



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

June 19, 1984

MEMORANDUM FOR: Chairman Palladino

FROM: William J. Dircks
Executive Director for Operations

SUBJECT: MONTHLY STATUS REPORT ON EMERGENCY PREPAREDNESS

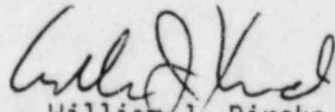
Enclosed is the monthly report on the status of offsite emergency preparedness for operating license reviews for May 1984. Although there have been numerous changes in the FEMA finding dates since the last report, none of the changes have resulted in a projected delay in licensing due to offsite emergency planning issues. Three cases, Limerick, Shoreham and Diablo Canyon are being closely followed.

On May 8, 1984, FEMA furnished interim findings on Limerick's offsite emergency response plans. Based on deficiencies in these plans identified by FEMA Region III, FEMA found that, at this point in the planning process, the local offsite emergency response plans are inadequate. FEMA's findings have been forwarded to the Pennsylvania Emergency Management Agency for its use in upgrading the offsite plans. FEMA will update the findings when revised plans have been submitted and reviewed by FEMA Region III and Headquarters. The hearing on offsite planning contentions is expected to begin after the full participation emergency preparedness exercise currently scheduled for July 25, 1984. The hearing on environmental consequences of severe accidents is scheduled to be held during May-June 1984. The ASLBP advises that a decision by the Licensing Board on all issues (other than emergency planning) is expected by November 1984. The overall schedule results in a licensing impact of two months (due to issues other than emergency planning) based on the applicant's September 15, 1984 completion date. The possibility of a licensing impact resulting from the hearing on emergency planning issues will be reassessed as the schedule for such hearing becomes more definite.

The Commission Decision and Start of Hearing dates shown in Table 1 of the enclosed report are consistent with the NRR monthly licensing report for May.

The staff is currently considering the potential impact of the Court of Appeals decision in Union of Concerned Scientists vs. NRC, No. 82-2053 (D.C. Cir., May 25, 1984). The results of their analysis will be included in the next joint quarterly status report.

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William J. Dircks
Executive Director for Operations

Enclosure: Status of Offsite
Emergency Preparedness

cc: See Attached

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Chairman Palladino

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Memo & Table 1 revised in EDO - see previous ORC (COM632)

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DPerrotti:dh	FKantor	DBMatthews	SASchwartz	ELJordan	JMTaylor	RCDeYoung	WJDircks
6/7/84	6/7/84	6/8/84	6/8/84	6/8/84	6/8/84	6/11/84	6/19/84

wpd

May 31, 1984

TABLE 1

STATUS OF OFFSITE EMERGENCY PREPAREDNESS
OPERATING LICENSE REVIEWS

FACILITY	ESTIMATED FEMA FINDING ¹	FEMA FINDING NEEDED ²	OFFSITE EP POTENTIAL DELAY ³ (MONTHS)	START OF HEARING ⁴	COMMISSION DECISION ⁵
Diablo Canyon 1	(06/15/84) ^{12*}	(06/15/84)*	0 ¹²	C	07/84*
Grand Gulf	C	C	0	None	07/84*
Byron 1	C	C	0	C	09/84 ¹⁰
Callaway 1	C	C	0	C	06/84*
Watts Bar 1	06/15/84 ^{8*}	06/15/84*	0	None	07/84*
Waterford 3	C ^{14*}	C*	0	C	06/84
Palo Verde 1	07/15/84	07/15/84*	0	C	03/85
Catawba 1	(06/15/84)*	(06/15/84)*	0	C ^{7*}	06/84
Shoreham 1	C	C	0 ⁶	C ⁶	08/84 ^{6*}
Fermi 2	C*	C*	0	C	09/84
Comanche Peak 1	C	C	0	C	04/85
Wolf Creek 1	(08/01/84)	(08/01/84)	0	C	10/84*
Seabrook 1	08/15/84	08/15/84	0	-9*	12/85*
Perry 1	C	C	0	-13	12/85*
Limerick 1	C*	C*	0 ¹¹	C ¹¹	11/84*
River Bend 1	08/01/84*	08/01/84*	0	10/84	04/85
Braidwood 1	06/15/84	06/15/84	0	10/84	08/85
Harris 1	09/01/84	09/01/84	0	09/84	06/85*
Millstone 3	08/01/85	08/01/85	0	None	11/85
Clinton 1	06/01/85	06/01/85	0	07/85	01/86*
Hope Creek*	02/01/85	02/01/85	0	07/85	01/86
Nine Mile 2	01/01/85	01/01/85	0	None	02/86
Beaver Valley 2*	03/01/86	03/01/86	0	None	06/86
Midland 2	(03/01/85)	(03/01/85)	0	C	07/86
South Texas	01/01/86	01/01/86	0	06/86	12/86
Vogtle*	05/01/86	05/01/86	0	Not Scheduled	09/86

TOTAL POTENTIAL OFFSITE
EMERGENCY PLANNING DELAY

0^{6,11,12}

*Change from previous report.

