

Discussion of NREP “Parking Lot” Items

In April 2005, during the National Radiological Emergency Preparedness (NREP) Conference, NRC and FEMA engaged an audience consisting of State/local/Tribal and licensee stakeholders to discuss the status of emergency preparedness in the post-9/11 era. The open forum format of this workshop resulted in a useful exchange of ideas and comments among all involved. NRC staff members attempted to capture stakeholder comments in a “Parking Lot” list of items to be addressed. In the past few months, the NRC staff, with the assistance of FEMA, has developed the “Parking Lot” list into two tables of questions/comments and subsequent responses:

Table 1: Questions/Comments from NREP Conference

Table 2: Other Notes and Comments

These responses will be shared with stakeholders at the Public Meeting on the Review of Emergency Preparedness Regulations and Guidance on September 1, 2005.

Table 1: <u>Questions/Comments from NREP Conference</u>		
Item #	Questions/Comments from NREP Conference	NRC/FEMA Response
1	<p>Certain “protected” information has not been shared with States/local/Tribal organizations, which hampers offsite response organizations’ ability to respond.</p> <p>States/local/Tribal organizations are seeking guidance and coordination in determining “need-to-know.”</p>	<p><u>NRC Response:</u> The NRC has worked diligently to share sensitive information with licensees, Federal agencies, and State/local/Tribal governments to enhance protection of the public. The NRC must balance its commitment to openness with the recognition that some key information is sensitive and could be misused. In the past few months, the NRC has been enhancing the program for handling, transmitting, and protecting sensitive and Safeguards Information (SGI) to enhance the consistency of designation decisions and improve training for NRC staff and contractors, who are responsible for protecting sensitive information. We have developed an internal guidance on providing sensitive security information to appropriately cleared personnel from State/local/Tribal organizations. We are also verifying recipient information to ensure timely distribution of information that may impact offsite response.</p>

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1 (con't)		<p>NRC is working with FEMA and other Federal agencies to disseminate information that may affect State/local/Tribal organizations. In addition, the NRC has established a Communications/Outreach Team to improve both internal and external two-way communications. On August 31 - September 1, 2005, we will conduct a public meeting on the review of emergency preparedness regulations and guidance with State/local/Tribal officials to discuss initiatives, including post-9/11 security/EP initiatives.</p> <p>FEMA Response: FEMA has always been committed and prides itself on the timely sharing of information with all of our Radiological Emergency Preparedness (REP) Program stakeholders, including State, Tribal, and local organizations, as appropriate. While our track record has historically been pretty good with regards to sharing information impacting our REP stakeholders, there is always room for improvement. Therefore, we will continue to look into additional communication portals/channels with State, Tribal and local officials in an effort to disseminate pertinent information as expeditiously as possible.</p>
2	<p>NRC should seek out and leverage all possible paths of communication to State/local/Tribal stakeholders.</p>	<p>NRC Response: Recognizing that we needed to do a better job communicating with our stakeholders regarding emergency preparedness and response issues, an outreach program was established and staffed with a team of emergency preparedness professionals. We will use the following paths to communicate with stakeholders:</p> <ul style="list-style-type: none"> • Feedback from NRC's public website. • Alternate paths for communication, such as the NREP Conference, FEMA Regional Assistance Committee (RAC) meetings, and professional society conferences.

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2 (con't)		<ul style="list-style-type: none"> • Two-way communications with FEMA HQ so that necessary information is conveyed to State/local/Tribal stakeholders without undue delay. In this endeavor, NRC and FEMA regional resources will be utilized to the fullest extent. <p>We are also investigating the use of existing LISTSERVER technology as a potential communications tool.</p> <p><u>FEMA Response:</u> FEMA is also committed to looking into additional communication portals/channels with State, Tribal and local officials in an effort to disseminate pertinent information as expeditiously as possible.</p>
3	How does NRC ensure that it does not mislead State/local/Tribal governments or the public?	<p><u>NRC Response:</u> A core value of the NRC is openness in communications and decision-making. We recognize that there have been situations where we have not shared information in a timely manner and that may raise doubt among State/local/Tribal governments about our commitment to openness. A dedicated EP outreach/communications team was formed with a key mission to undertake more aggressive outreach efforts with State/local/Tribal organizations and the public to ensure the timelier sharing of information. NRC is working closely with FEMA in this outreach effort.</p> <p><u>FEMA Response:</u> It goes without saying that true and accurate information is critical to the success of any relationship. This is especially important for emergency preparedness and response activities. It is imperative that all parties maintain the same high standards for accuracy and availability. Any information that is questionable should be challenged. FEMA will continue to provide accurate information to State, Tribal and local officials in a timely manner.</p>

