



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

PR

March 13, 1987

The Honorable Edward J. Markey  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Congressman Markey:

I am enclosing staff's responses to the questions of your  
January 13, 1987 letter regarding the Seabrook Station.

Sincerely,

*Lando W. Zech, Jr.*  
Lando W. Zech, Jr.

Enclosure:  
As stated

cc: Rep. Philip Sharp

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Attach. to 3/13/87  
ltr. from Zech to  
Rep. Markey

QUESTION 1.

Both in the November 18 hearing and in response to the Chairman's questions to NRC on November 3, I inquired regarding the Commission's current views regarding issues raised in the January 26, 1986 Minoque memorandum. In Mr. Minoque's memorandum the staff's position was stated unequivocally, i.e., that with regard to any proposal to reduce the size of the emergency planning zone, the public interest would be better served by a generic rulemaking rather than a site-specific approach. In the Commission's December 1, 1986 response to our letter of November 3, 1986, the Commission listed the final four bulleted items in Mr. Minoque's memorandum and wrote: "These final four bullets in Mr. Minoque's letter elucidate the reasons supporting his earlier point that a generic rulemaking would serve the public better than a site-specific one. Further comments are not appropriate until such time that the applicant's formal request regarding a change in the EPZ has been received."

Now that the applicant has filed a formal petition, please respond to those four items. Please explain in detail if this still accurately reflects the staff's and/or the Commission's views; if not, please explain precisely what has changed between January, 1986 and today that now suggests that a site-specific decision at Seabrook or any other reactor is desirable.

ANSWER.

Mr. Minoque's opinions reflect the Office of Nuclear Regulatory Research. They do not represent a coordinated staff position. Nor, do they reflect positions considered and adopted by the Commission. The staff is conducting a generic reassessment of the emergency planning (EP) regulations. However, Public Service of New Hampshire has filed a petition for a waiver of the ten-mile EPZ which is not primarily based on considerations being reviewed in the generic reassessment of the EP regulations. Because it is not based on the same considerations being reviewed in the generic review the Staff is reviewing the licensee's waiver request in accordance with 10 CFR Part 2, Section 2.758 of the Commission's regulations. The staff is continuing to pursue the generic reassessment of the EP requirements.

In addition, alternative proposals regarding emergency preparedness, such as the provisions for a graded emergency response, are under consideration by the staff. The NRC staff intends to consider all relevant insights regarding source terms and risk considerations from the NUREG-1150 reference plants in making recommendations regarding generic EP requirements changes.

QUESTION 1. (Continued)

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The NRC Staff has recently proposed a change to 10 CFR 50.47 which would establish specific standards for licensee plans in cases of lack of cooperation in emergency planning by State and local governments. This proposed change does not modify current requirements as to the size of the emergency planning zone. Rather, the proposed rule provides requirements for licensing where state or local governments are not cooperating in developing emergency plans.

QUESTION 2a. According to NRC testimony at the November 18 hearing, Seabrook is one of the few plants in the country for which more than one state lies within the EPZ, and NRC has devoted little effort to considering how multi-State participation in emergency planning and exercises -- and particularly the possibility of an interstate conflict regarding emergency planning -- should be approached. Mr. Vollmer assured the Subcommittee that he would try to supply a written response on this matter.

ANSWER.

There are 17 nuclear sites in the U.S. whose 10-mile plume exposure emergency planning zone (EPZ) includes more than one state. In addition, the majority of nuclear power plants have a 50-mile ingestion exposure pathway EPZ that includes more than one state. Guidance on planning for varied governmental and jurisdictional situations is given in NUREG-0654/FEMA-REP-1, Section I.E, "Contiguous-Jurisdiction Governmental Emergency Planning." With the current exception of Seabrook, we are not aware of any interstate conflicts that have not been satisfactorily resolved during the emergency plan development process.

QUESTION 2b. Please forward to the Committee all documents and records pertaining to emergency planning in cases where an interstate conflict may arise in situations where more than one state lies with the EPZ and approval of two or more state's emergency plans are or may be required for licensing.

ANSWER.

As indicated in the response to Question 2a, the only case where an interstate conflict in emergency planning may impact the licensing of a nuclear power plant is Seabrook. Documents related to emergency planning for Seabrook have been provided to the Subcommittee in previous correspondence.

