



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

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EDO 2135

October 2, 1986

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

Dear Mr. Chairman:

Enclosed are the remaining responses to the questions in your September 15, 1986 letter concerning emergency planning issues at the Seabrook nuclear power station. These answers were prepared under the direction of the Executive Director for Operations and have been reviewed by that Office.

The responses to Questions 1, 5, 10c, 11, 12, 13, 14, 15, and 16 are included in this package. The first package was forwarded to you on September 29.

Please note that the documents in Attachment B to Question 13 are not available to the public and have not been reviewed to determine what portions, if any, could be made available to the public. We request that you preserve the confidentiality of these documents and restrict their use to the Members and staff of the Subcommittee.

Sincerely,

Edward Fay
Carlton Kammerer, Director
Office of Congressional Affairs

Enclosure:
As stated

cc: Rep. Carlos Moorhead

QUESTION 6.

At an August 2, 1983 hearing before the House Subcommittee on Oversight and Investigations, Committee on Interior and Insular Affairs, David McLoughlin, Deputy Associate Director for State and Local Programs and Support, FEMA, testified, "Both FEMA and the NRC have initiated a joint, concurrent review of NUREG-0654, FEMA-REP-1, the major source of guidance to State and local governments in developing their plans and preparedness capabilities. Changes, if warranted, are anticipated beginning in fiscal year 1985."

- a) The existing source of guidance to State and local governments remains Revision 1 of NUREG-0654, FEMA-REP-1. What revisions have been made to the State and local government guidance criteria which are not reflected in NUREG-0654?

ANSWER.

FEMA has issued a series of documents designated as Guidance Memoranda (GM) that are used: (1) to set forth FEMA policies and procedures related to radiological emergency preparedness (REP) regulations, or general Agency policies, (2) to provide clarification and interpretation of criteria contained in guidance documents such as NUREG-0654/FEMA-REP-1, Rev. 1, and (3) to provide information of a more technical nature to support the implementation of the emergency preparedness program through the transfer of technology. Although GM's are not "revisions" to NUREG-0654/FEMA-REP-1, Rev. 1 in the strictest sense, they do explain how FEMA is interpreting that guidance. Enclosed is a copy of FEMA GM IT-1 entitled, "A Guide to Documents Related to the REP Program", dated October 1, 1985, that includes a listing of current FEMA GM's.

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QUESTION 6.b) What revisions have been made to the NRC/FEMA formal review process since 1983?

ANSWER.

The EP regulations were revised in May 1985 in response to a decision by the United States Court of Appeals for the D.C. Circuit which vacated the 1982 amendment to the NRC's regulations which stated that emergency preparedness exercises were part of the operational inspection process and not part of any operating license hearing. The basic effect of the Court's decision and of the rule change was that the results of pre-hearing EP exercises may be subject to litigation before the Licensing Board. The Commission also amended its regulations in July 1984 to relax the frequency of participation by State and local governmental authorities in EP exercises at nuclear power plant sites from annual to biennial. Also, of course, the NRC refines its policy in case-by-case adjudications. Two such cases are the licensing proceedings for Diablo Canyon and Shoreham.

The current Memorandum of Understanding (MOU) between FEMA and NRC (provided under question 6.c) below) contains changes dealing principally with the FEMA handling of NRC requests for findings and determinations concerning offsite planning and preparedness. The basis and conditions for interim findings in support of licensing are defined, as well as provisions for status reports when plans are not complete. Rather than being "revisions" to the NRC/FEMA formal review process, these changes to the MOU actually documented practices that had been followed in 1983 and the interim.

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QUESTION 6.c) Please provide a copy of the current Memorandum of Understanding between NRC and FEMA. Is the NRC considering any changes to the MOU?

ANSWER.

Enclosed is a copy of the "Memorandum of Understanding Between NRC and FEMA Relating To Radiological Emergency Planning and Preparedness" that was published in the Federal Register on April 18, 1985 (50 FR 15485). At this time the NRC is not considering changes to the MOU.

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QUESTION 7.

Officials of Public Service of New Hampshire (PSNH) have stated that the Probabilistic Safety Assessment Update, which is currently being reviewed by the NRC, may provide the basis for a reduction in the size of the emergency planning zone for Seabrook. Has PSNH formally filed a petition with the NRC requesting a change to the emergency plan process?

ANSWER.

