

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

UNITED STATES NUCLEAR REGULATORY COMMISSION
MEETING WITH FEMA AND STATE AND LOCAL REPRESENTATIVES ON
OFFSITE EMERGERNCY PREPAREDNESS ISSUES

+ + + + +

TUESDAY

August 12, 2008

+ + + + +

The Commission convened at 1:30 p.m., the Honorable Dale E. Klein, Chairman
presiding.

NUCLEAR REGULATORY COMMISSION

DALE E. KLEIN, CHAIRMAN

GREGORY B. JACZKO, COMMISSIONER

PETER B. LYONS, COMMISSIONER

KRISTINE L. SVINICKI, COMMISSIONER

1 PANEL 1: NRC STAFF & FEMA REPRESENTATIVES

2 WILLIAM BORCHARDT, EXECUTIVE DIRECTOR FOR
3 OPERATIONS

4 ROY ZIMMERMAN, Director, Office of Nuclear Security and Incident
5 Response

6 CHRIS MILLER, Deputy Director for Emergency Preparedness,
7 Office of Nuclear Security and Incident Response

8 R. DAVID PAULISON, Administrator, FEMA

9 DENNIS SCHRADER, Deputy Administrator, National Preparedness,
10 FEMA

11 JAMES KISH, Director of Technological Hazards, FEMA

12 PANEL 2: STAKEHOLDERS

13 CHRISTINA CURRY, Deputy Director, California Governor's Office
14 of Emergency Services

15 MIKE ROSE, Emergency and Support Services Manager, City of
16 Dana Point, California

17 JOE KLINGER, Assistant Director, Illinois Emergency Management
18 Agency, Division of Nuclear Safety

19 NANCY DRAGANI, Executive Director, Ohio Emergency
20 Management Agency

21 LARRY GREENE, Director, Lake County, Ohio Emergency
22 Management Agency

P-R-O-C-E-E-D-I-N-G-S

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

CHAIRMAN KLEIN: Good afternoon. The Nuclear Regulatory Commission is pleased to have the joint Commission meeting today with the Federal Emergency Management Agency and we also have representatives from the State of California, the State of Ohio and the State of Illinois. So, let me go through and just list all the people that will be presenting today.

We're happy to have David Paulison, the FEMA Administrator today.

ADMINISTRATOR PAULISON: Thank you, sir.

CHAIRMAN KLEIN: Dennis Schrader, pleased to have you here; Jim Kish, good to see you.

And then for those -- I'll go ahead and introduce them now, but we will introduce them again later. The representatives from California, Ms. Tina Curry; and we also have Mike Rose from California; and Joe Klinger from Illinois; and we have Nancy Dragani from Ohio; and Larry Greene from Ohio. So, we're pleased to have all of you with us today.

We're here to continue our interactions on the very important matters related to emergency preparedness and security. This is obviously an area of interest for all of us. I believe I can speak for all of us when we say that this is one of our most important projects that we can work on. And as often reminded by Senator Carper, "If it's not perfect, make it better."

And so that's what we're here to do to make sure that we get towards that perfection activities. I'm very interested in hearing from all of you today and before

1 I start, any comments from my fellow Commissioners?

2 COMMISSIONER JACZKO: If I could, I'd just like to say I think this
3 is a really good opportunity to discuss really important issues and issues that as
4 I've seen from being a Commissioner are issues in particular for this agency where
5 we really interface with the public in a unique way.

6 When it comes to emergency preparedness, that is our primary point of
7 contact, really, are the members of the public and ensuring that we work with
8 FEMA and coordinate all of those activities that are necessary to prepare for
9 potential incidents at a nuclear power plant.

10 So, I think I've seen -- certainly since I've been at the Commission -- a lot of
11 change and a lot of real forward-looking activities on the part of this agency and on
12 the part of FEMA to really make this really a top notch program.

13 And I'm sure we'll hear from a lot of the state representatives about the
14 crucial role that the REP program plays in their overall preparedness activities. I
15 think that is certainly an important barometer of how we're doing as an agency in
16 this area. I look forward to the meeting. Thank you.

17 CHAIRMAN KLEIN: Commissioner Lyons?

18 COMMISSIONER LYONS: I, too, would like to just note that I highly
19 value the participation today of our Federal, our state and the local partners in
20 emergency planning.

21 It's -- as my colleagues have already indicated -- an extremely important
22 area. As Commissioner Jaczko just noted it's really a key area for engagement

1 and public outreach with stakeholders and I think all of the different partners that
2 are going to be presenting today have that same challenge in terms of the
3 interaction -- the constant interaction with stakeholders as we talk about
4 emergency planning.

5 At the same time, I'd just like to note that emergency planning is, if you will,
6 one in a long chain of activities at the NRC that we undertake to protect the public.
7 That certainly starts with the various -- the attention we pay to the quality of
8 equipment in the plants, attention to the safety aspects of each of the plants, the
9 multiple barriers, the defense-in-depth that we practice in everything that we do at
10 the NRC. And at the end of that chain is emergency preparedness and
11 emergency planning.

12 All of these work together to protect the public and provide that level of
13 public assurance. So, again, thank you very much and I'm looking forward to the
14 meeting today.

15 CHAIRMAN KLEIN: Commissioner Svinicki?

16 COMMISSIONER SVINICKI: Well, I certainly join in welcoming all of
17 our guests here today, both our Federal colleagues and our state and local
18 partners.

19 This is such an important interaction as everyone said. So, in addition to
20 this meeting all of the day-to-day efforts that go on, I think, are really important and
21 will be highlighted today. Thank you.

22 CHAIRMAN KLEIN: Thanks. David, would you like to make any

1 opening comments?

2 ADMINISTRATOR PAULISON: Just that I'm looking forward to the
3 meeting. This is -- the partnership that we've developed with your group has just
4 been phenomenal and it takes that. It takes all of us together: the Federal
5 agencies, the state and local and the private sector and I will talk about that a little
6 bit later.

7 But this is an important meeting. I'm looking forward to it and I'm really
8 looking forward to feedback from the state's, seek comments from them on how
9 we're doing and what can we do better.

10 CHAIRMAN KLEIN: Great. Thank you. Bill, would you like to
11 begin?

12 MR. BORCHARDT: Thank you. Roy Zimmerman will begin the
13 staff's presentation.

14 MR. ZIMMERMAN: Thank you, Bill. Good afternoon Chairman,
15 Commissioners. Before Chris Miller provides the bulk of the staff presentation, I
16 wanted to set the stage by providing a little background of where we've been
17 regarding emergency preparedness initiatives.

