



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

APR 27 1988

DOCKETED
USNRC

Peter B. Bloch, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Emmeth A. Luebke¹⁸⁹ MAY -1 P4:31
Administrative Judge
4515 Willard Avenue
Chevy Chase, MD 20815

OFFICE OF PUBLIC
RELATIONS & SERVICE
BRANCH

Dr. Jerry Harbour
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

In the Matter of
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, ET AL.
(Seabrook Station, Units 1 and 2)
Docket Nos. 50-443, 50-444 On-Site Emergency Planning - 06-1

Dear Administrative Judges:

Enclosed is page five of the "Testimony of Falk Kantor Regarding Basis A.5 Of Massachusetts Attorney General's Amended Alert Notification System Contention" which inadvertently was omitted from the Staff's April 25, 1988 filing.

Also enclosed is a letter dated December 14, 1988, from the Federal Emergency Management Agency to the NRC Executive Director for Operations. The Staff intends to introduce this document in evidence during the upcoming evidentiary hearing.

Sincerely,

Gregory Alan Berry
Counsel for NRC Staff

Enclosure: As stated
cc w/encl: Service List

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testimony but is, to the extent relevant, addressed in the testimony of Staff witness Kenneth Eldred.

Q11. Mr. Kantor, does the Staff have a position as to whether there is reasonable assurance that Applicants' VANS system is capable of alerting the Massachusetts portion of the Seabrook EPZ in about 15 minutes in the event of an emergency at the Seabrook Station?

A11. Yes. The NRC Staff has concluded that there is reasonable assurance that the design of the Applicants' VANS system satisfies the requirements of 10 CFR 50 and the guidance criteria of NUREG-0654/FEMA-REP-1 for the Massachusetts portion of the Seabrook EPZ.

Q12. Upon what information do you base this statement?

A12. This position is based upon a review of the information presented by Applicants in the Seabrook Plan for Massachusetts Communities (SPMC) and associated implementing procedures and the FEMA-REP-10 Design Report including Addendum 1 to that report; on information provided in a filing by the Applicants to the Board on September 17, 1988, and on the Applicants' prefiled testimony dated April 3, 1989. This position is also based upon (1) a review of the FEMA preliminary technical review of the Seabrook alert and notification system provided to the NRC on January 23, 1989; (2) a review of the FEMA exercise report for the June 28-29, 1988 exercise dated September 2, 1988; and (3) a review of the December 1988 FEMA report on the review and evaluation of the SPMC. FEMA provided its findings in Seabrook plans and preparedness to the NRC on December 14, 1988.

The Staff's position also opinion is based on an inspection of the VANS conducted by NRC Region I on June 1-2, 1988 (reported in Inspection Report No. 50-443/88-08, dated July 7, 1988) and on an April 26, 1988 NRC



Federal Emergency Management Agency

Washington, D.C. 20472

DEC 14 1988

Mr. Victor J. Stello
Executive Director for Operations
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Stello:

This is in further response to the September 9, 1988 memorandum from Frank J. Congel of the Nuclear Regulatory Commission (NRC) to Richard W. Krimm of the Federal Emergency Management Agency (FEMA) confirming the schedule for the issuance of FEMA's findings and determinations on the offsite radiological emergency preparedness plans for the Seabrook Nuclear Power Station. This also represents FEMA action in response to requests received from the States of New Hampshire and Maine for FEMA approval of their offsite radiological emergency plans and preparedness for Seabrook under the provisions of 44 CFR 350.7. These requests were published in the Federal Register on October 28, 1988, in accordance with 44 CFR 350.8.

Finally, this further carries out certain agreements reached with the NRC and the Atomic Safety and Licensing Board (ASLB) on the Seabrook Plan for Massachusetts Communities (SPMC). In the August 3-4, 1988, pre-hearing conference on the upcoming litigation on the SPMC, FEMA agreed to provide a review of the SPMC by October 14, 1988, in order to accommodate the scheduling needs of the ASLB hearing. That commitment was met. FEMA had also agreed to provide a consolidated finding for the offsite plans of the States of Maine and New Hampshire and the New Hampshire Yankee Offsite Response Organization in November. Unfortunately, the discovery demands on the FEMA Region I Regional Assistance Committee (RAC) Chairman for Seabrook prevented us from meeting this deadline.

We have completed our integrated review and evaluation of the offsite plans and preparedness for Seabrook. The enclosed documents, all of which are dated December 1988, represent the results of that review. Due to their large combined volume, we have bound them as six separate documents. The documents are:

1. Review and Evaluation of the State of Maine Ingestion Pathway Plan for Seabrook Station.
2. Review and Evaluation of the State of New Hampshire Radiological Emergency Response Plan for Seabrook Station.
3. Review and Evaluation of the Seabrook Plan for Massachusetts Communities.

