

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of the Application of)	
Public Service Company of Oklahoma,)	
Associated Electric Cooperative, Inc.)	Docket Nos. STN 50-556
and)	STN 50-557
Western Farmers Electric Cooperative)	
)	
(Black Fox Station, Units 1 and 2))	

Request for Hearing and Motion to
Establish Hearing Schedule

Public Service Company of Oklahoma, Associated Electric Cooperative, Inc., and Western Farmers Electric Cooperative ("Applicants") hereby request a hearing as hereinafter described and move the Licensing Board to enter an order that provides for reopening the hearing record and establishing the hearing schedule set forth below.

I. Procedural Background

Hearings were held on radiological health and safety issues in this proceeding during the months of October and December, 1978, and February, 1979. The record was closed on February 28, 1979. Proposed findings of fact and conclusions of law have been filed by the Applicants, NRC Staff and the Intervenors. The Attorney General for the State of Oklahoma declined to

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file proposed findings.^{1/}

On April 19, 1979, the Attorney General filed a motion for an indefinite stay of the Licensing Board's partial initial decision on the health and safety aspects of this case. The motion for a stay was based on the accident at Three Mile Island ("TMI-2") which had occurred on March 28, 1979. Intervenors^{2/} filed a response on April 27, 1979. Their response adopted the stay motion of the Attorney General and, in addition, urged the Licensing Board to reopen the record on four issues.^{3/}

On May 18, 1979, the NRC Staff responded to the pleadings of both the Attorney General and Intervenors. In its response, the NRC Staff took the position that the motions to stay and reopen should be denied except insofar as those motions related to the safety implications of the TMI-2 accident. As to that issue, the Licensing Board was asked to defer ruling on the motions to stay or reopen until the NRC Staff had evaluated the safety implications of the TMI-2 accident and advised the Licensing Board

^{1/} See the Attorney General's notice to that effect dated April 5, 1979.

^{2/} Citizens' Action for Safe Energy, Mr. Lawrence Burrell and Ms. Ilene Youngheim.

^{3/} The request for relief by Intervenors is paradoxical in that they appear to be requesting that the record be reopened immediately on the four issues while simultaneously embracing the Attorney General's view that no hearings be held until various investigations of TMI are completed.

and parties of the applicability of that data to the Black Fox proceeding.

Applicants replied separately to the three pleadings. Applicants opposed the motions for an indefinite stay, Intervenors' motion to reopen the record and the NRC Staff's motion to stay temporarily the Licensing Board's ruling on the TMI-2 aspects of the foregoing motions. This opposition was premised on the fact that no party to the proceeding had either satisfied the legal test for the issuance of a stay or demonstrated any factual or legal basis that would warrant reopening the hearing record consistent with legal test articulated by Atomic Safety and Licensing Appeal Board in Vermont Yankee. ^{4/}

By Order dated June 13, 1979, the Licensing Board (i) denied Intervenors' request to reopen the record to consider the issue of Class 9 accidents, (ii) denied the requests by the Attorney General and the Intervenors to stay indefinitely consideration of and/or to reopen the question of the financial qualifications of Public Service Company of Oklahoma, and (iii) granted the NRC Staff's request to defer ruling on the remaining portions of the motions until receipt of the Staff's report on the TMI-2 accident.

1081 273

^{4/} Vermont Yankee Nuclear Power Corp. (Vermont Yankee Nuclear Power Station), ALAB-124, 6 AEC 358 (1973); ALAB-138, 6 AEC 520 (1973); and ALAB-167, 6 AEC 1151

This was the procedural posture of the case until, as discussed below, the Applicants announced on August 2, 1979, that they were no longer objecting to further hearings in the Black Fox proceeding.