18 As you know, back in May of 2006 the Commission met with
19 representatives from the Department of Homeland Security, industry, state and
20 local EP officials and non-government organizations on various EP activities.

21 As a result of that meeting the Commission provided direction to the staff to
22 coordinate with DHS/FEMA in an effort to enhance EP exercise scenarios

1 primarily in the areas of incorporating a wide range of radiological release
2 capabilities, a larger spectrum that had additional options from no release to the
3 type of large releases that have been typical to date. And also varying the pace,
4 the speed with which these events progress.

5 Commission direction was aimed at avoiding anticipatory actions on the
6 part of the participants, and also to avoid preconditioning, negative training that
7 could be associated with consistently running the exercises the same way at the
8 same pace. The benefit of mixing it up would provide better training than where
9 we currently are performing it.

10 We were also directed by the Commission to work with FEMA regarding
11 including hostile action, basically terrorist initiated events in a post-9/11
12 environment, into the spectrum of initiating events for EP exercises.

13 That was followed by another Commission meeting in April of last year
14 where the Commission met with FEMA Administrator Paulison and others from
15 DHS to further align on the progress that had been made thus far and to make
16 sure that we were on target for those initiatives and other initiatives that you'll hear
17 about today.

18 The working relationship with FEMA from our perspective has been
19 noteworthy. We have had a very effective and efficient partnership and I give
20 credit to the FEMA officials at the table with us today and to their staffs.

21 One of the efforts which incorporates more challenging and realistic
22 exercise scenarios is the hostile action events. That is one of the centerpieces

1 that is going into our EP rulemaking activity.

2 I give credit at this point to the industry that has voluntarily stepped forward
3 and has indicated that each reactor site will undergo a hostile action exercise in a
4 no-fault, if you will, approach, a learning approach during this period of time while
5 we are going through the rulemaking process and evaluating the need for hostile
6 action exercises to actually become a requirement.

7 But the industry has acted quickly and similarly the state and local officials
8 deserve compliments as well because it's clearly a burden on those officials to
9 support what basically are off-year exercises that were not previously planned.
10 And all parties have been very, very much engaged and we'll hear about some of
11 those lessons learned shortly.

12 The state and local officials that we have with us today that will make up the
13 second panel have been actively involved in the hostile action exercise, so their
14 firsthand involvement and those of their staff provide valuable information for us to
15 be able to make sure that we're on the right track.

16 And if there are certain lessons learned that they have seen that perhaps
17 we haven't seen, this partnership allows for all collective lessons to be learned and
18 to be incorporated into the path as we move forward.

19 Our plans with regard to today are we're going to focus our comments on
20 the power reactor community recognizing that there are other licensees that may
21 have similar suitability like fuel cycle facilities and we have a busy plate today.

22 But I just wanted to mention that there may be a time where it will be

1 considered appropriate to consider the other licensees that we regulate as well.

2 With that, let me turn it over to Chris Miller.

3 MR. MILLER: Chairman, Commissioners, first let me briefly go into
4 what our hostile action based drills and then we'll talk about the status and then
5 get into the challenging exercises.

6 Hostile action based drills are intended to explore from an emergency
7 preparedness perspective licensee response to assess and mitigate an event
8 caused by a terrorist act in coordination with offsite responders. Scenarios may
9 involve air, ground, or waterborne attacks.

10 Unlike force-on-force exercises, the hostile action based drills are not
11 limited to the design basis scenarios and do not demonstrate any kind of tactical
12 response capabilities or a significant security or law enforcement response.

13 The drills specifically focus on demonstrating the unique challenges that a
14 hostile action attack could pose on existing EP programs. We've established a
15 public site on the NRC web page which provides some of this background and we
16 also have a link in our slides that stakeholders can go to and find out a little bit
17 more about the status of these drills.

18 So, let me get into the status. Hostile action based drills, of course, are a
19 voluntary initiative as Roy mentioned. To date, 17 have been conducted with 18
20 scheduled for the remainder of the calendar year 2008. Then we'll have 26 more
21 in calendar year 2009 and finish that in the fall of 2009.

22 Based on the lessons learned during the initial hostile action based drills

1 conducted in 2007 the Nuclear Energy Institute revised their proposed industry
2 guidelines. The revision was subsequently endorsed by our staff, NRC staff, in
3 Regulatory Information Summary 2008 for use during the remaining drills for the
4 purpose of making sure that we had consistency across all the remainder of the
5 sites that were conducting the drills.

6 NRC staff currently observes selected drills to ensure appropriate
7 application of these guidelines, but also to make sure that we have significant
8 lessons learned coming out and we're learning from each drill so that you go down
9 the road and the next one is better than last one. That's what our goal is.

10 FEMA is also using designated drills in this series to pilot proposed
11 changes to their offsite exercise requirements. I know they're going to be
12 speaking to that later on.

13 The intent of the staff is to not only use these drills to inform the rulemaking
14 and guidance process, but also for licensees to use the lessons learned in
15 coordination with the offsite response organizations to prepare for implementation
16 of these scenarios in biennial exercises in 2010 calendar year.

17 I'd like to cover some of the lessons learned coming out of these drills. One
18 is the need to incorporate incident command system concepts into the existing
19 radiological emergency preparedness program. A key element of these drill
20 scenarios is the level of offsite fire, medical, law enforcement resources
21 responding to the site to mitigate the event.

22 Unlike the existing biennial exercises currently in place, offsite response is

1 required to successfully mitigate some of these events. While existing biennial
2 exercise scenario elements may involve a fire or an injury on site they don't have
3 anywhere near the level of response that these scenarios pose.

4 Due to the nature of the hostile action scenario, mobilization of the
5 licensee's emergency response organization may be delayed. Licensees may be
6 required to use alternate facilities to support the emergency response organization
7 and to coordinate with initial offsite law enforcement to support the staffing of
8 emergency facilities.

9 Licensees and local responders need to be prepared for these situations.
10 That's another lesson is to make sure that they're ready for those kind of events
11 where you have a lock down of the site, people can't go anywhere. How do you
12 staff up these facilities?

13 Another lesson, the current protective action guidance establishes
14 evacuation as the primary recommendation. Well, in these cases where you have
15 hostile action maybe evacuation is not the right initial path to take and shelter may
16 be more appropriate.

