



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

December 21, 1979

ALL POWER REACTOR LICENSEES
ALL CONSTRUCTION PERMIT HOLDERS AND APPLICANTS

Gentlemen:

The U. S. Nuclear Regulatory Commission (NRC) is proposing a change to the current regulation on radiological emergency response plans for nuclear production and utilization facilities. During the comment period on the proposed rule, the NRC staff intends to meet regionally with appropriate State and local officials and utility representatives to discuss the feasibility of the proposed rule, its impact and the procedures proposed for complying with its provisions.

Briefly, the proposed rule would:

- (1) Require an NRC licensee to shut down a nuclear power reactor if appropriate State and local emergency response plans have not received NRC concurrence or do not warrant continued NRC concurrence.
- (2) Require that State and local emergency response plans be concurred in by the NRC as a condition of operating license issuance.
- (3) Require extending emergency planning considerations to the emergency planning zones (i.e., within the approximate 10 and 50 mile radii around the plant).
- (4) Require that detailed emergency planning implementing procedures be submitted to NRC for review.
- (5) Require informing the public and improving support for local emergency response personnel.

NRC will be holding its workshop for States in your region in accordance with the enclosed schedule. I invite you to designate one individual to represent your views during discussions among State, local, utility, NRC and FEMA participants.

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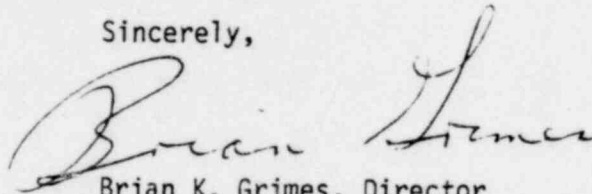
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Since we are working in a short time frame, I ask that by December 31, you notify Mr. Allan Morrongiello, Office of Standards Development, (301) 443-5966 and give the name of your representative, his or her position, address and telephone number.

It is our view that this proposed rule is a significant step to providing needed protection in the event of an accident at a nuclear facility. I look forward to your participation in this important meeting.

For your information, I am enclosing the Federal Register notice of the proposed rule and the agenda for the January workshops.

Sincerely,



Brian K. Grimes, Director
Emergency Preparedness Task Group
Office of Nuclear Reactor Regulation

Enclosures:

1. Federal Register Notice
2. Agenda
3. Schedule

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AGENDA FOR EMERGENCY PREPAREDNESS WORKSHOPS

Morning Session -- 8:30 a.m.

Introduction

- Purpose & Scope of Meeting.
- Background-Reason for proposed Rule.
- Proposed Rule provides for Federal/State/Local planning for emergencies.
- NRC Emergency Planning requirements-concurrence required.

Presentation of Proposed Rule

- Rationale for and description of proposed rule
- Criteria to be met for concurrence.
- Who must have concurrence?
- Review and concurrence procedures.
- Differences in requirements for emergency planning zones, i.e. plume exposure zone for compared to ingestion pathway zone.

Federal Emergency Management Agency (FEMA)

Role in overall emergency preparedness, training, funding, and model plan development.

Public Affairs

Role of public affairs officials in an emergency, coordination between "responders" and the media.

Questions and Comments From General Public

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Afternoon Session -- 1:00 p.m.

Discussion By Participants

Discussion Points:

- Requirement that State and local emergency response plans be concurred in by the NRC as a condition of operating license issuance. (NRC concurrence in State and local plans is not required at the construction permit stage.) Additionally:
 - a. An operating plant may be required to shutdown if a State or local emergency plan has not received NRC concurrence within 180 days of the effective date of the final amendments, or January 1, 1981, whichever is earlier.
 - b. An operating plant may be required to shutdown if a State or local emergency plan does not warrant continued NRC concurrence and is not corrected within 4 months of notification of NRC concurrence withdrawal.
- (Discussion will include consideration of alternative proposed rules for permitting continued operation or issuance of operating licenses for an interim period where there are no concurred in plans or concurrence has been withdrawn). -

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- Requirement that emergency planning be expanded to cover "Emergency Planning Zones".
- Requirement that detailed emergency planning implementing procedures be submitted to NRC for review.
- The requirement that specified "Emergency Action Levels" be used by the applicant, State and local authorities.
- Provisions for prompt alerting of the public and instructions for public protection.
- Requirements for having Emergency Operations Center.
- Requirement for providing redundant communications systems.
- Requirement for providing specialized training to licensee and local emergency support personnel.
- Requirement for maintaining up-to-date plans.
- What measures can compensate for various deficiencies.

Closing Session

- Individual statements/comments by participants and public.
- Concluding statement by NRC.

Adjourn -- 5:00 p.m.

SCHEDULE

January 15	Roosevelt Hotel Madison & 45th Street New York, New York 10017 212-661-9600
January 17	Bellevue Hotel Geary at Taylor Street San Francisco, California 94102 415-392-7752
January 22	Ramada O'Hare Inn 6600 N. Mannheim Road Des Plaines (at O'Hare Airport) 312-827-5131
January 24	Downtown Holiday Inn 175 Piedmont, NE Atlanta, Georgia 30303 404-659-2727

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NUCLEAR REGULATORY COMMISSION

[10 CFR Part 50]

EMERGENCY PLANNING

AGENCY: U.S. Nuclear Regulatory Commission

ACTION: Proposed Rule

SUMMARY: The Nuclear Regulatory Commission, after considering the public record available concerning licensee, State and local government emergency preparedness, and the need to enhance protection of the public health and safety, is proposing to amend its regulations to provide an interim upgrade of NRC emergency planning regulations. In a few areas of the proposed amendments, the Commission has identified two alternatives which it is considering. In each instance both alternatives are presented in the following summary of the proposed changes and in the specific proposed rule changes presented in this notice. The final rule will not necessarily incorporate all of the first alternatives or all of the second alternatives. That is, in some instances the first alternative may be adopted and in others, the second alternative may be adopted. Further alternatives may be adopted as a result of consideration of public comments.

In one alternative (Alternative A), the proposed rule change would not automatically require suspension of operations for lack of concurrence in appropriate State and local government emergency response plans on the date specified in the rule, even if the State and local plans have not yet determined whether the reactors will be able to continue to operate. It would: -

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Entire document previously
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1. Require NRC concurrence in the appropriate State and local government emergency response plans prior to operating license issuance, unless the applicant can demonstrate to the satisfaction of the Commission that deficiencies in the plans are not significant for the nuclear power plant in question, that alternative compensating actions have been or will be taken promptly, or that there are other compelling reasons for license issuance.
2. For nuclear power reactors already licensed to operate, if appropriate State and local emergency response plans have not received NRC concurrence within 180 days after the effective date of this amendment or by January 1, 1981, whichever is sooner, require the Commission to determine whether to require the licensee to shut down the reactor. If at that time the Commission finds that the licensee has demonstrated that the deficiencies in the plans are not significant for the plant in question, that alternative compensating actions have been or will be taken promptly, or that there are other compelling reasons for continued operation, then the licensee may continue operation.

If at that time the Commission cannot make such a finding, then the Commission will order the licensee to show cause why the plant should not be shut down. In cases of serious deficiencies, the order to show cause will be made immediately effective and the licensee would be required to shut down the reactor.

3. For nuclear power reactors already licensed to operate, if appropriate State and local emergency response plans do not warrant continued NRC