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NOV 13, 1980

TO ALL LICENSEES OF OPERATING REACTOR PLANTS, HOLDERS OF CONSTRUCTION PERMITS, AND APPLICANTS FOR CONSTRUCTION PERMITS

Gentlemen:

The final regulations for emergency planning published in the Federal Register on August 19, 1980 (45FR55402), which became effective November 3, 1980, contain a revised Appendix E to 10 CFR 50. "Emergency Planning and Preparedness for Production and Utilization Facilities", which established minimum requirements for emergency plans in attaining an acceptable state of onsite emergency preparedness and a new Section 50.47. "Emergency Plans", which specifies standards that must be met for both onsite and offsite emergency response. This latter section also incorporates the Joint NRC/Federal Emergency Management Agency (FEMA) standards for use in evaluating State and local radiological emergency plans and preparedness. A related proposed FEMA rule will be conformed to the NRC rule language with respect to these standards in its final form. The proposed FEMA rule, 44 CFR 350, "Review and Approval of State Radiological Emergency Plans and Preparedness", was published for comment in the Federal Register on June 24, 1980 (45FR42341).

For operating reactors, the schedule for submittal of revised radiological emergency response plans is found in new paragraphs to 10 CFR 50, Section 50.54, "Conditions of Licenses", which requires that 60 days after the effective date of the rule (January 2, 1981), holders of nuclear power plant operating licenses must submit 13 copies of plans (10 to NRR and 3 to I&E) for coping with emergencies (50.54 (u)), plus 13 copies of State and local government radiological emergency response plans within the 10 mile plume exposure pathway (EPZ) as well as those State plans within the 50 mile ingestion pathway EPZ (50.64(s)(1)). Additionally, 13 copies of the implementing procedures for your emergency plan must be submitted by March 1, 1981. All licensee, State and local emergency response plans shall be implemented by April 1, 1981, except for the prompt notification provision which must be implemented by July 1, 1981.

Applicants should submit their radiological emergency response plans with their Final Safety Analysis Report and should submit their implementing procedures 180 days prior to scheduled issuance of an operating license. For applicants already at the operating license review stage, these plans should be submitted with sufficient lead time for staff review prior to the issuance of the Safety Evaluation Report supporting the NRC review of the application for operating license.

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The state of preparedness at and around your site will be determined by a review of your plan against the standards listed in 50.47 (b), the requirements of 10 CFR 50, Appendix E issued in August 1980 and effective November 3, 1980, and the guidance found in the joint NRC/FEMA report, NUREG-6454/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants", of January 1980. The Joint NRC/FEMA document is currently under revision as a result of comments received. The revision consists principally of clarification of the intent and is scheduled for final publication in November 1980.

Neither Regulatory Guide 1.70 Rev. 3, "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants", dated November 1978, nor NUREG-78/087, "Standard Review Plan", should be used in the preparation of your emergency plans. Section 13.3 of both documents currently refers to the earlier version of Appendix E and to Regulatory Guide 1.101, both of which have now been superseded. The October 10, 1979 and November 21, 1979 letters to power reactor licensees and construction permit holders and the October 23, 1979 letter to applicants for construction permits also are superseded by the rule requirements. Because the substance of these letters have been incorporated in the final rule, plans developed in accordance with earlier guidance should only require upgrading to the final rule requirements to be acceptable. Similarly, evacuation time estimates performed in compliance with the letters of November 29, 1979 or December 26, 1979, will largely satisfy the rule and final NUREG-0654 requirements for evacuation time estimates although reformatting of results may be needed.

We recommend to licensees and applicants that you work closely with the FEMA Regional Assistance Committees (RACs) and support your State and local governments in developing radiological emergency preparedness plans to assure adequate implementation of emergency plans in the environs around each nuclear power plant. The State and local governments need and, in most cases, will solicit your technical advice and support.

Sincerely,

Darrell G. Eisenhut, Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

\*For previous concurrences  
see attached yellow