



# LONG ISLAND LIGHTING COMPANY

## SHOREHAM NUCLEAR POWER STATION

P.O. BOX 618, NORTH COUNTRY ROAD • WADING RIVER, N.Y. 11792

WILLIAM E. STEIGER, JR.

ASSISTANT VICE PRESIDENT, NUCLEAR OPERATIONS

SNRC-1699

MAR 28 1990

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555

LILCO's Request for Interim Relief from the Requirement  
to Conduct a FEMA-Graded Exercise and  
Request for Deferral of the NRC-Graded Onsite Exercise  
Pending Disposition of its Request for an Exemption from the  
Emergency Preparedness Requirements of 10 CFR §50.54(q)  
Shoreham Nuclear Power Station - Unit 1  
Docket No. 50-322

Reference: LILCO (W. E. Steiger, Jr.) letter to NRC (SNRC-1651)  
December 15, 1989; subject: Request to Cease Offsite  
Emergency Preparedness Activities and to Implement  
the Defueled Emergency Preparedness Plan

Gentlemen:

By this letter, Long Island Lighting Company (LILCO or the Company) requests interim relief from the requirement that it conduct a FEMA-graded exercise of its offsite emergency response plan by the end of 1990, pending Staff disposition of LILCO's outstanding request in the referenced letter, SNRC-1651, for an exemption from the requirements of 10 CFR §50.54(q). LILCO also requests that the NRC-graded exercise of its onsite emergency plan be deferred pending completion of the Staff's review and consideration of the proposed Defueled Emergency Preparedness Plan (DEPP).

By NRC regulation (10 CFR Part 50, Appendix E, paragraph IV.F.3), LILCO is required to conduct by the end of the year an exercise of its offsite plan, even though, with Shoreham defueled, no credible accident can occur that would require an offsite emergency response. Additionally, under Appendix E, Part IV.F.2, LILCO must exercise this year its onsite emergency plan, even though, in light of the Company's outstanding request in SNRC-1651 to implement the DEPP in place of its current onsite plan, it is not certain which plan will be in effect at the time of such an exercise.

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In SNRC-1651, LILCO asked for the NRC's prompt approval of its requests, noting that "(i)f approval is delayed, LILCO and its ratepayers will spend millions of dollars on unnecessary preparedness." SNRC-1651 at 2. LILCO also requested that "pending final action by the NRC on this request," the NRC and LILCO "agree on interim relief to avoid needless expenditures:" Id. at 2-3. Such interim relief, LILCO specifically noted, "would include postponement of planning for any FEMA-graded exercise . . . ." Id. at 3.

In renewing its request for relief from the requirement that it conduct a FEMA-graded exercise while the Staff completes its review of SNRC-1651, LILCO notes that planning for an exercise, if one is to be held, must soon get underway. Indeed, LILCO has already begun preliminary discussions with both FEMA and the NRC concerning a suitable date.<sup>17</sup> LILCO estimates that conducting an offsite exercise this year would cost the Company and its ratepayers approximately \$4.5 million, money that would be wasted on testing the adequacy of an emergency plan that will never be used, in response to an accident that, given Shoreham's defueled condition and LILCO's contractual obligation under the Settlement Agreement with the State of New York not to operate the plant, can never occur. The Company would also be required to devote considerable manpower and resources to preparing for an offsite exercise, resources that could be used more productively elsewhere. Doubtlessly, FEMA and the NRC would themselves incur large expenditures of both money and resources if such an exercise were to be held.

Similarly, it would be prudent to defer conduct of the onsite exercise pending the completion of the NRC Staff's review and consideration of the proposed DEPP. As things presently stand, LILCO would be required to exercise its current emergency plan, which is designed to deal with a large range of radiological accidents postulated to occur when the plant is operating. It

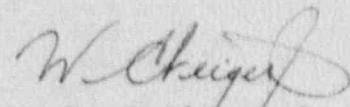
<sup>17</sup> LILCO's need for prompt interim relief is underscored by the fact that, under typical NRC and FEMA practice, proposed objectives must be submitted at least 90 days before the exercise is to be conducted. In turn, preliminary planning must begin well in advance of the submission of proposed objectives. NRC Region I has tentatively selected the week of October 22, 1990 as the tentative date for the NRC-graded onsite exercise required under 10 CFR Part 50, Appendix E, Section IV.F.2. For its part, FEMA Region II has indicated that the only available period for a Shoreham offsite exercise is the first half of December 1990. The conflicting periods proposed by the NRC and FEMA will eventually have to be reconciled; if the earlier period is selected, LILCO's need for prompt interim relief will be that much more acute.

does not make sense, however, to test a plan that might soon be replaced, or to evaluate the ability of LILCO's emergency response organization to respond to an accident scenario that can no longer occur. LILCO therefore respectfully requests that the onsite exercise be deferred pending the Staff's decision on the DEPP.<sup>2</sup>

LILCO stresses that by the present request it is seeking interim relief from the NRC's exercise requirements only. In all other respects, LILCO expects to maintain in effect its current onsite and offsite plans and to continue to maintain and train the Local Emergency Response Organization (LERO) until the requests in SNRC-1651 are approved.

Should you have any questions or need additional clarification, please do not hesitate to contact my office.

Very truly yours,



W. E. Steiger, Jr.  
Assistant Vice President  
Nuclear Operations

DPI:ck

cc: S. Brown  
T. T. Martin  
L. Doerflein

<sup>2</sup> While exercising the DEPP is vastly preferable to exercising Shoreham's current onsite emergency plan, should the Staff authorize implementation of the DEPP, LILCO will need time to (1) finish revising the implementing procedures for the new plan and (2) train its onsite organization in the new plan and procedures before conducting an exercise. Thus, the timing of the Staff's action on the proposed DEPP could itself affect LILCO's ability to conduct an onsite exercise by the end of the year.