

April 8, 2015

Mr. Paul S. Schmidt, Chief
Department of Health Services,
Division of Public Health
Radiation Protection Section
P. O. Box 2659
Madison, WI 53701-2659

SUBJECT: TERMINATION OF EMERGENCY RESPONSE DATA SYSTEM FEED
TO THE STATE OF WISCONSIN FOR KEWAUNEE POWER STATION

Dear Mr. Schmidt:

This letter serves to notify the State of Wisconsin of the termination of the Emergency Response Data System (ERDS) link from the Kewaunee Power Station (KPS) to the U.S. Nuclear Regulatory Commission (NRC) Operations Center, based on the permanently shut down status of the facility. The ERDS link for the Point Beach Nuclear Power Station is not affected and will continue to be provided via the NRC Operations Center in the event of an emergency declaration at this facility.

Section VI of Appendix E to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR) establishes the requirement for a nuclear power reactor licensee to have a real-time electronic data link from the licensee's onsite computer system to the NRC Operations Center that provides for the automated transmission of a limited data set of selected parameters. The Final Memorandum of Understanding between the NRC and the State of Wisconsin, contained in Volume 61, No. 193 (Page 51727) of the *Federal Register* dated October 3, 1996, provides the basis for mutually agreeable procedures whereby the State of Wisconsin may utilize the NRC ERDS to receive data during an emergency at a commercial nuclear power plant in Wisconsin.

By letter dated February 25, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13058A065), Dominion Energy Kewaunee, Inc. (DEK) submitted certification, under 10 CFR 50.82(a)(1)(i), indicating its intention to permanently cease power operations at KPS. On May 7, 2013, the KPS reactor permanently ceased power generation. After the reactor was shut down, all fuel assemblies were removed from the reactor vessel and placed in the spent fuel pool. On May 14, 2013, DEK submitted a certification of permanent removal of fuel from the KPS reactor vessel under 10 CFR 50.82(a)(1)(ii) (ADAMS Accession No. ML13135A209). Upon docketing of these certifications, the 10 CFR Part 50 license for KPS no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel, as specified in 10 CFR 50.82(a)(2).

Nuclear power facilities that have permanently or indefinitely shut down are exempt from the requirements to maintain an ERDS data link to the NRC (see Section VI.2 of Appendix E to 10 CFR Part 50). As such, DEK has revised KPS's procedures under 10 CFR 50.54(q) to remove the requirement to activate the ERDS data transmission within 1 hour of an

emergency declared as an alert or higher classification. The NRC has also acknowledged in a letter dated February 18, 2015, that KPS will no longer be required to maintain ERDS in accordance with Section VI.3 of Appendix E to 10 CFR Part 50 (ADAMS Accession No. ML14363A302).

The termination of the ERDS link for KPS does not impact the NRC's responsibility to provide State and local authorities with recommendations and advice on offsite action that they may consider to protect their citizenry. Also, DEK is still required to provide notification to offsite authorities for an emergency declaration and provide information on facility status to support the assessment of a potential radiological release at the facility (see the NRC's October 31, 2014, issuance of a license amendment and the supporting safety evaluation approving the KPS's permanently defueled emergency plan (ADAMS Accession No. ML14279A482)).

If you have any questions regarding the termination of the ERDS link for KPS, or continued interface with the NRC for an event at KPS, please contact Bezakulu Alemu at (301) 287-3731 or Bezakulu.Alemu@nrc.gov.

Sincerely,

/RA/

Robert J. Lewis, Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

cc: Brian Satula, Administrator
Department of Military Affairs,
Division of Emergency Management
Wisconsin Emergency Management
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ADAMS Accession No.: ML14363A486

***via e-mail**

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