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4	State/local/Tribal stakeholders should be made aware of generic communications that potentially impact them (e.g., RIS 2004-13 on Sheltering protective action recommendations [PARs]).	<p><u>NRC Response:</u> NRC has developed an internal guidance on providing sensitive security information to appropriately cleared personnel from State/local/Tribal organizations. Also, NRC is internally looking into various options to ensure information is shared with State/local/Tribal stakeholders. Specifically, the Office of Nuclear Security and Incident Response is working with the Office of State and Tribal Programs and Regional State Liaison Officers to coordinate this effort with State Liaison Officers and Offsite Response Organization representatives. The NRC is committed to sharing information as it becomes available. For example, in July 2005, the NRC issued Bulletin 2005-02, Emergency Preparedness and Response Actions for Security-Based Events. We sent the bulletin to licensees and, at the same time, sent it to States/local/Tribal officials. We will continue to seek stakeholder input at the various outreach venues that NRC attends.</p> <p><u>FEMA Response:</u> FEMA will continue to work hard to utilize the most expeditious and effective methods to disseminate generic communications that will or potentially could impact State, Tribal, and local stakeholders.</p>
5	Public perception on the consequences of an accident at a nuclear power plant or dirty bomb/radiological dispersal device (RDD) vs. a nuclear bomb.	<p><u>NRC Response:</u> It is important that our stakeholders are aware that the consequences of a radiological dispersion device/dirty bomb are significantly different than potential consequences of a nuclear power plant accident. We have posted information on dirty bombs: what they are, protective actions to take, frequently asked questions and links to other federal agencies involved with dirty bomb response.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/fact-sheets/dirty-bombs-bg.html</p>

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5 (con't)		<p>FEMA Response: FEMA agrees that the differences in the consequences of these types of incidents must be understood by State, Tribal and local officials and the general public. However, FEMA also believes that responsibility for ensuring the public understands these differences belongs primarily to State, Tribal and local officials and nuclear power plant licensees. At the Federal level, FEMA has worked with its partners to develop factual information that has been posted on numerous websites that could be used for this purpose. FEMA will continue in these efforts.</p>
6	<p>What if county sheriff sees smoke/fire, but cannot get in touch with onsite operations? Licensees need to reach out to States/locals/Tribals.</p>	<p>NRC Response: NRC has always urged licensees to engage State/local/Tribal organizations on preparedness & response issues. The NRC has provided information to licensees to address lessons-learned from security-based force-on-force exercises and emphasize the necessity for licensees to coordinate with local law enforcement agencies (LLEAs). LLEAs should be trained to respond to these types of situations.</p> <p>FEMA Response: It is critical that State, Tribal and local emergency response plans address this potential, although highly unlikely, situation. We strongly recommend that State, Tribal and local response organizations work with the licensee and the NRC to resolve any such weaknesses as soon as possible.</p>

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7	NRC needs to work with (and create a proposal for) RSLOs and FEMA to create additional public forums and meetings.	<p><u>NRC Response:</u> The Communications/Outreach Team continues to seek opportunities and venues in which to inform stakeholders of new and ongoing initiatives and solicit stakeholder input on emergency preparedness and response enhancements.</p> <p><u>FEMA Response:</u> FEMA will continue to share with the NRC and State, Tribal and local officials the dates of any future radiological emergency preparedness public meetings or forums that may provide additional outreach opportunities for sharing information with our State, local and Tribal stakeholders.</p>
8	If emergency action levels (EALs) change (due to the current threat environment), NRC/FEMA must educate the public and State/local/Tribal organizations.	<p><u>NRC Response:</u> NRC regulation (10 CFR Part 50, Appendix E IV.B) requires that "emergency action levels shall be reviewed with the State and local governmental authorities on an annual basis." In addition, through NRC's Office of State and Tribal Programs and FEMA, the NRC has shared Bulletin 2005-02 with State/local/Tribal stakeholders. We will discuss potential EAL changes at the public meeting on the review of emergency preparedness regulations and guidance on August 31 - September 1, 2005.</p> <p>Changes to EP that directly impact the public must be clearly communicated. The annually updated public information brochures provide the necessary information to the public for actions they should take during a nuclear power plant emergency.</p> <p><u>FEMA Response:</u> The public is best served to follow the instructions contained within emergency alert system (EAS) messages and refer to the emergency information materials (brochure, phone book, calendar, etc...). FEMA remains committed to sharing information and educating State, Tribal, and local offsite response organizations on any changes or revisions to Federal radiological</p>

