

November 12, 1982

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Washington, D.C. 20555

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In the Matter of
Texas Utilities Generating Company, et al.
(Comanche Peak Steam Electric Station, Units 1 and 2)
Docket Nos. 50-445 and 50-446

Dear Administrative Judges:

On October 27, 1982, the Staff transmitted to the Board and parties copies of a FEMA memorandum containing the FEMA "Interim Finding on Comanche Peak Steam Electric Station Off-site Emergency Preparedness," and attachments. FEMA concluded in its Interim Finding that there is "reasonable assurance at this time that the off-site protection of the public's health and safety is adequate." The attachments to that memorandum consist of various comments on the State and local emergency preparedness plans for Comanche Peak, as initially submitted.

The attachments to FEMA's Interim Finding are not clearly identified by date or originator. The Staff has undertaken to identify the date and originator of the attachments and provides that clarification for the information of the Board and parties.

The first two attachments are comments by Argonne National Laboratories, under contract to FEMA, on the Hood and Somervell County Plans. These comments were submitted to the FEMA Radiological Assistance Committee (RAC) on July 21, 1982. The third attachment is a brief summary of comments by the members of the RAC on the State and local plans. This summary was prepared in early August 1982. The comments of FEMA Region VI on the State and local plans, prepared in July 1982, are set forth in the final attachments.

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Each attached document was prepared in the first stage of the formal review process and thus predates the testimony presented by FEMA during the Comanche Peak hearings in September 1982. Thus, these documents appear to represent the status of the FEMA review at its earlier stage, and not necessarily the status of the FEMA review now or even at the time the FEMA testimony was presented.

Further, the record indicates that the conclusions reached by the FEMA witnesses, (Messrs. Benton and Lookabaugh) at the Comanche Peak hearings were premised, in part, on information received and reviewed after the comments discussed above were made. See, e.g., Tr. 5709-5711; 5716-5717. Accordingly, their testimony remains the latest specific determination by FEMA regarding the contested matters raised in the Comanche Peak proceeding with respect to emergency planning.

As the Staff stated in the "NRC Staff Response to Memorandum and Order of September 22, 1982," October 11, 1982, it is the Staff's position that the record on Contention 22 is complete and may be closed. Response, at 26. The Board has the full views of FEMA on the admitted contention as set forth in the testimony of Messrs. Lookabaugh and Benton. The FEMA Interim Finding simply confirms the evidence offered in the hearing by those witnesses. Id.

Sincerely,

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