



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

May 4, 2022

Thomas K. Warnock, Branch Chief  
Radiological Emergency Preparedness Program  
National Preparedness Directorate  
Federal Emergency Management Agency  
400 C Street, NW  
Washington, DC 20472

SUBJECT: FEDERAL EMERGENCY MANAGEMENT AGENCY REVIEW REQUESTED OF REVISION TO THE DIABLO CANYON SITE EMERGENCY PLAN TO ADDRESS THE PERMANENTLY SHUT DOWN AND DEFUELED CONDITION

Dear Mr. Warnock:

By letter dated November 27, 2018 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML18331A553), Pacific Gas and Electric Company (PG&E) certified to the U.S. Nuclear Regulatory Commission (NRC), in accordance with Section 50.82(a)(1)(i) of Title 10 to the *Code of Federal Regulations* (10 CFR), that it planned to permanently cease power operations at Diablo Canyon Power Plant (DCPP) Units 1 and 2 on November 2, 2024 and August 26, 2025, respectively. In preparation for the permanent cessation of operations at DCPP, by letter dated October 8, 2021 (ADAMS Accession No. ML21284A003), PG&E submitted for prior NRC approval, a license amendment request to revise the DCPP Emergency Plan to address the permanent cessation of power operations and defueled condition. Refer to URL below to access the application.

<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML21284A003>

The proposed changes to the DCPP Emergency Plan would revise the licensee's on-shift and augmented emergency response organization (ERO) staffing in response to the reduced risk from a spectrum of credible accidents, given the permanent cessation of power operations, and permanent removal of fuel from the DCPP Units 1 and 2 reactor vessels. These proposed changes are not associated with any subsequent requests for exemption to NRC regulations and must continue to meet the standards of 10 CFR 50.47, "Emergency plans," and the requirements of Appendix E to 10 CFR Part 50, "Emergency Planning and Preparedness for Production and Utilization Facilities."

Pursuant to 10 CFR 50.82(a)(i) and (ii), implementation of the proposed DCPP Emergency Plan for the site would not occur until after PG&E certifies in writing to the NRC that the reactors have permanently ceased operations and fuel has been permanently removed from the DCPP Units 1 and 2 reactor vessels. Upon docketing of this certification, the 10 CFR Part 50 license for DCPP Units 1 and 2, will no longer authorize operation of the reactor, or emplacement or retention of fuel into the reactor vessels.

Section 5.4, "Assessment of Staff Changes on Off-Site Emergency Response Organizational Interfaces," of Enclosure 1, "Evaluation of the Proposed Changes," to PG&E's application

provides the licensee's assessment of the proposed staffing changes on offsite response organization interfaces. Based on the results of this assessment, PG&E concluded the following:

The proposed changes do not reduce the ability of Diablo Canyon to provide the necessary information regarding the status and progression of an event or in the frequency at which event information updates are provided. Nor do the changes impact the ability to dispatch additional technical support to the EOCs [Emergency Operations Centers]. As a result, the proposed changes do not impact the ability of Diablo Canyon to communicate with the offsite response organizations or the ability of the State and County response organizations to effectively implement their FEMA [Federal Emergency Management Agency]-approved REP [Radiological Emergency Preparedness] Plans.

PG&E stated that it provided the California Governor's Office of Emergency Services and County of San Luis Obispo Office of Emergency Services with a draft copy of the proposed DCPPE Emergency Plan for comment. Comments were provided to PG&E on the draft copy and PG&E addressed these comments to their satisfaction. Enclosure 1, Attachment 5, "Offsite Response Organization Concurrence Letters," provides copies of letters from each offsite response organization confirming the completion of their review of the proposed DCPPE Emergency Plan with no further comments at this time.

The NRC's preliminary review of the proposed changes to the DCPPE Emergency Plan indicates that these changes would not impact the methods or timing for the notification of State and local agencies of an emergency declaration and/or offsite protective action recommendation, offsite radiological monitoring and assessment capabilities, or the current location or timing of activation for the licensee's emergency response facilities. However, due to the extent of proposed changes to the licensee's ERO staffing, the NRC is requesting FEMA's review of the proposed licensee ERO staffing changes to verify that no potential adverse impacts exist that would preclude the effective implementation of the existing FEMA-approved State and local radiological emergency response plans and procedures.

Also, in Attachment 5, Enclosure 2, "Supplemental Action," to its application, PG&E states that prior to implementation of DCPPE Emergency Plan:

Diablo Canyon Power Plant will perform a drill to confirm the ability of the post-shutdown Emergency Response Organization (ERO) to perform the necessary functions of each emergency response facility and to utilize the post-shutdown procedures being developed depicting the revised assignment of duties. State and local response organizations will be offered the opportunity to participate, and the Nuclear Regulatory Commission and Federal Emergency Management Agency will be provided advance notice and the opportunity to observe drill activities.

Per the Memorandum of Understanding Between the Department of Homeland Security / Federal Emergency Management Agency (FEMA) and NRC Regarding Radiological Response, Planning and Preparedness, dated December 7, 2015 (ADAMS Accession No. ML15344A371), FEMA has responsibility for determining the adequacy of offsite radiological emergency plans and preparedness and providing its findings to the NRC. As such, I am requesting that FEMA provide its assessment to the NRC by no later than June 17, 2022, to support the NRC's continued technical review and final determination, and completion and issuance of the safety

T. Warnock

3

evaluation report approving the licensing action. Please contact me at your earliest opportunity if FEMA will not be able to meet this requested date for a response.

As always, thank you for your assistance. If you have any questions regarding the changes proposed for the DCPD Emergency Plan, the NRC's evaluation of these proposed changes, or if FEMA will be unable to meet the requested due date of June 17, 2022, please contact Michael Norris at (301) 287-3754.

Sincerely,

Jessie Quichocho, Chief  
Reactor Licensing Branch  
Division of Preparedness and Response  
Office of Nuclear Security  
and Incident Response

cc: C. Fiore, FEMA HQ

T. Warnock

4

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DATED May 4, 2022

**DISTRIBUTION:**

**ADAMS Accession Number: ML22124A139**

**\*via email**

OFFICE	NSIR/DPR/RLB	NSIR/DPR/RLB
NAME	M Norris	J Quichocho
DATE	5/4/22	5/4/22

**OFFICIAL RECORD COPY**