II. Request for Hearing

On August 2, 1979, the President and Chief Executive Officer of the Public Service Company of Oklahoma announced that the Applicants fully supported further hearings in the Black Fox proceeding. This decision was based on a determination by Applicants that the public interest will best be served by openly reviewing the lessons learned from the TMI-2 accident as they might apply to Black Fox Station. As Mr. Newman stated, "We need to retain the confidence of the people of Oklahoma that we can safely build and operate Black Fox Station;" and although we have the support of a majority now, ". . .we would not want to lose that important public trust by not bringing the Three Mile Island issues out into the open." Accordingly, it was decided to request the Licensing Board to hold further hearings.

In view of the foregoing, Applicants hereby

request that further hearings be held for the purpose of generally exploring those aspects of the TMI-2 accident that are pertinent to this proceeding. The scope of these further hearings, issues to be explored and scheduling is discussed below. It is apparent, therefore, that Applicants no longer object to the position of the NRC Staff that its report on TMI-2 is a necessary input to the proceeding. Objection is also withdrawn with respect to that portion of Intervenors' motion yet to be ruled upon by the Licensing Board insofar as that motion is construed as a request to reopen the hearing record immediately to consider TMI-2 matters. Applicants continue to object to any notion of an indefinite stay of the licensing process, and it necessarily follows that we continue to believe that the Attorney General's and now the Intervenors' motions for such a stay should be denied. However, Applicants hereby withdraw any objection to the participation by the Attorney General in the resumed hearings. 5/

5/ See pages 2-5 of Applicants' Answer to Motion of Attorney General for an indefinite stay, dated May 11, 1979.

III. The Review of TMI-2
by the NRC Staff Is
Virtually Completed

The review of the TMI-2 accident by the NRC Staff has now been completed to the point where it is resuming the licensing process. The first step occurred with the issuance of NUREG-0578 on July 18, 1979, by the "Lessons-Learned" Task Force. 6/ The second step occurred when Applicants were advised by the NRC Staff on July 20 7/ that (i) the Bulletin and Orders Task Force had determined that only IE Bulletin No. 79-08 8/ applied to construction permit applications for boiling water reactors, and (ii) the actions later described in an information paper to the Commissioners concerning emergency preparedness were applicable to construction permit applications. 9/

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- 6/ A copy of NUREG-0578 was furnished to the Licensing Board as an enclosure to my letter of July 31, 1979 to the Board. NUREG-0578 contains 23 recommendations, and Dr. Mattson, Director of the TMI-2 Lessons-Learned Task Force, recommended in the accompanying transmittal letter to Mr. Harold R. Denton, Director of Nuclear Reactor Regulation, that licensing be resumed. A copy of the letter is attached as Exhibit I.
- 7/ Mr. Thomas of the Attorney General's office attended the meeting held with Mr. Denton on the morning of the 20th.
- 8/ A copy of IE Bulletin No. 79-08 is attached as Exhibit II.
- 9/ The information paper identified as SECY-79-450 and dated July 23, 1979 is attached as Exhibit III. 1081 276

Applicants understand that the 23 items discussed in NUREG-0578, the 11 items discussed in IE Bulletin No. 79-08 and the six items discussed in the information paper on emergency preparedness are the entire complement of matters required by the NRC Staff to be addressed by construction permit applicants. Further, it is our understanding that each of the foregoing requirements, as applicable to the Black Fox application, 10/ are satisfied at this time by Applicants stating commitments for the record. These commitments, to be satisfactory to the NRC Staff, must indicate that the Applicants intend to implement and document the various requirements in the Final Safety Analysis Report. The NRC Staff, of course, will assure compliance with the commitments as part of their operating license review.

Based on the foregoing requirements, representations and understandings, Applicants submitted a licensing document dated July 27, 1979 to the NRC Staff. 11/ This document sets

10/ NUREG-0578 indicates that certain requirements apply only to pressurized water reactors. Others are subject to rulemaking as a first step towards implementation, and one requirement, containment inerting for BWRs, does not apply to reactors such as Black Fox Station which has a Mark III containment design.

