

AUG 4 1983

The Honorable Alan K. Simpson, Chairman
Subcommittee on Nuclear Regulation
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The joint quarterly status report on emergency preparedness for nuclear power plants is enclosed. The report, our sixteenth, covers the period from April 1 to June 30, 1983, and is responsive to the questions originally posed in your letter of June 8, 1981.

The report briefly describes the action taken by our agencies to upgrade emergency preparedness at and around nuclear power plant sites. The report includes the latest schedules which our two agencies have discussed and a synopsis of the related actions which are involved. Our staffs will continue to work together to resolve any problems involving schedules.

The information shown in Part I, Table I indicates, with the continuing exception of the Shoreham case, no potential delay in licensing proceedings due to offsite emergency preparedness issues. Two other cases - Catawba and Seabrook - are being closely followed to determine if the potential exists for delays to occur in the future due to offsite emergency preparedness issues.

Regarding Shoreham, the Commission affirmed on May 12, 1983 a previous ruling by the original Atomic Safety and Licensing Board (a new Board was established to preside over all emergency planning issues for Shoreham on May 11, 1983) that Suffolk County's refusal to prepare or implement an offsite emergency response plan does not preclude issuance of a license. The Commission agreed that in the absence of a State or local plan, the Long Island Lighting Company (LILCO) should be given an opportunity to show that adequate compensatory actions will be taken by the utility. Accordingly, the Commission directed the new ASLB to proceed with hearings as outlined in the original ASLB opinion.

LILCO submitted interim offsite plans for Shoreham on May 26, 1983. FEMA was requested by the NRC to provide findings and determinations as to whether the LILCO Transition Plan is adequate and capable of implementation. FEMA reported on June 23, 1983, that the plan has 34 inadequacies in terms of the criteria of NUREG-0654/FEMA-REP-1. FEMA also identified two preconditions concerning LILCO's legal authority to implement an offsite plan and the conduct of a full-scale exercise that need to be met for a FEMA finding as to whether the plan is capable of being implemented and whether LILCO has the ability to implement the plan.

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On June 30, 1983, the Commission ruled on the question from the ASLB relating to the issuance of a low-power license for Shoreham. The Commission found that uncertainties about whether emergency preparedness requirements will be met does not bar the granting of a license for low-power operations and noted that full-power issues, like offsite emergency planning, are best reserved for the full-power authorization decision.

The Shoreham ASLB plans to schedule a pre-hearing conference in July 1983 to rule on contentions and establish a hearing schedule. Until that time, the ASLB Panel has stated that a projected decision date cannot be accurately estimated.

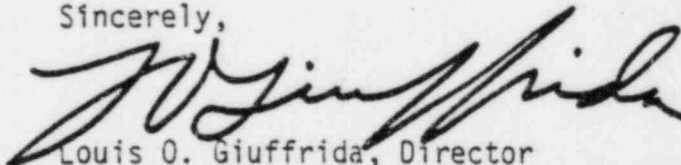
In the Catawba case, the ASLB has indicated that the recently announced five-month acceleration in the construction completion date cannot be fully accommodated through a revision of the hearing schedule at this late stage in the proceedings. Accordingly, the projected ASLB decision date may be for low-power operation only with emergency preparedness issues to be completed later. The potential for the hearing on emergency preparedness issues to impact plant operation will be assessed after the associated State and local emergency plans are made available to all parties and emergency planning contentions have been admitted.

Other revisions have occurred in the operating license review schedule dates since our last report to Congress but none of these revisions are projected to result in any delays in the licensing process.

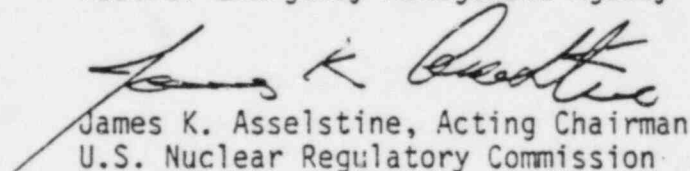
In view of your interest in emergency planning at the Indian Point plant we wish to keep you apprised of the current situation. Based on information submitted by the concerned parties as well as information provided by the Federal Emergency Management Agency, the Commission concluded in an order dated June 10, 1983 that adequate interim compensatory actions have been taken or will be taken promptly regarding the two identified major deficiencies - the availability of buses and drivers for evacuations in Westchester County and the non-participation of Rockland County in the planning process - and therefore the Indian Point plant should not be shut down at this time.

Please notify us if you desire additional information.

Sincerely,



Louis O. Giuffrida, Director
Federal Emergency Management Agency



James K. Asselstine, Acting Chairman
U.S. Nuclear Regulatory Commission

Enclosure: Joint Quarterly Status Report

cc: The Honorable Gary Hart