



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

NRC PUBLIC
DOCUMENT ROOM

May 6, 1980

Mr. Scott Houchin
P. O. Box 12
LaGrange, Kentucky 40031

Dear Mr. Houchin:

This is in response to your April 14, 1980 letter requesting written responses to several questions on the Commission's proposed rule on emergency preparedness at and around nuclear power plants.

A. Question

What is the status of the NRC proposal about evacuation plans for local governments within ten miles of a nuclear power plant?

Response

The NRC staff is in the process of modifying the proposed rule to reflect public comments received and will present this revised version to the Commissioners sometime in May. Action by the Commissioners is likely, in my estimation, by sometime in June.

B. Question

If a local government chooses not to cooperate with the utility or the NRC because the local government feels that the nuclear facility poses an unacceptable risk to the community it represents, would this stop the plant from getting its license to operate?

Response

Not necessarily. The NRC would receive a recommendation on the adequacy of offsite emergency preparedness from the Federal Emergency Management Agency (FEMA). It is possible that compensatory measures by the State or utility could result in an adequate degree of preparedness. It is also possible that FEMA would find the offsite preparedness inadequate. Under the terms of the proposed NRC rule inadequate offsite emergency plans could result in non-issuance of an operating license.

C. Question

If so, was the NRC aware of this when the proposal was written and will the NRC go along with this means of intervention?

Response

The NRC was aware of this possibility when the proposed rule was written. The NRC and FEMA findings will focus on the substance of preparedness and not on the reasons for lack of preparedness.

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D. Question

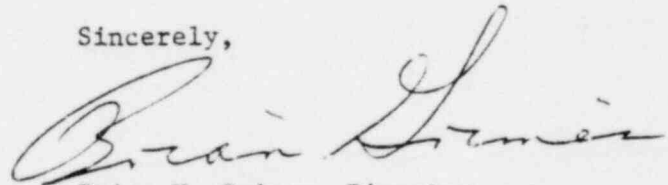
Does the NRC consider this a viable and legal means for a local government to empower itself to a position of self-determination on this issue?

Response

As noted above, the NRC and FEMA findings will be on the substance of preparedness rather than on the reasons for deficiencies. However, it is our expectation that State and local governments will accept their share of responsibilities for the health and safety of the public within their jurisdictions. It is also our expectation that utilities will have an interest in providing certain manpower and capital expenditures needed by State and local governments to achieve an adequate state of preparedness. It is my view that the effort expended in the development of response capabilities for areas around nuclear power plants will also result in a much improved response capability for more frequently occurring events involving other hazardous substances.

I am enclosing a document recently prepared jointly by the NRC and FEMA for interim use and comment to illustrate the significant improvements in onsite and offsite preparedness being sought by the federal government at and around nuclear power plants.

Sincerely,



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

Enclosure:
NUREG-0654; FEMA-REP-1