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8 (con't)		emergency planning or preparedness guidance. However, FEMA believes that it is the responsibility of the State, Tribal and local officials to educate/inform the public about emergency preparedness and response activities in their communities.
9	Emergency classification level (ECL) declarations need to be coupled with additional information (e.g. basis, plant conditions). EAL description alone may not represent actual threat to public safety.	<p><u>NRC Response:</u> Notifications of ECLs will continue to include the necessary information. This process has not changed. Many licensees provide EAL basis/descriptive documents to State/local/Tribal organizations. Licensees also provide EAL training to State/local/Tribal organizations annually.</p> <p>As part of our review of emergency preparedness regulations and guidance, we will engage FEMA, State/local/Tribal organizations, and licensees in a public meeting on August 31 - September 1, 2005, to solicit input on how best to address these concerns.</p> <p><u>FEMA Response:</u> No additional comments from those above.</p>
10	When the Site Area Emergency (SAE) based on a security event is declared, can offsite response organizations (OROs) and public discern between an SAE based on security vs. a non-security-related event without considerably more training?	<p><u>NRC Response:</u> Yes, the short event descriptions issued with ORO notifications of emergencies should clearly indicate whether or not the event is security-based. After the August 2005 public meeting on the review of emergency preparedness regulations and guidance, additional insights may emerge and the NRC will provide additional outreach for State/local/Tribal organizations if needed.</p> <p><u>FEMA Response:</u> We agree with the NRC that one of the intents of this abbreviated/truncated notification of offsite officials at SAE is to indicate whether the emergency is the result of a security event or something else. These</p>

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10 (con't)		decision-makers will undoubtedly need to know what type of event(s) initiated this emergency classification level in order to make the most informed and appropriate protective action decisions for the public.
11	NRC should not change Site Area Emergency (SAE) definition for Terrorist events, rather should investigate adding emergency action levels (EALs).	<p><u>NRC Response:</u> The industry, with input from State/local/Tribal governments, has proposed minor changes to the EALs to incorporate post-9/11 EP-security concerns. The NRC included similar information in Bulletin 2005-02, Emergency Preparedness and Response Actions for Security-Based Events. Security-based EALs have also been proposed, and these changes will not necessarily impact ORO programs.</p> <p>Further discussions on these changes will be part of the emergency preparedness regulations review public meeting in August 2005.</p> <p><u>FEMA Response:</u> No additional comments from those above.</p>
12	Should sheltering be recommended based on good intelligence of a security threat (school lockdown, etc.)?	<p><u>NRC Response:</u> We have not recommended additional licensee-initiated PARs at this time. This will be considered and discussed at future meetings and outreach venues to seek States/local/Tribal input in the development of post 9/11 off-site enhancements.</p> <p><u>FEMA Response:</u> FEMA believes that sheltering is currently under-utilized as an effective measure to protect public health. FEMA recognizes that terrorist incidents present unique challenges for protecting public health and safety. These additional and unique challenges/concerns require us to re-evaluate the current joint FEMA/NRC guidance for developing protective action recommendations. FEMA supports the NRC's effort to study the appropriateness of current joint NRC/FEMA guidance.</p>

