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MAY 09 1980

The Honorable Roger Jepsen  
United States Senate  
Washington, D. C. 20510

Dear Senator Jepsen:

I have been requested to respond to your letter to our Office of Congressional Affairs which references a letter to your office of December 5, 1979, from John D. Crandall, Director, Iowa State Office of Disaster Services. Mr. Crandall had attached a copy of his letter of December 4, 1979, to Commissioner Hendrie in which he expressed concern about funding for the development of State and local government emergency plans and the timetable for submittal, review, and approval of such plans.

NRC has an active program in progress for upgrading emergency preparedness around all operating nuclear power plants. The program includes visits to the reactor and its environs by emergency preparedness teams and meetings with licensed utilities, local and State authorities to discuss upgrading emergency preparedness. Such meetings are held in the locale of the reactor to facilitate receiving comments and questions from the public.

President Carter, in his statement of December 7, 1979, on the Kemeny Commission Report on Three Mile Island, transferred responsibility to the Federal Emergency Management Agency to head up all offsite emergency activities and to complete a thorough review of emergency plans in all the States with operating nuclear reactors by June 1980. The NRC works closely with FEMA in this regard. Upon completion of its review, FEMA will present its findings on the adequacy of offsite emergency plans to NRC, and the NRC will then make the final licensing decision. A Memorandum of Understanding has been signed on January 14, 1980, by NRC and FEMA to accomplish a prompt improvement in radiological emergency planning and preparedness that defines responsibilities and areas of cooperation for the two agencies. In January 1980, a document entitled "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants" (NUREG-0654; FEMA-REP-1), which had been jointly prepared by NRC and FEMA, was published for interim use and comment. The criteria are consistent with those acceptance criteria used by the aforementioned emergency preparedness teams and enclosed with the NRC letter to Power Plant Licensees dated October 10, 1979.

During the site visit, the Emergency Planning Teams instruct the licensees to submit a revised and upgraded draft emergency plan that meets the new criteria within 5 weeks of the date of the visit. Written questions by the NRC staff may subsequently be necessary to elicit additional information. A proposed rule published in the Federal Register on December 19, 1979

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(44 F.R. 75167) would require NRC concurrence in the appropriate State and local government emergency response plans prior to operating license issuance and to avoid shutdown of an operating plant. The proposed rule would make that requirement effective not later than January 1, 1981.

As of the present date, FEMA is not funded to provide direct financial assistance for upgrading of State and local plans. In a number of States, Oregon and California for example, NRC licensees are required by State law to provide various financial resources to support emergency planning and preparedness activities supportive of their nuclear power stations. New York and Ohio have similar funding legislation in progress. It is also expected that the nuclear facility operator will have an interest in providing certain manpower, items of equipment or other resources which the State and local governments may need but are themselves unable to provide.

I trust that this information is responsive to Mr. Crandall's concerns.

Sincerely,

(Signed) E. Kevin Cornell

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William J. Dircks  
Acting Executive Director  
for Operations

Enclosure:  
Incoming Letter from  
John Crandall

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\*For previous concurrence see attached yellow

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