

March 15, 2002

COMMISSION VOTING RECORD

DECISION ITEM:       SECY-02-0033

TITLE:                AMERGEN'S REQUEST TO CONSOLIDATE THE CLINTON  
POWER STATION EMERGENCY OPERATIONS FACILITY  
(EOF) INTO THE CENTRALIZED EOF OPERATED BY  
EXELON GENERATION CO.

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of March 15, 2002.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission.

---

Annette L. Vietti-Cook  
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc:     Chairman Meserve  
        Commissioner Dicus  
        Commissioner Diaz  
        Commissioner McGaffigan  
        Commissioner Merrifield  
        OGC  
        EDO  
        PDR

VOTING SUMMARY - SECY-02-0033

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	PARTICIP	NOT COMMENTS	DATE
CHRM. MESERVE	X					3/11/02
COMR. DICUS	X					3/12/02
COMR. DIAZ	X					3/11/02
COMR. McGAFFIGAN	X					3/12/02
COMR. MERRIFIELD	X					3/7/02

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and provided some additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on March 15, 2002.

## Commissioner Comments on SECY-02-0033

### Chairman Meserve

I approve the staff's recommendation to accept the proposal to consolidate the Clinton Power Station (CPS) Emergency Operations Facility (EOF) into Exelon Generating Company's (EGC) centralized EOF (CEOF) for the Midwest Regional Operating Group. My approval is based on the following facts:

- The staff has concluded that this proposal does not reduce the effectiveness of the emergency response capability at CPS or the 12 EGC plants in the Midwest Regional Operating Group's and should not deleteriously affect the ability of local, Federal, and State agencies to carry out their emergency response functions. This view is shared by the affected State and local agencies.
- Advances in communications have reduced the significance of distance that was presumed when specifying a maximum separation of 20 miles between the EOF and the site in the Supplement to NUREG-0737.
- The CEOF staff will participate in the exercises for all plants using the CEOF, thereby increasing that staff's expertise more efficiently than would be the case if the EOFs were not consolidated. A gain in safety may result from consolidation.
- The proposal will reduce the licensee's burden associated with emergency preparedness, while still ensuring safety.
- The staff has observed the successful implementation of the EGC plants' emergency response plans and the adequate functioning of the CEOF in several emergency response exercises. This provides additional confidence in this centralized approach.

The staff should maintain focused attention on CPS emergency response capabilities to ensure that consolidation of the CPS EOF into the CEOF does not degrade effectiveness.

### Commissioner Dicus

I approve the staff's recommendation to approve AmerGen's request to consolidate the Clinton Power Station emergency operations facility (EOF) into the centralized EOF operated by Exelon Generation Company. I previously approved the consolidation of the 12 former Commonwealth Edison plants (this included Zion Units 1 and 2) into the centralized EOF now operated by Exelon. This centralized EOF has been demonstrated to work efficiently and effectively.

Additionally, the staff should monitor the transfer of the Clinton Power Station EOF to the centralized EOF, along with subsequent exercises or actual events. Any problems identified, as a result of the transfer or subsequent exercises or events, should be brought to the Commission's attention.

### Commissioner Diaz

I agree with the staff conclusion that the use of this Centralized EOF for Clinton Power Station

does not reduce the effectiveness in emergency response capability. The unique circumstances that exist for the Clinton situation (e.g., State and local authorities operate from their own emergency centers and do not travel to the licensee's EOF) allow the effective use of a Centralized EOF. As stated in the SRM for SECY-98-274, "...approval of this proposal should not be interpreted by the staff as generic support of the Centralized EOF approach in all cases. The staff should carefully review proposals from other licensees on a case-by-case basis to ensure that emergency response, communication, and coordination are not adversely affected by the proposals."

#### Commissioner McGaffigan

I join with Chairman Meserve and Commissioners Diaz and Merrifield in approving AmerGen Energy Company's request for the integration of the Clinton Power Station EOF into the Exelon Generating Company EOF.

The Commission previously approved the use of that same combined and centralized EOF for others of the licensee's facilities in the SRM for SECY-98-274. In SECY-02-0033, the staff has demonstrated that the addition of Clinton is an acceptable one and will not decrease the effectiveness of the licensee's emergency response capability.

I agree with the staff that industry consolidation will likely to result in additional similar requests in the future. As stated by my fellow members of the Commission, this approval is not a generic one, and all future requests of this sort should be considered carefully on a case-by-case basis.

#### Commissioner Merrifield

I approve the staff's recommendation supporting the integration of the Clinton Power Station emergency operations facility (EOF) into the centralized EOF operated by Exelon Generation Co., LLC.

I have carefully reviewed SECY-02-0033, SECY-98-274, and the letters from the affected State and local jurisdictions approving the proposed integration of the Clinton EOF. Based on my review, I support the staff's conclusion that the integration of the Clinton EOF into Exelon's centralized EOF should not reduce the effectiveness of the Clinton emergency response capability. The staff should closely monitor the licensee's transition to the centralized EOF to ensure that emergency response capabilities are not diminished. The staff should also ensure through our inspection program that communication and coordination between the licensee, the public, and County, State, and Federal agencies are not adversely impacted by the integration.

As stated by the staff in SECY-98-274 and SECY-02-0033, there are aspects of the licensee's and the State of Illinois' emergency response approaches that are unique. Thus, my approval of this proposal should not be interpreted by the staff or our licensees as support of the centralized EOF approach in all cases. The staff should carefully review proposals from other licensees on a case-by-case basis to ensure that emergency response, communication, and coordination are not adversely impacted.