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Governor

STATE OF NEW HAMPSHIRE
EXECUTIVE DEPARTMENT

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USNRC

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RICHARD H. STROME
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Deputy Director

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

March 7, 1986

Mr. J.P. Nadeau
Board of Selectmen
Town of Rye
10 Central Road
Rye, New Hampshire 03870

Dear Mr. Nadeau:

I am in receipt of your letter of February 18, 1986 in which you raise several issues concerning Radiological Emergency Response Planning.

As you indicate in your letter, I am required by law to initiate and carry out Radiological Emergency Response Plans as specified in the licensing regulations of each nuclear electrical generating plant and I am to do so in cooperation with affected local units of government. I have sought, and to a considerable extent have enjoyed, the cooperation of the Rye Selectmen and the Rye Civil Defense Director. While apparently the Rye Selectmen are now retreating from their earlier cooperative posture, my responsibility is nevertheless clearly defined and I must go forward with measures to protect the citizens of this State.

Both the New Hampshire legislature and the New Hampshire courts have recognized the need for Radiological Emergency Response Plans to protect the safety of New Hampshire citizens, particularly those living in close proximity to a nuclear power station. The Federal government has issued regulations setting forth the criteria under which the plans are to be developed and has provided procedures for testing of the plans. Included among these regulations is the requirement for an exercise to be observed and evaluated by officials of the Federal Emergency Management Agency (FEMA). The exercise for the RERPs relevant to Seabrook Station was scheduled for February 26, 1986. In fairness to all those involved in the process and given our state of readiness, I favored retaining the date that so many committed volunteers had incorporated into their busy schedules. In addition, I anticipate the critiques from the Federal evaluators will aid immeasurably in the continual revision process inherent in this type of planning document.

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You correctly point out that there are a wide range of technological incidents which could occur in a community and I agree with you that the Town of Rye should be prepared to deal with them. For this reason, I have continually sought your cooperation in the planning process and have offered the resources of this Agency to your community. Your refusal to constructively engage these resources, however, indicates to me that you are not seriously committed to the expansion and improvement of Rye's emergency management capabilities.

In response to your request that New Hampshire Civil Defense not impose anything on the Town of Rye or her sister towns, you should note that State law gives New Hampshire Civil Defense the ultimate responsibility for protecting citizens in radiological emergencies. I take that responsibility very seriously and fully intend to take those measures necessary to protect the public, including acting for those local officials who are unable or unwilling to perform their responsibilities.

As to your request for planning documents, I believe you already have a copy of the State plan and I am aware of no separate version designated as "certified". Included in the State plan is a volume setting forth particular responsibilities for the Town of Rye. Again, there is no separate version of this volume which has been designated as certified. The kinds and quantity of radioactive releases the State and local communities should be prepared to encounter are set forth in the protective action guidelines. Accordingly, the RERPs have been drafted to incorporate these as well as other configurations. Finally, I have enclosed a copy of NUREG 0654/FEMA REP-1 and FSAR Section 6.2.

In response to Paragraph 5 of your letter, my position is as follows:


- A. No, I will not enter an immediate objection to the utility's request for changes to the acceptance criteria for allowable leakage rates. I will, however, consider any arguments you have on that subject if you will submit them to me in writing.
- B. No, I will not postpone indefinitely or for a period of 90 days, all drills for the reasons I have already set forth.
- C. No, I will not support an extension of the deadline for the filing of contentions as the Board has already ruled against such a motion.

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D. Yes, I will give Rye reasonable cooperation in the scheduling of all radiological emergency response planning related events such as drills and exercises.

Thank you for you input.

Sincerely,

A handwritten signature in dark ink, appearing to read 'RHS', is written over a horizontal line.

Richard H. Strome
Director

RHS/sjc

Enc.

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