17 And concerns regarding the possible release of security related information
18 places a challenge on the timely release of information to the public. We must
19 engage public affairs groups from the industry, other Federal agencies and other
20 stakeholders to identify the appropriate changes to our emergency public
21 information process. Timely information is very key in these kinds of events.

22 So, really the fact is that we are learning valuable lessons from the hostile

1 action based drills. The NRC staff will continue to work with NEI to further
2 enhance industry guidance and the conduct of hostile action based drills and with
3 FEMA toward the eventual incorporation of these hostile action scenarios into the
4 biennial exercise cycle. Next slide, please.

5 Hostile action based drills are just one aspect of improving the challenging
6 nature of the biennial exercise scenarios. We want to avoid preconditioning as
7 Roy mentioned earlier.

8 In order to address the need for more challenging exercise scenarios the
9 NRC staff has teamed with FEMA staff to develop necessary changes to exercise
10 requirements and criteria.

11 An exercise scenario task force was formed consisting of representatives
12 from the Office of Nuclear Security and Incident Response, FEMA Headquarters
13 and FEMA regions and has developed a series of recommended options for
14 enhancing the challenging aspects of EP exercise scenarios.

15 These recommendations include varying event escalation conditions. In
16 order to ensure the evaluation of offsite exercise criteria some scenarios have
17 become regimented systematically escalating through each classification with
18 predetermined breaks to allow for sufficient demonstration.

19 The task force has proposed requiring scenarios that provide for, perhaps in
20 some cases, a rapid escalation in event classification or jumping an event
21 classification along the way.

22 Another aspect is varying radiological release conditions. Proposals

1 include requiring varying release magnitude, even to include a no-release scenario
2 and varying release conditions such as realistic meteorological conditions, the
3 wind isn't always blowing in one direction, for example, as some exercises have
4 been.

5 Puff versus continuous release, ground versus elevated release, varying up
6 those kinds of conditions where they may not be varied at this point. And then
7 varying initiating events.

8 Proposals include requiring incorporation of hostile action event scenarios
9 and site specific events such as tornadoes, hurricanes, flooding; those kinds that
10 might affect the particular site. The task force also proposes that the no-release
11 option not be tied to any one specific initiating event.

12 The task force is currently evaluating the extent of play required to be
13 demonstrated for each biennial exercise cycle and possible alternatives for
14 demonstration such as out of sequence demonstrations that they might use at a
15 different time which would support the determination of continued reasonable
16 assurance.

17 We want to use an informed process. We want all our stakeholders -- we
18 want to hear from all the stakeholders and get the best process that we can to
19 ensure proposed changes to exercise criteria are well informed.

20 The NRC staff in cooperation with FEMA has identified various forums to
21 solicit stakeholder feedback including the experience of state and local response
22 organizations. These forums include ongoing focus groups being sponsored by

1 FEMA in the regions and they include our state and local government stakeholders
2 as well as industry discussing proposed changes.

3 Feedback received has been generally supportive of the proposed
4 changes; however, stakeholders have indicated that requirements need to be less
5 restrictive; that is that FEMA and NRC should indicate what objectives need to be
6 demonstrated and at what frequency and allow the organizations at the sites to
7 determine how they're going to demonstrate those aspects.

8 We've had periodic public meetings conducted as part of the NRC
9 proposed rulemaking. This included the opportunity to dialogue and provide input
10 on draft preliminary rule language that we put on our website.

11 We're looking for opportunities periodically to meet with other stakeholders,
12 such as non-industry groups to discuss and explain the intent of these proposed
13 changes. Really, the goal is to implement these changes in coordination with
14 FEMA as part of the ongoing NRC emergency preparedness rulemaking during
15 calendar year 2010. Next slide, please.

16 So, how do we move forward from here? The path forward for
17 implementation of more challenging exercise scenarios including hostile action
18 based scenarios involves rulemaking and guidance changes currently being
19 proposed by staff.

20 In the rulemaking plan issued April 2007 the staff committed to conduct
21 rulemaking on 12 high priority issues. Of the 12, security related EP issues
22 resulted from Bulletin 2005-02 and several of the issues will codify Commission

1 orders issued in February 2002.

2 Many of these issues, specifically those requiring improvements to the drill
3 and exercise program, will involve FEMA efforts as well as NRC efforts.

4 Other issues requiring both NRC and FEMA involvement include
5 requirements for backup means for alert notification systems and updates to
6 evacuation time estimates.

7 We need to have a coordinated scheduling process. A FEMA/NRC
8 rulemaking working group has been formed to facilitate coordination between the
9 agencies in meeting key milestones and in support of outreach efforts previously
10 mentioned to engage and encourage stakeholder input.

11 The NRC staff will be publishing the draft guidance and the technical basis
12 with the proposed rule in February of 2009 for formal public comment and the final
13 rule is scheduled to be issued in March of 2010.

14 There are some challenges. NRC and FEMA must continue to align their
15 efforts to make synchronized changes to the regulations and guidance. EP
16 regulations and guidance for licensees and state and local response organizations
17 are interconnected and they must be aligned and they must be clear.

18 Specific near-term challenges include possible delays in required review
19 processes; however, we are confident of our ability to effectively work with our
20 FEMA partners in addressing the challenges and the development and
21 implementation of these comprehensive changes to emergency preparedness
22 regulations and guidance for implementation in calendar year 2010.

1 While developing the rule and supporting the guidance, the staff will
2 continue to engage various stakeholder groups to ensure the overall work is
3 comprehensive and clear and well understood by our stakeholders.

4 I think one other challenging area that I will say and we've got to look at this
5 in the future as Roy mentioned we need to look at when we're done with the
6 reactors or as we're rolling these out to reactors, how do we look at fuel cycle
7 facilities and how do we roll some of these concepts into the fuel cycle facilities?
8 We will continue to look at that in the future.

9 Chairman Klein, that concludes the staff's prepared remarks.

10 CHAIRMAN KLEIN: Thanks, Chris. David, would you like to make
11 your presentation now?

12 ADMINISTRATOR PAULISON: Sure. Thank you, Chairman Klein. I
13 appreciate the invitation. Commissioners, I thank you for your hospitality today in
14 inviting us here and particularly I want to thank the state and local constituents that
15 are either watching or sitting behind us because they are really the key part in this
16 whole process, particularly with our offsite protection and I appreciate their
17 involvement very much.

18 Joining me today, I have Deputy Administrator for National Preparedness.
19 Dennis Schrader is going to make a presentation earlier and then you know Jim
20 Kish who's in charge of our Technological Hazards Division and oversees the REP
21 program. And Jim does a good job for that and he's going to make a presentation
22 also.

