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MEMORANDUM FOR: Chairman Ahearne
Commissioner Gilinsky
Commissioner Kennedy
Commissioner Hendrie
Commissioner Bradford

THRU: Acting Executive Director for Operations *K. Dircks*
(Signed) William J. Dircks

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

SUBJECT: EMERGENCY PREPAREDNESS REQUIREMENTS FOR NEAR TERM LOW
POWER TESTING AUTHORIZATIONS

An NRC/FEMA resolution of the emergency preparedness requirements for low power testing of the next few facilities (North Anna, Salem, Diablo Canyon) scheduled for decision is enclosed. The FEMA/NRC Steering Committee findings will form the basis for favorable NRR Safety Evaluations for low power testing in the area of emergency preparedness.

This also closes out item No. 2 of the S. Chilk memo to W. Dircks and L. Bickwitt dated February 20, 1980.

Original Signed by
H. R. Denton

Harold R. Denton, Director 3/17/80
Office of Nuclear Reactor Regulation

Enclosure:
NRC/FEMA Resolution
FEMA Concurrence
cc w/enclosure:
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3-17-80

*OTM-6
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Emergency
Plan*

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FEMA/NRC INTERIM AGREEMENT ON CRITERIA FOR LOW
POWER TESTING AT NEW COMMERCIAL NUCLEAR FACILITIES

The FEMA/NRC Steering Committee has agreed that for the purposes of low power testing (up to 5% power) at new commercial nuclear facilities that the public health and safety is adequately protected if such facility is located in a State which had received a concurrence under the previous voluntary concurrence program, administered by the NRC and based on evaluation by a multi-agency Federal Regional Advisory Committee. In addition, operator plans at individual sites must be consistent with both the existing NRC Appendix E to 10 CFR Part 50 and NRC Regulatory Guide 1.101 in order to assure adequate protection of the public health and safety prior to low power testing.

NRC and FEMA agree that State, local and nuclear facility operator plans must be adequate when judged against the criteria contained in NUREG-0654 and FEMA/REP-1 prior to full scale commercial operation.

This agreement is based on the considerations discussed in the exchange of letters between H. Denton, NRC and J. McConnell, FEMA, both dated February 14, 1980.

The parties note that the North Anna, Salem and Diablo Canyon sites are located in Virginia, New Jersey and California respectively, all of which have received prior NRC concurrence in State Plans. The Salem facility is located near the Delaware border; the radiological emergency plan of the State of Delaware has also received prior NRC concurrence. NRC stipulates that individual nuclear facility operator plans at these plants are in compliance with Appendix E and are consistent with Regulatory Guide 1.101.