



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

OFFICE OF THE
CHAIRMAN

Mr. W. G. Council
Senior Vice President
Northeast Utilities
P. O. Box 270
Hartford, Connecticut 06101

Dear Mr. Council:

I am writing in response to your February 9, 1982 letter to me requesting that the Commission reconsider your extension request for implementation of prompt notification systems at the Haddam Neck and Millstone facilities. When your initial request for exemption was denied, due consideration was given to the effort you have applied in complying with the rule and the problems you have encountered. However, from the schedules for implementation that were provided to the NRC, it appears that the degree of diligence applied was not adequate to complete the task.

The policy that NRC has followed with regard to implementation of prompt notification is that all exemption requests beyond the February 1, 1982 date (which was extended from the previous July 1, 1981 date) would be denied. However, any mitigating circumstances will be taken into account for determining enforcement action. This was based on Commission comments during the August 27, 1981 meeting and as subsequently published in the Federal Register notice of the final rule changing the deadline to February 1, 1982. A similar interpretation was made by Northeast Utilities as stated in the October 20, 1981 letter to Samuel J. Chilk:

"It is apparent from the transcript of the August 27, 1981 Commission meeting that the February 1, 1982 date was chosen by the NRC with the knowledge that not all licensees could meet even that implementation date. The Commission apparently believes that the most likely reason for a licensee being unable to meet the February 1, 1982 date is the result of inadequate diligence towards compliance with the original July 1, 1981 date. The Commission intended that the February 1, 1982 date, in conjunction with the threat of immediate enforcement action, would expedite the installation of the prompt notification systems and also would illustrate to licensees the importance of meeting NRC implementation dates."

In considering the situation at Northeast Utilities, specifically, none of the problems that you presented are particularly unique. Other utilities with similar problems were able to meet the deadline by resolving them at an early date, normally far in advance of July 1, 1981. The schedule you established for ordering, receipt, installation and testing of your equipment was comparable in overall length to that of other facilities; however, the thirteen months expended prior to this schedule was inordinate.

The Commission is aware of the local question of responsibility that was resolved by the Connecticut Public Act No. 81-409. Even considering your concern over the problem of the local responsibility question, all the design work necessary as well as the equipment bidding process should have been completed prior to July 1, 1981. It appears from your schedule for the design and bidding process that you applied less than a total effort. Had the State assumed responsibility for the system the problem of reimbursement for work completed could have been handled after the act was passed on July 1, 1981. Had you been prepared to place your equipment order on July 1, 1981, your current schedule could have been improved by up to four months and with a possible completion date prior to February 1, 1982.

Although not granting your extension request, the NRC will consider your numerous correspondence regarding prompt notification systems and the problems you have encountered in determining how much, if any, of the civil penalty should be mitigated. I note that the only other system in the U.S. which has not already been completed is projected for completion in April, four months before completion of the Northeast Utilities' systems. I urge you to accelerate your current schedule for installation and testing so that your systems will be operational before your projected schedule of August 1982.

Sincerely,

Nunzio J. Palladino
Chairman

IE Files
 IE Reading
 IRDB Reading
 WJDircks
 EKCornell
 TRehm
 KPerkins
 RMinogue
 RCDeYoung
 JSniezek
 BGrimes
 SSchwartz
 FPagano
 SRamos
 RDeFayette
 JHickman
 JLieberman
 Regional Administrators
 BMatosko
 EPeyton
 PBrandenberg (EDO-12273)
 OELD
 KByers

A-14

MAR 30 1982

MEMORANDUM FOR: Chairman Palladino
 Commissioner Gilinsky
 Commissioner Ahearne
 Commissioner Roberts

FROM: William J. Dircks
 Executive Director for Operations

SUBJECT: IMPLEMENTATION STATUS OF PROMPT NOTIFICATION SYSTEMS

This is the third monthly report on our current assessment of licensee's implementation of prompt notification systems. This data is current as of March 9, 1982.

As stated in the last report, eight licensees failed to meet the February 1, 1982 deadline for installation and initial testing of a prompt notification system. The enclosure provides the current implementation status for those licensees. Additionally, some questions have arisen as to the completeness of implementation at the Cooper facility. This is currently under investigation by Region IV.

