

## **POLICY ISSUE NOTATION VOTE**

September 27, 2005

SECY-05-0172

FOR: The Commissioners

FROM: Luis A. Reyes  
Executive Director for Operations

SUBJECT: DUKE POWER COMPANY'S REQUEST TO INCORPORATE THE OCONEE EMERGENCY OPERATIONS FACILITY INTO THE EOF SHARED BY CATAWBA AND MCGUIRE NUCLEAR STATIONS.

PURPOSE:

To obtain Commission approval of the proposal by Duke Power Company to incorporate the existing emergency operations facility (EOF) for the Oconee Nuclear Station into the Catawba/McGuire EOF in Charlotte, North Carolina (hereafter referred to as the Charlotte EOF).

SUMMARY:

Duke Power Company has proposed to incorporate the Oconee near-site EOF into the Charlotte EOF. The circumstances of this proposal are as follows: (1) currently, the Charlotte EOF is used by Catawba and McGuire, (2) the licensee intends to move the Charlotte EOF from the Power Building to an adjacent building (Duke Energy Center), and (3) the Charlotte EOF is 120 miles from Oconee Nuclear Station.

The greater distance involved in the proposed plan should not impede the licensee's and the Nuclear Regulatory Commission's (NRC's) ability to perform their respective functions. The staff believes that Region II's familiarity with the use of common EOFs, the familiarity of the States of North and South Carolina with the Charlotte EOF, enhancements to telecommunications, the licensee's commitment to accommodate up to 10 members of the

CONTACT: Kevin Williams, NSIR/DPR  
301-415-1104

NRC site team at the former Oconee EOF if needed, and Duke Power's emergency response strategies adequately compensate for any impediments posed by incorporating the Oconee EOF into the Charlotte EOF. The staff is confident that this proposal will continue to provide reasonable assurance that adequate protective measures can and will be implemented in the event of a radiological emergency.

#### DISCUSSION:

In 1983, Duke Power made a similar proposal to incorporate the Oconee EOF into the Charlotte EOF. The Commission, on June 12, 1984, in response to SECY 84-89/89A denied Duke Power's request to except the Oconee EOF from the EOF location guidance in NUREG-0696 and incorporate it into the Charlotte EOF. The basis for the denial was the licensee did not make provisions to interface with Federal, State, and local emergency management agencies near the site. The licensee would have been at a remote location while Federal, State, and local officials would have been at a location near the site. In addition, on June 24, 1985, the United States Court of Appeals upheld the Commission's denial of the request by Duke Power to except the Oconee EOF from the EOF location guidance.

The staff requested additional information from the licensee to address the changes that have taken place since the 1984 denial to support the current request to be excepted from the NUREG-0696 guidance. In response to the request for additional information, Duke Power provided information (ADAMS Accession No. ML040970133) that would support a new request to except the Oconee EOF from the EOF location guidance. The licensee provided the following factors: (1) the State of South Carolina no longer deploys its decisionmakers to a near-site Emergency Operations Center (EOC), (2) the State of South Carolina sends an emergency management and a department of health liaison to co-locate with the utility decisionmakers at the Charlotte EOF, which is closer to the State EOC, (3) Duke Power Company sends liaisons to the State and local EOCs, (4) the NRC site team co-locates with the decisionmakers at the Charlotte EOF, and (5) Duke Power has upgraded its telecommunications capability with State and local decisionmakers and the NRC. Circumstances underlying the staff's denial of Duke's previous request to consolidate their "near-site" EOF have changed and a review of Duke's new request is appropriate.

Commission approval is required for an EOF to be more than 25 miles from the Technical Support Center (the original distance of 20 miles, specified in NUREG-0696 and Supplement 1 to NUREG-0737, was changed by the Commission in its Staff Requirements Memorandum (SRM) dated September 18, 1996, regarding SECY-96-170, dated August 5, 1996). The distance from the Oconee Nuclear Station to the proposed Charlotte EOF is 120 miles. The Commission has approved two previous exceptions to the guidance and one exemption from the regulations to have a nearsite EOF based on the licensees' ability to interface and effectively communicate with Federal, State, and local emergency management agencies and because adequate protective measures could and would be implemented in the event of a radiological emergency.

