

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:

Ivan W. Smith, Chairman
Dr. Walter H. Jordan
Dr. Linda W. Little



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In the Matter of)
)
METROPOLITAN EDISON COMPANY)
)
(Three Mile Island Nuclear)
Station, Unit No. 1))

Docket No. 50-289
(Restart)

February 9, 1981

MEMORANDUM AND ORDER
ON EMERGENCY PLANNING ISSUES

Some of the parties have requested clarification and a declaratory ruling on the short-term and long-term requirements for offsite emergency planning. The Commonwealth of Pennsylvania identified the nature of the clarification required at the February 3, 1981 session to discuss scheduling and expedition of the hearing:

- (a) How should the new emergency planning regulations and NUREG-0654 be applied to TMI-1?
- (b) Is full FEMA approval considered to be a restart requirement or is a "reasonable progress" standard more appropriate?
- (c) What is meant by the requirement to "Assess the relationship of State/Local plans to the Licensee plans so as to assure the capability to take emergency actions." (Short-term item 3(d), August 9, 1979 Order.)

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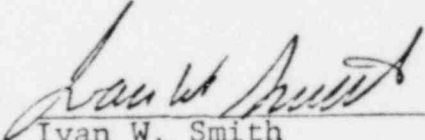
- (d) Clarify the distinction in the August 9, 1979 Order between short-term item 3(d) and long-term item 4(b) (capability for emergency actions to a distance of 10 miles around the site).

ORDER

Parties and Commonwealth agencies with an interest in emergency planning shall submit briefs stating their respective views on the above questions. The briefs should contain an outline of the status of negotiations and agreement, if any, among the Licensee, Intervenors, the Commonwealth, the NRC Staff and the Federal Emergency Management Agency. Briefs should also contain recommendations for receiving evidence on emergency planning contentions.

Briefs should be served no later than February 24, 1981.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Ivan W. Smith, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland

February 9, 1981