QUESTION 2c. Please also provide the Subcommittee with the Commission's views regarding how an interstate conflict on emergency planning prior to licensing should be approached. For example, what is the appropriate role for the NRC in such a case? What does the NRC feel is an appropriate role for FEMA?

ANSWER.

In all instances except Seabrook, interstate cooperation has been achieved through the integrated efforts of the utility applicant/licensee, FEMA and the state and local governments. By Presidential directive of December 7, 1979, and as embodied in the NRC/FEMA Memorandum of Understanding, FEMA has the lead role for offsite radiological emergency response planning and preparedness. The NRC would look to FEMA to coordinate the resolution of any conflicts which may arise. FEMA also has the lead role in assisting state and local governments in the development of plans through the Regional Assistance Committee located in each of the ten standard Federal Regions.

QUESTION 3.

At the Amesbury hearing, the Subcommittee addressed the issue of whether the staff had crossed the line of impartiality in extensively reviewing Public Service of New Hampshire (PSNH) studies intended to demonstrate a rationale for reducing the size of the emergency planning zone (EPZ) at Seabrook. The staff's actions are particularly questionable in light of the fact that no petition or action of any kind had been filed with the Commission by PSNH regarding these studies. In his testimony before the Subcommittee, Mr. Vollmer stated that "a coaching or strategy [sic] is not what I feel the NRC should be doing in this regard." Does the NRC have specific guidance for staff, in terms of a policy statement or explicit regulations, regarding the degree of cooperation with a licensee that is deemed inappropriate? If so, please provide same. If not, why not? Please explain why the staff has not in this case violated Section 0.735-49a of the Commission's regulations which state: "An employee shall avoid any action...which might result in, or create the appearance of...(b) giving preferential treatment to any person."

ANSWER.

As previously discussed with your Committee's staff, the Seabrook PRA was prepared by PSNH in response to concerns raised by representatives of the State of New Hampshire concerning reactor safety. Representatives of New Hampshire also requested that the NRC review the Seabrook PRA. The Seabrook PRA was initially submitted to NRC for review in February 1984. It is NRC's policy to review all PRAs which are submitted to the staff; the level of detail of the review varies and is dependent upon the perceived safety significance and usefulness of the PRA. Because of the State of New Hampshire's concerns and because it was anticipated that the PRA might be covered in the Seabrook hearing, a detailed review of the Seabrook PRA was undertaken.

In July 1986, the applicant submitted for staff review its update of the PRA and other technical information concerning features of Seabrook which might demonstrate lower risk than for other plants. The applicant indicated that this information might subsequently be used as the basis for an exemption request. Again, the staff applied significant resources to the review because the issues were clearly important to all parties and would likely be the subject of Licensing Board and Commission review. The NRC staff began reviewing this information, with all technical meetings on the matter open to the public. This information and staff actions were treated according to usual staff practices and partiality was not shown to any party.

The staff discussed technical issues involved in the applicant's new analyses with the licensee as part of its responsibilities to keep abreast of and to provide technical guidance to the development of new technical information in the field; and as part of the staff's anticipated responsibility to provide

QUESTION 3. (Continued)

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the staff's technical position to the Licensing Board and to the Commission at such time as the licensee in fact filed its anticipated petition. The Petition was filed with the Atomic Safety and Licensing Board on December 18, 1986.

The staff often discusses its perception of what is important to safety (or risk) with licensees and members of the public. This is appropriate because it helps to focus resources on the areas needing the most attention. In fact, NRC has offered to meet with the State of Massachusetts to discuss whatever issues are of interest to Massachusetts and is awaiting a reply to that offer. In the event the staff does give guidance to a licensee on what it perceives is important, there is no guarantee that NRC management, the Licensing Board, or the Commission will agree. This is particularly true where there is no established precedent for dealing with the issue. The NRC staff has long provided applicants with guidance on appropriate means of meeting its regulations, as evidenced by the existence of Regulatory Guides which provide guidance on a variety of matters.

Discussions such as those held with the applicant in the Seabrook case are not improper. Indeed informal meetings with the staff are specifically recognized by 10 CFR 2.102 and by the Open Meetings Policy (43 FR 28052). The NRC does not have specific guidance as to the "degree of cooperation" deemed inappropriate with licensees or with intervenors or with members of the public. However, the NRC does have policies relating to exchange of information with licensees and others. Those include the Open Meetings Policy and NRR Office Letter No. 43, "Release of Draft Information - Policy on Control of NRC and Other Documents" (enclosed).