The staff has requested that licensees who want to establish a common EOF demonstrate the ability to respond to a multi-site event. The staff observed a dual-site drill on March 23, 2005, involving Catawba and Oconee. The staff observed the licensee's notification process, staffing, communication, technical support, dose assessment, protective action recommendation process, coordination with offsite officials, and overall command and control. The licensee demonstrated the capability to effectively respond to a dual-site emergency event. EOF staffing was in

accordance with the licensee's procedures. The offsite agencies received timely and accurate information, and adequate protective measures were recommended to protect the public health and safety. In addition, the staff observed the Joint Information Centers for Oconee and Duke Power's Corporate Offices. The observation team for the dual-site drill, conducted on March 23, 2005, consisted of the staff that observed the dual-site drills for Southern Nuclear Company and TMI, and additional Regional and Headquarters personnel.

The staff considered the following factors in conducting the evaluation of Duke Power's proposal to incorporate the Oconee near-site EOF with the Charlotte EOF.

Functions:

In accordance with NUREG-0696, an EOF must have facilities for the following functions:

1. management of overall licensee response effort
2. coordination of radiological and environmental assessment
3. determination of protective actions
4. coordination of emergency response activities with Federal, State, and local agencies

The proposal meets the functional requirements for an EOF. The Charlotte EOF provides for the continued capability to perform functions in a manner that is equivalent to the current Oconee EOF.

Staffing and Training: Duke Power has established a Common EOF multi-site event staffing table (see Attachment); this results in 16 additional staff members reporting to support an emergency at an additional Duke Power site. The EOF Director has overall command and control with an Assistant Director, Accident Assessment Manager, Radiological Assessment Manager, Dose Assessors, and Operations Interface for each affected site. If an emergency event occurs at more than one site, the emergency response staff will respond to the Charlotte EOF for the respective sites. In addition, staffing of the Charlotte EOF will occur within 75 minutes of an Alert or higher emergency declaration. The licensee committed to conducting a drill once every six years involving more than one Duke Power Company site.

For an emergency event at Oconee, the Charlotte EOF will be staffed by personnel from Duke Energy Corporation's General Office and Catawba/McGuire. Personnel who respond to the Charlotte EOF will be trained on the Oconee emergency plan and their specific emergency response organization (ERO) position. This allows the former Oconee EOF responders to be added to the pool of available Oconee TSC responders.

Location: The licensee's proposal results in an EOF that is 120 miles from the Oconee Nuclear Station. Although this distance is more than 25 miles from the plant, the location of the proposed EOF continues to provide functionality and availability characteristics for meeting the licensee's functions and responsibilities by performing all the functions of the current EOF. The remote location allows the Charlotte EOF to function unaffected by any potential release of radioactive material resulting from an emergency event at Oconee.

It should be noted that the licensee intends to relocate the Charlotte EOF from the Power Building to the adjacent Duke Energy Center by the end of 2005. The staff does not expect that this will result in any significant functional changes. The equipment in the Power Building for the

acquisition, display, and evaluation of radiological, meteorological, and plant systems data will be relocated to the Duke Energy Center. Once moved, the equipment will be tested for operability. The licensee anticipates that the backup power capability in the Duke Energy Center will be an enhancement over the current Power Building.

Size: The Power Building is approximately 6382 total square feet of which 5246 square feet is actual work space. The Charlotte EOF staffing for an emergency event is 51 people (30 licensee employees, 9 state government, and 12 NRC). The response to a multi-site event will add 16 additional staff members and will continue to meet the size requirements of NUREG-0696, Section 4.4. The Duke Energy Building is approximately 7414 square feet.

Communications: The licensee has committed to provide the same level of communications that exists at its current near-site EOF: commercial telephones, decision lines (to discuss protective action recommendations), radios, a Private Branch Exchange (to bypass local telephone switching), Duke telephone system, Selective Signals (State and county notification), fax machines, and the Federal Telecommunications Services lines for NRC use. The licensee will be adding two telephone extensions for the Oconee decision line, one for the EOF Director and the other line for the South Carolina State Liaison. A control station will be added in order for the Charlotte EOF to direct the Oconee Field Monitoring teams.

The licensee intends to upgrade its communication system with the State and local emergency management officials and intra-facility communication with the implementation of WEBEOC. WEBEOC is a web-based tool that brings real-time emergency information to the Emergency Operations Centers. Currently, the licensee intends to use WEBEOC for transferring plant status and for making its emergency event notification to States and local emergency management officials. WEBEOC should be in place by the end of November 2005.