11/ The Licensing Board was furnished a copy of this document by my letter of July 31, 1979.

forth Applicants' commitments to the requirements of NUREG-0578, IE Bulletin 79-08, and the information paper on emergency preparedness. The review by the NRC Staff of the July 27 submission is ongoing. Certain clarifications were furnished to the NRC Staff by Applicants in Mr. Ewing's letter of August 8, 1979. ^{12/} We understand, as the August 8 letter indicates, that the NRC Staff will issue very shortly their evaluation of the July 27 submission in the form of Supplement No. 3 to the Safety Evaluation Report for the Black Fox Station. This document should identify the foregoing requirements as being applicable to BWR construction permit applications, state that the requirements are satisfied at the construction permit stage of the licensing process by formal commitments to implement and document such requirements in the FSAR, and evaluate the adequacy of the various commitments made by Applicants in their July 27 submission as clarified on August 8, 1979.

^{12/} A copy of Mr. Ewing's letter is attached as Exhibit IV.

The NRC Staff review of the TMI-2 accident for purposes of the Black Fox docket will be complete with the issuance of Supplement No. 3 to the Safety Evaluation Report; and the TMI-2 issues as they apply to this proceeding will then be ripe for hearing. 13/

IV. Hearing Issues and Schedule

The pertinent NRC Staff documents delineate the hearing issues and Applicants will address every such issue at the resumed hearings. These issues consist of the 23 lessons learned in NUREG-0578, the 11 items set forth in IE Bulletin No. 79-08, and the six items found in the information paper on emergency preparedness. Because the issues are so clearly identified, it is unnecessary to establish a separate time-frame in the schedule for the identification of contentions. Moreover, Applicants fully expect the Licensing Board to conduct a full inquiry into every issue and we have no objection to the participation by the other parties in that inquiry.

Applicants initiated discovery on August 7, 1979, when it sent 51 documents to the parties including MHB Technical Associates, Inc. We will, of course, continue to supply any additional TMI documentation that comes into

13/ Applicants expect Supplement No. 3 to issue the week of August 13; however, August 20 will be used for scheduling purposes based on the statement of Mr. Davis during the August 3 conference call.

the possession of Applicants. The list of documents includes a number of important Staff documents and we believe that counsel for the NRC Staff will supplement this list to the extent other pertinent documents exist. Applicants are also aware that MHB Technical Associates, Inc., Intervenors' consultants, have been deeply involved in the TMI investigation. We understand that in addition to acting as a consultant to the NRC Staff, MHB is also participating in the investigation being conducted by the President's Commission. This involvement by MHB means that the intervenors have the benefit of the most current knowledge on the substance of the TMI investigations by the NRC Staff and others. Thus the need for extensive discovery and issue identification exercises is unnecessary.

Based on the foregoing, Applicants urge that the Licensing Board adopt the following hearing schedule:

1. August 7 Discovery commences.
2. August 20 SER Supplement No. 3 issues.
3. September 14 Discovery completed and any additional issues identified by Intervenors and the Attorney General.
4. September 28 All parties file testimony.
5. October 9 Hearings commence on October 9 to continue except for Saturdays and Sunday through October 19.

Time during the hearings, including one or more evening sessions, should also be allotted for any limited appearance statements by members of the public.

In making the decision to support further hearings, Applicants have accepted the fact that delay will occur in the licensing process for Black Fox. However, Applicants are opposed to any undue delay in the process. The foregoing schedule is fair and reasonable under the circumstances. Any attempt to expand the schedule or to postpone the hearings indefinitely is in our view an undue and untoward delay that should not be countenanced by the Licensing Board.

V. No Warrant Exists to
Delay the Commencement
of Hearings

The Attorney General and now the Intervenors apparently are unwilling to go forward with hearings until various TMI investigations are completed, including that of the President's Commission and the Rogovin Special Inquiry. For the reasons stated on pages 13-17 of "Applicants' Answer to the Motion of the Attorney General For the State of Oklahoma For an Indefinite Stay of the Issuance of an Initial Decision," dated May 11, 1979, this position should be rejected.