1 We know very clearly that if we're going to be successful in our emergency
2 preparedness in the vicinity around nuclear power plants it's got to be highly
3 collaborative. It's not only us and the NRC, its other Federal agencies, our state
4 and local partners out there and also the private sector as we've seen just recently
5 doing some of the offsite exercises. They've got to be part of this.

6 We've been working very hard to meet that responsibility to be an engaged
7 partner with you and others, to work with you to set these preparedness-related
8 standards, determine the adequacy of our offsite emergency preparedness
9 response and our preparedness piece of it also which is very important.

10 We need to make sure also as we look at this we look at all hazards. We
11 want to make sure that the exercises that we put together are less predictable than
12 we've done in the past. We want them to be, as you heard earlier, to be a positive
13 learning experience. We've seen that already with some of the prototype
14 exercises we've done.

15 I have to tell you I've been particularly pleased with the input to receive
16 more state and local partners. They've been very forthcoming with their
17 comments, with their suggestions and their sustained involvement and support of
18 all the affected jurisdictions is going to really help us put together an outstanding
19 product as we go through this.

20 So, our staffs together, the FEMA staff, the REP staff, the NRC
21 counterparts we've been focused on finalizing these emergency preparedness
22 regulations and working very hard to make sure -- we want them implemented by

1 2010 to make sure we get those in place.

2 And together we've been reaching out to our stakeholders. We're reaching
3 out to industry to make sure that we can get good, honest, solid feedback for these
4 initiatives we're putting in place.

5 Dennis and Jim are going to provide more details as we go through this and
6 after they finish I'm looking forward to hearing your thoughts and what you have to
7 say and also I want to hear very clearly what the states have to say and get their
8 input from this because it does have to be a partnership.

9 I want to also talk about how important it is that we move forward with this
10 to accomplish it. We are coming up on an administration change. If somebody is
11 aware there is an election coming up there. It's very vital we get these in place. I
12 don't want this to drop. We're working very hard to have a good transition plan in
13 place for FEMA.

14 This is going to be the smoothest transition FEMA has ever seen.
15 Everything we've learned, everything that -- all of our lessons learned from
16 Katrina, all the things we put in place I want to make sure is passed on to the next
17 administration regardless of who that is. I think it's important we get these
18 regulations in place and get our exercises down pat so we're ready to move when
19 the next administration takes over.

20 Again, I want to thank the people in the audience, the Federal, the state, the
21 local people, the REP stakeholders for providing feedback to us because it's going
22 to be very critical in our rulemaking to make sure that everyone is on board with

1 what we put together and make sure that guidance we have in place is the right
2 thing.

3 The regulations we put in place, the policies, the guidance are going to
4 bring these into conformance where we'll understand that the offsite exercise and
5 the offsite planning is rock-solid and is the same as we go from plant to plant
6 because it's not only going to include our current facilities, but it's also very
7 important that we look at the future of reactors that are trying to come on line in the
8 next decade.

9 So, we want to make sure we have these in place and that those are going
10 to be there for all of us to use and they're going to ensure that we have a safe
11 offsite system in place.

12 Again, I look forward to the presentations. I look forward to the comments
13 from you and from the public. I want to thank the Commission for your
14 cooperation. As I talk to my staff, the relationship that we have between our two
15 organizations is the best it's ever been, as it should be. So, we're going to make
16 sure that continues on.

17 What I'd like to do right now, Mr. Chair, if it's okay with you is turn it over to
18 Dennis for the rest of the presentation.

19 MR. SCHRADER: Thank you, Mr. Paulison. Mr. Chairman, it's a
20 privilege to be here with you today and the other Commissioners. I've got to say
21 that over the past year we've worked hard at moving this program change forward.
22 I just want to comment on a few things from a big picture perspective and then Jim

1 Kish will flush out the details.

2 Clearly, the initiative has been on the part of your staff, Roy Zimmerman
3 and his team to focus on the hostile action program as well as improving the
4 exercises has clearly been part of our focus for the last year.

5 As an all hazards agency since 9/11 we have that responsibility to both be
6 looking at natural hazards as well as the terror threat and that's been part of our
7 focus at FEMA.

8 Preparedness came back into FEMA about a year and a half ago in April of
9 '07, so this fits very clearly into our mission space. The bottom line is that we view
10 this as an opportunity to improve our program, so working collaboratively as the
11 Administrator said in an engaged way, but it also requires a lot of commitment and
12 one of the things that the Administrator, myself, Harvey Johnson, our Chief
13 Operating Officer has been a very engaged in this as well as Jim Kish and his
14 team.

15 We're anticipating issues. We're pushing the notion that we have to be
16 leaning forward. We can't be waiting for what might come at us. We want to
17 anticipate it before it happens.

18 I think a couple things that we've been pushing is the notion that we've got
19 to communicate early and often. The key responsibility for FEMA is to our state
20 and local stakeholders and the community. We have to sign off on reasonable
21 assurance and we have our regional administrators very focused on that.

22 We have programs all over the country at our regional offices. They've

1 been very involved. We've been talking and meeting with them and getting them
2 engaged for well over a year now.

3 As you know, any time there's a change we've had a historical relationship
4 going back 30 years with the NRC and this kind of change requires a lot of
5 communication. So, we're emphasizing that as a priority.

6 We've had early communications with our state and local emergency
7 management agencies and their administrators so that they wouldn't be surprised
8 and we really need their feedback because they're at the end of the day the
9 customer in this whole process.

10 We also view the pilot drills as an opportunity for us to learn and that
11 collaboration, I believe, has been very helpful. We've been encouraging our staff
12 at both the regional level, at the headquarters level to go out and observe these
13 exercises.

14 I was personally up at Susquehanna back in November. The Administrator
15 was at Calvert Cliffs with a group of us back in July. We had Byron and San
16 Onofre where we had our regional administrators there observing with their staffs.

17 So, we've got a full-court commitment to make sure that we learn from the
18 drills and then take that back to the working groups and use that to help us design
19 the way forward.

20 The key for us is going to be updating our guidance and we're doing that in
21 parallel while the rulemaking process from the NRC side is being developed so
22 that we're working in parallel. That's been our objective from the very beginning

1 and it continues to be our priority.

2 I'll also mention that we also see this as an opportunity. We in FEMA now
3 have the National Exercise Program responsibility for all exercises in the country.
4 We have standard protocols for the Homeland Security Exercise and Evaluation
5 Program.