4. Status of Corrective Actions for the 1988 FEMA Graded Exercise.
5. Report of the Public Meeting for the Seabrook Nuclear Power Station.
6. Findings and Determinations Document for the Seabrook Nuclear Power Station.

The exercise report was provided to you on September 2, 1988, but should be considered part of this submittal.

The plans for the States of New Hampshire and Maine were reviewed against the standards of NUREG-0654/FEMA-REP-1, Rev. 1. The Seabrook Plan for Massachusetts Communities was reviewed against the standards and assumptions of NUREG-0654/FEMA-REP-1, Rev. 1. Supplement 1. Those assumptions are that in an actual radiological emergency, State and local officials that have declined to participate in emergency planning will:

- a. Exercise their best efforts to protect the health and safety of the public;
- b. Cooperate with the utility and follow the utility offsite plan; and
- c. Have the resources sufficient to implement those portions of the utility offsite plan where State and local response is necessary.

In accordance with an agreement between NRC and FEMA, we expect that the NRC will defend any legal challenges to these assumptions.

We would like to note the following events and actions which support and document the findings to follow:

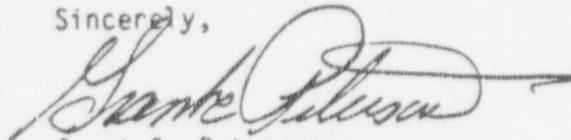
1. A joint exercise was held on June 28 - 29, 1988, in accordance with 44 CFR 350.9 (a).
2. A briefing of exercise participants and a public meeting were held on July 2, 1988, in accordance with 44 CFR 350.9 (a) and 44 CFR 350.10.
3. Requests for corrective actions (and implementation schedules) for inadequacies resulting from the June 1988 exercise were made to the appropriate organizations.
4. Responses to those requests were received and evaluated.
5. Integrated reviews and evaluations of the offsite plans for the Seabrook Emergency Planning Zone (EPZ) were made, including review by the FEMA Region I RAC.

Based on the results of the above mentioned plan reviews, exercise and analyses, and the recommendation of the FEMA Region I Regional Director, we make the following findings for the three jurisdictional areas in the Seabrook EPZ:

- ° It is FEMA's position that Maine's ingestion pathway plan and preparedness are adequate to protect the health and safety of the public living in the Maine portion of the ingestion pathway of Seabrook by providing reasonable assurance that appropriate protective measures can be taken offsite in the event of a radiological emergency and are capable of being implemented. In response to the State of Maine request, FEMA has initiated the process for granting approval under 44 CFR 350 for its ingestion pathway plan for the Seabrook Nuclear Power Station. We are distributing the FEMA Region I review of the Maine ingestion plan and preparedness to the Federal Radiological Preparedness Coordinating Committee for their review, prior to granting formal approval.
- ° Concerning the plans and preparedness for the State of New Hampshire, the Seabrook alert and notification system design for the New Hampshire portion of the Seabrook EPZ has met the design requirements of FEMA-REP-10. When the proposed enhancements to the alert and notification system for the New Hampshire portion of the Seabrook EPZ are installed and operable, it is FEMA's position that the plans and preparedness will be adequate to protect the health and safety of the public living in the New Hampshire portion of the Seabrook EPZ, by providing reasonable assurance that appropriate protective measures can be taken offsite in the event of a radiological emergency and are capable of being implemented. At that time, we will be able to make a FEMA approval under 44 CFR 350.
- ° Concerning the Seabrook Plan for Massachusetts Communities, developed by New Hampshire Yankee, the Seabrook alert and notification system design for the Massachusetts portion of the EPZ has also met the design requirements of FEMA-REP-10. When the vehicular alert and notification system is installed and operable, it is FEMA's position that plans and preparedness will be adequate to protect the health and safety of the public living in the Massachusetts portion of the Seabrook EPZ by providing reasonable assurance that appropriate protective measures can be taken offsite in the event a radiological emergency and are capable of being implemented. At that time, a positive finding can be made.

In conclusion, I believe that this evaluation of plans and preparedness for the Seabrook Nuclear Power Station represents a thorough evaluation of the plans and preparedness as they exist today. If you have any questions, please feel free to contact me at 646-3692.

Sincerely,



Grant C. Peterson
Associate Director
State and Local Programs and Support

Enclosures
As Stated