Furthermore, neither the investigation of the President's Commission nor the Rogovin Special Inquiry directly affects the Black Fox licensing process. The President's Commission was established by Executive Order 12130 dated April 11, 1979. ^{14/} It is charged with the responsibility of investigating the TMI-2 accident and reporting back to the President with the Commission's recommendations. Implementation of these recommendations rests with the President. And until the President takes action, if any, and the Licensing Board is so directed by the NRC Commissioners, the Licensing Board is without jurisdiction to deal with the Commission's recommendations. Likewise, the Rogovin Special Inquiry ^{15/} was established by the NRC Commissioners for their benefit, and if and when the Commissioners implement any recommendations resulting from this special inquiry, they have ample authority under NRC regulations to take appropriate action with respect to

^{14/} 44 Fed. Reg. 22027, dated April 13, 1979.

^{15/} It appears that the principal purpose of the Rogovin Inquiry is to assess the NRC's performance during the course of the TMI-2 accident. See NRC Press Release No. 79-104 dated June 14, 1979. Of course, the activities of the Staff in the context of their actions in handling the TMI-2 accident is irrelevant to this proceeding.

any applicant or licensee. 16/

Finally, neither the Attorney General nor the Intervenor would be prejudiced by immediately going forward with hearings. They will have ample opportunity during the course of the hearings and in their findings of fact and conclusions of law to demonstrate and convince the Licensing Board that it should hold the record open until the sundry other TMI investigations are completed. While Applicants will continue to disagree with this proposition, it certainly cannot object to the issue being pressed during the resumed hearing process.

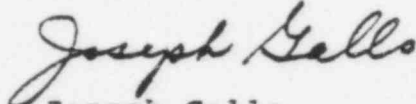
VI. Conclusion

For the foregoing reasons, the Intervenor's and Attorney General's motions for a stay should be denied; Applicants' request for hearing, as hereinabove described, should be granted; and the Licensing Board should enter an

16/ For a fuller discussion of this point, see pages 15-16 of Applicants' Answer to the Attorney General's motion for a stay.

order reopening the record and establishing the above
hearing schedule.

Respectfully submitted,



Joseph Gallo
One of the Attorneys
for the Applicants

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August 11, 1979

1081 284



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

EXHIBIT I

July 18, 1979

POOR ORIGINAL

MEMORANDUM FOR: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

FROM: Roger J. Mattson, Director
TMI-2 Lessons Learned Task Force

SUBJECT: TMI-2 LESSONS LEARNED TASK FORCE
REPORT (SHORT TERM) NUREG-0578

Enclosed is the first report of the TMI-2 Lessons Learned Task Force. It contains a set of short term recommendations to be implemented in two stages over the next 18 months on operating plants, plants under construction, and pending construction permit applications. There are 23 specific recommendations in 12 broad areas (nine in the area of design and analysis and three in the area of operations). The 23 recommendations would provide substantial, additional protection which is required for the public health and safety.

All but one of the 23 recommendations have a majority concurrence by the Task Force. The exception is the recommended requirement to provide capability to install an external recombiner at each reactor plant for post-accident hydrogen control, if necessary following an accident. The majority of the Task Force recommends that this matter deserves further evaluation in conjunction with other hydrogen generation and control questions being reviewed by the Task Force for its final report.

Three of the recommendations appear to require changes in existing regulations for which the Task Force recommends immediately effective rulemaking. They are: 1) inerting of MK I and MK II BWR containments that are not already inerted; 2) provision of the capability to install an external recombiner for plants that do not already have recombiners (minority view); and, 3) revised limiting conditions of operation in operating licenses for total loss of safety system availability through human or operational error. The Office of Standards Development has agreed to develop the required Commission papers and carry through with these rulemaking actions.