To assure that concerned citizens, including intervenor parties in licensing proceedings, have an opportunity to observe meetings between the staff and licensees, the Commission in 1978 established an Open Meetings Policy which provides an opportunity for such concerned citizens to attend technical meetings between the staff and licensees and also calls for the preparation and public availability of minutes of all such meetings. In the Seabrook case, the Open Meetings Policy has been followed with respect to technical meetings between the staff and the applicant on all aspects of the application, including the Petition for reduction of the EPZ.

NRR Office Letter No. 43 provides guidance on the degree of cooperation that is deemed inappropriate with respect to making documents available to licensees. In addition, it includes instructions regarding communications with licensees and others for the purpose of (1) gaining factual information, (2) assessing the cost, feasibility and benefit of, or alternatives to, proposed actions, or (3) alerting licensees to initial staff positions or safety findings in the normal course of conducting regulatory activities. Our review of the licensee's submittal and our communications with PSNH regarding it were done in a manner similar to other information placed on the Seabrook docket.

QUESTION 3. (Continued)

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The NPC is not aware of any action it has taken "which might result in, or create the appearance of ... any preferential treatment of any person."

Enclosure:

NRR Office Letter No. 43, Rev. 1

QUESTION 4.

In response to a previous question from the Subcommittee the Commission provided a list of the plants for which Probabilistic Risk Assessments (PPA's) have been completed. At that time, the Commission informed us that Seabrook is the only plant for which an update of the PRA has been undertaken. Along these same lines, for how many plants has the NRC retained an outside contractor to review one or more aspects of a utility-sponsored PRA? For each case, please provide details regarding the nature of the contractor's review, the time span over which it occurred, the reason for undertaking it, and the cost of the contract.

ANSWER.

The table below provides a list of utility-sponsored PRAs which NRC has reviewed with the assistance of an outside contractor. For each case, the approximate cost of the review, the time span over which it occurred and nature of the contractor's review (level 1, 2 or 3) are also tabulated. In a level 1 review, a contractor concentrates exclusively on verifying, and modifying if necessary, the utility estimates of the core damage frequency (per reactor year) associated with each type of accident sequence. Generally, this type of review involves an assessment of the data, methods and modelling assumptions, as well as a limited number of independent calculations for the most important core melt contributors.

A level 2 review generally includes all the aspects of a level 1 review, as well as an assessment of the response of containment and the behavior of fission products for various types of core melt accidents. A level 2 review is intended to verify or modify the utility's estimates of the magnitude and timing of fission product releases from containment following a postulated core melt accident.

The level 3 reviews listed in the table included all the aspects of levels 1 and 2, in addition to validating the utility's calculations of the offsite consequences associated with each type of fission product release from containment. This type of review includes independent calculations of fission product transport beyond the site boundary, radiation doses to the public and health effects based on site specific weather conditions and population data. Generally these calculations examine the effect of emergency response on the population doses and health effects.

The purpose of reviewing utility sponsored PRAs is outlined in NRR Office Letter 47, "Dissemination Of Plant Specific PRA Results," dated March 25, 1986. These reviews are intended to identify significant safety issues (plant-specific and generic) which require prompt regulatory action, and to disseminate the safety insights derived from PRAs. In addition to this overall motivation, several of the reviews listed in the table were conducted as part of specific regulatory initiatives.

QUESTION 4. (Continued)

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Several of the utility sponsored PRAs were conducted in accordance with SECY-81-25, "Performance Of Probabilistic Risk Assessment Or Other Types Of Special Analyses At High Population Density Sites." Three plants, Zion, Indian Point and Limerick, were identified as having "substantially above average" population density. SECY-81-25 committed the staff to review the risk analyses that were under way for those sites.

SECY-81-25 also stated the staff's intention to perform a risk study for Millstone Unit 3, a plant which at that time was in the early stages of construction at a site with "above average" population density.

Two of the PRA's listed below, Millstone 1 and Connecticut Yankee, have been submitted and reviewed as part of the Integrated Safety Assessment Program (ISAP). This program was initiated by NPC to assess, prioritize and resolve outstanding regulatory and safety-related issues on a plant specific basis. Participation by licensees in the program is on a voluntary basis and requires the performance of a PRA to identify weaknesses in plant design and to provide a probabilistic basis for resolving safety issues that are amenable to probabilistic analysis.

