

BEFORE THE COMMISSION

(Emergency Planning)

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for that site is issued after July 13, 1982. This exercise shall be conducted within two years before the issuance of the first operating license for full power (one authorizing operation above 5% of rated power) of the first reactor and shall include participation by each State and local government within the plume exposure pathway EPZ and each State within the ingestion exposure pathway EPZ. If the full participation exercise is conducted more than one year prior to issuance of an operating license for full power, an exercise which tests the licensee's onsite emergency plans shall be conducted within one year before issuance of an operating license for full power. This exercise need not have State or local government participation. (emphasis added)

The most recent exercise of the onsite plan was held in conjunction with the full preparedness exercise at Seabrook on June 28 and 29, 1988. The Applicants project that if the licensing of Seabrook proceeds on its present course, a full power license could be issued about seventeen to eighteen months after the conduct of the June 1988 exercise and have requested an extension of the requirement in Appendix E, Section IV.F.1, that onsite exercises be held one year prior to issuance of a full power license.

3. The objective of Appendix E, Section IV.F.1, regarding the testing of the onsite emergency plans, is to assure that an adequate state of onsite emergency preparedness is demonstrated through the conduct of an emergency plan exercise within one year before a nuclear plant is authorized to exceed 5% of rated power. The importance of annual onsite emergency planning exercises by a licensee's operational staff is recognized in the Commission's regulations, which now require that after a facility is licensed to operate there must be an annual onsite exercise (10 CFR 50, Appendix E, Section IV.F.2). This annual emergency preparedness exercise ensures that the licensee's new personnel are adequately and promptly trained and that existing licensee personnel maintain their emergency response capability. The existing requirement of a pre-operational onsite exercise within one year prior to full-power license issuance is consistent with this philosophy as well as the Commission's general

desire to have pre-operational emergency planning exercises as close as practicable to the time of licensing.^{1/} Also, in revising the timing requirement for a full participation exercise prior to full power licensing, the Commission recognized the distinction in the responsibilities and training requirements for the onsite and offsite response organizations, and expressed its belief that an onsite exercise should be conducted within one year of licensing to provide assurance that an applicant's onsite response capabilities are adequate.^{2/}

4. Construction of Seabrook Unit 1 was completed in 1986. A fuel load (zero-power) license was issued on October 17, 1986, and a low power testing (up to 5% of rated power) license was issued on May 26, 1989. Since the completion of construction and the loading of fuel in the fall of 1986, the applicants have maintained the operating staff in a state of readiness to operate the plant. As a result of the approximately three year delay in the full power licensing of Seabrook, the Applicants have had the opportunity to exercise the onsite emergency plant on an annual basis since 1986.

5. The Seabrook Station Emergency Response Organization (ERO), which implements the Seabrook Station Radiological Emergency Plan (SSREP), the onsite emergency plan, was established in 1985. In addition to extensive training and drills, the ERO has participated in three emergency preparedness exercises which were observed by the NRC. A joint exercise of the onsite plan and the New Hampshire Radiological Emergency Response Plan (NHRERP) was held in February 1986. An exercise of the onsite plan was held in December 1987. A

1/ See 52 FR 16823, May 6, 1987.

2/ Id.

full participation exercise involving the onsite plan, the NHRERP, the Seabrook Plan for Massachusetts Communities, and the State of Maine Ingestion Pathway Plan was held on June 28 and 29, 1988. As indicated above, the onsite portions of these exercises were evaluated by the NRC.^{3/} In each exercise all major facilities related to the onsite emergency plan were activated and exercised, including the Control Room, the Technical Support Center, the Operational Support Center, the Emergency Operations Facility, and the Media Center.

6. The results of the NRC observation of the onsite exercises are documented in NRC Inspection Report Nos. 50-443/86-10, 50-443/87-25, and 50-443/88-09. In each exercise, the NRC concluded that the Applicants' emergency response actions were adequate to provide protective measures for the health and safety of the public. But each exercise also identified weaknesses or areas requiring corrective action. The Applicants satisfactorily responded to these items and they were closed out in subsequent inspections.

