



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

March 2, 1990

CHAIRMAN

The Honorable John B. Breaux, Chairman  
Subcommittee on Nuclear Regulation  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

I am enclosing the Nuclear Regulatory Commission's (NRC's) 42nd quarterly status report on emergency preparedness for nuclear power plants. This report, which covers the period from October 1 to December 31, 1989, has been coordinated with the Federal Emergency Management Agency (FEMA).

Seabrook was manually shut down on June 22, 1989, during the conduct of a low-power test. Although restart was permitted once the licensee completed a review of the events associated with the shutdown and of any corrective actions with the NRC staff, so little time remained for operation at low power, as authorized by the low-power license, that restart was considered by the licensee to be impractical prior to receiving a full power operating license.

The Atomic Safety and Licensing Board and the Atomic Safety and Licensing Appeal Board issued decisions in November 1989 concerning emergency planning and license authorization for Seabrook. Under Commission regulations, the license authorization does not take effect until the Commission completes its review to determine whether to stay the effectiveness of the Licensing Board's decision. By order dated November 16, 1989, the Commission stated that it would decide all motions to stay the authorization of full-power operation of Seabrook. After reviewing these matters, the Commission, on March 1, 1990, authorized the issuance of a full power license for the Seabrook Station.

Concerning Comanche Peak, a full participation emergency preparedness exercise was conducted on July 25-26, 1989. FEMA evaluated the off-site portion of the exercise and, in a report issued on January 12, 1990, concluded that the off-site emergency plans and preparedness for Comanche Peak are adequate. Currently, there are no NRC actions delaying the schedule for issuance of a full-power license.

Sincerely,

A handwritten signature in cursive script that reads "James R. Curtiss".

James R. Curtiss  
Acting Chairman

Enclosure:  
NRC Quarterly Status Report

cc: Senator Alan K. Simpson

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PDR COMMS NRCC  
CORRESPONDENCE PDC

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ENCLOSURE

NRC QUARTERLY STATUS REPORT  
ON LICENSING SCHEDULES  
FOR THE FOURTH QUARTER OF CY 1989

Seabrook

Low Power

A 5-percent power license restricted to 0.75 effective full-power hours was issued on May 26, 1989. The plant achieved initial criticality at 5:23 p.m. on June 13, 1989. Low-power testing was in progress on June 22, 1989, when the reactor was manually shut down during the conduct of a natural circulation startup test. The licensee agreed not to restart the reactor pending a review of the events surrounding this shutdown and a discussion of any corrective actions with the Nuclear Regulatory Commission (NRC) staff. The NRC sent an augmented inspection team to the site on June 28, 1989, to evaluate the circumstances surrounding this shutdown. The team issued a report on August 17, 1989, which cited several violations. On October 25, 1989, the NRC issued a notice of violation and proposed imposition of a civil penalty of \$50,000. The licensee replied to the notice of violation on November 17, 1989, and did not contest the proposed civil penalty. A majority of the licensee's corrective actions resulting from this shutdown have been completed. The intervenors sought to reopen the hearing record based on this incident. On October 12, 1989, the Licensing Board denied that motion. The intervenors have appealed. Although this appeal is pending, it does not affect consideration to authorize a full power operating license.

Full Power

On November 16, 1989, the Commission issued an Order stating that it, rather than the Appeal Board, would consider any motions to vacate or stay the Licensing Board's decision authorizing the issuance of an operating license for Seabrook. A briefing by the parties on matters related to immediate effectiveness was completed on December 8, 1989. Among the matters pending Commission consideration in its immediate effectiveness review are the following:

° New Hampshire Radiological Emergency Response Plan (NHRERP)

The Licensing Board decision of December 30, 1988, concluded that the NHRERP was adequate. This decision was appealed by the intervenors. On November 7, 1989, the Atomic Safety and Licensing Appeal Board (ASLAB) remanded part of this decision back to the Licensing Board for further consideration. On November 20, 1989, the Licensing Board determined that the remand did not affect the prior authorization of a full-power license for Seabrook. Both intervenors and the applicant have petitioned the Commission for review of the Appeal Board decision.

◦ Seabrook Plan for the Massachusetts Communities (SPMC) and the June 1988 Full-Participation Exercise

The Licensing Board decision dated November 9, 1989, concluded that the SPMC was adequate and the full-participation exercise of June 1988 did not reveal any fundamental flaw in the emergency plans. The decision authorized, subject to Commission review, the issuance of a full-power license. The intervenors have appealed this decision.

◦ Vehicular Alert and Notification System (VANS)

The Licensing Board's decision of June 23, 1989, on the adequacy of the siren system for public notification was in favor of the applicant. Intervenors have appealed this decision.

◦ Emergency Broadcasting System (EBS)

On November 9, 1989, the intervenors filed a motion to reopen the hearing record on the sufficiency of the EBS upon withdrawal of a station in that system. On January 8, 1990 the Licensing Board rejected the motion to reopen the hearing record. This decision has been appealed.

◦ 1989 On-site Exercise

The Licensing Board's decision of December 11, 1989, rejected contentions seeking to litigate the scope of the September 27, 1989 on-site emergency planning exercise. The intervenors have appealed this decision.

◦ Advisory Committee on Reactor Safeguards (ACRS) Review of Emergency Planning

On September 8, 1989, the ACRS held a meeting on emergency planning for Seabrook. Following the meeting, the ACRS issued a letter dated September 13, 1989, to the Chairman of the NRC concluding that, subject to satisfactory resolution of certain licensing issues, there is reasonable assurance that Seabrook Nuclear Station, Unit 1, can be operated at a core power level up to 3411 MW(t) without undue risk to the health and safety of the public. The licensing issues identified by the ACRS pertained to the event (noted above) that occurred June 22, 1989, during a natural circulation test performed by the licensee, and to the installation and operation of the public alert notification system for the communities within the emergency planning zone.

Immediate Effectiveness Review

A Commission briefing was held on January 18, 1990. On March 1, 1990, the Commission authorized issuance of a full power operating license.

### Comanche Peak

The NRC staff has reviewed the Comanche Peak on-site emergency plan. The most recent full-participation exercise was conducted July 25-26, 1989. The NRC evaluated the on-site portion of the exercise and concluded that, with the exception of demonstrating accountability in the protected area after a site evacuation, the applicant's response was adequate to protect the health and safety of the public. The applicant successfully demonstrated its accountability capability in a drill on October 27, 1989. The Federal Emergency Management Agency (FEMA) evaluated the off-site portion of the July 25-26, 1989 exercise and in a report issued on January 12, 1990, concluded that the off-site emergency plans and preparedness for Comanche Peak are adequate.