



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 14, 1998

Ms. Charlotte Garcia
433 Mill Road, Lot #28
Calverton, NY 11933

Dear Ms. Garcia:

I am responding to your letter dated June 4, 1998, to President Clinton. Your letter was recently referred to the U.S. Nuclear Regulatory Commission (NRC) to address your concerns regarding the restart of Millstone Unit 3.

As you are aware from news articles, the NRC staff held a public meeting on May 26, 1998, in Eastern Long Island to discuss NRC policies and requirements related to emergency preparedness and the NRC's review and assessment of Northeast Nuclear Energy Company's activities related to possible restart of Millstone Unit 3. Much of the public discussion was with regard to the lack of the inclusion of Long Island in required detailed emergency planning requirements.

The fundamental requirements for the development of emergency plans, including the provision describing the establishment of emergency planning zones (EPZs), are set forth in the Commission's regulations, 10 C.F.R. §50.47, in particular. The technical basis and rationale for the size of the EPZs is given in NUREG-0396, "Planning Basis for the Development of State and Local Government Radiological Emergency Response Plans in Support of Light Water Nuclear Power Plants." This NUREG supports an EPZ of about 10 miles in radius for planning the protection of the public from airborne exposure (the plume exposure pathway) and an EPZ of about 50 miles in radius for planning for actions to prevent radioactive material from entering the food chain (the ingestion pathway). Clearly, communities within the State of New York are within the 50-mile EPZ associated with the Millstone plant, and the State of New York radiological emergency plans include provisions for preventing radioactive material from entering the food chain. The size of the EPZs for commercial nuclear power plants takes into consideration the probabilities and consequences of a spectrum of accidents, and the extent of detailed planning that must be performed to assure an adequate response. Further details regarding emergency preparedness requirements are found in NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants."

There have been proposals to both increase and decrease the 10-mile EPZ distance. After consideration of these proposals and their supporting documentation and rationale, the Commission has consistently concluded that a plume exposure pathway EPZ of about 10 miles in radius provides an acceptable planning basis for emergency response. Detailed planning within 10 miles would also provide a substantial base for expansion of response efforts in the event that this proved necessary.

Federal oversight of emergency planning for licensed nuclear power plants is shared by the NRC and the Federal Emergency Management Agency (FEMA) through a memorandum of

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understanding. The memorandum is responsive to the President's decision of December 7, 1979, that FEMA will take the lead in offsite planning and response, that NRC assist FEMA in carrying out this role, and the NRC's continuing statutory responsibility for the radiological health and safety of the public. As part of the NRC's Restart Assessment Plan for Millstone Unit 3, the staff consulted with FEMA regarding the adequacy of offsite emergency planning associated with the Millstone facility. By letter dated May 18, 1998, FEMA confirmed that there are no issues associated with offsite emergency planning that would preclude the restart of Millstone Unit 3.

The NRC has been intensively involved with the great number of issues surrounding Millstone for over 2½ years. During the May 26, 1998, public meeting, no additional safety or regulatory concerns regarding Millstone Unit 3 that would impact the staff's assessment or the NRC's deliberations were presented. In its staff requirements memorandum (SRM) of June 15, 1998, the Commission concurred with the NRC staff's conclusion that Northeast Nuclear Energy Company has taken appropriate corrective actions to support the restart of Millstone Unit 3. The Commission therefore approved the staff's proposal to change the watch list status of Millstone Unit 3 from a Category 3 to a Category 2 plant, and authorized the restart of Unit 3 subject to satisfactory completion of all remaining issues requiring NRC verification. The Commission also designated the NRC Executive Director for Operations (EDO) as the senior manager responsible for (1) verifying that the appropriate aspects of Inspection Manual Chapter 0350, "Staff Guidelines for Restart Authorization" are completed, and (2) approving commencement of actions to restart Unit 3. On June 29, 1998, the EDO authorized approval of Northeast Nuclear Energy Company to commence restart actions for Millstone Unit 3. The decision authorizing the restart of Millstone Unit 3 was made only after the staff and the EDO were satisfied that all restart related activities had been completed.

I trust that this is responsive to your concerns.

Sincerely,

Original Signed by:

Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

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SECY - CRC-98-0744

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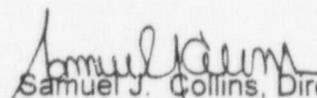
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Sincerely,


Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

ACTION

EDO Principal Correspondence Control

FROM: DUE: 08/24/98

EDO CONTROL: G980490
DOC DT: 06/04/98
FINAL REPLY:

Charlotte Garcia
Calverton, New York
(White House Referral)
TO:

NRC

FOR SIGNATURE OF :

** GRN **

CRC NO: 98-0744

Collins, NRR

DESC:

MILLSTONE

ROUTING:

Callan
Travers
Thompson
Norry
Blaha
Burns
Miller, RI

DATE: 08/11/98

ASSIGNED TO:

CONTACT:

NRR

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

NRR ACTION: SPO:Imbro
NRR RECEIVED: August 12, 1998

NRR ROUTING: Collins/Miraglia
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NRR Mailroom

ACTION
DUE TO NRR DIRECTOR'S OFFICE
BY <u>8/19/98</u>

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-98-0744 LOGGING DATE: Aug 10 98
ACTION OFFICE: EDO
AUTHOR: CHARLOTTE GARCIA
AFFILIATION: NEW YORK
ADDRESSEE: PRESIDENT CLINTON
LETTER DATE: Jun 4 98 FILE CODE: IDR 5 MILLSTONE
SUBJECT: MILLSTONE 3
ACTION: Direct Reply
DISTRIBUTION: CHAIRMAN, COMRS, RAS
SPECIAL HANDLING: SECY TO ACK
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NOTES: WHITE HOUSE REFERRAL DATED 8/7/98 FM SUE SMITH
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