¹The FEMA Findings provided on the estimated dates indicated are generally based on a determination of the adequacy of plans. FEMA's Findings on offsite preparedness are not required for issuance of a license authorizing fuel loading and operation up to 5% of rated power. Licenses will be appropriately conditioned in those cases where FEMA has not approved the offsite preparedness for a particular site. Dates in parenthesis are for supplemental information to FEMA Findings previously provided.

²For planning purposes, generally 5 months prior to a hearing or in cases without a hearing, 3 months prior to the Commission Decision date for full-power. For cases scheduled in the near term with hearings which are heavily contested on offsite emergency preparedness issues, the FEMA Finding Needed date is most likely the date testimony is required. Testimony dates are developed in consultation with the ASLB Panel based on Board hearing schedules and the status of offsite plans. In addition to testimony for these cases, complete FEMA Findings will be required at least 3 months prior to the Commission Decision date for full-power. (Dates in parenthesis are for supplemental FEMA Findings.)

³The delay is generally determined as the difference between FEMA Finding Needed and Estimated FEMA Finding and is in addition to any delays estimated in the report to the House Appropriations Subcommittee on Energy and Water Development.

⁴"C" indicates that a hearing has started. When emergency preparedness issues have been separately scheduled for a date significantly different than that for the start of the hearing, specific dates and footnotes, as appropriate, will be added.

⁵Dates are consistent with those reported to the House Appropriations Subcommittee on Energy and Water Development and in the NRR Monthly Licensing Report. The Commission Decision dates shown for Grand Gulf and Diablo Canyon are for full-power licenses. For the other plants, the Commission Decision dates reflect the projected need date for NRC authorization of fuel loading and low-power operations. Operating licenses restricted to 5% power may be issued by the NRC staff without additional Commission consideration subsequent to a favorable Board decision.

⁶On February 22, 1984, the Shoreham ASLB admitted three new contentions regarding the adequacy of the emergency diesel generators (EDGs). The contentions allege that the EDGs are undersized and overrated, improperly designed and improperly manufactured. The Board did not set a date for the start of the litigation, but from the discovery schedule and based on the staff's estimate of June 1984 for completion of its review, it appears that litigation would not start until July 1984 and would likely be extensive. On March 20, 1984, the applicant filed a supplemental motion for a low-power operating license. A separate ASLB has been established to hear that motion. In response to Commission Order CLI-84-8, the applicant filed a new request

*Change from previous report.

for an exemption from GDC-17 on May 22, 1984. By the terms of Order dated May 16, 1984, a hearing on the low-power license motion and the exemption request cannot start until July 16, 1984. Such a hearing is expected to last about 3 weeks, so that a decision from the ASLB would not be expected until August 1984. The Commission further ordered that no license can be issued until it has reviewed the ASLB decision of this issue.

Based on the applicant's indication that the plant, except for the TDI diesels, is physically ready to load fuel at this time, an August decision on the exemption request and motion for a low-power operating license would represent a 5 month licensing delay for low-power authorization. Further licensing delays in full-power authorization are possible due to the outstanding contentions on offsite emergency planning and emergency diesel generators.

Regarding the offsite emergency planning issue, the local county authorities have decided not to participate further in offsite emergency planning and the State will not impose an independently developed plan upon the local authorities. LILCO has submitted its own offsite emergency preparedness plan to demonstrate that emergency response can be handled without county or State support. On March 15, 1984, FEMA forwarded its findings and determinations on Revision 3 of the LILCO Transition Plan for Shoreham. FEMA again raised the issue of LILCO's legal authority to implement the plan and identified those aspects of the plan where this legal issue may be involved. The FEMA review resulted in the identification of 32 inadequacies in the Transition Plan based on the standards and guidance criteria of NUREG-0654/FEMA-REP-1, Revision 1. The NRC has forwarded FEMA's evaluation of the Transition Plan to LILCO and requested that LILCO evaluate and respond to the inadequacies and legal concerns identified by FEMA.

