

Omaha Public Power District
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402/636-2000

December 8, 1995
LIC-95-0226

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Mail Station P1-137
Washington, D.C. 20555

- References:
1. Docket No. 50-285
 2. Letter from OPPD (T. L. Patterson) to NRC (Document Control Desk) dated August 11, 1995 (LIC-95-0153)
 3. Letter from NRC (R. A. Scarano) to OPPD (T. L. Patterson) dated August 29, 1995
 4. Letter from OPPD (T. L. Patterson) to NRC (Document Control Desk) dated September 5, 1995 (LIC-95-0169)

SUBJECT: Exemption Request from 10 CFR Part 50, Appendix E, Requirements for Completing a Biennial Full Participation Exercise

The Omaha Public Power District (OPPD) is seeking an exemption from the 10 CFR Part 50, Appendix E, Section F.2.c requirements for completing another biennial exercise with full participation, due to the offsite observation being canceled by the Federal Emergency Management Agency (FEMA). Justification for this exemption from conducting another biennial full participation exercise is based on the facts that both the states and local agencies have participated in various training sessions, drills and exercises throughout 1995, including the full-scale exercise conducted on October 3, 1995, and that FEMA performed partial off-exercise evaluations.

The State of Nebraska, the State of Iowa, OPPD and all local and volunteer agencies were fully prepared to conduct a full-scale biennial emergency exercise for the Fort Calhoun Station (FCS) on Tuesday, November 14, 1995. However, FEMA canceled their participation, which resulted in the last complete FEMA observed biennial exercise being conducted on June 29-30, 1993. FEMA did, however, complete off-exercise evaluations of the Iowa reception and care facilities, the emergency worker decontamination facility, the evacuee receiving hospital, the local nursing home facility and the school districts during the period of November 12-13, 1995. FEMA also conducted off-exercise evaluations of Nebraska reception and care facilities and emergency worker decontamination facility on December 5, 1995.

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Exercise objectives were submitted in Reference 2 and approved by both the NRC (onsite objectives) and FEMA (offsite objectives) in preparation for OPPD's November 14, 1995 exercise. The exercise scenario was submitted in Reference 4.

Several weeks prior to the November 1995 exercise, FEMA representatives notified both states and OPPD that FEMA was uncertain of how the ongoing impasse concerning the 1996 Federal Budget approval in Congress would affect FEMA's abilities to support the scheduled exercise. The 1996 Federal Budget approval extension was scheduled to terminate at 2400 hours on November 13, 1995.

On November 8, 1995, the Assistant Director of the Nebraska State Civil Defense Agency discussed with the Regional Administrator of FEMA, Region VII, whether or not FEMA considered the evaluation of the exercise "essential." FEMA was requested to make this determination quickly in order to provide sufficient time to cancel and reschedule participants and facilities. Similar discussions were also being held between the State of Iowa representatives and FEMA, Region VII.

On November 9, 1995, the Regional Administrator of FEMA, Region VII, contacted the State of Nebraska to inform them that FEMA Headquarters would not approve the exercise as "essential." However, FEMA deferred any final decision making associated with this exercise to early morning November 13, 1995. The State of Nebraska reluctantly agreed to that schedule indicating that an early morning decision would provide the minimum amount of time necessary to cancel exercise participants and facilities, without extensive costs to the state and/or OPPD.

At approximately 0930 hours on November 13, 1995, the Radiological Assistance Committee Chairman for FEMA, Region VII, contacted both states and OPPD to announce that FEMA had withdrawn from the exercise. Based on this decision, both states canceled any further exercise participation with the exception of providing support, upon OPPD's request, at OPPD's Emergency Operations Facility (EOF). The cancellation included all offsite facilities, state and local employees, military support personnel, volunteers and associated logistics (e.g., food and equipment). Although requested by OPPD, FEMA did not support the evaluation of state activities at the EOF.

At approximately 1430 hours on November 13, 1995, FEMA notified both states and the licensee that they could support the exercise activities. Based on the facts that the majority of the offsite exercise participants had already been canceled (including lodging, transportation, logistics, etc.) and that the State of Nebraska had begun to implement their own staffing options to address the lack of a federal budget, the states were unable to recover facilities and participants in time to conduct the scheduled exercise the following morning.

The onsite exercise continued as scheduled, with the exception of the Media Release Center being canceled (due to the absence of state or federal participation). The State of Iowa provided a staff representative at the EOF to provide interface communications with the licensee. However, the State of Iowa was unable to conduct any field team activities due to a lack of travel time needed to reach Omaha after the cancellation. The State of Nebraska provided a participant in the role of Governor's Authorized Representative and the Department of Health provided dose assessment and field team participation at the EOF.

Throughout 1995, both states have been fully involved in the training, drilling and exercising of their respective state and local functions identified within the various offsite plans for FCS. This involvement included full participation by the state and local agencies in the full-scale exercise conducted on October 3, 1995, with all agencies identifying their own areas for improvements.

Based on the further enhancements identified and implemented following the October 3, 1995 exercise, OPPD is confident that both states have met the intent of 10 CFR Part 50, Appendix E, Section F.2.g.

OPPD has heavily factored probabilistic risk assessment (PRA) into emergency planning activities. Specifically, PRA identified accident scenarios with the highest potential radiological risk to public health and safety for use in development and implementation of drills and exercises. OPPD has presented information derived from these PRA insights to offsite agencies to assist in their understanding and participation. Also, OPPD has used the PRA determination of dominant risk scenarios as the basis for implementing an accident management procedure for external floods beyond design basis; OPPD has also implemented associated hardware procurement and Emergency Operating Procedure changes. The actions noted above demonstrate OPPD's commitment to protection of the health and safety of the public through realistic and effective emergency planning activities.

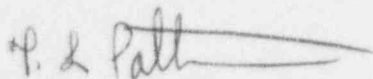
The 10 CFR Part 50, Appendix E, Section F.2.c does not mandate FEMA observation of biennial exercise requirements. As evidenced by the August 29, 1995, offsite medical drills evaluated by FEMA, substantial improvements were noted in offsite performance with no identified "Deficiencies" or "Areas Requiring Corrective Action." Both states and OPPD are confident in their abilities to protect the health and safety of the public as demonstrated in various training sessions, drills, the October 3, 1995 and November 14, 1995 exercises, and the off-exercise FEMA demonstrations on November 12-13, and December 5, 1995.

Due to the time and resource constraints, OPPD will not be conducting another exercise during the 1995 calendar year. OPPD has determined that it is not beneficial to expend the additional resources necessary to support the states and local agencies by developing and conducting another full-scale EP exercise prior to 1997 strictly for FEMA observation.

In conclusion, the intent of 10 CFR Part 50, Appendix E, Section F.2.c was met during the 1995 calendar year. Based on the justification delineated in this letter, OPPD requests exemption from the 10 CFR Part 50, Appendix E requirements for performing an additional full participation biennial exercise. This exemption is requested because OPPD's November 14, 1995, exercise did not include FEMA observation due to unique circumstances beyond the control of the states, local agencies or the licensee. This issue was discussed on November 30, 1995 among NRC staff members, (Messrs. S. D. Bloom, N. L. Stinson and L. K. Cohen) and members of my staff.

If you should have any questions, please contact me.

Sincerely,



Y. L. Patterson
Division Manager
Nuclear Operations

TLP/d11

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