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13	Include "How to conduct security drills" in licensees' plans and protocols for interacting with State/local/Tribal organizations.	<p><u>NRC Response:</u> Proposed information regarding security-based EP drill and exercise programs has been developed by the industry. The proposed program uses the existing drill and exercise program schedule employed by State and local organizations. Specifics for the conduct of security-based drills and exercises remain flexible, and guidance will be developed and improved as part of a phased approach.</p> <p><u>FEMA Response:</u> FEMA will request to attend and participate in these security-based EP drills developed by the industry. We look forward to future discussions and coordinating closely with the NRC and the industry on how the incorporation of these security-based drills into the overall drill/exercise program for the site will impact our State, Tribal, and local government REP stakeholders.</p>
14	NRC and FEMA need to determine impact of regulations and guidance on States/locals/licensees.	<p><u>NRC Response:</u> The NRC agrees. This important topic will be discussed at the emergency preparedness regulation review public meeting on August 31 - September 1, 2005. During the meeting, the NRC will explore additional ways to more efficiently and effectively ensure continued public health and safety.</p> <p><u>FEMA Response:</u> The impact of FEMA rules and guidance on State, Tribal and local governments is very important. However, the impact must be compared against the benefit for public health and safety. FEMA will continue to seek input from State, Tribal and local officials as it develops or revises radiological emergency preparedness rules and guidance.</p>
15	NRC needs to determine how out of step NUREG-0654/FEMA REP-1 is before committing to a revision.	<p><u>NRC Response:</u> NUREG-0654/FEMA-REP-1 is a joint NRC/FEMA document that continues to be used in the licensing and emergency preparedness process. Supplements to NUREG-0654 have been issued periodically to address key information and updates. Any decision to revise NUREG-</p>

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15 (con't)		<p>0654/FEMA-REP-1 will be carefully examined and coordinated between FEMA and NRC, and stakeholders, including the public, will be provided the opportunity to comment on any revisions.</p> <p>FEMA Response: FEMA will work closely together with the NRC to determine what revisions need to be made to program rules and guidance. FEMA commits to providing ample opportunity for State, Tribal, local, utility, industry, and other stakeholders to provide comments and input prior to any final revisions to NUREG-0654/FEMA-REP-1.</p>
16	<p>NRC and FEMA should investigate providing guidance to support the implementation of the National Response Plan (NRP) rather than updating/revising NUREG-0654/FEMA-REP-1.</p>	<p>NRC Response: NRC and FEMA engaged State/local/Tribal organizations in numerous outreach efforts during late 2004/early 2005. The purpose of the outreach was to educate stakeholders on the concept, structure, and impact of the NRP. Several States have re-aligned their response structures to conform with the NRP. NRC and FEMA continue to seek out additional opportunities to provide guidance on the NRP's impact.</p> <p>FEMA Response: The NRP and NUREG-0654/FEMA-REP-1 serve two totally separate, but related, functions. FEMA has provided input on the implementation of the NRP and is the primary organization responsible for its implementation. The revisions to NUREG-0654/FEMA-REP-1 that FEMA believes need to be made will not affect the NRP. In fact, the NRP will affect the revisions to NUREG-0654/FEMA-REP-1. NUREG-0654/FEMA-REP-1 is not consistent with current state of emergency management.</p>

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17	NRC and FEMA should place new/pending regulations and guidance on an interactive website.	<p><u>NRC Response:</u> Proposed NRC regulations are posted on the Rulemaking-Rule Forum on NRC public website (http://www.nrc.gov/what-we-do/regulatory/rulemaking.html). This Forum provides opportunity for public involvement.</p> <p><u>FEMA Response:</u> The FEMA REP Program will endeavor to post new/proposed guidance on its website so that comments can be submitted electronically. We also intend to continue utilizing the Federal Register as a means for posting new/proposed guidance.</p>
18	Draft FEMA document (e.g., FEMA REP-10) needs to be finalized in order to exercise with OROs.	<p><u>NRC Response:</u> The NRC works closely with FEMA, however, questions regarding the status of FEMA documents are best directed to FEMA.</p> <p><u>FEMA Response:</u> FEMA-REP-10 is currently in the process of being revised and updated. However, complete revisions cannot be made (in order for FEMA to publish a draft version for comment) until Civil Preparedness Guide 1-17, Outdoor Public Warning Systems, is revised and published.</p>
19	NRC needs to focus on “risk management” rather than “risk assessment”.	<p><u>NRC Response:</u> The primary goal of the NRC’s emergency preparedness regulations is to ensure that the nuclear power plants are capable of recommending appropriate protective measures to protect public health and safety in the event of a radiological emergency. NRC relies on FEMA to ensure that appropriate risk management implementation guidance is provided to the State and local entities, who are ultimately tasked with risk management decisions.</p> <p><u>FEMA Response:</u> The FEMA REP Program’s mission is to provide support and guidance to State, Tribal, and local offsite emergency management officials to ensure that they have the capability to make effective protective action</p>

