



OFFICE OF THE
CHAIRMAN

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

September 4, 1979

The Honorable Charles W. Duncan, Jr.
Secretary of Energy
Washington, D.C. 20545

Dear Mr. Secretary:

Because of the accident at Three Mile Island, there has been increased attention by the Federal government and the States on the whole question of State and local radiological emergency response plans for fixed nuclear facilities. I am writing to ask for your support of our increased efforts in this area.

The Federal Preparedness Agency's Federal Register Notice of December 24, 1975 assigned various responsibilities to the Department of Energy, the Department of Transportation, the Department of Health, Education, and Welfare, the Environmental Protection Agency, and the three agencies which are now consolidated as the Federal Emergency Management Agency (FEMA). Under the notice, the Nuclear Regulatory Commission has lead agency responsibility for review and concurrence in State plans, but this is a responsibility which we have never carried out alone.

In the past, we have relied on the efforts and technical competence of DOE individuals at the regional and headquarters levels in carrying out this task. It has been the collective expertise and hard work of all Federal agency participants, particularly at the regional level, which to date has allowed us to concur in the plans of twelve States. But, much work remains to be done.

Legislation is now pending in the Congress which would, if enacted, make concurrence in State plans a condition precedent to the operation of new commercial nuclear power plants. Under S.562, the Senate's version of NRC's 1980 Authorization Bill, unless States have concurred-in plans for dealing with radiological emergencies at nuclear power stations by June 1, 1980, NRC must close the facilities down. Under the Senate bill, NRC may not issue operating licenses for new facilities unless the application contains a copy of the concurred-in State plan.

Concurrence has not been achieved in sixteen States with operating nuclear power stations and there are twelve States where such stations are under construction or which are adjacent to nuclear power stations already operating or under construction. (See enclosed lists.)

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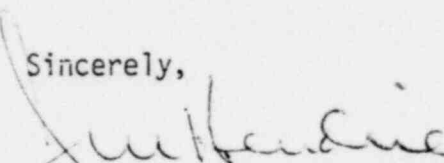
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As you may know, NRC chairs the Federal Interagency Central Coordinating Committee on Radiological Emergency Response Planning. At the June meeting of this group, the members, including DOE's representative, Mr. Gerald L. Combs, again pledged support for the continuing Federal effort in this field, but they were quick to point out that they were not in a position to do anything more than exhort their regional offices to cooperate.

I should say that the cooperation we have had to date from the DOE regional staff has been very encouraging. But I would like to ask you now to underscore to your regional and headquarters management and staff who work in this area the urgency of this matter during the next year. Modest funding may also be required to support increased efforts and travel by regional personnel of DOE through the spring of 1980. Their participation in field assistance visits, plan reviews and critiques of exercises will be needed to an even greater degree than before to achieve final concurrence in the plans for the States not yet having concurrence.

I earnestly ask for your personal support and the support of your Department for this important work.

Sincerely,



Joseph M. Hendrie
Chairman

Enclosure:
As stated

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