A number of sites which have completed installation and initial testing identified deficiencies in their systems during initial testing. Such deficiencies are scheduled to be corrected by June 1, 1982.

cc - William J. Dircks
 William J. Dircks
 Executive Director for Operations

Enclosure:
 Status Report

cc w/enclosure:
 SECY
 OGC
 OPE

Dupe of

XA

822501-194

*For previous concurrences see attached ORC

IE:IRDB	IE:IRDB	IE:IRDB	IE:DIR/DEP	IE:D/DIR	IE:DIR	EDO
*JHickman:esp	*SLRamos	*KPerkins	*BGrimes	JSniezek	RCDeYoung	WJDircks
3/19/82	3/19/82	3/ /82	3/22/82	3/ /82	3/ /82	3/ /82

STATUS REPORT

Indian Point

Installation and initial testing was complete as of February 26, 1982. Some deficiencies were identified and licensee has committed to correct them within four months. No civil penalty is under consideration by IE.

Beaver Valley

Installation and initial testing was completed as of February 28, 1982. Licensee has not provided the results of the initial test. No civil penalty is under consideration by IE.

Peach Bottom

Installation and initial testing was complete as of February 26, 1982. No deficiencies were identified. No civil penalty is under consideration by IE.

Pilgrim

Installation and initial testing was completed as of February 26, 1982. Some deficiencies were identified and licensee has committed to correct them within four months. No civil penalty is under consideration by IE.

Oyster Creek

Installation and initial testing was completed as of March 5, 1982. All of the system but one siren was installed and tested as of February 26, 1982. Licensee has not provided the results of the initial test. No civil penalty is under consideration by IE.

* Millstone/Haddam Neck

Licensee is still projecting completion by August 1, 1982. Current status is as follows:

Siren pole installation:	313 of 323 installed
Siren installation:	141 of 323 installed
Siren control installation:	Scheduled to begin March 15, 1982
Siren growl tests:	40 of 323 completed

* Rancho Seco

Licensee currently projects completion by April 15, 1982. Current status is as follows:

Siren pole installation:	Complete
Siren installation:	Awaiting repair of siren motors
Siren controls:	Scheduled for March
Siren tests:	Scheduled for April 15, 1982

*Staff is awaiting completion of the systems at these three sites before determining the appropriate enforcement action.

ENCLOSURE

INR 66 Radio Release



Federal Emergency Management Agency

Washington, D.C. 20472

A-15

8 APR 1982

Mr. Chauncy Starr
Vice Chairman
Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94303

Dear Mr. Starr:

I am responding to your letter of December 21, 1981, to Mr. Giuffrida concerning the matter of the size of the source term and related action levels pertaining to potential accidents at nuclear power reactor sites. I have delayed this response because the subject requires considerable study in relation to on-going Federal planning and preparedness for this type of accident.

The Federal Emergency Management Agency (FEMA) is very concerned that the planning and preparedness around commercial nuclear power sites represent the best available, considering the balance of required resources and the extent of our knowledge about the potential hazards. Under our Memorandum of Understanding with the Nuclear Regulatory Commission (NRC), we maintain a continuing exchange of views with NRC on the impact of the actions of our agencies. FEMA considers the resolution of differing views on the relationship of the accident source terms to the degree of offsite preparedness as a matter of high priority.

This technical issue has been well documented in studies of the Electric Power Research Institute (EPRI) and those of the NRC summarized in NUREG 0771 and 0772. FEMA staff participated in an excellent workshop conducted by EPRI in January 1982. Since that time we have been reviewing on-going work by the Sandia National Laboratories, Oak Ridge National Laboratories, Battelle Columbus Laboratories and others. In all of this activity we see little evidence that until this research is completed, there will be a marked improvement in our understanding of a degraded core accident. Until that time, we will continue to use the designation of emergency planning zones (EPZs) as adopted by FEMA and NRC in the current guidance of NUREG 0654/FEMA-REP-1 Rev 1.

With respect to the 10 mile EPZ for plume exposure, the initial results of the studies noted above seem to support a possible reduction of the amount of radioiodine which could be released. We do not, however, see a direct effect on the size of the zones because they were determined on computations of fatalities and early injuries not only from radioiodine, but also included the contribution from noble gases and particulates over a wide spectrum of reactor accident scenarios and other accident related conditions. The judgment of the NRC individuals with whom we have

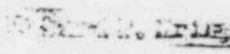
7-8-82

discussed these research studies suggests that the effects on the source term may show a decrease of from 2 to 10, but that there is insufficient justification at this time to determine the exact magnitude of any reduction.

Because of the significance of this matter to the entire world-wide community, there may be merit in some involvement with the International Atomic Energy Agency (IAEA). This might lead to an international convention or standard which might apply to all the signatory countries forming IAEA. I would be interested in your views on the possibility of exploring this matter with IAEA.