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19 (con't)		decisions and implement appropriate plans and procedures in order to protect the public health and safety of citizens living around commercial nuclear power plants to the maximum extent possible, in the event of an incident or accident at the plant. This support and guidance is intended to cover the entire emergency management spectrum including preparedness, mitigation, response, recovery and re-entry.
20	NRC and FEMA have imposed unfunded mandates on State/local/Tribal organizations.	<p>NRC Response: Public comment on any proposed changes to NRC regulations is required as part of the formal rulemaking process. The purpose of the public meeting on August 31 - September 1, 2005, and future outreach efforts on the part of NRC staff, is to engage stakeholders so that any proposed changes to EP regulations and guidance can be fully vetted, the impact on State, local and Tribal organizations understood, and alternate methods identified (where possible) to lessen any potential impact.</p> <p>FEMA Response: The FEMA REP Program has not, to our knowledge, imposed any unfunded mandates on State, Tribal, and local organizations. The requirements contained in our guidance documents have not changed. If anyone can identify unfunded mandates that the REP Program has imposed, FEMA will be glad to discuss them.</p>

Table 2: Other Notes and Comments

Comment #	Notes and Comments	NRC/FEMA Response
1	There are not enough response resources to go around if an incident is onsite and at a couple of offsite locations, e.g. a simultaneous security/evacuation situation.	<p><u>NRC Response:</u> A part of the Department of Homeland Security (DHS) Comprehensive Review program is to better define where additional resources are needed at individual facilities.</p> <p>Multiple, simultaneous events involving terrorism will most likely result in declaration of an Incident of National Significance per the National Response Plan, in which case, DHS will coordinate Federal assets for the response. Licensees should have protocols in place to address some of these concerns.</p> <p><u>FEMA Response:</u> FEMA is also an active participant on the DHS-led Comprehensive Review (CR) of Commercial Nuclear Reactors and Associated Facilities initiative. Our role in these CRs is to work with, and facilitate discussions among, State and local emergency management agencies (EMAs) and LLEAs to identify any potential resource (personnel, equipment, or other) shortfalls or enhancements as a result of ORO response and support to the plant during a security/terrorism-based incident. DHS intends to consider and prioritize these shortfalls and enhancements, identified during the Nuclear Sector CRs (and the CRs for the Nations other critical sectors), in determining the most effective and appropriate methods for providing additional resources to State and local EMAs and law enforcement.</p>
2	OROs do not have enough resources to train for sheltering.	<p><u>NRC Response:</u> Sheltering has always been part of PARs. We recognize that there has been varying interpretations of NRC regulations and guidance on PARs. To clarify confusion regarding the role of sheltering as part of the protective action recommendation scheme, the NRC issued RIS 2004-13; 2004-13, Supplement 1; and RIS 2005-08. (These documents can be found on NRC public website: http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/)</p>

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2 (con't)		FEMA Response: FEMA's REP program is prohibited from providing funding directly to State, Tribal, and local offsite response organizations to conduct additional training for sheltering drills. However, DHS has programs and procedures in place, primarily through the Office of Domestic Preparedness, wherein State and local governments can submit applications for grants to provide additional resources that could be utilized for training opportunities.
3	Specific security/EP plans and procedures should be shared via MOUs/LOAs with likely responders.	NRC Response: Approved Emergency Plans should be shared by licensees with offsite response officials if assistance is anticipated during an event or if there will be potential offsite impact due to an event, disregard whether it is a security event. In addition, NRC Bulletin 2005-02, Emergency Preparedness and Response Actions for Security-Based Events, addresses some of the suggested enhancements for Emergency Plans. FEMA Response: No additional comments from those above.
4	Many do not activate alert and notification system (ANS) at Site Area Emergency (SAE). Many activate sirens at evacuation.	NRC Response: Some OROs activate sirens at an SAE and some at the General Emergency (GE) classification. Public actions that OROs should consider at classifications below GE will be a topic of discussion at the emergency preparedness regulation review public meeting in August 2005. FEMA Response: FEMA recognizes that there is some variance by site of the approved and established plans procedures relating to when officials elect to authorize the initial siren activation (SAE or GE). Procedures for activating the alert and notification system at SAE usually involve some type of precautionary protective action (usually pertaining to school children or special populations). Further discussions with, and input from, State, Tribal, and local stakeholders

