



Federal Emergency Management Agency

Washington, D.C. 20472

JUN - 7 1985

MEMORANDUM FOR: Edward L. Jordan
Director
Division of Emergency Preparedness
and Engineering Response
Office of Inspection and Enforcement
U. S. Nuclear Regulatory Commission

FROM: *Richard W. Krimm*
Richard W. Krimm
Assistant Associate Director
Office of Natural and Technological Hazards

SUBJECT: Request for Exemption from Annual Radiological
Emergency Preparedness Exercise for State of Texas

Attached is a request from the State of Texas for an exemption from full-participation at the Comanche Peak exercise scheduled for October 30, 1985, and a memorandum from the Federal Emergency Management Agency (FEMA) Region VI Office in agreement with this request.

The State of Texas participated fully at the Comanche Peak exercise on November 14, 1984. As a result of full-participation by the State of Texas in this exercise, FEMA concurs that participation should not be required in the October 30, 1985 exercise. FEMA supports an exemption for the State of Texas from the requirement under 10 CFR 50, Appendix E, of the Nuclear Regulatory Commission rule, to participate in a full-participation exercise within the one year period preceding issuance of a full power license, in the event such an exemption is requested by the utility.

Please contact me if you have any questions.

Attachments
As Stated

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DIVISION OF EMERGENCY MANAGEMENT

TEXAS DEPARTMENT OF PUBLIC SAFETY Region 6

MARK WHITE
Governor

5805 N. Lamar Blvd.
Box 4087
Austin, Texas 78773
Duty Hours 512/485-2138
Nonduty Hours 512/485-2000

May 15, 1985

JAMES B. ADAMS

Director

ROBERT A. LANSFORD
Coordinator

FROM	Initials	Action	Info	Coord
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DATE				
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REMARKS:				

Mr. Jerry D. Stephens
Regional Director
FEMA Region VI
Federal Center
800 North Loop 288
Denton, Texas 76201

Dear Mr. Stephens:

As you know, Texas Utilities Generating Company is required, in accordance with Appendix E to 10 CFR, Part 50, to have a full participation exercise within one year before the issuance of the first operating license for full power and prior to operation above 5% of rated power of the first reactor.

The State of Texas and local governments within the EPZ participated in the exercises as required by paragraph 350.9, 44 CFR 350 in December 1983 and November 1984. Both exercises were outstanding in terms of knowledge gained and successful testing of the Emergency Management Plan in support of the facility. Additionally, public meetings, required by paragraph 350.10, 44 CFR 350, and critiques following each exercise were held. The application for review and approval of the State and local government plans, required by paragraph 350.7, 44 CFR 350 has been submitted. To our knowledge, your review required by paragraph 350.11, 44 CFR 350 has been completed, approved and forwarded to the Associate Director, State and Local Programs and Support, FEMA National. The test and evaluation of the Alert and Notification System required by FEMA-43 has been completed and the utility is awaiting the results.

The above background is provided because there appears to be a possibility that the Texas Utilities Generating Company may not be cleared above 5% of full operating power prior to November 14, 1985, due to the administrative licensing process. If this is the case, the state and local jurisdictions would be required to participate in another full participation exercise currently planned for October 30, 1985. Inasmuch as it has been demonstrated in the two previous full participation exercises that state and local plans are adequate and state and local staffs are trained and proficient at implementing these plans to protect the health and safety of personnel living in the vicinity of the facility, it does not seem prudent to expend additional scarce resources for a marginal increase in proficiency.

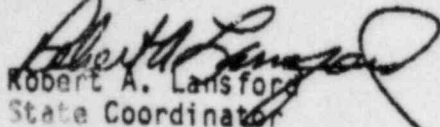
Mr. Jerry D. Stephens

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In view of the preceeding, I request your assistance in support of the Texas Utility Generating Company's request for a waiver for State and local governments from the requirement for a full participation exercise conducted under the provisions of paragraph 350.9, 44 CFR 350. Approval of this request will insure that limited State and local resources of time, money and personnel are available to improve other areas of emergency management.

Sincerely,


Robert A. Lansford
State Coordinator

RAL:Ht

cc: David K. Lacker
Texas Department of Health
Bureau of Radiation Control



Federal Emergency Management Agency

Region VI, Federal Center, 800 North Loop 288

Denton, Texas 76201-3698

May 20, 1985

MEMORANDUM FOR: SAMUEL W. SPECK, DEPUTY ASSOCIATE DIRECTOR,
STATE AND LOCAL PROGRAMS AND SUPPORT

FROM: Jerry D. Stephens, Regional Director

SUBJECT: Request for State of Texas and Local Government
to be exempt from Comanche Peak Exercise
October 30, 1985

The State of Texas and counties of Hood and Somervell have met all the requirements for a 44 CFR 350 approval which was submitted to your office on February 5, 1985.

The State of Texas has submitted a request for exemption (attached for your information) and requested that we pursue with NRC the possibility of their (State of Texas) obtaining an exemption from NRC requirements set forth in Appendix E to 10 CFR, Part 50. This regulation requires a full participation exercise within one year before the issuance of the first operating license for full power and prior to operation above 5% of rated power of the first reactor. The State of Texas already meets the requirement for exemption under the requirements of 44CFR 350.9.

We are in full concurrence with the State of Texas request and ask that you pursue with the National NRC to obtain an exemption for the State of Texas and local governments.

cc: Robert Lansford (TX DEM)
Robert Martin (NRC)

To: Wilkerson

5/29

Rec'd 5/29