



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

COMMISSION
CORRESPONDENCE

August 14, 1980

THIS DOCUMENT CONTAINS
POOR QUALITY PAGES

Mr. Frank T. Cox
State Coordinator
Division of Disaster Emergency Services
Texas Department of Public Safety
5805 North Lamar Boulevard
Box 4087
Austin, Texas 78773

Dear Mr. Cox:

Thank you for your letter concerning the NRC rulemaking on emergency planning for nuclear facilities. The Commission appreciates your comments concerning the existing levels of State preparedness and ways in which that experience may be brought to bear on nuclear emergencies. Your letter identified a number of issues which were similar to comments from other States, and your letter has been added to the record of public comments received. The issues you raised were considered and discussed during the preparation and approval of the final NRC rulemaking on emergency planning.

I believe you will find the final NRC rules responsive to many of your concerns. The Commission has extended the implementation schedule for the final rules generally to April 1, 1981 and for the emergency planning zone (EPZ) notification system specifically to July 1, 1981. These changes were made to accommodate more fully the schedules of State and local officials and of licensees. In addition, while the Commission believes that the capability for prompt public notice must exist, it recognizes that, in some instances, State and local officials may choose to provide the early notice to the areas closest to the plant as opposed to all residents of the 10-mile EPZ. The Commission has also modified other aspects of the rules to clarify its intent. We have enclosed a copy of the text of the final rules as modified.

Again, thank you for your consideration of these matters.

Sincerely,

John F. Ahearne

Enclosure:
Final Rules

8009090639

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50 and Part 70

EMERGENCY PLANNING

AGENCY: U.S. Nuclear Regulatory Commission

ACTION: Final Rule

SUMMARY: On September 19, 1979, and on December 19, 1979, the Commission published for public comment (44 FR 54308 and 44 FR 75167) proposed amendments to its emergency planning regulations for production and utilization facilities. Extensive comments were received, all of which were evaluated and considered in developing the final rule. The comments received and the staff's evaluation is contained in NUREG-0684. In addition, the NRC conducted four Regional Workshops to solicit comments; these comments are available in NUREG/CP-0011 (April 1980).*

The final regulation contains the following elements:

1. In order to continue operations or to receive an operating license an applicant/licensee will be required to submit their emergency plans, as well as State and local governmental emergency response plans, to NRC. The NRC will then make a finding as to whether the state of onsite and offsite emergency preparedness provides reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. The NRC will base its finding

*Copies of NUREG documents are available in the Public Reading Room, 1717 H Street, NW., Washington, D.C. 20555, Attention: Public Information Office

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Entire document previously entered into system under:

ANO 8009080045

No. of pages: 56

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