

SEP 14 1982

DCD-016

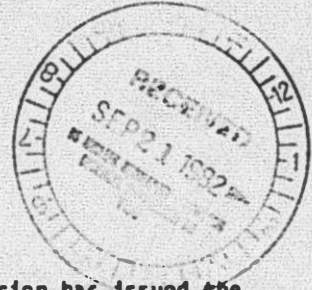
DISTRIBUTION: ORB #4 Rdg
Docket File Gray File
NRC PDR DEisenhut
L PDR RJacobs

RIngram
BSnyder
BGrimes
OELD
AEOD
IE
ACRS-10
TBarnhart-8

LSchneider
DBrinkman
CMiles
RDiggs
ASLAB

Dockets Nos. 50-289
and 50-320

Mr. Henry D. Mckill, Vice President
GPU Nuclear Corporation
P. O. Box 480
Middletown, Pennsylvania 17057



Dear Mr. Mckill:

In response to your letter of July 27, 1982, the Commission has issued the enclosed Exemption from certain annual emergency plan exercise requirements of 10 CFR 50, Appendix F, Section IV.F.1.a, specifically the level of local government participation in the exercise for the Three Mile Island (TMI) site for 1982.

We have concluded, based on the considerations discussed in the Exemption, that: (1) because the exemption does not involve a significant increase in the probability or consequences of an accident previously evaluated, does not create the possibility of an accident of a type different from any evaluated previously and does not involve a significant reduction in a safety margin, the exemption does not involve a significant hazards consideration, (2) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (3) such activities will not be inimical to the common defense and security or to the health and safety of the public.

A copy of the Exemption is being filed with the Office of the Federal Register for publication.

Sincerely,
ORIGINAL SIGNED BY
JOHN F. STOLZ

John F. Stolz, Chief
Operating Reactors Branch #4
Division of Licensing

Enclosure:
Exemption

cc w/enclosure:
See next page

OK Q u/b
OK 9/7
OK 8/11/82
OK 8/11/82

8210050491 820914
PDR ADOCK 05000289
F PDR

*See previous NRC 318 for concurrence.

8/11/82
TMIPO
BSnyder*

OFFICE	ORB #4:DL	ORB #4:DL	C-ORB #4:DL	AD-OR:DL	D:DL	OELD	BGrimes
SURNAME	RIngram*	RJacob/cb	JStolz	GLainas*	DEisenhut	ASAS	D:DEP
DATE	8/13/82	8/10/82	8/14/82	8/11/82	8/13/82	8/1/82	8/1/82

Mr. R. J. Toole
Manager, TMI-1
GPU Nuclear Corporation
P. O. Box 480
Middletown, Pennsylvania 17057

*Atomic Safety and Licensing Appeal Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

*Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

*Docketing and Service Section
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Chauncey Kepford
Judith H. Johnsrud
Environmental Coalition on Nuclear Power
433 Orlando Avenue
State College, Pennsylvania 16801

*Judge Gary J. Edles, Chairman
Atomic Safety and Licensing Appeal Board
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

J. B. Lieberman, Esq.
Berlock, Israel & Lieberman
26 Broadway
New York, New York 10004

Dr. Walter H. Jordan
881 W. Outer Drive
Oak Ridge, Tennessee 37830

Dr. Linda W. Little
5000 Hermitage Drive
Raleigh, North Carolina 27612

Ms. Gail P. Bradford
Anti-Nuclear Group Representing
York
245 W. Philadelphia Street
York, Pennsylvania 17404

John Levin, Esq.
Pennsylvania Public Utilities
Commission
Box 3265
Harrisburg, Pennsylvania 17120

Jordan D. Cunningham, Esq.
Fox, Farr and Cunningham
2320 North 2nd Street
Harrisburg, Pennsylvania 17110

Ms. Louise Bradford
TMIA
1011 Green Street
Harrisburg, Pennsylvania 17102

Ms. Marjorie M. Aamodt
R. D. #5
Coatesville, Pennsylvania 19320

Earl B. Hoffman
Dauphin County Commissioner
Dauphin County Courthouse
Front and Market Streets
Harrisburg, Pennsylvania 17101

Union of Concerned Scientists
c/o - Harmon & Weiss
1725 I Street, N. W.
Suite 506
Washington, D. C. 20006