The Diablo Canyon PRA is being performed as part of the Long Term Seismic Program. This reevaluation of the seismic design is required as a license condition based in part on a recommendation by the Advisory Committee for Reactor Safeguards (ACRS). The purpose of the probabilistic risk analysis is to assess the risk significance of conclusions drawn from the seismic reevaluation studies.

The probabilistic analysis for Big Rock Point was performed for the purpose of assessing the risk significance of plant improvements proposed as a result of the accident at Three Mile Island Unit 2. The staff review concluded that some of the proposed improvements were not of sufficient risk significance to justify backfitting at Big Rock Point.

The Seabrook PRA was originally reviewed in accordance with the goals outlined in NRR Office Letter 47. However, the applicant subsequently submitted an updated risk analysis related to emergency planning. On December 18, 1986, the applicant submitted a petition for an exception from the NRC requirements related to the plume exposure pathway emergency planning zone (PEPZ). The NRC review of the updated risk analysis is in progress.

QUESTION 4. (Continued)

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<u>Plant</u>	<u>Cost Of Contractor Review</u> (\$1000)	<u>Approximate Time Span</u> (Month/Year)	<u>Nature Of Contractor Review</u> (Level)*
Big Rock Point	210	5/81-11/82	1
Indian Point 2 & 3	+	+	3
Zion 1 & 2	+	+	3
Limerick	555	11/81-11/84	3
Millstone 3	575	8/83-12/85	3
Oconee 3	530	12/84-4/86	3
Seabrook	654	4/84-Ongoing	2
Shoreham	460	9/83-Ongoing	2
Millstone 1	500	6/86-12/86	1
Connecticut Yankee	200	4/86-Ongoing	1
Yankee Rowe	82	9/85-1/86	2
Diablo Canyon	400(est.)	8/86-Ongoing	1
Midland	120	5/84-12/85	1

\* A level 1 review validates the estimates of core damage frequency; level 2 also addresses the containment response and fission product releases from containment; level 3 encompasses levels 1 & 2 and addresses offsite transport of fission products, population doses and health effects.

+ The reviews for Zion and Indian Point were conducted under the same contracts. The total cost of both reviews was \$1,360,000. The two reviews spanned a period from July, 1980 to June, 1986.

## Enclosures:

1. NRR Office Letter 47
2. SECY-81-25

QUESTION 5.

At the November 18th hearing, the Subcommittee requested that the Chairman specifically ask the Commission for a commitment to hold a public hearing if and when PSNH were to file a formal request for a reduction of the emergency planning zone. Now that the applicant has filed a formal petition, will the Commission make a commitment to hold a public hearing prior to issuing any decision on the applicant's petition?

ANSWER.

Our consideration of this matter is inappropriate in advance of its certification to the Commission by the presiding Licensing Board. However, we assure you that the issues will be fully explored before final Commission action is taken.

The question of procedures to entertain the PSNH request will, if at all, reach us in the context of an ongoing hearing on the application to operate the Seabrook nuclear plant. Typically, issues of fact in such hearings are resolved by the presentation of written and oral testimony subject to cross-examination or when appropriate by submissions of affidavits. As explained in our January 23 letter, in circumstances where the Commission has been referred issues that have a significant factual component, the Commission has appointed special boards to hold hearings, and in some instances, to assist in other respects such as making recommended decisions.

Any further statement on the procedures that will apply to this case will have to await the question coming before the Commission. Indeed, even then our response must be one made on the record of the proceeding. We note that the parties, including the NRC staff have filed responses concerning the Petition with the presiding Licensing Board.

QUESTION 6. A copy of your response to question 1? of the Subcommittee's letter to you of November 3, 1986, is attached. Please note that the answer the Commission provided addresses only staff communications, whereas the Subcommittee's question also specifically asked whether or not there had been communications between any NRC Commissioner and/or Commissioner's staff and the named parties (i.e., the White House, Department of Energy, or FEMA). Please respond to that question as posed, for the time frame of June, 1985 through the date of this letter.

ANSWER.

As stated in our November 14 letter, the status of FEMA's review of offsite plans for Seabrook is routinely discussed at FEMA/NRC Steering Committee meetings as well as in informal discussions between FEMA and NRC staff. To the best of our knowledge, these communications have not included discussions of the topics enumerated in your November 3, 1986 letter.

Regarding communications between the Commissioners and members of the Commissioners' staffs and the White House, DOE or FEMA, no Commissioners, nor any member of any Commissioner's staff has communicated with the White House, DOE or FEMA about Seabrook.