The 23 recommended actions were discussed with the Regulatory Requirements Review Committee (June 22, 1979), the Commission (June 25, 1979), the TMI-2 Subcommittee of the ACRS (July 11, 1979), and the ACRS (July 12, 1979). In addition, meetings were held with various groups in the Office of Nuclear Reactor Regulation in the course of the last few weeks to discuss technical aspects of specific portions of the recommended actions and the implementation alternatives.

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The Task Force recommends that time not be taken to request and evaluate public comments on these short term requirements prior to their promulgation as licensing requirements or rules because they are safety significant matters that require prompt application to operating reactors and operating license applications in the late stages of review. Other TMI-2 accident review groups and the Lessons Learned Task Force are continuing to evaluate the longer term implications of the accident. Any public comments on the short term recommendations that are received after their issuance (just as in the case of the earlier IE Bulletins) can be factored into those continuing evaluations.

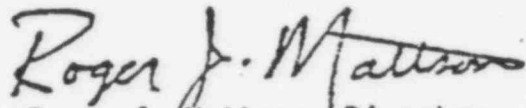
Having identified the 23 specific recommendations for short term action, the Lessons Learned Task Force will turn to the broader, more fundamental regulatory questions which should be addressed in the longer term (some of them likely to require evaluations that extend beyond the life span of the Task Force) before other regulatory actions are recommended. These longer term interests of the Task Force are described in Section Three of the report. The Task Force intends to develop its final recommendations and issue a final report in early September 1979. The topics to be addressed in the final report could affect the future structure and content of the licensing process to correct deficiencies identified by the TMI-2 accident and to further upgrade the level of safety in operating plants and plants under construction. The Task Force does not believe that allowing new plants to begin operation in the next few months will foreclose further design changes that may be shown to be desirable by its continuing review of the accident.

On July 11, I solicited the comments of the principal NRR line organizations on the final draft of the report and its central conclusion regarding the necessity and sufficiency of the short term recommendations for continued operations and licensing. General support for the conclusions of the Task Force report was expressed by all of the principal NRR line managers. We have reviewed and considered the detailed comments supplied by the various NRR organizations in the course of their review. Where appropriate, we made clarifying changes in the language of the report. The principal substantive change occurred in the form and schedules of the implementation section (Appendix B). Some of the comments addressed matters that the Task Force has deferred for consideration in its final report. There are significant differences of opinion within the staff on two of the Task Force recommendations, as follows: a) the need for recommendation 2.2.3 concerning rulemaking for revised limiting conditions for operation (some agree with the recommendation and others prefer more stringent enforcement actions using existing regulatory machinery) and b) the need for the minority Task Force recommendation 2.1.5.c concerning rulemaking for backfit of recombiner capability (some support the minority recommendation, others do not). Having considered these comments and made changes to the report where appropriate to reconcile them with the intent of the Task Force, I recommend that you:

a. direct the immediate implementation by DPM, DOR or B&OTF, as appropriate, of all the short term recommendations, except the three rulemaking matters, through the issuance of licensing positions to operating plant licensees, plants under construction, and construction permit applicants.

b. request the formulation of immediately effective rules by the Office of Standards Development for action by the Commission on the three rulemaking matters.

Another matter that needs to be considered by you in deciding upon the additional requirements for near term CP and OL decisions and for operating reactors is improvements in licensee emergency preparedness.



Roger J. Mattson, Director
TMI-2 Lessons Learned Task Force

Enclosure: as stated

cc: Chairman Hendrie
Commissioner Gilinsky
Commissioner Kennedy
Commissioner Bradford
Commissioner Ahearne
ACRS (20)
Policy Evaluation
SECY
L. V. Gossick, EDO
S. Levine, RES
R. Minogue, SD
V. Stello, IE
M. Rogovin, Special Inquiry
J. Fouchard, PA (20)
C. Kammerer, CA (20)
NRC PDR

1081 287

REGION III

April 14, 1979

POOR ORIGINAL

IE Bulletin No. 79-08

EVENTS RELEVANT TO BOILING WATER POWER REACTORS IDENTIFIED DURING
THREE MILE ISLAND INCIDENT

Description of Circumstances:

On March 28, 1979 the Three Mile Island Nuclear Power Plant, Unit 2 experienced core damage which resulted from a series of events which were initiated by a loss of feedwater transient. Several aspects of the incident may have general applicability to operating boiling water reactors. This bulletin requests certain actions of licensees of operating boiling water reactors.