The hearings on offsite emergency planning issues, which are being conducted by a separate Board, are proceeding on schedule. The current estimate for an initial decision on these issues is November 1984. The possibility of a licensing impact resulting from the emergency planning issues will be reassessed as the schedule for the hearing on issues other than emergency planning becomes more definite.

⁷The Catawba emergency planning hearing was completed on June 8, 1984. The hearing on the remaining (other than emergency planning) issues is scheduled to start on August 6, 1984, with the result that this could cause a delay in low-power authorization. The applicant's schedule for fuel load is June 16, 1984. A Licensing Board decision on emergency planning is expected by September 1984, in time to avoid delay in full-power authorization. *

*Change from previous report.

⁸FEMA has advised the NRC that FEMA Findings would be provided by June 15, 1984, with an exercise report to be provided sometime after the full-scale exercise which is presently scheduled for September 12, 1984. If the present construction completion date is met, Watts Bar could proceed to full power following successful completion of the exercise. A FEMA Finding date of June 15, 1984, would be adequate to meet the applicant's full-power requirements with no adverse impact on the licensing schedule. *

⁹For Seabrook, FEMA has advised the staff that it expects the offsite emergency plans to be submitted to FEMA in October 1984 and interim findings to be furnished to the NRC in December 1984. It is not known at this time what impact, if any, the change in fuel load (from September 1984 to December 1985) and the suspension of construction (from April 18, 1984 to June 1, 1984) will have on the licensing schedule. The ASLBP has advised that it is inappropriate, at this time, to speculate on the start of the hearing on emergency planning. The possibility of a licensing impact resulting from the hearing on emergency planning issues will be reassessed as the schedule for such hearing becomes more definite. *

¹⁰The offsite emergency preparedness issues in Byron were resolved by settlement among the parties. Under the terms of the settlement, the applicant has agreed to take all necessary corrective actions, based on FEMA's findings. If the intervenors are not satisfied with the applicant's compliance effort, they may request further hearings. By order dated August 22, 1983, the Commission authorized the Byron Board to retain jurisdiction beyond issuance of its Initial Decision in order to resolve any emergency planning issues that may resurface.

¹¹For Limerick, the hearing on onsite emergency planning issues was completed on April 25, 1984. On April 20, 1984, the Licensing Board admitted twelve contentions related to offsite emergency planning. The hearing on offsite emergency planning contentions is expected to begin after the full participation emergency preparedness exercise currently scheduled for July 25, 1984. FEMA's finding on preparedness will be made following the exercise. On May 8, 1984, FEMA furnished interim findings on Limerick's offsite emergency response plans. Based on deficiencies in these plans identified by FEMA Region III, FEMA found that, at this point in the planning process, the local offsite emergency response plans are inadequate. FEMA's findings have been forwarded to the Pennsylvania Emergency Management Agency for its use in upgrading the offsite plans. FEMA will update the findings when revised plans have been submitted and reviewed by FEMA. The hearing on environmental consequences of severe accidents is scheduled to be held during May-June 1984. A decision by the Licensing Board on all issues (other than emergency planning) is expected by November 1984. *

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The overall schedule results in a licensing impact of 2 months (due to issues other than emergency planning) based on the applicant's September 15, 1984 completion date. The possibility of a licensing impact resulting from the hearing on emergency planning issues will be reassessed as the schedule for such hearing becomes more definite.

¹²On April 13, 1984, the Commission approved authorization of low-power operation for Diablo Canyon effective April 19, 1984. FEMA is preparing a supplemental finding to address one outstanding ASLB requirement related to offsite preparedness that must be resolved prior to authorizing operations above 5% of rated power. The Appeal Board is reviewing the ASLB requirement regarding completion of FEMA's "formal" 44 CFR 350 finding on the State plan. If this requirement is sustained it could impact the full-power licensing schedule.

¹³On February 22, 1984, the utility announced a change in the Perry construction completion date from December 1984 to late 1985. On February 28, 1984, the ASLB granted the intervenor's motion to reopen discovery on emergency planning issues. The start of the hearing on emergency planning issues will be reassessed as the schedule for such hearings becomes more definite.

¹⁴On May 11, 1984, FEMA forwarded its supplemental finding for Waterford on the * four outstanding ASLB conditions related to offsite preparedness that must be resolved prior to authorizing operations above 5% of rated power. FEMA reported that three of the four issues have been resolved. The remaining issue, related to letters of agreement for vehicles and drivers, will be resolved when the agreement letters have been received in FEMA's regional office. The applicant is in the final stages of resolving this issue.

*Change from previous report.

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Executive Director for Operations

Enclosure:
Status of Offsite Emergency Preparedness

cc: See Attached

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