As indicated in the July 29, 1986 letter from Public Service of New Hampshire, the applicant has requested the NRC to perform a technical review of the Seabrook Station Probabilistic Safety Assessment Update. Depending on the results of the technical review, the applicant may request a change to the emergency plan process for Seabrook but has not specified at this time what future action may be requested.

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III. Chronology of Inspection Related Events :

- December 1, 1983 Meeting with NH Yankee, NY, Massachusetts and FEMA to review discuss status of offsite emergency planning at Seabrook.
- December 19, 1983 Meeting at NRC RI with Licensee to review status of Emergency Preparedness and response facilities.
- June 19 or 20, 1985 T. Martin, R. Bellamy, P. Lohaus met with R. Strome (NH CD) to explain ASLB process and NRC role RAC.
- September 15-16, 1985 Regional Assistance Committee (RAC) meeting on NH Seabrook Radiological Emergency Response Plan (RERP) to discuss schedule. Established tentative dates for next meeting and date for submittal of NH RERP.
- October 7-8, 1985 RAC/FEMA meeting with Massachusetts on Seabrook RERP to discuss submittal schedule for Massachusetts RERP.
- October 23, 1985 T. Murley and T. Martin met with Governor Sununu in Concord to explain NRC process for approval of emergency plans for Seabrook and described NRC/State interface during emergencies.
- October 25, 1985 Letter from G. Knighton to R. Harrison, Public Service of New Hampshire (PSNH) providing information regarding interim guidance on planning standard 10 CFR 50.47(b)(12).
- November 27, 1985 Letter from R. Bellamy to R. Clark, Amesbury, MA, indicating that acceptance of response equipment did not imply approval of RERP.
- November 27, 1985 Letter from R. Bellamy to T. Pulkkinen, West Newbury, MA, indicating that acceptance of response equipment did not imply approval of RERP.
- December 9-13, 1985 Start of Emergency Preparedness Implementation Appraisal to evaluate adequacy and effectiveness of Emergency Preparedness Program (No. 50-443/85-32). Postponed completion of appraisal due to state of readiness.
- February 18, 1986 Letter from R. Bellamy to T. Pulkkinen, West Newbury, MA, indicating that participation in full scale exercise did not imply approval of RERP.

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February 21, 1986 : RAC meeting to review NH Seabrook RERP. Comments concerning deficiencies were provided to NH.

February 25, 1986 : Letter from T. Harpster to R. Harrison, PSNH, indicating that the revised scenario, replacing the compromised Revision O, was acceptable.

February 24-28, 1986 : Emergency Preparedness Inspection of the first full scale exercise (No. 50-443/86-10). Applicant demonstrated the ability to make appropriate protective action recommendations to protect public health and safety. Region I participated with a response team on site and in Region I Incident Response Center.

March 4-7, 1986 : Technical review of Massachusetts-Seabrook RERP by FEMA/NRC RAC members.

March 11-14, 1986 : Technical review of Massachusetts-Seabrook RERP continued.

March 10, 1986 : Memo from D. Perrotti to W. Lazarus providing input to the Seabrook Exercise Report.

March 20, 1986 : Memo from R. Bellamy to T. Harpster assigning W. Lazarus as Section Chief for all matters involving Seabrook Station.

March 21, 1986 : Meeting with FEMA and Massachusetts (Berry) to provide and discuss technical review comments of the Massachusetts Seabrook RERP to the state.

March 27, 1986 : Memo from R. Bores to J. Dolan, FEMA forwarding NH RERP review comments.

* March 24-28, 1986 : Continuation of Emergency Preparedness Implementation Appraisal begun in December 9-13, 1985; (Inspection No. 50-443/86-18). Inspection report categorized remaining open items to be completed prior to low power/full power license.

April 17, 1986 : Note to file from C. Gordon detailing meetings with offsite groups during follow-up inspection of March 24-28, 1986.

May 5, 1986 Memo from W. Lazarus to distribution providing Seabrook EP issues status report.

May 5, 1986 Memo from R. Bores to E. Thomas, FEMA forwarding the review comments of the NH-Seabrook RERP Compensatory Plan.

May 9, 1986 Letter from W. Lazarus to E. Thomas, FEMA regarding comments on New Hampshire emergency response procedures for Seabrook Station.

May 14, 1986 Letter from W. Lazarus to E. Thomas, FEMA forwarding NRC RAC review comments on New Hampshire RERP, Submittal #2.

May 15, 1986 Memo from D. Perrotti to W. Lazarus/W. Thomas forwarding input on Seabrook open items from the 3/24-28/86 appraisal.