Mr. Steven C. Sholly
Union of Concerned Scientists
1346 Connecticut Avenue, N. W.
Dupont Circle Building, Suite 1101
Washington, D. C. 20036

GPU Nuclear Corporation

- 2 -

Mr. Thomas Gerusky
Bureau of Radiation Protection
Department of Environmental Resources
P. O. Box 2063
Harrisburg, Pennsylvania 17120

Professor Gary L. Milhollin
1815 Jefferson Street
Madison, Wisconsin 53711

G. F. Trowbridge, Esq.
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N.W.
Washington, O. C. 20036

Mr. E. G. Wallace
Licensing Manager
GPU Nuclear Corporation
100 Interpace Parkway
Parsippany, New Jersey 07054

William S. Jordan, III, Esq.
Harmon & Weiss
1725 I Street, N.W., Suite 506
Washington, DC 20006

Ms. Virginia Southard, Chairman
Citizens for a Safe Environment
264 Walton Street
Lemoyne, Pennsylvania 17043

Government Publications Section
State Library of Pennsylvania
Box 1601 (Education Building)
Harrisburg, Pennsylvania 17126

Mr. David D. Maxwell, Chairman
Board of Supervisors
Londonderry Township
RFD#1 - Geyers Church Road
Middletown, Pennsylvania 17057

Regional Radiation Representative
EPA Region III
Curtis Building (Sixth Floor)
6th and Walnut Streets
Philadelphia, Pennsylvania 19106

Mr. Richard Conte
Senior Resident Inspector (TMI-1)
U.S.N.R.C.
P. O. Box 311
Middletown, Pennsylvania 17057

General Counsel
Federal Emergency Management Agency
ATTN: Docket Clerk
1725 I Street, NW
Washington, DC 20472

Karin W. Carter, Esq.
505 Executive House
P. O. Box 2357
Harrisburg, Pennsylvania 17120

York College of Pennsylvania
Country Club Road
York, Pennsylvania 17405

Dauphin County Office Emergency
Preparedness
Court House, Room 7
Front & Market Streets
Harrisburg, Pennsylvania 17101

Department of Environmental Resources
ATTN: Director, Office of Radiological
Health
P. O. Box 2063
Harrisburg, Pennsylvania 17105

Ms. Lennie Prough
U. S. N. R. C. - TMI Site
P. O. Box 311
Middletown, Pennsylvania 17057

Mr. Robert B. Borsum
Babcock & Wilcox
Nuclear Power Generation Division
Suite 220, 7910 Hoodmont Avenue
Bethesda, Maryland 20814

* Ivan W. Smith, Esq.
Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. C. W. Smyth
Supervisor of Licensing TMI-1
GPU Nuclear Corporation
P. O. Box 480
Middletown, Pennsylvania 17057

Governor's Office of State Planning
and Development
ATTN: Coordinator, Pennsylvania
State Clearinghouse

P. O. Box 1323
Harrisburg, Pennsylvania 17120

*Judge John H. Buck
Atomic Safety and Licensing Appeal
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*Judge Christine N. Kohl
Atomic Safety and Licensing Appeal
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*Judge Reginald L. Gotchy
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Ronald C. Haynes, Regional Administrator
U. S. N. R. C., Region I
631 Park Avenue
King of Prussia, Pennsylvania 19406

Board of Directors
P. A. N. E.
P. O. Box 26B
Middletown, Pennsylvania 17057

*Dr. Lawrence R. Quarles
Atomic Safety and Licensing Appeal
Board
U. S. Nuclear Regulatory Commission
Mail Stop EW-529
Washington, D. C. 20555

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
GPU Nuclear Corporation, ET AL)	Dockets Nos. 50-289 and
)	50-320
Three Mile Island Nuclear Station,)	
Units Nos. 1 and 2)	

EXEMPTION

I.

GPU Nuclear Corporation (the licensee) and three co-owners are the holders of Facility Operating Licenses Nos. DPR-50 and DPR-73 which authorize the operation of the Three Mile Island Nuclear Station, Units Nos. 1 and 2 (TMI-1 & 2). These licenses provide, among other things, that they are subject to all rules, regulations and Orders of the Nuclear Regulatory Commission (the Commission). The facility comprises two pressurized water reactors at the licensee's site in Dauphin County, Pennsylvania.