Actions to be taken by Licensees:

For all Boiling water reactor facilities with an operating license complete the actions specified below:

1. Review the description of circumstances described in Enclosure 1 of IE Bulletin 79-05 and the preliminary chronology of the TMI-2 3/28/79 accident included in Enclosure 1 to IE Bulletin 79-05A.
 - a. This review should be directed toward understanding: (1) the extreme seriousness and consequences of the simultaneous blocking of both trains of a safety system at the Three Mile Island Unit 2 plant and other actions taken during the early phases of the accident; (2) the apparent operational errors which led to the eventual core damage; and (3) the necessity to systematically analyze plant conditions and parameters and take appropriate corrective action.
 - b. Operational personnel should be instructed to (1) not override automatic action of engineered safety features unless continued operation of engineered safety features will result in unsafe plant conditions (see Section 5a of this bulletin); and (2) not make operational decisions based solely on a single plant parameter indication when one or more confirmatory indications are available.

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- c. All licensed operators and plant management and supervisors with operational responsibilities shall participate in this review and such participation shall be documented in plant records.
2. Review the containment isolation initiation design and procedures, and prepare and implement all changes necessary to initiate containment isolation, whether manual or automatic, of all lines whose isolation does not degrade needed safety features or cooling capability, upon automatic initiation of safety injection.
3. Describe the actions, both automatic and manual, necessary for proper functioning of the auxiliary heat removal systems (e.g., RCIC) that are used when the main feedwater system is not operable. For any manual action necessary, describe in summary form the procedure, by which this action is taken in a timely sense.
4. Describe all uses and types of vessel level indication for both automatic and manual initiation of safety systems. Describe other redundant instrumentation which the operator might have to give the same information regarding plant status. Instruct operators to utilize other available information to initiate safety systems.
5. Review the action directed by the operating procedures and training instructions to ensure that:
 - a. Operators do not override automatic actions of engineered safety features, unless continued operation of engineered safety features will result in unsafe plant conditions (e.g. vessel integrity).
 - b. Operators are provided additional information and instructions to not rely upon vessel level indication alone for manual actions, but to also examine other plant parameter indications in evaluating plant conditions.
6. Review all safety-related valve positions, positioning requirements and positive controls to assure that valves remain positioned (open or closed) in a manner to ensure the proper operation of engineered safety features. Also review related procedures, such as those for maintenance, testing, plant and system startup, and supervisory periodic (e.g., daily/shift checks,) surveillance to ensure that such valves are returned to their correct positions following necessary manipulations and are maintained in their proper positions during all operational modes.

1081 289

7. Review your operating modes and procedures for all systems designed to transfer potentially radioactive gases and liquids out of the primary containment to assure that undesired pumping, venting or other release of radioactive liquids and gases will not occur inadvertently.

In particular, ensure that such an occurrence would not be caused by the resetting of engineered safety features instrumentation. List all such systems and indicate:

- a. Whether interlocks exist to prevent transfer when high radiation indication exists, and
 - b. Whether such systems are isolated by the containment isolation signal.
 - c. The basis on which continued operability of the above features is assured.
8. Review and modify as necessary your maintenance and test procedures to ensure that they require:
 - a. Verification, by test or inspection, of the operability of redundant safety-related systems prior to the removal of any safety-related system from service.
 - b. Verification of the operability of all safety-related systems when they are returned to service following maintenance or testing.
 - c. Explicit notification of involved reactor operational personnel whenever a safety-related system is removed from and returned to service.
 9. Review your prompt reporting procedures for NRC notification to assure that NRC is notified within one hour of the time the reactor is not in a controlled or expected condition of operation. Further, at that time an open continuous communication channel shall be established and maintained with NRC.
 10. Review operating modes and procedures to deal with significant amounts of hydrogen gas that may be generated during a transient or other accident that would either remain inside the primary system or be released to the containment.