6 We're bringing that thinking into the REP program so that those two
7 programs start to marry up and quite frankly our stakeholders around the country
8 expect that. We get that question often and we're really pushing that as initiatives.

9 So, quite frankly, this as I said at the beginning, this is a tremendous
10 opportunity for us. Let me just make a couple of observations and then I'm going
11 to turn it over to Jim.

12 The couple of key things that I've observed personally and have gotten a lot
13 of feedback is that in the traditional exercises you have the offsite response
14 organization, the ORO, which has been our main focus with the state and local
15 officials. And then inside the fence you have the operation, which has been
16 primarily the NRC focus.

17 What this exercise scenario, the hostile action exercise scenario, causes us
18 to do is to have to come together and interface at that fence line and it creates an
19 interesting dynamic and we're learning from that dynamic.

20 It's also bringing to bear resources that don't normally have to play. You
21 have law enforcement which suddenly has to be up close to the incident and they
22 have forward incident command posts which then have to coordinate back with the

1 ORO.

2 So, there's a lot of change there that this introduces into what it really
3 means to have an effective offsite response organization.

4 The other thing we've had to wrestle with and we're continuing to wrestle
5 with is how do we make sure that all of our requirements are handled when we
6 introduce this kind of hostile action scenario into one of the six year cycle
7 exercises that are graded.

8 We don't have all the answers to that yet, but we are going to push to have
9 those answers in the very near term as we continue the updated drafting of the
10 guidance.

11 And finally, we have in late September an In-Progress Review where we're
12 going to bring our key people from around the country as well as NRC staff to the
13 table with us at a site probably in the center of the country.

14 Jim has been planning that so that we can do an In-Progress Review. We
15 have a very detailed project plan that's driving this.

16 So, I'll stop there and turn it over to Mr. Kish.

17 MR. KISH: Thank you, Dennis. Good afternoon, sir. I want to talk
18 just a little bit and fill in some of the mortar between the bricks that have already
19 been laid out.

20 I'll start with the observation, as you well know that learning is a very
21 dynamic and exciting process when you're talking about learning in the REP
22 environment you also have to balance that dynamic tension and excitement with

1 the regulatory environment.

2 I bring that in as an introduction to thank the state and local partners as well
3 as industry for being so encouraging, flexible, cooperative and engaged in this
4 because it's truly a noteworthy experience we're on.

5 Now, we talked a little bit about exercise design. The notion to try and
6 break out of the mold of predictability, negative learning and that rut that I would
7 describe -- I would describe it as a rut that had been a hallmark of the REP
8 exercise activities and called forth, I might add, by both the state, local and the
9 industry partners in this. So, we're moving down that road to address that.

10 We've put together an exercise task force that involves both the Nuclear
11 Regulatory Commission and FEMA at all levels, not just headquarters, but also
12 involvement of the regional staff to try to put together some options.

13 As you know, we've gone forth and we've conducted a number of focus
14 groups as well as tested some of the outcomes of those deliberations that come
15 out of the task force through these pilot projects that are being conducted across
16 the United States.

17 What we learned from those and what we hear from the focus groups are
18 then being folded back into the considerations from the exercise task force and
19 they will form the basis of the proposed guidance change that we put forth.

20 They're critical issues there.

21 First of all, I know Chris talked a little bit about varying release conditions,
22 non-sequential escalations even to the point of not having an exercise activity go

1 to a general emergency alert.

2 Those offer opportunities to kind of break out of that mold of predictability,
3 but there's also some perils there.

4 One aspect of that is if we don't go to a general alert there's probably some
5 capabilities that may be omitted that won't be required to deploy and become
6 engaged during that exercise.

7 There's also a little bit of a concern that perhaps all the relevant players
8 won't be critically engaged at that point. So, we're taking steps to address that.

9 One of the ways we're taking steps to address that is to incorporate the way
10 we conduct planning for these exercises into the Homeland Security Exercise
11 Evaluation Program Model, where instead of having a proscriptive checklist of "you
12 have to do's" we have an extended play negotiation on the front end where all the
13 stakeholders come to the table and they identify their objectives and from that
14 objective start point the exercise is designed.

15 And then finally on the omitted capabilities, we're looking at some
16 opportunities that we can do those in a drill situation or some alternative means
17 without adding a significant burden to all the constituents. Next slide, please.

18 Why do we need updates? Well, there's also been some commentary
19 about if it's not really broken then why are we retooling and going through a major
20 change to fix this because change is, as you're well aware, difficult especially in a
21 regulatory environment.

22 But what we've found as we go down this road is there are modifications

1 that are required. Frankly, we're dealing with a range of guidelines from our
2 perspective, the different REP manuals and the program manual, that extend back
3 nearly 30 years.

4 While the core value of all those guidance memoranda and procedures are
5 still viable there's some change that's been upon us since we've created the
6 Department of Homeland Security. There's a whole new range of presidential
7 guidelines. There are national level plans that we need and capabilities that we
8 need to focus on.

9 So, incorporating those new and critical elements of preparedness are vital
10 to bringing all of the guidelines up to date that FEMA maintains.

11 I would say that as we look to moving forward on that and we're taking
12 steps to keep those guidance modifications in conformance and lockstep with the
13 Nuclear Regulatory Commission's rulemaking activities because we recognize that
14 there's efforts under way to update the 0654 and other elements of NRC's rules.

15 That being NRC's prerogative, we're in support of that. We think it's better if
16 we have a single change mechanism that's going forward in concert with one
17 another rather than having rulemaking get out in front of guidance changes.

18 So, we're going to see a slide in a minute that kind of talks to that with a
19 little bit of the complications that go along with that. Next slide, please.

20 And to that point, I would identify that when we look at where we're at on
21 our ramp here and as Dennis mentioned a moment ago, we do have a more
22 comprehensive program plan with the appropriate milestones that are in there.

1 I hit the highlights on this and I think it's worth noting that these are the
2 steps that FEMA must accomplish and we're looking towards having in the
3 September timeframe having our draft update to the exercise portion of that
4 program review completed and put forward into staffing at DHS Headquarters and
5 then subsequently through the Office of Management and Budget so that we can
6 meet the February '09 timeframe for the Federal Register announcement that
7 would be in synchronization with what the Nuclear Regulatory Commission is
8 doing as far as their rulemaking changes are concerned.

9 It might be a little bit early, but I'll go to the summary slide on this. Just to
10 reiterate that change is always difficult and it's easier when all parties are engaged
11 and willing and that's been absolutely the case up until this point.