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4 (con't)		are necessary to determine the impact (potential or real) that any revised, security-based notifications from licensees at SAE would have on response officials that do not normally sound sirens until GE.
5	Prompt notification and single point of contact are done deal, and needs to be implemented soon. Has there been any communications with OROs?	<p><u>NRC Response:</u> On July 18, 2005, NRC issued Bulletin 2005-02, Emergency Preparedness and Response Actions for Security-Based Events, which directs licensees to provide information on their prompt, abbreviated notification protocols to NRC. The protocol for prompt notification to offsite response organizations has not been changed and will be discussed at the emergency preparedness regulations review public meeting in August 2005. Recognizing that OROs differ in structure and organization from State to State, it is important that the NRC, in coordination with FEMA, discuss these issues with OROs in order to develop the most effective methods for implementation. NRC will not propose any regulatory changes until we have sought input from stakeholders.</p> <p><u>FEMA Response:</u> Further future discussions with, and input from, State, Tribal and local stakeholders are essential to determine any impact (potential or real) that any revised NRC or FEMA policy related to notifications (security-based or other) of State and local officials from licensees would have on OROs.</p>
6	Investigating the use of reverse 911, the use of landlines, and not getting rid of sirens.	<p><u>NRC Response:</u> NRC regulations require that licensees have the ability to notify the public, but leave the decision on the actual methods of notification (sirens, tone alert radios, reverse 911, etc.) to the licensees and local response organizations. Local conditions vary not only between States but within States. The most effective methods for public alerting should be developed to address these specific needs. Any changes to existing systems must be reviewed by FEMA prior to implementation.</p>

Table 2: Other Notes and Comments

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6 (con't)		<p>FEMA Response: State, Tribal and local officials must develop public alert and warning systems that take into consideration local demographics, meteorology, terrain, and other community-specific characteristics. No single system exists that is appropriate for all communities. As it relates to an alert and notification (A&N) system, a “significant change”, requiring FEMA review and approval prior to implementation includes:</p> <ul style="list-style-type: none"> < A change in EPZ boundaries requiring the addition of new alerting devices or changes the number of local governments that must be involved in alert and notification. < A change in EPZ population requiring a change to the A&N system siren sound levels. < Substituting one form of alerting for another (e.g., sirens for special alerting devices). < Addition to or upgrading of alerting devices based on evidence of inadequate A&N system coverage. < A change to maintenance methods that is not addressed in the design report. < A change to testing methods that is not addressed in the design report. < A loss of administrative control of special alerting devices that brings into question whether affected population(s) can be notified in a timely manner. < A change in siren locations and/or ratings not explicitly considered as acceptable by a FEMA technical evaluation. < A change to the siren control system that is not addressed in the design report.

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6 (con't)		<ul style="list-style-type: none"> < Any change that can reasonably be expected to reduce siren sound coverage. Such changes include: <ul style="list-style-type: none"> < Degradation in sirens output below that assumed in the design report due to design due to installation or maintenance practices; < Substitution using a siren with lower sound rating; < Substitution using directional siren for an omni-directional siren; < Increasing the siren operating frequency; < Siren control system design, configuration control or software quality assurance problems identified during system operation and maintenance that can be reasonably expected to cause more than 10% of the sirens not being actuated in an actual emergency unless the A&N system is modified; or < Addition of buildings or man-made changes in topographical features that can be reasonably expected to result in “shadowing” of sound from nearby siren(s) not previously accounted for. < Any other item that brings into question the ability of the A&N system to perform in the way it was described in the Design Report. This can be based on NRC inspection findings or significance determination, REP exercise results, telephone survey results or the FEMA Regional Assistance Committee (RAC) chair judgment.

