and Senate Committees. It is my understanding that the Chairman will concurrently pursue the matter with the Administration and will discuss with OPA further coordination by FEMA Public Affairs office on how best to notify the public the rationale for not requiring offsite preparedness prior to low power test operations.

(Signed) William J. Dircks

William J. Dircks
Executive Director
for Operations

CC: H.R. Denton/NRR
B.P. Cotter/ASLBP
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Carl Kammerer/OCA
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bcc: WJDircks/EDO
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