In the interim, FEMA will follow the matter with serious interest. As events progress, our policy of requiring the entire spectrum of potential disasters from natural and technological hazards as part of a balanced comprehensive approach to emergency management will guide our future actions. We will, of course, depend heavily on the technical agencies to whom we look for advice and counsel on this difficult subject.

Sincerely,


Richard W. Krimm
Assistant Associate Director
Office of Natural and Technological
Hazards Programs

cc: Mr. Nunzio J. Palladino
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



Federal Emergency Management Agency

Washington, D.C. 20472

A-1b

8 APR 1982

Mr. W. H. Owen
Senior Vice Chairman
Duke Power Company
Power Building
Charlotte, N.C. 28242

Dear Mr. Owen:

I am responding to your letter of January 15, 1982, to Mr. Giuffrida concerning the matter of the size of the source term and related action levels pertaining to potential accidents at nuclear power reactor sites. I have delayed this response because the subject requires considerable study in relation to on-going Federal planning and preparedness for this type of accident.

The Federal Emergency Management Agency (FEMA) is very concerned that the planning and preparedness around commercial nuclear power sites represent the best available, considering the balance of required resources and the extent of our knowledge about the potential hazards. Under our Memorandum of Understanding with the Nuclear Regulatory Commission (NRC), we maintain a continuing exchange of views with NRC on the impact of the actions of our agencies. FEMA considers the resolution of differing views on the relationship of the accident source terms to the degree of offsite preparedness as a matter of high priority.

This technical issue has been well documented in studies of the Electric Power Research Institute (EPRI) and those of the NRC summarized in NUREG 0771 and 0772. FEMA staff participated in an excellent workshop conducted by EPRI in January 1982. Since that time we have been reviewing on-going work by the Sandia National Laboratories, Oak Ridge National Laboratories, Battelle Columbus Laboratories and others. In all of this activity we see little evidence that until this research is completed, there will be a marked improvement in our understanding of a degraded core accident. Until that time, we will continue to use the designation of emergency planning zones (EPZs) as adopted by FEMA and NRC in the current guidance of NUREG 0654/FEMA-REP-1 Rev 1.

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discussed these research studies suggests that the effects on the source term may show a decrease of from 2 to 10, but that there is insufficient justification at this time to determine the exact magnitude of any reduction.

Because of the significance of this matter to the entire world-wide community, there may be merit in some involvement with the International Atomic Energy Agency (IAEA). This might lead to an international convention or standard which might apply to all the signatory countries forming IAEA. I would be interested in your views on the possibility of exploring this matter with IAEA.

In the interim, FEMA will follow the matter with serious interest. As events progress, our policy of requiring the entire spectrum of potential disasters from natural and technological hazards as part of a balanced comprehensive approach to emergency management will guide our future actions. We will, of course, depend heavily on the technical agencies to whom we look for advice and counsel on this difficult subject.

Sincerely,

~~Richard W. Krimm~~

Richard W. Krimm
Assistant Associate Director
Office of Natural and Technological
Hazards Programs

cc: Mr. Nunzio J. Palladino
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

April 13, 1982

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-82-195
Rec'd 4-16-82

Mr. J.M. Felton
Director
Division of Rules and Records
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: Freedom of Information Act Request

Dear Mr. Felton:

Pursuant to the Freedom of Information Act (5 U.S.C. §552) and NRC Regulations (10 C.F.R. Part 9), Debevoise & Liberman requests copies of all documents prepared by the NRC, its Staff and consultants relative to the following:

1. the basis for the Commission's decision to extend from July 1, 1981 to February 1, 1982 the deadline by which licensees were required to implement prompt public notification systems pursuant to 10 C.F.R. Part 50, Appendix E;
2. all analyses and evaluations (including Staff dissents and negative viewpoints) of the basis for the Commission's decision referenced in paragraph one, above, whether prepared before or after that decision;
3. the basis for the Commission's decision to require the installation of a prompt public notification system in the area between five and ten miles from a power reactor site pursuant to 10 C.F.R. Part 50, Appendix E; and

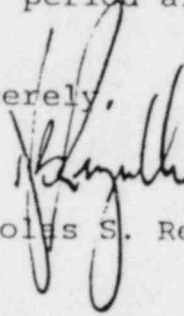
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4. all evaluations and analyses (including Staff dissents and negative viewpoints) of the basis for the Commission's decision referenced in paragraph three, above, whether prepared before or after that decision.

We would appreciate your prompt response to this request within the 10 working day period afforded by 10 C.F.R. Part 9.

Sincerely,



Nicholas S. Reynolds

NSR/dfn