May 20, 1986 Letter from R. Bellamy to H. Bowen, Merrimac, MA, regarding acknowledging comments on the Merrimac RERP.

May 22, 1986 Memo from D. Perrotti to W. Lazarus/W. Thomas adding one area to inspect during the follow-up of EP appraisal open items.

June 9-13, 1986 Emergency Preparedness Inspection to follow-up on open items from the December 9-13, 1985 and March 24-28, 1986 inspections (50-443/86-30). Closed several EP items from appraisals.

June 13, 1986 Memo from R. Bores to E. Thomas, FEMA forwarding comments from review of NH RERP Supplement A.

June 18, 1986 Memo from D. Perrotti to W. Thomas forwarding input to the Seabrook follow-up inspection 50-443/86-30.

June 20, 1986 Memo from D. Perrotti to distribution forwarding a summary status of emergency planning issues for low power license issuance (June 1986).

June 23-24, 1986 Meeting with NH and New Hampshire Yankee (NHY) personnel on December 1985 to review the NH Seabrook RERP. Established a schedule for submittal of Revision 2 to RERP and agreed on necessary changes in principle.

June 24, 1986 Memo from D. Matthews to T. Martin forwarding FEMA report of the Seabrook February 1986 Exercise.

June 26, 1986 Note from R. Bellamy to T. Martin summarizing discussions of emergency preparedness regulations with Governor of Massachusetts representative.

June 30, 1986 Letter from R. Bellamy to R. Jordan, Merrimac, MA, indicating that his comments concerning the Merrimac RERP had been forwarded to FEMA.

* July 3, 1986 Issued NRC Inspection Report 50-443/86-20, closing out one EP item.

* July 8, 1986 Letter from W. Lazarus to R. Harrison, PSNH forwarding FEMA report on annual exercise.

* July 11, 1986 Allegation Panel meeting regarding League of Towns allegation. Decided to request Office of Investigations inquiry.

* July 16, 1986 Meeting of radiological members for RAC with NH Department of Health and NH personnel. Discussed proposals to correct radiological deficiencies in NH RERP.

July 18, 1986 Report to file documenting actions to be taken regarding investigation of allegation of League of Towns.

* July 22, 1986 Memo from W. Lazarus to E. Thomas, FEMA providing NRC RAC comments on NH proposals to correct deficiencies in NH-Seabrook RERP.

* July 29-31, 1986 Memo from W. Lazarus to A. Shropshire, dated 8/12/86 recommending close-out of Nadeau Seabrook allegation due to lack of substance.

* August 26, 1986 Letter from W. Kane to Nadeau answer on allegation from League of Towns indicating that there was no evidence wrong-doing and that NRC considered the issue closed.

II. Chronology of Licensing Related Events

July 6, 1981	Letter from applicant forwarding radiological emergency plan.
July 9, 1981	Letter to applicant requesting that all emergency plans and implementing procedures be submitted with pages marked to reflect privacy and proprietary material (Generic Letter 81-27).
July 17, 1981	Letter to applicant acknowledging receipt of FSAR, radiological emergency plan, ER, and physical security plan for OL review.
July 23, 1981	Letter to applicant requesting that he demonstrate that administrative and physical means have been established for alerting and providing prompt instructions to the public in the event of an emergency; response should be provided by November 1, 1981.
July 31, 1981	Letter from applicant forwarding public version of response to NRC request for additional evacuation time estimates.
October 15, 1981	Letter to applicant requesting aerial and ground photographs of site emergency planning zone taken during periods of peak transient population in support of staff assessment of facility evacuation time estimates.
October 26, 1981	Letter from applicant confirming that emergency public notification capability meeting the requirements of 10 CFR 50, Appendix E, Section IV.D.3, will be present within the facility plume exposure emergency planning zone before OL issuance.
February 12, 1982	Letter from applicant regarding implementation of NUREG-0737.
March 9, 1982	Letter to applicant requesting additional information regarding emergency preparedness; schedule for safety review of emergency plans will be developed at site meeting on April 4, 1982.
March 11, 1982	Letter from applicant forwarding response to request for additional information on FSAR Chapter 13, enclosing revised sections that will be incorporated into next FSAR amendment.