12 I think that critical pieces of this that I would leave you with is there's a
13 series and active engagement with the stakeholder community most certainly
14 supported by the NRC staff both at headquarters and in the regions.

15 There's been comments that we have observed from the focus groups to
16 limit the proscriptive nature of any changes we put forth. So, we want to preserve
17 flexibility. We want to put changes forward which allow for an appropriate amount
18 of vitality to be injected into this, but we want to guard against being overly
19 proscriptive in directing things from a central location.

20 And to that, we look to incorporate the extent of play negotiations I
21 mentioned earlier. There's a requirement to balance scenario variables, to ensure
22 that capabilities that are not addressed during exercises. We have a strategy to

1 observe those and that's critical.

2 Another key point that stakeholders brought up is the desire for us to
3 develop constructive credit; some sort of a system by which operations and other
4 major exercises that the stakeholders and jurisdictions and the licensees
5 participate in can be analyzed and brought forward into the REP program so that
6 they're not getting double tapped for the same type of a capabilities assessment.

7 Another key part that we're looking at right now is finalizing the evaluative
8 criteria. One consistent theme not just in this project, but in other forums has been
9 brought forward is a need for consistency across all the FEMA regions.

10 We think that one way to do that is incorporating the exercise evaluation
11 program and its tenants and developing a consistent viable evaluative criteria and
12 that will go a long way towards that goal.

13 And finally, I think to make all this come together we're also looking towards
14 some training for this. One key piece of this is to ensure that whatever evaluators
15 we put forward to assess the viability of those evaluative criteria I mentioned that
16 they have all the requisite tools and that they're fully up to speed on things such as
17 the Incident Command System.

18 Whatever evaluators put forth have to be proficient in that.

19 And then finally on the training side to develop whatever training would be
20 required to implement the new guidelines. Those are the critical points that I
21 wanted to bring to you today and that concludes my presentation.

22 ADMINISTRATOR PAULISON: As you can see -- I know we're over

1 our time, but this is an important change we're making together and we are going
2 to do it together with the NRC, with FEMA, the other Federal agencies and the
3 state and local governments that are going along with us.

4 That's the right way to do that. We're excited about it. It is a good change
5 to make and we're going to make sure that we do it hand-in-hand. Mr. Chair,
6 thank you.

7 CHAIRMAN KLEIN: Well, thank you. Thanks for the NRC staff and
8 also for the FEMA presentation. I know this will surprise you, but we're fairly
9 structured in regulatory environment, so what we'd like to do now is have a
10 dialogue. And along that structure we have a procedure in which we ask
11 questions.

12 So, I'll start and then we'll turn it over to you, David, and then my fellow
13 Commissioners and then we'll let Dennis and Jim have their questions. So, we'd
14 like to have a little bit of a dialogue.

15 I guess I'll start first in terms of you had commented about -- I think Jim had
16 talked about the flow chart here of getting the rulemaking. I know how difficult it is
17 for us to go from this box to this one.

18 You have a couple of other boxes in the middle where it has DHS and
19 OMB. Do you think you can keep on schedule?

20 ADMINISTRATOR PAULISON: Yes, sir. I do. We've been using
21 this process for a while and generally what we don't do is go box by box. We give
22 everyone an advanced copy of what we're doing and we get that input from them

1 and it makes it go -- it took a while to learn how to do this, but once we figured the
2 system out we do feel very comfortable that we'll meet that timeline and we'll get to
3 the Federal Register at the same time you do. And that's important that we do
4 that.

5 CHAIRMAN KLEIN: Great. Thanks. I noticed that I think Dennis
6 had mentioned the fact that you had gone to Sequoia, one of the exercises.

7 MR. SCHRADER: Susquehanna.

8 CHAIRMAN KLEIN: Susquehanna?

9 MR. SCHRADER: Yes, sir.

10 CHAIRMAN KLEIN: And then you went to Calvert.

11 ADMINISTRATOR PAULISON: Yes, sir.

12 CHAIRMAN KLEIN: Could you just comment on how you thought
13 those exercises went?

14 ADMINISTRATOR PAULISON: It was, first of all, very interesting.
15 Obviously, we have not done the hostile environment issue before, so it involved a
16 lot of players that were not normally involved, particularly inside the plant itself.

17 I thought it went extremely well. I learned quite frankly a lot. Also saw
18 where there's a lot of work to do particularly with embedding the incident
19 command process we use, our national response framework to more than just the
20 emergency management side and the fire side, we've got to involve law
21 enforcement, also.

22 So, there were some issues that I saw particularly in the Calvert plant that

1 will go into our system as far as what we're going to expect on the outcome and
2 stuff people have to do to make sure we're all ready for these types of incidents if
3 they -- hopefully not -- but if they should occur.

4 CHAIRMAN KLEIN: Any comments, Dennis?

5 MR. SCHRADER: Well, actually, I was at both and the thing I
6 observed one was in November of '06 and the other in July of -- excuse me; '07
7 and the July of '08. I saw a difference and it was a positive difference in that the
8 Calvert Cliffs exercise you could clearly see that there had been some learning in
9 the process from the November exercise and just simple things like how the law
10 enforcement activity was linking back to the local EMA and the state operations.

11 So, it was clear that there had been a lot of improvement in that process.

12 And, of course, our folks are giving feedback as well as receiving information.

13 So, it's my expectation as I've communicated to Jim that I would expect that
14 our program manual would be updated as we move along by our observation of
15 these drills.

16 CHAIRMAN KLEIN: Thanks. David, do you have any questions?

17 ADMINISTRATOR PAULISON: No questions, just a comment. Like
18 I said earlier the cooperation has been unprecedented and I think because of what
19 happened in this country on September 11th, 2001, we see a strong willingness to
20 be prepared at all levels. It was a wake-up call for all of us.

21 And then along with that you throw Katrina on top of that. People are really
22 engaged in what we're doing and want to make sure that we do have that level of

1 cooperation and coordination and communication that quite frankly has been
2 lacking at times.

3 We're on the right track and this is a prototype, what we're doing here, of
4 how we're going to have to make sure the rest of the processes are prepared also.
5 It's a very positive thing.

6 CHAIRMAN KLEIN: Great. Thanks. Commissioner Jaczko?

7 COMMISSIONER JACZKO: I guess I perhaps have more comments
8 than questions. I would just say I had the opportunity to attend the Calvert Cliffs
9 exercise with Administrator Paulison and Dennis and Jim as well. One of the
10 things that I noticed as part of that exercise, I think, was the public communication
11 piece.

