

November 18, 1982

James P. Gleason, Esq., Chairman
Administrative Judge
513 Gilmore Drive
Silver Spring, MD 20901

Dr. Oscar H. Paris
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Mr. Frederick J. Shon
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

In the Matter of
Consolidated Edison Company of New York
(Indian Point, Unit 2)
Power Authority of the State of New York
(Indian Point, Unit 3)
Docket Nos. 50-247-SP & 50-286-SP

Dear Administrative Judges:

Enclosed is a copy of a letter dated November 17, 1982 from William J. Dircks, Executive Director for Operations, Nuclear Regulatory Commission, to Lee H. Thomas, Acting Deputy Director, FEMA, requesting information concerning the state of emergency preparedness at the Indian Point Nuclear Power Station. This letter is provided for the information of the Licensing Board and parties.

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Sincerely,

Donald F. Hassell
Counsel for NRC Staff

DS07

Enclosure: As stated

cc: w/enclosure
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

NOV 17 1982

Mr. Lee H. Thomas
Acting Deputy Director
Federal Emergency Management Agency
500 C Street, S. W.
Washington, D. C. 20472

Dear Mr. Thomas:

The purpose of this letter is to request information from FEMA which is needed for the Commission's consideration in determining whether enforcement action is warranted at the Indian Point Nuclear Power Station relative to the state of emergency preparedness.

Your letter to me of August 2, 1982, concerning FEMA's interim findings report on the adequacy of radiological emergency response preparedness of State and local governments around the Indian Point Nuclear Power Station, stated in part that, "...It is the determination of FEMA that at this time plans and preparedness are inadequate...". Pursuant to 10 CFR 50.54(s)(3) and 50.54(s)(2)(ii), NRC: (1) reviewed FEMA's findings and determinations; (2) found that as a result of FEMA's identification of significant deficiencies in five planning standards that the state of emergency preparedness around the Indian Point Nuclear Power Station did not provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency; and (3) notified the reactor licensees on August 3, 1982 that should the significant deficiencies identified by FEMA not be corrected within 120 days, the NRC would determine whether the reactors should be shut down until such deficiencies were remedied or whether other enforcement action was appropriate.

The Commission's determination of whether enforcement action is to be taken is based on whether or not the aforementioned deficiencies are corrected by December 3, 1982. The determination of what enforcement action is appropriate if these deficiencies are not corrected is based on the significance of the remaining deficiencies and the adequacy of interim compensating actions for those deficiencies.

In accordance with the FEMA/NRC Memorandum of Understanding and our discussions on this matter, I understand that you will inform NRC as soon as possible after December 3, 1982 whether the significant deficiencies in the five planning standards described in the enclosure to your August 2, 1982 letter to me have been corrected.

Mr. Lee H. Thomas

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In any case where a significant deficiency with respect to a planning standard is still determined to exist, or where FEMA is unable to make a determination, please specify the specific actions or events which must occur before FEMA can determine whether the deficiencies have been removed and the date by which you expect such actions or events to occur. This should include any areas in which training has not yet been completed with respect to the previously identified significant deficiencies, the schedule for completion of any such training, and any final verification measures which you believe FEMA should undertake, including the latest date by which the joint licensee/State/local exercise should be performed.

We appreciate your close cooperation in this matter.

Sincerely,

(Signed) William J. Dircks

William J. Dircks
Executive Director for Operations

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*See previous concurrence
 *DD/DEP:IE *D/DEP:IE
 SSchwartz;ash BGrimes
 11/15/82 11/15/82

<i>[Signature]</i> J. Sniezek	<i>[Signature]</i> R. DeYoung	EDO WJDircks
11/16/82	11/16/82	11/ /82