POOR ORIGINAL

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11. Propose changes, as required, to those technical specifications which must be modified as a result of your implementing the items above.

For all boiling water reactor facilities with an operating license, respond to Items 1-10 within 10 days of the receipt of this Bulletin. Respond to item 11 (Technical Specification Change proposals) in 30 days.

Reports should be submitted to the Director of the appropriate NRC Regional Office and a copy should be forwarded to the NRC Office of Inspection and Enforcement, Division of Reactor Operations Inspection, Washington, D.C. 20555.

For all other power reactors with an operating license or construction permit, this Bulletin is for information purposes and no written response is required.

Approved by GAO, B180225 (R0072); clearance expires 7/31/80. Approval was given under a blanket clearance specifically for identified generic problems.

Enclosure: Listing of IE
Bulletins Issued in Last
Twelve Months

POOR ORIGINAL

1081 291

July 23, 1979

EXHIBIT III
SECY-79-450

For: The Commissioners
Thru: Executive Director for Operations *YAR for L.V.G.*
From: Harold R. Denton, Director, Office of Nuclear Reactor
Regulation

Subject: ACTION PLAN FOR PROMPTLY IMPROVING EMERGENCY PREPAREDNESS

Purpose: To inform the Commission of the staff's plans to take immediate steps to improve licensee preparedness at all operating power plants and for near-term OL's.

Discussion: While the emergency plans of all power reactor licensees have been reviewed by the staff in the past for conformance to the general provisions of Appendix E to 10 CFR Part 50, the most recent guidance on emergency planning, primarily that given in Regulatory Guide 1.101 "Emergency Planning for Nuclear Power Plants", has not yet been fully implemented by most reactor licensees. Further, there are some additional areas where improvements in emergency planning have been highlighted as particularly significant by the Three Mile Island accident.

The NRR staff plans to undertake an intensive effort over about the next year to improve licensee preparedness at all operating power reactors and those reactors scheduled for an operating license decision within the next year. This effort will be closely coordinated with a similar effort by the Office of State Programs to improve State and local response plans through the concurrence process and Office of Inspection and Enforcement efforts to verify proper implementation of licensee emergency preparedness activities.

The main elements of the staff effort, as listed in Enclosure 1, are as follows:

- (1) Upgrade licensee emergency plans to satisfy Regulatory Guide 1.101, with special attention to the development of uniform action level criteria based on plant parameters.

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- (2) Assure the implementation of the related recommendations of the NRR Lessons Learned Task Force involving instrumentation to follow the course of an accident and relate the information provided by this instrumentation to the emergency plan action levels. This will include instrumentation for post-accident sampling, high range radioactivity monitors, and improved in-plant radioiodine instrumentation. The implementation of the Lessons Learned recommendation on instrumentation for detection of inadequate core cooling will also be factored into the emergency plan action level criteria.
- (3) Determine that an Emergency Operations Center for Federal, State and local personnel has been established with suitable communications to the plant, and that upgrading of the facility in accordance with the Lessons Learned recommendation for an in-plant technical support center is underway.
- (4) Assure that improved licensee offsite monitoring capabilities (including additional TLD's or equivalent) have been provided for all sites.
- (5) Assess the relationship of State/local plans to the licensee's and Federal plans so as to assure the capability to take appropriate emergency actions. Assure that this capability will be extended to a distance of 10 miles as soon as practical, but not later than January 1, 1981. This item will be performed in conjunction with the Office of State Programs and the Office of Inspection and Enforcement.
- (6) Require test exercises of approved Emergency Plans (Federal, State, local, licensees), review plans for such exercises, and participate in a limited number of joint exercises. Tests of licensee plans will be required to be conducted as soon as practical for all facilities and before reactor startup for new licensees. Exercises of State plans will be performed

in conjunction with the concurrence reviews of the Office of State Programs. Joint test exercises involving Federal, State, local and licensees will be conducted at the rate of about 10 per year, which would result in all sites being exercised once each five years.