QUESTION 7.

Critics of Pickard, Lowe and Garrick's "Seabrook Station Risk Management and Emergency Planning Study," (RMEPS) upon which the Seabrook Station Emergency Planning Sensitivity Study" is based, suggest that the analysis fails to adequately consider a number of significant phenomena and possible reactor accident scenarios, the implications of which could radically challenge the results of the study. For example:

- o The optimistic conclusions of the report depend crucially on the assumption that containment failure pressure is 225 psi. This value is much higher than estimated containment pressures for other nuclear plants, and may not be adequately supported.
- o The assumptions on the radioactive inventory released under high pressure melt ejection scenarios may not be consistent with recent analyses conducted by Sandia laboratory on these phenomena.
- o The report may not adequately consider the prospects that accident recovery actions could cause steam de-inerting by condensation, leading to hydrogen burns or detonation within containment.
- o In examining earthquakes as a contributor to radioactive release scenarios, the report may not adequately consider after-shocks while the containment is pressurized, which adds an impulse pressure load.
- o The report's conclusions on radioactive releases from steam generator tube ruptures may not be consistent with recent analyses conducted by Battelle Columbus Laboratory on SG tube rupture scenarios.

The NRC staff has acknowledged that an analysis which included consideration of these phenomena and scenarios could significantly affect the validity of the study. However, the narrow scope of Brookhaven's December 8, 1986 evaluation did not allow for such an analysis. Does NRC intend to address these issues in determining whether the study does, in fact, establish a sound basis for the utility's assertion that Seabrook's containment is uniquely strong and therefore may justify a reduction in the size of the emergency planning zone? If not, why not?

ANSWER.

The question is inaccurate in its assertion that "the narrow scope of Brookhaven's December 8, 1986 evaluation did not allow for such analysis." In particular:

- o The strength of the containment and its penetrations was addressed in Chapter 3 and the findings were incorporated into the risk estimates in Chapters 4 and 6.
- o The direct containment heating phenomenon associated with high pressure melt ejection is included in the estimation of containment pressure loads developed by Brookhaven National Laboratory (BNL) in Chapter 4 of their report.
- o The pressure loads from hydrogen were included in the estimation of containment loads developed by BNL in Chapter 4 of their report.
- o The source terms used by BNL to characterize the risk from induced steam generator tube rupture events are considerably more conservative than those in the Battelle Columbus Laboratory report because BNL used the WASH-1400 source term methodology. Use of the new source term would substantially reduce the risk estimates for induced SG tube rupture scenarios.

Your question is accurate in its assertion that there has been no attempt by PLG or BNL to add after-shock seismic loads to containment pressure loads following a seismically induced core melt accident. The NRC staff will be evaluating this issue, as well as the other issues raised which were considered in the BNL evaluation as referenced above, in determining the Staff's response to the Seabrook request for approval of a reduced EPZ.

QUESTION 8. In response to the Subcommittee's November 3, 1986 request for information (Question 17), NPC provided updates of the chronologies requested in our August 28, 1986 letter pertaining to internal and public documents, telephone calls, and meetings related to a reduction of the size of the emergency planning zone and the review of the SSPSA Update. Please provide updates of those chronologies for the Subcommittee which include all communications, including but not limited to meetings, telephone calls, and records, which have occurred since the last communications and records enumerated in your previous answer. Additionally, please provide detailed summaries of these and each of the items listed in the November 14 updated chronologies, which were omitted from the Commission's response.

ANSWER.

The updates to chronologies are provided on the enclosed lists. Copies of the listed documents are provided. However, many of the NRC staff have had many internal discussions and informal meetings for which they cannot recall exact dates, participants or subjects.

Project Managers involved in the review have similarly had numerous telephone conversations with PSNH personnel for which exact dates, topics and participants cannot be accurately recalled. Attorneys in OGC have had many telephone conversations over this period with all parties to the Seabrook proceedings. Where personal notes were available, they are provided and the associated meetings or telephone calls have been listed. "Detailed summaries" are provided where available.

Enclosures:

1. Mtgs & Telephone Conversations
2. External Communication Documents
3. Internal Documents
4. Personal Notes

QUESTION 9.