II.

10 CFR §50.54(q) of the Commission's regulations requires a licensee authorized to operate a nuclear power plant to follow and maintain in effect emergency plans which meet the standards of 10 CFR §50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV.F.1 of Appendix E requires each licensee annually to conduct an emergency preparedness exercise with full participation by the State and local county governments unless the State and all local county governments in the plume exposure pathway Emergency Planning Zone (EPZ) for the licensee's facility have otherwise participated in a full-scale exercise during the annual period (with such participation occurring in conjunction with a full-scale exercise at another nuclear power plant). In this latter case, the

licensee is required to conduct an annual exercise with the participation of State and local governments consistent with the provisions of Section IV.F.3 of Appendix E for small scale exercises.

By letter dated July 27, 1982, GPU Nuclear requested an exemption from certain annual exercise requirements of Section IV.F.1.a of Appendix E. Specifically, GPU Nuclear's annual exercise conducted on August 11, 1982 did not include a level of participation of local governments within the plume exposure pathway EPZ for TMI entirely consistent with the requirements of Section IV.F.1.a for full-scale exercises. Rather, the level of participation by the five counties within the plume exposure pathway EPZ for TMI along with the Commonwealth of Pennsylvania was consistent with the provisions of Section IV.F.3 of Appendix E for small-scale exercises. Two of the five counties for TMI, York and Lancaster, and the Commonwealth of Pennsylvania had previously participated on a full-scale basis in the recent annual exercise for the Peach Bottom facility in June 1982. However, the other three counties for TMI, Dauphin, Lebanon and Cumberland, have not participated in a full-scale exercise in 1982 and will not have the opportunity to do so during the balance of the year.

We have reviewed the participation of the Commonwealth of Pennsylvania and the TMI counties in previous exercises within the last 15 months. These exercises were the full-scale exercises conducted at TMI in June 1981, involving the full participation of the Commonwealth and Dauphin, Cumberland, Lancaster and Lebanon Counties, the TMI emergency exercise conducted in September 1981 involving the Commonwealth and York County, the TMI emergency

communications exercise in October 1981, involving the Commonwealth and Dauphin, Cumberland, Lancaster, Lebanon and York Counties, and the recent full-scale exercise for the Peach Bottom facility in June 1982 involving the full participation of the Commonwealth and York and Lancaster Counties. This review has shown that these several exercises conducted within the last 15 months have provided suitable tests for the adequacy of offsite emergency preparedness for TMI, and have provided ample opportunity for training and familiarizing emergency response personnel, including those in Dauphin, Lebanon and Cumberland Counties, in their emergency response duties. In addition, the emergency preparedness exercise, conducted on August 11, 1982, involving the Commonwealth and the five counties for TMI served to further test the adequacy of communication links and the understanding of the participating agencies of their emergency response rules. From the scale and frequency of exercises conducted within the last 15 months involving the counties within the plume exposure pathway EPZ for TMI, we find that the less than full-scale participation of Dauphin, Cumberland and Lebanon Counties in the current annual exercise for TMI will not adversely affect the overall state of emergency preparedness at TMI. For the above reasons, we conclude that the licensee's request for exemption should be granted.

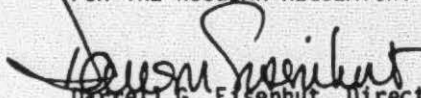
III.

Accordingly, the Commission has determined that an exemption in accordance with 10 CFR 50.12 is authorized by law, will not endanger life or property or the common defense and security and is otherwise in the public interest.

The requested exemption from the exercise requirements of 10 CFR 50, Appendix E, Section IV.F.1.a involving Dauphin, Lebanon, and Cumberland counties' full-scale participation in the licensee's current annual exercise is hereby granted.

The Commission has determined that this exemption does not authorize a change in effluent types or total amounts nor an increase in power level and will not result in any significant environmental impact. Having made this determination, we have further concluded that the exemption involves an action which is insignificant from the standpoint of environmental impact and, pursuant to 10 CFR §51.5(d)(4), that an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

FOR THE NUCLEAR REGULATORY COMMISSION



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

Dated at Bethesda, Maryland
this 14th day of September 1982.