



**Berrien County Health Department**

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RULEMAKINGS AND  
ADJUDICATIONS STAFF

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(67FR 66588)

26

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

**ATTENTION: Rulemaking and Adjudication Staff**

Re: Comments on a petition for rulemaking

The Nuclear Regulatory Commission (N.R.C.) on November 1, 2002 (67FR66588) published for comment a notice of receipt of a petition for rulemaking dated September 4, 2002 which was filed with the commission by Lawrence T. Christian, et. al. The petitioners are requesting that the N.R.C. amend its regulations to include fourteen (14) separate new requirements that concern children attending daycare centers and nursery schools within evacuation zones.

The following comments are from the Berrien County Health Department (participating agency in Berrien County's Emergency Operation Center/EOC), 769 Pipestone, P.O. Box 706, Benton Harbor MI. 49023-0706:

- Proposed requirements # 1-9 and 11-14 are requirements that should not be imposed on government agencies. These requirements should be managed between responsible parents, guardians, primary care givers and the daycare center and/or nursery school of their choice.
- Proposed requirement # 10 stocking of potassium iodide (KI) pills and appropriate educational materials at all daycare centers and nursery schools within the evacuation zone. We believe this requirement to be inappropriate and unnecessary. The State of Michigan's plan calls for the evacuation of areas/sectors in affected areas. Berrien County's plan, also, calls for evacuation in an affected area. Potassium iodide (KI) is not intended for people to ingest and remain in the affected area!

**Daycare centers and nursery schools:**

- Lack trained personnel to administer KI to infants and children. For children, KI needs to be in liquid form and dosage calculated by body weight. The possibility of allergic reaction would be a serious concern.

PLEASE REPLY TO:

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A true anaphylactic reaction, definitely life threatening, would be a major problem. An allergy to iodine would be extremely difficult to assess/determine in infants/children.

- In Berrien County there are many people who provide child care/daycare who are not registered or licensed. Trying to identify and to locate these people/providers would be extremely difficult if not impossible to do.
- Storage and accountability of KI would be a major responsibility that many providers would be unwilling to assume. Who would monitor medications to ensure that they were not out dated? Who would decide quantity of KI appropriate for each provider? Who would monitor storage (locked) available at the centers or nursery schools?
- Parental consents, signed and on file in each care center, would need to be current and then updated periodically. There would be no way to insure ALL daycare centers could be adequately monitored.
- Who would hold the liability if "something went wrong"?

There are too many unanswered concerns and questions. Berrien County Health Department recommends that the petition for rulemaking be rejected at this time.

Sincerely,



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Health Officer/Director  
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cc:

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