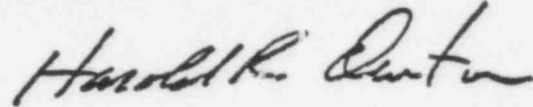
The staff review will be accomplished by about 6 review teams, similar to the concept used to assure suitable implementation of the physical security provisions of 10 CFR 73.55. As a minimum, the teams will consist of a team leader from NRR, a member from Los Alamos Scientific Lab (LASL) and, at least for field visits, a member from the IE Regional office. LASL will be used as the source of non-NRC team members because of the expertise gained and familiarity with the plants acquired during the physical security reviews. The Division of Operating Reactors will have the responsibility for completing these reviews for both operating reactors and near-term OL's. J. R. Miller, Assistant Director, DOR will be responsible for implementation of the program. General policy and technical direction will be provided by Brian Grimes, Assistant Director, DOR.

The first sites to be reviewed by the teams will be those scheduled for operating licenses within the next year and those sites in areas of relatively high population. Major milestones for the program are being developed and will include regional meetings with licensees to discuss the program, site visits by the review team, and meetings with local officials.

Coordination:

This action plan has been discussed with the Task Force on Emergency Planning and the Task Force Chairman, T. F. Carter, has advised that the Task Force deliberations to date have indicated no reason why NRR should not proceed. The Office of State Programs concurs in this plan. The Office of Inspection and Enforcement concurs in the plan.

NRR expects to perform this task without augmentation of resources beyond those authorized for FY79 and FY80.



Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure:
Emergency Preparedness Improvements
for Operating Plants and Near
Term OL's

DISTRIBUTION
Commissioners
Commission Staff Offices
Exec Dir for Operations
ACRS
Secretariat

1081 295

ENCLOSURE NO. 1

EMERGENCY PREPAREDNESS IMPROVEMENTS

AND COMMITMENTS REQUIRED FOR OPERATING PLANTS AND NEAR TERM OL'S

<u>Item</u>	<u>Implementation Category^{1/}</u>
1. Upgrade emergency plans to Regulatory Guide 1.101 with special attention to action level criteria based on plant parameters.	A ¹
2. Implement certain short term actions recommended by Lessons Learned task force and use these in action level criteria. ^{2/}	
2.1.8(a) Post-accident sampling	
Design review complete	A
Preparation of revised procedures	A
Implement plant modifications	B
Description of proposed modification	A
2.1.8(b) High range radioactivity monitors	B
2.1.8(c) Improved in-plant iodine instrumentation	A
3. Establish Emergency Operations Center for Federal, State and Local Officials	
(a) Designate location and alternate location and provide communications to plant	A ¹
(b) Upgrade Emergency Operations Center in conjunction with in-plant technical support center	B

^{1/} Category A: Implementation prior to OL or by January 1, 1980 (see NUREG-0578).
 Category A¹: Implementation prior to OL or by mid-1980.
 Category B: Implementation by January 1, 1981.

^{2/} The implementation of the Lessons Learned task force recommendation item 2.1.3(b) instrumentation for detection of inadequate core cooling, will also be factored into the action level criteria.

<u>Item</u>	<u>Implementation Category</u>
4. Improve offsite monitoring capability	A ¹
5. Assure adequacy of State/local plans	
(a) Against current criteria	A ¹
(b) Against upgraded criteria	B
6. Conduct test exercises (Federal, State, local, licensee)	
(a) Test of licensees emergency plan	A ¹
(b) Test of State emergency plans	A ¹
(c) Joint test exercise of emergency plans (Federal, State, local, licensee)	
New OL's	B
All operating plants	Within 5 years

1081 297