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RELATED CORRESPONDENCE

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

In The Matter of
VIRGINIA ELECTRIC AND POWER COMPANY
(North Anna Power Station
Units Nos. 1 And 2)

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Docket Nos. 50-338 ○ ✓
and 50-339 ○ ○

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EXEMPTION

I.

The Virginia Electric and Power Company (the licensee) holds Facility Operating License Nos. NPF-4 and NPF-7 which authorize the operation of the North Anna Power Station Unit Nos. 1 and 2, respectively (the facility). The facility consists of two pressurized water reactors located at the licensee's site in Louisa County, Virginia. The licenses provide, among other things, that they are subject to all rules, regulations and orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

II.

10 CFR 50.54(q) requires a licensee authorized to operate a nuclear power reactor to follow and maintain in effect emergency plans which meet the standards of 10 CFR 50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV.F of Appendix E requires each licensee to conduct an emergency preparedness exercise at least annually and to include participation of State and local governments within the plume exposure pathway Emergency Planning Zone (EPZ) at least biennially.

The licensee's letter of February 17, 1984 requested that an exemption be granted to the schedular requirements of 10 CFR Part 50, Appendix E, Section IV.F, as it applies to the forthcoming November 15, 1984 emergency preparedness

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exercise to be held at North Anna. At the time of the licensee's request the applicable regulation required participation by State and local governments annually. The licensee bases this request for exemption on discussions with representatives of the Commonwealth of Virginia and of the Federal Emergency Management Agency (FEMA). In the subject discussions, the Commonwealth of Virginia requested that a date of November 15, 1984 be established for the 1984 North Anna exercise to allow time for installation of a computer network system within all local jurisdictions within the 10-mile EPZ. The computer network will be interconnected with the VEPCO Emergency Operations Facility and the State Emergency Operations Center for the purpose of providing rapid data flow and offsite dose projection calculations.

The previous emergency exercise was held in June 1983. Although deficiencies were identified, FEMA determined that they did not detract from the overall demonstrated capability to protect the health and safety of the public. The NRC staff has reviewed the results of the 1983 exercise and agrees with the FEMA finding.

The Commission has recently changed its requirements concerning State and local government participation in emergency exercise from annual to biennial under conditions set forth in the revised rule (49 FR 27733). Thus, no exemption is required to permit an exercise with State and local participation to be conducted in November 1984. However, the licensee does not wish to conduct a separate annual exercise of its plan without state and local participation, when a full exercise with state and local participation will be conducted shortly in November 1984. Thus, to this extent an exemption is still required.

The staff has also reviewed the schedules of past exercises at North Anna and has determined that the North Anna exercise dates have consistently fallen

within the prescribed limits and that there is no specific pattern showing either intentional or inadvertent exceeding of the intended annual exercise requirement. Furthermore, to require literal compliance with Section IV.F of Appendix E to 10 CFR Part 50 would be undesirable since a better exercise can take place once the computer network system is installed and an integrated exercise occurs which involves VEPCO, State and local government participants.

Based on the above, the staff concludes that scheduling the North Anna emergency preparedness exercise for November 15, 1984, will not adversely affect the overall state of emergency preparedness at the North Anna site. Therefore the requested exemption from the schedular requirements of 10 CFR Part 50, Appendix E, Section IV.F, should be granted.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption requested by the licensee's February 17, 1984 letter 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 licensee is authorized to conduct the 1984 annual North Anna facility emergency exercise and related drills in November 1984.

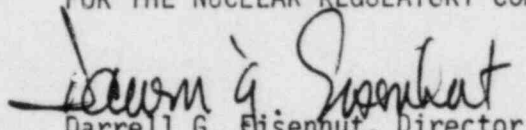
Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of the exemption will have no significant impact on the environment (49 FR 36039).

For further details with respect to this action, see the licensee's request dated February 17, 1984 that is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Board of Supervisors Office, Louisa County Courthouse,

Louisa, Virginia and at the Alderman Library, Manuscripts Department,
University of Virginia, Charlottesville, Virginia.

This Exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION


Darrell G. Eisenhut, Director
Division of Licensing

Dated at Bethesda, Maryland this 13th day of September, 1984.