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7	FBI has “plans” for every site.	<p><u>NRC Response:</u> NRC works closely with FBI on security issues. Protocols for interactions between Federal agencies are detailed in the NRP/National Incident Management System (NIMS).</p> <p><u>FEMA Response:</u> The National Response Plan and its Nuclear/Radiological Annex also provide for several channels of interaction and communication between the FBI and DHS/FEMA. This is essential for the appropriate degree of critical coordination on crisis management (FBI) and consequence management (FEMA) issues.</p>
8	NRC and FEMA have not involved State/local/Tribal organizations in developing regulations/standards/guidance.	<p><u>NRC Response:</u> Standards and guidance for State/local/Tribal organizations are developed by FEMA and coordinated with NRC and other appropriate Federal agencies. Draft documents are published for public review and comment in a Federal Register Notice.</p> <p>Regulations and guidance for licensees are developed by NRC. The NRC regulatory process solicits public comment prior to issuance of certain NRC guidance and regulations. In addition, the NRC/EP Communications/ Outreach Team seeks out opportunities for input from State/local/Tribal organizations during the process of developing regulations, standards, and guidance.</p> <p>Various generic communications to licensees are used to; (1) solicit information from a licensee; (2) document NRC endorsement of the resolution of issues addressed by industry-sponsored initiatives; (3) solicit voluntary licensee participation in staff-sponsored pilot programs, etc. Recently, NRC Bulletin 2005-02, “Emergency Preparedness and Response Actions for Security-Based Events,” was issued to solicit information from licensees. The NRC is now</p>

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8 (con't)		<p>engaging stakeholders to vet these issues, determine the need for potential changes to regulations and guidance, and identify the impact of any proposed changes on licensees and State, local and Tribal organizations.</p> <p>FEMA Response: Comment #8 is simply not true. Prior to any final issuance or publication of either new or revised radiological emergency preparedness program guidance/standards/regulations, FEMA has always solicited as much input and feedback from all of our Federal, State, Tribal, local, and industry stakeholders as possible. In fact, FEMA's Office of General Counsel would prohibit the issuance of any revised or new Final guidance/standards/regulations by a program office unless it had been properly vetted through all the appropriate concurrence channels and made available for draft comment to all impacted stakeholders. However, we welcome any suggestions from stakeholders on how this process may be improved for any future issuance of guidance.</p>
9	There is a need to integrate security, incident response, and consequence management.	<p>NRC Response: Following 9/11, the NRC recognized the need for greater integration of security, incident response, and consequence management as indicated by the Orders issued to licensees on February 25, 2002. This integration has been extended to the assessment and evaluation of licensee performance during security exercises which include emergency preparedness and plant operations components. The proposed drill and exercise program that incorporates the use of security-based scenarios will be a further step in developing the skills and experience in event mitigation following a terrorist-initiated act. The drill and exercise program will bring together the resources of onsite security, operations, and emergency response that will interact and be</p>

Table 2: Other Notes and Comments

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9 (con't)		<p>supported/augmented by offsite local law enforcement, emergency management and Federal resource, as necessary, to provide an integrated response to protect public health and safety.</p> <p>In April 2002, the NRC established the Office of Nuclear Security and Incident Response (NSIR) to achieve greater efficiency and effectiveness by consolidating certain NRC safeguards, security, and incident response functions into one office. In June 2004, the NRC relocated the Emergency Preparedness Project Office to NSIR to integrate emergency preparedness with emergency response and security.</p> <p>Additionally, the adoption of the National Response Plan structure for incident response and consequence management (NRP/NIMS) at all levels (local, State, and Federal) will greatly enhance this integration.</p> <p>FEMA Response: FEMA agrees with the commenter as well as the NRC's assertion that the adoption of the National Response Plan structure for incident response and consequence management at all levels (local, State, and Federal) will greatly enhance this integration. In fact, the procedures and protocols contained within the NRP will affect the anticipated revisions to the joint NRC/FEMA document, NUREG-0654/FEMA-REP-1. It is widely acknowledged that NUREG-0654/FEMA-REP-1 is no longer consistent with the current state of emergency management.</p>

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Comment #	Notes and Comments	NRC/FEMA Response
10	Community response must address all local threats, not just nuclear power plants.	<p><u>NRC Response:</u> The National Response Plan (NRP) and National Incident Management System (NIMS) were developed to provide an “all hazards” framework for emergency response.</p> <p><u>FEMA Response:</u> No additional comments from the one above.</p>
11	Conduct public information campaign by modeling “learn not to burn/Anti smoking” campaign.	<p><u>NRC Response:</u> The Communication/Outreach Team is exploring good “outreach” practices, including the anti-smoking campaign. We will use these best practices in the development and delivery of important EP information.</p> <p><u>FEMA Response:</u> FEMA agrees that public information is critical to successful emergency preparedness planning and protecting public health and safety. However, FEMA believes that the responsibility for informing and educating the public belongs to State, tribal and local officials. We can assist in reviewing public information; however, it is not our responsibility to communicate with the public during the planning process</p>