

County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. 370 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011



DOCKET NUMBER

PETITION FILE PRM 50-79
(67FR 66588)

TO: Michael T. Lesar
FROM: San Luis Obispo, California Office of Emergency Services
DATE: January 13, 2003
SUBJECT: NRC PETITION / Pre School Facilities

DAVID EDGE
COUNTY ADMINISTRATOR

DOCKETED
USNRC

January 15, 2003 (3:06PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Greetings Michael,

Please find the enclosed reply provided by George Brown from the San Luis Obispo County Office of Emergency Services. If you have questions or need additional information please contact our office at (805) 781-5011.

The following web site (which is referred to in the attached Prm50-79.doc) will take you to the CA Code of Regulations, Title 22, Division 12, Chapter 1, Article 3 (101174 Disaster and Mass Casualty Plan).

http://www.dss.cahwnet.gov/ord/CCRTitle22_715.htm

For your convenience, I have attached a copy of the particular page which is referred to in our attached reply.

Thank you.

Meg Swearingen
Emergency Services Coordinator
San Luis Obispo County Office of Emergency Services
(805) 781-5011

Template = SECY-067

SECY-02

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DAVID EDGE
COUNTY ADMINISTRATOR

US NUCLEAR REGULATORY COMMISSION
ATTN: Rulemakings & Adjudications Staff
WASHINGTON DC 20555-0001

RE: Docket Number PRM-50-79

Dear Sirs:

The following information is provided in response to the Federal Register Notice of Friday November 1, 2002 (Vol 67, No. 212) of the above referenced Petition For Rulemaking.

- 1 State of California regulations (see attached copy) already adequately cover the areas addressed in the petition. Facilities such as pre schools and day care centers must be licensed by the State Department of Social Services (DSS), and one condition of license approval is having a written emergency plan (that covers all hazards).
- 2 The State DSS maintains lists of their licensed facilities, and provides these lists, updated quarterly, to the County Office of Emergency Services (OES) for use during emergencies. This may include but is not limited to making contact with facilities in affected areas to determine if they have unmet resource needs.
- 3 The County emergency plan concept of operations considers these facilities as part of the general population since they are private businesses responsible for their own emergency planning (in accordance with State licensing requirements). In addition, we consider it to be the responsibility of parents to be aware of and involved in the emergency plans of their children's facilities.
- 4 Like other parts of the general population, these facilities can contact our Phone Assistance Center (PAC) during emergencies to request additional help, resources permitting.
- 5 Plan maintenance, training, and exercising are properly the responsibility of the businesses operating these facilities, not local government. In addition, these activities are already adequately covered by State regulation.

In summary, we feel that current federal and state regulations adequately cover the issues raised in this petition, and that it is the moral and ethical responsibility of facility operators and parents to develop facility and family emergency plans. We strongly encourage you to not develop new, overly burdensome, duplicative, and prescriptive regulations as requested in this petition.

ATT: Comments on petition statements

PAGE	COLUMN	ITEM	COMMENT
665889	2	2	Plans should be all risk, not just radiological
		4	Like the general public that they are a part of, they will receive current, updated information from the EAS
		5	This is a facility/parent responsibility
		6	Our existing Evacuation Times Assessments already have factored in an amount of time for folks to return home, gather family members, belongings, etc.
66590	1	8	Personal ID is a parental responsibility
		9	Existing public information materials already cover the needed subjects
	2	10	KI distribution/stockpiling should be in accordance with and consistent with each individual State KI Plan
		13	A separate "toll free" number for one specific population is not needed. This is already covered in local plans for phone assistance/rumor control activities

** CALIFORNIA CODE OF REGULATIONS
TITLE 22, DIVISION 12, CHAPTER 1, ARTICLE 3

CHILD CARE CENTER
GENERAL LICENSING REQUIREMENTS 101174

101174 DISASTER AND MASS CASUALTY PLAN 101174

- (a) Each licensee shall have a disaster and mass casualty plan of action. The plan shall be in writing and shall be readily available.
- (b) The plan shall be subject to review by the Department and shall include:
 - (1) Designation of administrative authority and staff assignments.
 - (2) Contingency plans for action during fires, floods and earthquakes including, but not limited to, the following:
 - (A) Fire safety plan.
 - (B) Means of exiting.
 - (C) Transportation arrangements.
 - (D) Relocation sites that are equipped to provide safe temporary accommodations for children.
 - (E) Supervision of children during evacuation or relocation, and contact after relocation to ensure that relocation has been completed as planned.
 - (F) Means of contacting local agencies, including but not limited to the fire department, law enforcement agencies, and civil defense and other disaster authorities.
 - (3) Any special methods and procedures necessary for the evacuation and relocation of non-ambulatory children.
- (c) The licensee shall instruct all children, age and abilities permitting, and all child care personnel, including volunteers, in their duties and responsibilities under the plan.
- (d) Disaster drills shall be conducted at least every six months.
 - (1) Completion of such drills shall not require travel away from the child care center grounds of contact with local disaster agencies.
 - (2) The drills shall be documented. This documentation shall be kept in the child care center for at least one year.

NOTE: Authority cited: Section 1596.81, Health and Safety Code Reference: Sections 1596.72, 1596.73, 1596.81, 1596.95, and 1597.05, Health and Safety Code.