In response to an August 28, 1986 request from the Subcommittee, the Commission provided a "Chronology of Meetings and Discussions with Utility and Other Groups" regarding Seabrook, the SSPSA Update, and emergency planning issues. A photocopy is attached. Between June 20, 1986 and July 30, 1986 approximately 8 telephone calls and meetings took place between members of the NRC's management and William Derrickson of New Hampshire Yankee. Please provide detailed summaries of these meetings and telephone conversations, and provide all documents and records pertaining to these meetings and telephone calls.

ANSWER.

Between June 20, 1986 and July 30, 1986, there were five telephone calls and one meeting between members of NRC's management and Mr. Derrickson. The meeting and each telephone call involved either Mr. Stello or Mr. Denton of NRC. In response to your January 12, 1987 request, both Mr. Stello and Mr. Denton met with Mr. Lawrence Sidman of your staff and briefed him on the content and circumstances of these discussions. There are no documents or records pertaining to these discussions other than calendar notations.

QUESTION 10. In its December 1, 1986 response to Subcommittee question 28, the Commission stated, "For the Seabrook containment an independent analysis of its "capability pressure" is currently underway." Please explain in detail who is conducting this independent analysis, when was it initiated, and by whom.

ANSWER.

The independent analysis of the Seabrook containment was performed by Brookhaven National Laboratory (BNL) between September and December 1986. This activity was initiated by the NRC staff and the results of this independent analysis were reported in Section 3 of the BNL draft report.

QUESTION 11. Regarding NRC's November 10, 1986 response to the Subcommittee's question 4. The Subcommittee requested that the Commission provide all staff responses to the August 11, 1986 memorandum from Speis to Novak. The NRC's response notes only that the memorandum "was considered by management in constructing a review plan for the Seabrook EPZ sensitivity study." Please respond to the question as posed in the Subcommittee's November 3, 1986 letter.

ANSWER.

There was no response to the August 11, 1986 memorandum from Speis to Novak. Our previous response to your question regarding this memo is complete and correct as stated.

QUESTION 12. In its September 24, 1986 response to Subcommittee question 11(b), the Commission provided a list of violations of emergency preparedness requirements since January 1, 1983. However, the Subcommittee requested an explanation of the enforcement actions taken by the NRC in each instance. The Commission's response described only the "nature of violation." Please provide a complete listing as requested.

ANSWER.

A Notice of Violation is normally the only enforcement action taken except in cases where the severity level of a violation shows a need for escalated enforcement action such as the imposition of a civil penalty. Followup inspections are performed to verify that the corrective actions indicated in the violation have been satisfactorily completed for both escalated and non-escalated enforcement actions. All of the violations listed in our September 24, 1986 response involved non-escalated enforcement action where issuance of a notice of violation was the only enforcement action except as described below.

The only emergency preparedness violations issued since January 1, 1983 in which escalated enforcement action has been taken have been the 1985 Salem violation for failure to demonstrate adequate response capability and the 1986 Rancho Seco violation for failure to adequately implement certain emergency plan procedures during an event which occurred on December 26, 1985. In both of these cases, civil penalties were assessed. (The September 24, 1986 response incorrectly identified Duane Arnold as a site where escalated enforcement action has been taken.) All of the other violations listed in the attachment to this response, are non-escalated enforcement violations. The NRC Regions have verified through followup inspections that the indicated corrective actions have been completed for each of the listed violations except for the following:

Monticello (1984)	Waterford (1986)
Kewaunee (1985)	Turkey Point (1986)
Grand Gulf (1985)	Brunswick (1986)
LaCrosse (1986)	Catawba (1986)
Diablo Canyon (1986)	Hatch (1986)
Rancho Seco (1986)	Sumner (1986)
Fort St. Vrain (1986)	Crystal River (1986)
Arkansas (1986)	

Enclosure:  
Additional EP Enforcement Actions

QUESTION 13. What implications could a State's non-participation in emergency planning have for licensing proceedings as relates to the 50-mile ingestion pathway emergency planning zone?

ANSWER.

A state's non-participation in emergency planning for the ingestion pathway emergency planning zone (EPZ) would have similar but less severe implications as the non-participation of a State in the emergency planning for the plume exposure pathway EPZ. The extent of planning for the ingestion pathway is less than for the plume exposure pathway and the time available to implement protective actions is generally greater. If a state chose not to participate in emergency planning for the ingestion pathway EPZ, a licensee or an applicant, under NRC rules, would have an opportunity to demonstrate that the lack of such participation is not significant, or that adequate interim compensating actions have been or will be taken promptly, or that there are other compelling reasons to permit plant operation.