

Feb. 4, 1994

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Chairman Selin,

The "responsiveness" "rap" holds, but let me clarify it. You do not have to respond to me personally, this isn't an ego thing, but as Chairman of the NRC you do have to respond to my issues. The fact the Pilgrim EPZ at this moment has no reception center to the North is a very serious and valid issue. It is clearly a violation of 10 CFR 50:47 B 8. It is, I assume, part of your oath of office to uphold the pertinent regulations. Public Health and Safety are being threatened at this moment. If there is an accident at Pilgrim or Seabrook, portions of the public are without the mandated reception center,

In your note you state there was a full review and hearing of my complaint (2.206 Petition) Dr. Thomas Murley and I determined that was not the case. The decision seemingly overlooked two years of work performed by Jim Partlow. The Director has agreed to reopen three major issues; the Wellesley Reception Center, the lack of compartment with NUREG 0654 A.3., and the utilities inability to develop an accurate and timely PAR. Indeed you played an active part in enveloping the latter two issues that the Director's decision overlooked.

I agree, my original access to the former Chairman and Commission was unprecedented, I understand that I was the first member of the public to have a private appointment with the Chairman of the NRC. Again, this is not a personal thing. The issues I brought to Chairman Carr were valid. My desire to improve emergency planning was recognized and my willingness to learn and work through the system was appreciated. And my persistence paid off. I still attempt to work through the system, but, it has become increasingly difficult.

I am quite proud of the fact that I set precedence in allowing "mere" members of the public access to the Commission. After all it is the Public's Health and Safety you are mandated to protect. I know that my knowledge in the field of emergency preparedness, in particular, Pilgrim's emergency preparedness, lends me the confidence, to present accurate and timely information to the Commission. I assume other member of the public are equally knowledgeable in their fields.

The response Ron Eaton prepared for you was not responsive to the statement I made to you on Jan. 18, 1994. I will enclose the statement, again, for your consideration and remedy. Perhaps you could explain to Mr. Eaton that I am not looking for a status report of the transition of

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reception centers I am looking for a reception center existing today. I do have a simple remedy, that actually I am very surprised the Commission did not take. I will be glad to discuss it with you.

Sincerely,

Jane Fleming



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 28, 1994

Ms. Jane A. Fleming
8 Oceanwood Drive
Duxbury, Massachusetts 02332

Dear Ms. Fleming:

I am responding to your letter dated January 18, 1994. The Federal Emergency Management Agency (FEMA) and Massachusetts Emergency Management Agency (MEMA) are the responsible agencies in the area of offsite emergency preparedness. They are both aware of the status of the reception centers that service the emergency preparedness zones (EPZ) for Pilgrim Nuclear Power Station (PNPS). Both agencies are following the orderly, managed transition from the Wellesley reception center to a new reception center at South Weymouth Naval Air Station in South Weymouth, Massachusetts, and find the process and progress acceptable. I am enclosing a copy of the most recent monthly status report on the progress of establishing the new center. This report and the four previous reports are in the local public document room at the Plymouth Public Library.

The U.S. Nuclear Regulatory Commission (NRC) does not agree with your assessment that PNPS and Seabrook Station are in violation of 10 CFR 50.47(b)(8). Also, as you are aware, NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," is not a compliance document but a guidance document for the NRC and FEMA to use to aid in evaluating emergency plans and preparedness of nuclear power plants and site environs. *Why?*

A copy of your letter and my response is being provided to FEMA and MEMA.

Sincerely,

Ronald B. Eaton, Senior Project Manager
Project Directorate I-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:
Monthly Status Report

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