12 I think that's a very important part of these exercises. And I think you
13 mentioned, David, several times the FEMA perspective and the importance for
14 FEMA of having a public face and presenting information within a relatively short
15 period of time of an event developing.

16 I think that was certainly one of the lessons that I think was useful for, I
17 think, the NRC to hear as well because I think that's a piece of our planning and
18 preparing that we can probably make improvements on.

19 I think it was useful for the state and local folks who were there as well to
20 hear that and the need to be prepared to provide information because in the 24
21 hour news cycle we live in people will find out about these things and want
22 information and part of the Federal role is going to be to provide good accurate,

1 appropriate information as quickly as possible.

2 So, I think that was another piece that I had seen out of these exercises
3 that, again, was I think a really good opportunity to learn from them and improve
4 everyone's response capabilities.

5 Jim, this is something that you had mentioned and something I think that's
6 really one of the good parts of this new program is the ability to have a focus more
7 on outcomes and performance in some of these drills and not so much on the
8 prescriptive nature of the exercise and the checklists that people have to go
9 through.

10 As it is I always comment when we do these exercises. Everyone always
11 asks me maybe the day before or that morning what do I want for lunch. I always
12 have to ask them why do we know that there's going to be lunch? But there is
13 generally a routine that we have lunch about noon and after that we go to a
14 general emergency.

15 So, that's definitely an area where if we can get away from that less
16 prescriptive nature of the exercises, make them more about testing our
17 capabilities, I think that will be better. So, I appreciate that comment and the focus
18 that FEMA has on that.

19 I would say one of the pieces that the Commission did approve in this
20 overall look at emergency preparedness from our perspective is looking more in
21 the long-term. We're talking about a lot of short-term things, but looking long-term
22 to seeing how we can make our regulations themselves more performance based.

1 Right now, the NRC's regulations are very much prescriptive regulation. I
2 think having that idea of making them performance based will ultimately provide us
3 with an even better regulatory framework to make these kinds of improvements
4 and adjustments. So, that's something that the Commission has on its plate.

5 It's not the immediate focus of this work, but it is something down the line
6 we're certainly working to implement. And, of course, that would involve the
7 continued partnership that we have with FEMA and if we were to make any
8 changes in that area.

9 The issue that I think one of the things I think we'll hear from later and I
10 think an important part -- and again, I think Jim, you mentioned this and
11 Administrator Paulison you mentioned this as well is the change from a planned
12 release to a more dynamic environment.

13 I think, Jim, you raised some concerns and issues that we want to make
14 sure we're addressing. I can say certainly from my perspective we share the
15 concerns about taking away the potential to test all of the elements involved in a
16 release, and that means going to a general emergency.

17 I've been convinced by participating in exercises and seeing exercises that
18 there's a benefit there in the end to having less of a planned outcome and more
19 dynamic environment in these exercises. And if that means relaxing in some
20 cases the guarantee of a release or the nature of the release I think that is overall
21 an enhancement.

22 But I appreciate your comments and those elements that may not

1 necessarily get tested in that exercise will be reviewed and will be tested in some
2 other forum to make sure that that capability is up to where it needs to be. So, I
3 appreciate your comments.

4 I think this has been a very good development so far, in particular with the
5 hostile action based drills. I think it represents an evolution in this program and it's
6 an evolution that's really necessary given the nature of the security environment
7 that we have.

8 One point I would just close with, I think, and this is perhaps a question for
9 the staff. There are a lot of pieces, modifications that we're making in our
10 emergency preparedness regulations that involve our close cooperation with
11 FEMA, but there are other pieces that are -- changes that are just specific to the
12 licensees and the on-site.

13 I don't know if Roy or Chris you want to touch on some of those as well
14 because I think there is a much broader effort here that the agency is undergoing.
15 You might just want to provide some insight about what some of those specific
16 activities are in areas where we're making enhancements beyond just those
17 pieces that involve the offsite response.

18 MR. MILLER: Sure. There's 12 altogether what we call high priority
19 pieces and then as you know, Commissioner, we're also looking at performance
20 based initiatives in the future. Some of those 12 obviously involve the hostile
21 action drills that we talked about.

22 Another one would be evacuation time estimates. How frequently do we

1 require updates to evacuation time estimates? Clarifications on when licensees
2 have to tell us about changes to their emergency plans. We call that our 10 CFR
3 50.54(q).

4 And we want to clarify that process and when the licensees would have to
5 report the changes and when they can go ahead and make the changes on their
6 own. We'll make clarifications in that area.

7 So, there's a number of other initiatives that 15 minute time -- 15 minutes
8 for the classification of events to codify that. There's a number of those kinds of
9 issues that through the years we've picked up from our stakeholders that said,
10 "Hey, these are enhancements you can make to the program."

11 So, a good point, it does go beyond just the hostile action or the increase in
12 the challenging nature of the drills and exercises.

13 COMMISSIONER JACZKO: Well, I certainly appreciate that and I
14 appreciate all the work that the staff has done in this area because it has involved
15 a lot of outreach to stakeholders and I think its provided a good interface for the
16 agency with a lot of members of the public, with licensees, certainly with Federal
17 and state partners and I look forward to that continued dialogue and the continued
18 emphasis on making sure, I think, as Administrator Paulison said, that we have
19 buy in from all the stakeholders that are important here.

20 And that will be really crucial since these activities do involve so many
21 participants and many players for it to be successful. So, appreciate that. Thank
22 you.

1 MR. ZIMMERMAN: If I can maybe just add on to Chris' list and he
2 may have a couple others that come to mind as well.

3 There's one associated with the notification system to require a backup
4 means of notification. Facilities have in many cases back up means to route
5 alerting if their sirens don't sound, but we don't have a requirement for that
6 currently. So, that's another one of the items that we're incorporating.

7 We're also looking at the staffing that would be needed for being able to
8 handle an emergency exercise and looking at what other types of collateral duties
9 those individuals may have to make sure that the individuals are well prepared to
10 carry out their emergency assignments.

11 COMMISSIONER JACZKO: Well, I appreciate that and as we go
12 forward with a lot of these alert notification systems we are using a system that's
13 rooted in a very different technological foundation and as we get better and better I
14 think hopefully we'll be able to tap into more of the tools and enhancements that
15 we have nowadays with cell phones and pagers and BlackBerrys and all those
16 things that keep us connected all the time.

17 But there's an opportunity to use those for more good perhaps than they're
18 used for now with a good tie-in to the alert notification functions. So, I think that
19 will be a good enhancement.

