



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

**REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005**

December 1, 2003

M. R. Blevins, Senior Vice President
and Principal Nuclear Officer
TXU Energy
ATTN: Regulatory Affairs
Comanche Peak Steam Electric Station
P.O. Box 1002
Glen Rose, TX 76043

**SUBJECT: FEDERAL EMERGENCY MANAGEMENT AGENCY DEFICIENCY IDENTIFIED
DURING THE NOVEMBER 19, 2003, EXERCISE**

Dear Mr. Blevins:

Enclosed is a copy of the Federal Emergency Management Agency's (FEMA) Region VI's letter to the Texas Department of Health, Bureau of Radiation Control, dated November 25, 2003. This letter discusses a deficiency identified during evaluation of the November 19, 2003, emergency preparedness exercise at the Comanche Peak Steam Electric Station. FEMA defines a deficiency as, "an observed or identified inadequacy of organizational performance in an exercise that could cause a finding that offsite emergency preparedness is not adequate to provide reasonable assurance that appropriate measures can be taken in the event of a radiological emergency to protect the health and safety of the public living in the vicinity of a nuclear power plant." Specifically, the deficiency is that although the Bureau's Accident Assessment Team, co-located in your emergency operations facility, performed a dose projection that showed the Thyroid Protective Action Guideline for issuance of potassium iodide was exceeded out to 10 miles from the facility, no protective action for potassium iodide for emergency workers was discussed with local jurisdictions.

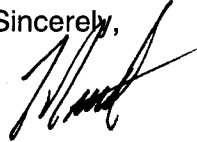
The purpose of this letter is to communicate FEMA's official notification of the deficiency in accordance with the NRC-FEMA Memorandum of Understanding. No response to the Nuclear Regulatory Commission is required.

The NRC encourages Comanche Peak Steam Electric Station to work with the appropriate off-site governmental agencies to ensure a timely resolution of this issue. The NRC will continue to monitor the status of this issue. In accordance with the Memorandum of Understanding, the NRC and FEMA Region VI will assess the progress made towards resolution of this issue by approximately February 2, 2004, and will decide at that time if additional measures are necessary.

If this issue is not resolved by March 25, 2004, the Federal Emergency Management Agency may withdraw the finding of reasonable assurance according to the requirements of 44 CFR 350.13(a). At that time the NRC would take appropriate action according to the requirements of 10 CFR 50.54(s)(2) and 50.54(s)(3).

If you have any further questions, please contact Ryan E. Lantz at (817) 860-8158, or Paul J. Elkmann at (817) 276-6539.

Sincerely,



Troy W. Pruett, Chief
Plant Support Branch
Division of Reactor Safety

Docket: 50-445/446
License: NPF-87/89

Attachment:
FEMA Region VI Letter to Texas Department of Health,
dated November 25, 2003

cc w/attachment:
Roger D. Walker
Regulatory Affairs Manager
TXU Generation Company LP
P.O. Box 1002
Glen Rose, TX 76043

George L. Edgar, Esq.
Morgan Lewis
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Terry Parks, Chief Inspector
Texas Department of Licensing
and Regulation
Boiler Program
P.O. Box 12157
Austin, TX 78711

The Honorable Walter Maynard
Somervell County Judge
P.O. Box 851
Glen Rose, TX 76043

Chief, Bureau of Radiation Control
Texas Department of Health
1100 West 49th Street
Austin, TX 78756-3189

Environmental and Natural
Resources Policy Director
Office of the Governor
P.O. Box 12428
Austin, TX 78711-3189

Brian Almon
Public Utility Commission
William B. Travis Building
P.O. Box 13326
1701 North Congress Avenue
Austin, TX 78711-3326

Susan M. Jablonski
Office of Permitting, Remediation and Registration
Texas Commission on Environmental Quality
MC-122
P.O. Box 13087
Austin, TX 78711-3087

Technological Services Branch
Chief,
FEMA Region VI
Federal Regional Center
800 North Loop 288
Denton, Texas 76201-3698

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U.S. Department of Homeland Security
FEMA Region 6
800 North Loop 288
Denton, TX 76209-3698



FEMA

November 25, 2003

Mr. Richard Ratliff, Chief
Bureau of Radiation Control
Texas Department of Health
1100 W. 49th Street
Austin, TX 78756-3189

Dear Mr. Ratliff:

This letter officially informs you of the Federal Emergency Management Agency's (FEMA) identification of a Deficiency which occurred during the Comanche Peak Steam Electric Station Radiological Emergency Preparedness exercise conducted on November 19, 2003. This issue was discussed during the post-exercise participants briefing on November 20, 2003.

The Deficiency is being assessed against the Texas Department of Health, Bureau of Radiation Control, under Evaluation Area Criterion 2.b.1: Appropriate protective action recommendations are based on available information on plant conditions, field monitoring data, and Licensee and ORO dose projections, as well as knowledge of onsite and offsite environmental conditions. (NUREG-0654, I.8, 10 and Supplement 3.).

During the exercise performed on November 19, 2003, the Accident Assessment Team, co-located in the Emergency Operations Facility, performed a computerized dose assessment projection. This projection called for a 10-mile evacuation based upon exceeding Whole Body Protective Action Guidelines. The projection also showed that the Thyroid Protective Action Guideline for issuance of potassium iodide was exceeded out to 10 miles. Protective actions were agreed upon with the Licensee for evacuation out to 10 miles for the general public. No protective action for potassium iodide for emergency workers was discussed with or passed on to the local jurisdictions should it have been necessary for the local counties to dispatch emergency workers into the plume.

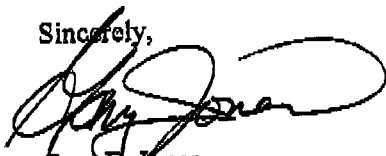
We have thoroughly reviewed and discussed this issue with FEMA Headquarters and the U.S. Nuclear Regulatory Commission. FEMA defines a Deficiency as "...an observed or identified inadequacy of organizational performance in an exercise that could cause a finding that offsite emergency preparedness is not adequate to provide reasonable assurance that appropriate measures can be taken in the event of a radiological emergency to protect the health and safety of the public living in the vicinity of a nuclear power plant."

Because of the potential impact on the public health and safety, this situation should be corrected within 120 days after the exercise date through appropriate remedial actions. Please coordinate with this office the date and time of the pertinent remedial actions and identity of the participants within 10 days from the date of this letter.

Mr. Ratliff
November 25, 2003
Page 2

Your cooperation in this matter is sincerely appreciated. If you have any questions, please contact Ms. Lisa Hammond, Chair, Regional Assistance Committee, FEMA Region VI, at 940-898-5199.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary E. Jones", with a large, stylized loop at the end.

Gary E. Jones
Acting Regional Director

cc: Vanessa Quinn, FEMA HQ
William A. Maier, NRC Region IV
Robert (Bob) Free, TDH-BRC