Potential Overloading of Charlotte EOF: The addition of the Oconee near-site EOF into the Charlotte EOF increases the potential to respond to an emergency event at more than one site. The licensee has revised its procedures and emergency plan to reflect the capability to augment its EOF staff for multiple emergency events at the Catawba, McGuire, and Oconee sites. The licensee has added 16 additional personnel to respond to an emergency event at more than one location. In the unlikely event of a multi-site accident, Duke Energy will mobilize its entire EOF staff, using its ERO notification system and an "all call" approach, where the licensee calls the entire ERO to respond.

Impact on NRC's Incident Response and NRC Resources: Region II's incident response staff has been participating in drills and exercises with common EOFs for more than 15 years and has not encountered problems and does not foresee problems with the proposed incorporation of the Oconee EOF into the Charlotte EOF. Region II currently responds to the Charlotte EOF for any emergency event for Catawba and McGuire. The Region has demonstrated the capability to direct the incident response staff to respond to more than one location during an event while maintaining effective internal and external communications. If the NRC site team determines they need to relocate from the Charlotte EOF to be near the site, the licensee has committed to maintain the former near-site EOF in Clemson, SC, or an equivalent facility, that will be available to accommodate the NRC. This includes furniture, commercial and federal telephones, electricity, and heating and ventilation at the former near-site EOF.

Region II has experience with the following common EOFs: Tennessee Valley Authority (Browns Ferry, Sequoyah, and Watts Bar) and Duke Power (Catawba and McGuire). In addition, Southern Nuclear Company recently established a common EOF for Farley, Hatch, and Vogtle.

State and Local Agreement: The licensee included in its proposal letters of concurrence from the State and local emergency management officials in South Carolina. During the dual-site drill, the NRC staff interviewed Senior emergency management officials from North and South Carolina with respect to the incorporation of the Oconee EOF into the Charlotte EOF. The State officials are supportive of the move and thought it would enhance the response effort. Duke Power currently has provisions at the Charlotte EOF to accommodate State emergency management agencies and local representatives. The States of North and South Carolina send representatives to the Charlotte EOF. The local emergency management agencies do not normally send representatives to the EOF. Duke Power sends liaisons to the State and local emergency management agencies.

The States of North and South Carolina participated in the dual-site drill conducted by Duke Power. The representative from South Carolina said during the critique of the dual-site drill that operations in this manner will simplify their response effort since they will now report to one location and the Charlotte EOF is closer to their office. Both States stated they were pleased with the information flow and that working with the other state helped with the emergency response effort.

JOINT INFORMATION CENTER OPERATION: The Joint Information Center (JIC) for Oconee will remain near the site in order to address any media concerns. The State of South Carolina sends its Public Information Team to the JIC. In addition, Duke Power activates its Corporate JIC in response to any type of emergency situation. This Corporate JIC works with the Oconee JIC to provide information to its customers, the public, news media, its employees, industry, local, State, and Federal officials. This Corporate JIC responds to approximately eight events per year.

#### RESOURCES:

The staffs' effort on this activity was anticipated and budgeted. The Commission's decision on the staff's recommendation does not impact resources.

#### CONCLUSION:

The licensee has adequately addressed the previous NRC concerns which led to the 1984 denial of the proposal to incorporate the Oconee EOF into the Charlotte EOF. The Charlotte EOF meets the functional requirements for a near-site EOF. The Charlotte EOF would continue to protect the public health and safety and promote the common defense and security. The Charlotte EOF would establish one central Duke Power voice for communication and coordination with Federal, State, and local emergency management agencies for any Duke Power emergency event. The Charlotte EOF could provide additional capabilities in response to a security event as the licensee can effectively mobilize and manage its resources and communicate effectively with the site, Federal, State, and local emergency management. If necessary, the licensee has committed to maintain the former near-site EOF in Clemson, SC, or an equivalent facility to accommodate the NRC. In addition, maintaining the JIC near-site should

allow the licensee to promptly address any media concerns. The licensee has also committed to conduct a drill once every six years involving more than one Duke Power Company site. The NRC staff has determined that emergency response, communication, and coordination is not adversely affected by the incorporation of Oconee into the Charlotte EOF.

Therefore, the staff concludes that the incorporation of the Oconee EOF into the Charlotte EOF will effectively and efficiently support the Duke Power emergency response capability. This is consistent with the defense in depth doctrine and provides reasonable assurance that protective measures can and will be implemented in the event of a radiological emergency at the Oconee nuclear plant.

RECOMMENDATIONS:

The NRC staff recommends that the Commission approve the proposal to incorporate the Oconee Nuclear Station's EOF into the Charlotte EOF.

