



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

COMMISSION
CORRESPONDENCE

August 8, 1980

The Honorable John N. Dalton
Governor of Virginia
Richmond, Virginia 23219

Dear Governor Dalton:

This is in response to your telecom of August 2, 1980 regarding the Commission's decision to defer issuance of a full power license for VEPCO's North Anna 2 nuclear power plant. On July 28, 1980, the Commission received a final draft of the NRC staff's Safety Evaluation Report supporting issuance of a full power license for the North Anna 2 plant. However, in forwarding the Safety Evaluation Report to the Commission, the staff was careful to point out that its review of emergency preparedness matters had not been completed, and that in its view no license should be issued until the review was completed. Furthermore, the license itself and the related Technical Specifications were still being modified for Commission review.

The Commission meeting on July 31st was intended as a staff briefing for the Commission on the status of the North Anna 2 application. The staff recommendation was for approval of the license contingent upon satisfactory completion of the integrated emergency preparedness exercise and final approval from the Federal Emergency Management Agency (FEMA). The Commission had determined that completion of these matters and review by the Commission was essential prior to a final Commission decision on full power operation. Thus, it is not correct to view the Commission action at the July 31st meeting as a deferral of an intended action.

Although these emergency preparedness requirements are not contained in any currently effective NRC rule, they are consistent with the pending revisions to 10 CFR Part 50 ("emergency planning rule") which, when they become effective, will apply to all applications for new operating licenses. Indeed, these additional requirements, which the Commission has indicated it will apply on case-by-case basis to new operating license applications until the new regulations become effective, are contained in the Commission's Three Mile Island Action Plan for improving reactor licensing and regulation, and as such are part of a broad program of regulatory improvement.

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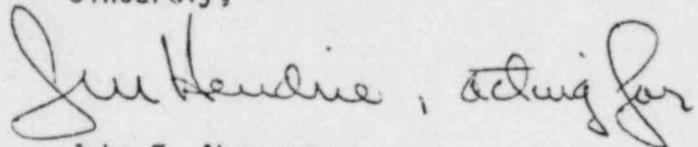
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Further, the proposed rules for State and local offsite emergency plans recently published for public comment by FEMA require a full exercise of those plans before FEMA can make a determination on their adequacy. An affirmative FEMA determination is a very important factor in allowing NRC to conclude that the overall status of emergency preparedness at and around a particular plant site is adequate.

Commissioner Hendrie notes that he would have preferred the Commission, at its July 31st meeting, to have authorized the Director of Reactor Regulation to issue the North Anna Unit 2 full power operating license as soon as the Director was satisfied with the emergency plans (presumably soon after the August 16th drill) and also to have authorized the Director to permit testing at increased power levels in the interim.

Sincerely,



John F. Ahearne