

UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION

In the Matter of)	
CAROLINA POWER AND LIGHT COMPANY)	Docket Nos. 50-325/324
(Brunswick Steam Electric Plant)	
Units 1 and 2))	

EXEMPTION

I.

The Carolina Power & Light Company (the licensee) is the holder of Facility Operating License Nos. DPR-62 and DPR-71 (the licenses) which authorize the operation of the Brunswick Steam Electric Plant, Units 1 and 2, respectively (the facilities) at a steady-state power level not in excess of 2436 megawatts thermal. The facilities consist of two boiling water reactors (BWRs) located in Brunswick County, North Carolina. These licenses provide among other things, that they are subject to all rules, regulations and Orders of the Commission now or hereafter in effect.

II.

Section 50.54(q) of 10 CFR Part 50 requires a licensee authorized to operate a nuclear power reactor to follow and maintain in effect emergency plans which meet the standards of 50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV.F.1.a of Appendix E requires each licensee

to hold emergency preparedness exercises at a frequency which will enable each State and local government within the plume exposure pathway EPZ to participate in at least one full-scale exercise per year.

By letter dated February 21, 1984, the licensee requested an exemption from the requirements of 10 CFR 50, Appendix E, Section IV.F.1.a as it applies to the participation of State and local government agencies in the forthcoming May 8, 1984 emergency preparedness exercise to be held at the Brunswick Steam Electric Plant. The licensee bases this request for exemption on correspondence from the State of North Carolina Department of Crime Control and Public Safety, acting on behalf of State and local government agencies within the plume exposure pathway EPZ, referencing the exemption option of FEMA 44 CFR 350.9, and on previous successful participation by State and local government agencies in exercises in August 1981 and May 1983. Based on participation in the 1983 exercise, the licensee contends that the experience gained by the State and local government agencies during the exercise is sufficient basis for relief from the annual exercise frequency requirement.

The NRC staff has reviewed the results of FEMA findings of past exercises which indicate the performance of State and local government agencies to be satisfactory. Based on this review and a review of past NRC inspection and appraisal results, the staff has determined that the agencies demonstrated a capability to respond effectively to nuclear power station emergency conditions. The staff has also discussed the licensee's request with FEMA Headquarters. FEMA indicates that the State and local government

agencies involved in the Brunswick emergency plan are qualified under the provisions of 44 CFR 350.9(c) and they need not participate in a full-scale exercise in 1984. From the above evaluation, the staff concludes that an exemption pursuant to the requirements of 10 CFR 50, Appendix E, Section IV.F.1.a, is justified, provided that as agreed in the February 21, 1984 letter, the State and local government agencies provide such minimal support as may be essential to the conduct of the May 8, 1984 emergency preparedness exercise.

Based on our evaluation, the staff has concluded that non-participation by state and local government agencies in the May 8, 1984 emergency preparedness exercise at the Brunswick Steam Electric Plant will not adversely affect the overall state of emergency preparedness at the Brunswick site and that the requested exemption from the requirements of 10 CFR 50, Appendix E, Section IV.F.1.a should be granted.

III.

Accordingly, the Commission has determined that pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, the Commission hereby approves the following exemption request.

Exemption is granted from the requirement of 10 CFR 50, Appendix E, Section IV.F.1.a, that State and local government agencies fully

participate in the emergency preparedness exercise scheduled to be held at Brunswick Steam Electric Plant, Units 1 and 2 during May 1984.

The Commission has determined that the granting of this exemption will not result in any significant environmental impact and that, pursuant to 10 CFR 51.5(d)(4), an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

FOR THE NUCLEAR REGULATORY COMMISSION



Darrell G. Eisenhower, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland
this 17th day of May, 1984