



North Atlantic

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United States Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Document Control Desk

- References:
- (a) Facility Operating License No. NPF-86, Docket No. 50-443
 - (b) Letter dated December 22, 1992: Grant C. Peterson (Associate Director, State and Local Programs and Support) to James M. Taylor (Executive Director for Operations, Nuclear Regulatory Commission) transmitting "Technical Assistance Review for Massachusetts State and Local Community Plans in Support of Seabrook Nuclear Power Station" dated December 22, 1992
 - (c) FEMA Region I: Draft Exercise Report; Seabrook Nuclear Power Station, Exercise of the Offsite Plans and Preparedness
 - (d) Letter dated December 15, 1992: Grant C. Peterson (Associate Director, State and Local Programs and Support) to James M. Taylor (Executive Director for Operations, Nuclear Regulatory Commission)
 - (e) Letter dated November 19, 1992: A. David Rodham (Director, Massachusetts Emergency Management Agency) to Richard H. Strome, (Regional Director, Federal Emergency Management Agency)

Subject: Transfer of Responsibility for the Massachusetts Portion of the Seabrook Station Plume and Ingestion EPZs

Gentlemen:

On December 30, 1992, the Commonwealth of Massachusetts and the six communities (Amesbury, Salisbury, Merrimac, Newbury, Newburyport and West Newbury) within the Seabrook Station plume and ingestion exposure pathway emergency planning zone (EPZ) assumed responsibility for emergency preparedness for a radiological emergency at Seabrook Station from North Atlantic Energy Service Corporation's (North Atlantic) Offsite Response Organization (ORO). Offsite emergency planning and response for those communities are now conducted in accordance with the Massachusetts Radiological Emergency Response Plan (MARERP) with the full cooperation, and utilizing the full resources, of the Commonwealth and local emergency response organizations. North Atlantic ORO personnel will, however, remain temporarily available to supplement the Commonwealth's response, if so requested,

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pending completion of final administrative reviews by the Massachusetts Executive Office of Public Safety.

The transfer of emergency planning responsibilities from the ORO to the Commonwealth and local authorities does not decrease the effectiveness of the Seabrook Station emergency plans, and the plans, as changed, continue to meet the standards of 10 CFR 50.47(b) and Appendix E to 10 CFR 50. The plan changes effected by the transition in responsibilities met the criteria of, and were completed under the authority granted by 10 CFR 50.54(q). This conclusion is based on FEMA's review of the MARERP [Reference (b)] and their evaluation of the June, 1992 full participation biennial exercise [Reference (c)], which included the first such exercise of the MARERP. FEMA identified no deficiencies in the draft exercise report which has been submitted to the Commonwealth and the State of New Hampshire for comments prior to finalization. As a result, FEMA has forwarded to the NRC its determination [Reference (d)] that the offsite plans and preparedness are adequate to protect the health and safety of the public living in the Massachusetts portion of the EPZ in the event of a radiological emergency and that the plans are capable of being implemented.

In this transfer, the Commonwealth and local plans and resources replaced the utility-sponsored Seabrook Plan for Massachusetts Communities (SPMC) for the Massachusetts portion of the EPZ. The SPMC had been developed by North Atlantic following the 1986 decision of the Commonwealth and the local Massachusetts EPZ communities not to participate in emergency planning. It established the utility-sponsored ORO which consisted of emergency response personnel from North Atlantic, other utility organizations, and various support groups and organizations with which North Atlantic had contracts and/or letters of agreement. The ORO had the capability to assume responsibility, on behalf of the Commonwealth and/or local organizations, for implementing all or a portion of the plan. The SPMC was submitted to the NRC in September, 1987 in conformance with the emergency planning requirements of 10 CFR 50.47(c)(1).

Prior to the granting of the full power operating license for Seabrook Station, FEMA evaluated the SPMC and assessed the performance of the ORO in its implementation during a full-participation exercise of the offsite emergency plans on June 28-29, 1988. On the basis of FEMA's findings on the plan and the exercise, the staff concluded in Supplement 9 to the Seabrook Station Safety Evaluation Report that adequate protective measures could and would be taken in the Massachusetts portion of the EPZ and that the SPMC was acceptable for full power operation. The SPMC was utilized as the emergency plan for the Massachusetts portion of the EPZ from issuance of the full power license in March, 1990 until December 30, 1992.

In March, 1991, the Governor of Massachusetts issued an Executive Order directing the appropriate state agencies, and encouraging the six EPZ communities, to begin working with the operators of Seabrook Station to ensure adequate emergency planning and the establishment of effective warning and notification systems. This resulted in the full cooperation of the Commonwealth and the communities in the planning process and led to the development of the plans contained in the MARERP. The Commonwealth of Massachusetts submitted these plans to FEMA in September, 1991 and they were

subsequently demonstrated as part of the Seabrook Station full-participation, biennial exercise conducted from June 3-5, 1992. In November, 1992, a letter from the Director of the Massachusetts Emergency Management Agency (MEMA) to the FEMA Regional Director [Reference (e)], indicated the Commonwealth's readiness to accept responsibility for implementation of these plans and its opinion that they are adequate to provide reasonable assurance that appropriate measures can and will be taken to protect the health and safety of the Massachusetts public in the vicinity of Seabrook in the event of a radiological emergency.

The long careful preparations and cooperation among North Atlantic, the Commonwealth and local communities, led to the smooth transition that took place on December 30 during which there was no lapse in responsibility for emergency response preparedness. The ORO was staffed and ready to respond to a radiological emergency at Seabrook Station in accordance with the SPMC until December 30 when the resources and facilities of the Commonwealth and local emergency response organizations were fully in place. On that date, the Commonwealth formally assumed responsibility for implementing the MARERP in the event of an emergency at Seabrook Station.

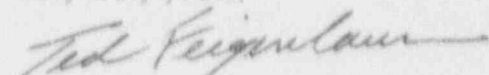
The transition from the SPMC to the MARERP was the fulfillment of North Atlantic's sustained, good faith efforts to secure and retain the participation of the state and local authorities in emergency planning. In issuing the final rule, allowing a nuclear plant to be licensed with a utility plan in place of a state and locally sponsored plan, the staff noted that:

The rule recognizes....that no utility plan is likely to be able to provide the same degree of public protection that would obtain under ideal conditions, i.e. a state or local plan with full state and local participation, but that it *may* [emphasis supplied] nevertheless be adequate. (50-SC-25, April 30, 1992)

This view is borne out in the present circumstances. The SPMC was adequate. The cooperation of the Commonwealth of Massachusetts, however, brings established statutory and executive authority to radiological emergency response planning. Massachusetts also brings substantial resources and experience to the planning process since it has been responsible for planning and preparedness for three commercial nuclear power plant sites and has maintained offsite emergency plans since 1975. Equally, the hard work, cooperative spirit, expertise and sustained good faith of the local communities has resulted in emergency plans that are enhanced in every aspect.

If you have any further questions on this subject, please do not hesitate to call Mr. Terry L. Harpster at (603) 474-9521, extension 2765.

Very truly yours,


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