



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

June 24, 2021

David Gudinas, Acting Director
Technological Hazards Division
National Preparedness Directorate
Federal Emergency Management Agency
400 C Street, NW
Washington, DC 20472

SUBJECT: NOTIFICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY
OF THE IMPLEMENTATION OF APPROVED EXEMPTIONS FROM OFF-SITE
EMERGENCY PLANNING REQUIREMENTS FOR THE DUANE ARNOLD
ENERGY CENTER

Dear Mr. Gudinas:

This is to notify you that on June 11, 2021, the Duane Arnold Energy Center (DAEC) implemented specific exemptions from emergency planning and preparedness (EP) requirements (Agencywide Documents Access and Management System [ADAMS] Accession No. ML21165A121) in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.47, "Emergency plans," and Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," to 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities." The exemptions were authorized by the U.S. Nuclear Regulatory Commission (NRC) on April 13, 2021 (ADAMS Accession No. ML21097A139) and were based on our analysis of an exemption application from NextEra Energy Duane Arnold, LLC (NEDA, the licensee) (ADAMS Accession Nos. ML20101M779 and ML20282A595). Upon implementation of these exemptions, NEDA's EP program at DAEC will consist of performing licensee on-site emergency response activities such as exercises, notifying off-site authorities in the event of an emergency classification, and maintaining arrangements for only those off-site response organizations (OROs) that may respond to on-site emergencies (e.g., law enforcement, fire and medical services). OROs with responsibilities under the licensee's emergency plan will continue to be afforded the opportunity to participate in onsite exercises.


The NRC-authorized exemptions were effective on June 10, 2021. This date is approximately 10 months after permanent cessation of power operations at DAEC and related to the time needed for the radionuclides in the spent fuel of the spent fuel pool (SFP) to decay such that: (1) an offsite radiological release will not exceed the limits of the U.S. Environmental Protection Agency's early phase protective action guide of one roentgen equivalent man at the site's exclusion area boundary for remaining applicable design basis accidents (DBAs); and (2) in the highly unlikely event of a beyond-DBA resulting in a loss of all SFP cooling, there would be sufficient time to initiate appropriate SFP mitigating actions. By letter dated August 27, 2020 (ADAMS Accession No. ML20240A067), NEDA certified to the NRC that power operations permanently ceased at DAEC on August 10, 2020, and in a letter dated October 12, 2020 (ADAMS Accession No. ML20286A317), further certified that the fuel was permanently removed from the DAEC reactor vessel and placed in the spent fuel pool (SFP) as of October 12, 2020. Upon the NRC's docketing of NEDA's certification that all fuel has been permanently removed

from the DAEC reactor vessel and placed into the DAEC SFP, pursuant to 10 CFR 50.82(a)(2), the 10 CFR Part 50 license for DAEC no longer authorizes operation of the reactor or emplacement or retention of fuel in the reactor vessel.

The NRC no longer requires the Federal Emergency Management Agency (FEMA) to monitor, review or report on off-site radiological EP and preparedness activities at the DAEC site in accordance with the Memorandum of Understanding between FEMA and the NRC, dated December 7, 2015 (ADAMS Accession No. ML15344A371). As such, we request that FEMA provide a formal notice to the State of Iowa and local governments within the designated plume exposure pathway and ingestion pathway EP zones that the off-site radiological emergency plans, under Title 44, "Emergency Management and Assistance," of the CFR, Part 350, "Review and Approval of State and Local Radiological Emergency Plans and Preparedness," will no longer be required for the DAEC site.

Should you need more information or support in interfacing with the State of Iowa on this matter, please contact Jessie Quichocho of my staff at 301-415-0209.

Sincerely,



Signed by Brock, Kathryn
on 06/24/21

Kathryn M. Brock, Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

cc: T. Warnock, FEMA
C. Fiore, FEMA
B. Foreman, FEMA

Letter from NRC to FEMA - Notification to the Federal Emergency Management Agency of the Implementation of Approved Exemptions from Off-Site Emergency Planning Requirements for the Duane Arnold Energy Center DATE June 24, 2021

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ADAMS Accession No.: Ltr ML21152A303

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