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April 29, 1982	Meeting with applicant to hold preliminary discussion of emergency preparedness review process and development of schedule of major emergency preparedness review milestones.
May 4, 1982	Letter from applicant submitting additional information regarding FSAR Chapter 13.
May 12, 1982	Letter to applicant summarizing May 29, 1982 meeting in Bethesda regarding development of the schedule for the emergency preparedness review as part of the OL review.
May 20-21, 1982	Meeting with applicant to discuss emergency preparedness.
July 9, 1982	Letter from applicant forwarding Central Files version of detailed radiological emergency plan revisions in response to March 9, 1982 request for additional information (withheld from public disclosure).
July 9, 1982	Letter from applicant forwarding public version of detailed radiological emergency plan revisions.
January 4, 1983	Letter from applicant notifying the staff that the emergency plan exercise is scheduled for the week of May 16, 1984.
April 27, 1983	Letter from applicant responding to Generic Letter 82-33 on Supplement 1 to NUREG-0737, "Requirements for Emergency Response Capability," including a discussion of the status and commitments for implementation and integration of specific items.
May 26, 1983	Letter to applicant forwarding SER Supplement 1.
June 27, 1983	Letter from applicant regarding emergency classification system.
December 20, 1983	Letter from applicant regarding containment high-range radiation monitor location.
February 13, 1984	Letter from applicant transmitting revision to radiological emergency plan.
February 20, 1984	Letter to applicant regarding deletion of home telephone numbers, unlisted utility numbers, etc. from emergency plans.

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March 14, 1984 Letter from applicant transmitting revision to radiological emergency plan.

✓ January 7, 1985 Letter from applicant advising that response to Generic Letter 83-28 will be provided by June 30, 1985.

✓ March 12, 1985 Letter from applicant transmitting Amendment 54 to FSAK.

— August 21, 1985 Transmittal from applicant of partial revision to emergency plan implementing procedures.

> October 25, 1985 Letter to applicant providing interim guidance on Emergency Planning Standard 10 CFR 50.47(b)(12).

November 12, 1985 Transmittal by applicant of revised emergency plan implementing procedures.

✓ January 29, 1986 Letter from applicant concerning a response to interim guidance on emergency planning standard 10 CFR 50.47(b)(12) regarding Seabrook Station.

> February 18, 1986 Letter from applicant transmitting the Radiological Emergency Response Plans, State of New Hampshire and affected New Hampshire communities.

✓ March 5, 1986 Letter from applicant concerning radiological emergency response plans, State of New Hampshire communities: additional information.

✓ March 11, 1986 Letter from applicant concerning Radiological Emergency Response Plans, State of New Hampshire and affected New Hampshire communities: additional information.

✓ March 12, 1986 Letter from applicant concerning "Additional Response to Interim Guidance on Emergency Planning Standard 10 CFR 50.47(b)(12) Regarding Seabrook Station."

✓ March 17, 1986 Letter to applicant concerning a request for additional information - emergency action levels.

> April 2, 1986 Letter from applicant concerning emergency classification system.

✓ April 9, 1986 Letter from applicant concerning radiological emergency response plans, State of New Hampshire and affected New Hampshire communities: Additional information.

✓ April 11, 1986 Letter from applicant transmitting Amendment 58 to the March 30, 1973, application to construct and operate Seabrook Station, Units 1 and 2.

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- > April 18, 1986 Letter from applicant concerning radiological emergency plan.
- > April 25, 1986 Letter from applicant concerning radiological emergency response plans, State of New Hampshire and affected New Hampshire communities: Additional information.
- > May 20, 1986 Letter from applicant concerning "Radiological Emergency Response Plan, State of New Hampshire and Affected New Hampshire Communities: Additional Information."
- > June 2, 1986 Letter from applicant transmitting Amendment 58 to the FSAR, which included revisions to the emergency plan.
- > June 6, 1986 Letter from applicant forwarding Revision 1 to Radiological Emergency Response Plans.
- > June 11, 1986 Letter to applicant forwarding Supplement No. 4.
- > June 13, 1986 Letter from applicant forwarding "Seabrook Station Evaluation Time Estimates and Traffic Management Plan Updating."
- > June 27, 1986 Letter from applicant transmitting additional information regarding Generic Letter 83-28.

During the period 1/2/86 to 9/24/86 there were approximately 25 telephone calls between D. Perrotti and utility personnel, NRC personnel, and NRC's contractor (Pacific Northwest Laboratories) regarding the review of Seabrook's Emergency Plan.

During the period 9/9/85 to 9/5/86 there were meetings and discussions between the staff, its contractors and the applicant on Seabrook Emergency Planning Sensitivity Study. The list of these items was provided under separate correspondence to Representative Markey on 9/10/86 from NRC Chairman Lando Zech.

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