7. Since issuance of the fuel load license in October, 1986, the Applicants have had to implement portions of the onsite plan in response to two situations that were classified as "Unusual Events," the lowest level of accident severity classification. The response of the ERO to these events was much less extensive than the response which takes place during an onsite exercise. Both events involved minor equipment failures and occurred with the plant in cold shutdown having never been taken critical and no fission product inventory present. The first instance occurred in February 1987 and in an examination of the event and the Applicants' response, the NRC issued a Notice of Violation for a delay in

3/ The offsite portion of the 1986 and 1988 exercises was evaluated by the Federal Emergency Management Agency.

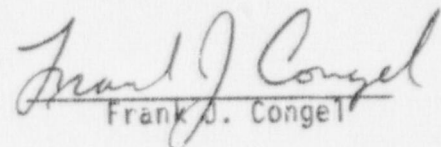
notifying the Commonwealth of Massachusetts until 30 minutes after declaring the Unusual Event (See NRC Inspection Report No. 50-443/87-08). The second Unusual Event occurred on December 19, 1988. In a report related to this event, the NRC noted that all notifications to offsite authorities were made promptly and in accordance with NRC regulations and the onsite plan (See NRC Inspection Report No. 50-443/88-17).

8. The Applicants' onsite ERO consists of over 500 members drawn from onshift personnel, other Station personnel, corporate personnel, and Yankee Nuclear Services Division personnel. These personnel are assigned either to the Control Room, the Technical Support Center, the Operational Support Center, the Emergency Operations Facility, or the Media Center. The ERO has been involved in training and drills in an operational mode since October 1986. The average emergency preparedness experience level of the members of the ERO is over two and one-half years and at least one person currently assigned to a key ERO decisionmaking position participated in the June 1988 exercise. While many of the newer ERO members are in less critical response positions, such as Administrative Support, Auxiliary Operator, and Control Room Communicator, information provided in the August 11, 1989 filing by the Applicants indicates that 27 out of 51 assigned individuals to the key ERO positions have not participated in an exercise in their currently assigned position. In addition, almost half of the ERO have not had the opportunity to participate in any of the three annual onsite exercises. Moreover, while the June 1988 exercise demonstrated certain strengths in the ERO and the Applicants overall response was adequate, there were some questions raised concerning the performance of the ERO (See NRC Inspection Report Nos. 50-443/88-09 and 50-443/88-10). Further, recent low power testing has indicated some weaknesses in control room staff performance which, while not indicative of a fundamental flaw in the training

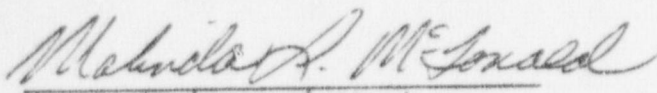
program, indicates the importance of continued training. The Staff believes that the conduct of another exercise of the ERO prior to full power licensing would serve to confirm the adequacy of onsite emergency preparedness at Seabrook and would provide a valuable training experience for the newer members of the organization and those in key decisionmaking positions who have not had the opportunity to participate in an exercise. The conduct of another onsite exercise would also provide an opportunity for exercising the interfaces between the onsite organization and the offsite organizations; i.e., the State of New Hampshire and the New Hampshire Yankee-Offsite Response Organization.

Based on a review of the Applicants' exemption request, the Staff concludes that Applicants have not demonstrated that the current level of experience and training of the Emergency Response Organization staff is such that an onsite emergency planning exercise within a year before full power operation is not necessary to satisfy the underlying purpose of the rule -- to confirm the adequacy of onsite emergency preparedness close to issuance of a full power license. Therefore, the Applicants' request for exemption should be denied.

The foregoing and the attached statement of professional qualifications are true and correct to the best of my knowledge and belief.


Frank J. Congel

Subscribed to and sworn before me
this 28th day of August, 1989.


My commission expires: 7/1/90

DOCKETED
USNRC

Docket Nos. 50-443 OL
50-444 OL

Dated at Rockville, Maryland
this 28th day of August, 1989

DOCKETED
USNRC

BEFORE THE COMMISSION

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Docket Nos. 50-443 OL
50-444 OL
Emergency Planning

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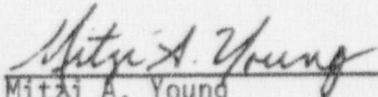
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