

March 18, 2003

COMMISSION VOTING RECORD

DECISION ITEM: SECY-03-0033

TITLE: REVISED AMERGEN'S REQUEST TO
CONSOLIDATE THE THREE MILE ISLAND UNIT
1 EMERGENCY OPERATIONS FACILITY (EOF)
INTO THE COMBINED EOF FOR PEACH
BOTTOM ATOMIC POWER STATION (PBAPS)
AND LIMERICK GENERATING STATION (LGS)

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of March 18, 2003.

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-03-0033

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	PARTICIP	NOT COMMENTS	DATE
CHRM. MESERVE	X				X	3/17/03
COMR. DICUS	X					3/13/03
COMR. DIAZ	X				X	3/11/03
COMR. McGAFFIGAN	X				X	3/11/03
COMR. MERRIFIELD	X				X	3/13/03

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and some provided additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on March 18, 2003.

Commissioner Comments on SECY-03-0033

Chairman Meserve

I approve the staff's recommendation to permit the consolidation of the Three Mile Island, Unit 1 (TMI-1) emergency operations facility (EOF) into the Peach Bottom/Limerick EOF. I base this approval on the staff's conclusion that safety will be maintained. I note that the affected State has approved the proposed action.

I am aware that British Energy (BE), a partner in AmerGen, is seeking to divest itself of its share of the partnership as a result of financial issues in the United Kingdom. Exelon, BE's partner in AmerGen, is not affected directly by BE's difficulties, but could be impacted by the future dissolution of the partnership. The staff should notify the Commission immediately if these issues could affect the consolidation of EOF operations.

Commissioner Diaz

The revised paper adequately addresses my concerns with the specifics of the staff's original paper.

Commissioner McGaffigan

I approve the staff's recommendation to allow the relocation of the TMI-1 EOF and its integration into the combined EOF serving Peach Bottom Atomic Power Station and Limerick Generating Station. I applaud the process which the staff followed in arriving at its recommendation, in particular, the close coordination with State and local officials.

As noted in SECY-03-0033, the requested EOF consolidation is not without precedent, being very similar to the one previously reviewed and approved for adding the Clinton site to another centralized EOF serving Exelon's Illinois sites. Also in the current SECY, the staff stated that the licensee had committed to conduct a drill in the current calendar year that would demonstrate that the Pennsylvania combined EOF staff and equipment could function properly in the case of multiple events and that the NRC would observe that drill. The NRC inspection team monitoring the drill should include one or more experienced individuals familiar with the operation of the Illinois consolidated EOF under similar conditions.

Commissioner Merrifield

I approve that staff's recommendation supporting the integration of the Three Mile Island Unit 1 (TMI-1) emergency operations facility (EOF) into the combined EOF for Limerick Generating Station (LGS) and Peach Bottom Atomic Power Station (PBAPS).

I have carefully reviewed SECY-03-0033 and the letters from the affected State and surrounding counties approving the proposed integration of the TMI-1 EOF. Based on my review, I support the staff's conclusion that there is reasonable assurance that public health and safety will be maintained in the event of an emergency at TMI-1 or PBAPS and LGS with the integration of the TMI-1 EOF into the combined EOF. In addition, this integration will not reduce the effectiveness of the emergency response capability for any of the three sites.

The staff should closely monitor the licensee's consolidation effort and 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 consolidation. The staff should inform the Commission of any significant emergency response problems that result from the consolidation.