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ILLINOIS EMERGENCY  
MANAGEMENT AGENCY



ROD BLAGOJEVICH, GOVERNOR

DOCKET NUMBER

PETITION FOR RULE MAKING 50-79  
(67FR 66588)

DOCKETED  
USNRC

January 14, 2003

January 14, 2003 (3:19PM)

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Attention: Rulemakings and Adjudications Staff

Dear Sir or Madam:

The Illinois Emergency Management Agency has reviewed the Notice of Receipt of a Petition for Rulemaking related to day care centers and nursery schools published in the Federal Register on November 1, 2002. After reviewing this document, we have concluded that such a rule described in the petition is unnecessary and could result in conflicting requirements being placed on the day care centers and nursery schools.

The rulemaking is unnecessary because requirements already exist for including day care centers and nursery schools in the offsite REP plans. In the Illinois Plan for Radiological Accidents, these facilities are identified, along with a reception center for each facility. Transportation coordination procedures are also included in the plan. Emergency broadcast scripts include the day care centers and nursery schools that are identified in the plan.

More prescriptive planning requirements could result in conflicts with state regulations. The Illinois Department of Children and Family Services, and most likely similar agencies in other states, regulate day care centers. The regulations in Illinois define day care centers and provide detailed rules regarding transportation of children, attendance records, staff requirements, etc. The existing planning requirements for day care centers and nursery schools provide the flexibility to develop plans to meet the specific needs of the states and local governments

For these reasons, we encourage the NRC not to amend its regulations regarding offsite emergency plans as they relate to day care centers and nursery schools. If you have any questions, please call Jana Fairow at 217/782-8712.

Sincerely,

David L. Smith, Chief  
Disaster Assistance & Preparedness

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SECY-02