COORDINATION:

The Office of the General Counsel has reviewed this Commission paper and has no legal objection to its content. The paper was coordinated with the Office of the Chief Financial Officer for resource implications.

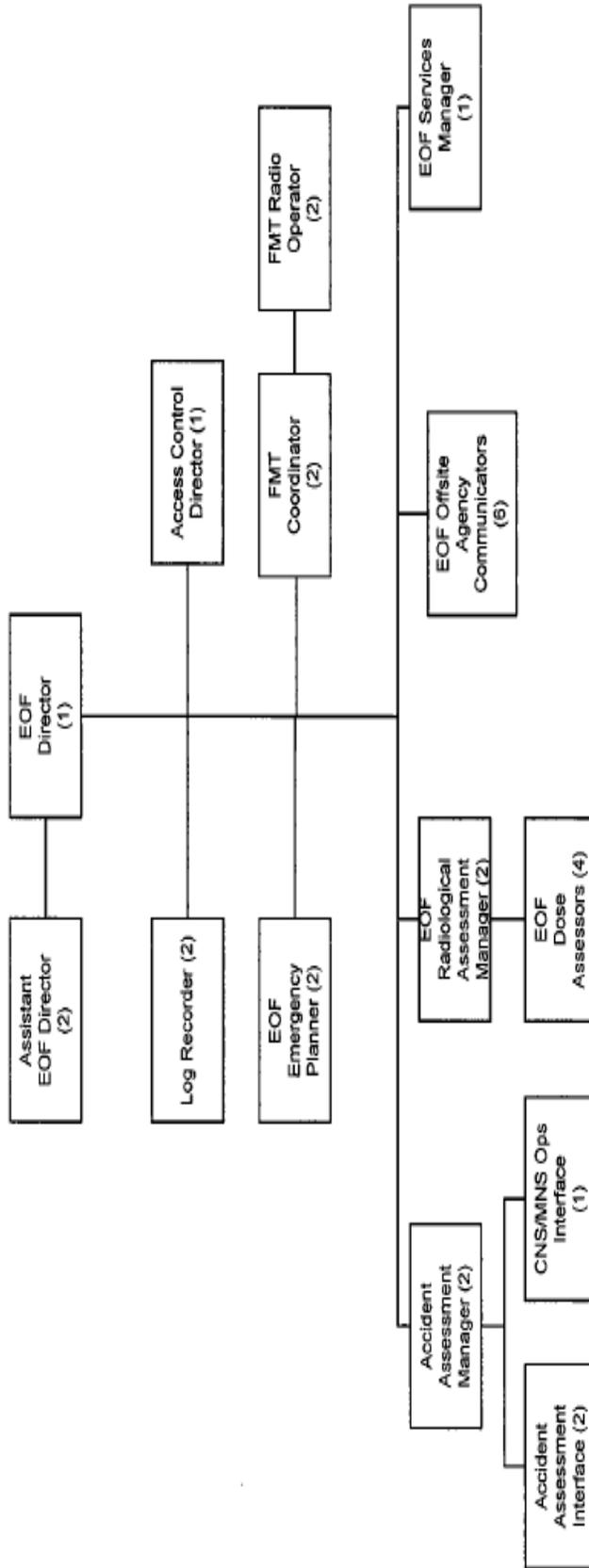
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Luis A. Reyes  
Executive Director  
for Operations

Attachment: As stated

**FIGURE B-11  
DUKE ENERGY COMPANY  
OCOONEE NUCLEAR SITE**

**Common EOF  
Multi-Site Event Staffing**



1. Pagers activated for second unit - all call response
2. Assistant EOF Director assumes responsibility as lead manager for designated site
3. Additional Log Keeper retained to support 2<sup>nd</sup> Site
4. Additional Accident Assessment Manager retained to support 2<sup>nd</sup> Site
5. Additional Dose Assessor retained to support 2<sup>nd</sup> Site
6. Additional FMT Coordinator retained to support 2<sup>nd</sup> Site
7. Additional FMT Radio Operator retained to support 2<sup>nd</sup> Site
8. Four additional Offsite Communicators as needed to support both sites
9. Additional Emergency Planner as needed to support 2<sup>nd</sup> Site
10. Additional Radiological Assessment Manager as needed to support 2<sup>nd</sup> Site
11. Additional Assistant EOF Director as needed to support 2<sup>nd</sup> Site
12. Oconee Ops Interface position is staffed in the ONS TSC
13. Additional Accident Assessment Interface as needed to support 2<sup>nd</sup> Site

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