20 CHAIRMAN KLEIN: Commissioner Lyons?

21 COMMISSIONER LYONS: I'd certainly like to thank the presenters
22 both from staff and from FEMA. Very, very interesting presentations and I think it

1 very clearly demonstrates the extent of a very critical partnership that's ongoing
2 among our staff's and certainly in my view that serves the American public very,
3 very well. Maybe just a couple of questions.

4 In internal discussions on these and other exercises the issue of
5 interoperability of communications has frequently been highlighted. This would be
6 interoperability between the licensee and offsite responders or among offsite
7 responders.

8 I've had the opportunity to visit one exercise at the Perry plant where the
9 interoperability was frankly spectacular. It's hard for me to imagine that it could
10 have been better than what was demonstrated at the Perry exercise, but that's my
11 only data point.

12 I'm curious if from either the FEMA perspective or staff perspective there
13 could be some comments on the extent to which interoperability as an issue is
14 moving behind us.

15 Is it still something that does come up in exercises or is it well enough
16 understood now that it really doesn't present a continuing challenge? Maybe
17 some comments from FEMA first.

18 ADMINISTRATOR PAULISON: Thank you, Commissioner. It's a
19 good observation on your part. It is an issue, but interoperability in today's world is
20 more of a government structured than it is an equipment issue. That's one of the
21 things that we have to put in our exercises.

22 We particularly saw that when we're now involving hostile action into the

1 system. The plant itself is not isolated any more. It has to be a direct connection
2 with what's going on outside and what's going on inside. All response is local.

3 We can think that the Federal government is the respondent, but we're not.
4 It's the local responders that are going to be dealing with this and our job is to
5 make sure they've got all the tools that we can bring to bear to assist them with
6 that.

7 The interoperability issue is a big deal, but it is a governance issue and so
8 every exercise should test that interoperability and make sure that that local
9 community and that plant have that worked out as we go through this whole
10 system.

11 Jim, I don't know if you want to comment?

12 MR. KISH: I'll speak to that for just a moment. I think there's a
13 couple layers to this problem. One is as Administrator Paulison just talked about
14 is somewhat of the technological ability to speak to one another, but then there's
15 also the procedural interoperability; avoiding fratricide, for example, if you have a
16 local law enforcement agency coming on-site to deal with a hostile threat. So,
17 there's different layers to this.

18 I think to the point you made, Commissioner, the Bell Curve Model applies.
19 You happen to see one end of the spectrum where you were impressed with the
20 interoperability, but for every one of those if you just apply that statistical model
21 across the number of jurisdictions and facilities that we're dealing with here you'll
22 find that there's going to be some that will be on the other end of that spectrum.

1 This is an ongoing problem, some of which will be shaken out during the
2 planning process, but it's something that's going to have to be continually guarded
3 against.

4 COMMISSIONER LYONS: Is it an issue that you can see that for
5 the cases on the other end of the spectrum, not the Perry end of the spectrum. Do
6 you see progress?

7 MR. KISH: Absolutely. Absolutely. In fact, putting it in context we're
8 farther today than we were on 9/11. Should we be saying what about that? No,
9 we should continue to try and plan our way out of what is, right now, still a gap in
10 some locations.

11 COMMISSIONER LYONS: Would any of our staff like to comment
12 on that?

13 MR. ZIMMERMAN: Thank you, Commissioner. First off, I agree
14 with Jim's point with regard to the Bell Curve. I think what we saw at Perry we
15 would not find at a number of other facilities. We would find some good things
16 done a different way, but we would also find some that were captured in the
17 comprehensive review as take away items.

18 That is one that has some generic aspects to it that over time needs to be
19 taken working with those individual sites and the local academy state officials in
20 those areas.

21 I believe that DHS is setting up a new organization to try to work in this area
22 to make a strong push on interoperability coordination because we all recognize

1 how important that is. So, there is a heavy focus on it.

2 The items have been captured in a comprehensive review and now as we
3 go through the lessons learned from the CR it's an opportunity to try to look
4 generically at what can be done in order to be able to accomplish what was
5 accomplished at Perry through the grant funding that was provided by DHS. But I
6 think it is a mixed bag.

7 COMMISSIONER LYONS: Perhaps one other question and I'll pass
8 it on to others. I'm guessing -- this would probably be to one of our FEMA partners
9 -- I'm guessing that you're involved in a wide range of different types of exercises
10 and probably exercises with different elements of critical infrastructure.

11 I was just curious if you could provide any comments on how the nuclear
12 sector compares with other sectors of critical infrastructure or any lessons that you
13 see that could be applied from other types of exercises in which FEMA is involved
14 or is leading?

15 ADMINISTRATOR PAULISON: I can tell you from our perspective, I
16 don't think there's another critical infrastructure that is tested as diligently as the
17 nuclear power plants.

18 So, nobody else does the types of exercises at least from a global -- from a
19 Federal perspective that you guys and us make those plants go through. If you
20 want to talk about some of the other ones, but it's -- the lessons learned are really
21 being created in this system here.

22 MR. KISH: Thirty years nearly of history to establish the REP

1 program to get it to where it's at today. It is really somewhat of a universe unto
2 itself in preparedness.

3 In some cases it set benchmark standards for the rest of the preparedness
4 community to follow along with. In some cases it lags behind because of some of
5 the things we talked about earlier in terms of the need for contemporizing some of
6 those guidelines and rulemakings that go along with that.

7 The only system that I would say would have any kind of corollary to this
8 that we manage would be the CSEP Program, the Chemical Stockpile Emergency
9 Preparedness Program. Those two programs run in fairly close coordination with
10 one another since they're on the same floor and they both work for me.

11 But frankly speaking, to take Administrator Paulison's point, there really isn't
12 any other sector within the critical infrastructure of the United States that has as
13 much of a penetrating oversight as the nuclear industry does.

14 MR. SCHRADER: I will add one other comment. There's been a
15 development of the Infrastructure Protection Program through National
16 Infrastructure Program that Assistant Secretary Bob Stephan has been developing
17 for the last four or five years.

18 We are beginning to work with him very closely because we have the
19 National Level Exercise Program and it really involves getting a closer relationship
20 with the private sector and we're starting to, through the influence of Bob Stephan,
21 have conversations about how do we do that.

22 So, as the Administrator said, this industry is well ahead of it. It's probably

1 because of the regulatory nature and the NRC's involvement with FEMA. We
2 need to develop that same kind of relationship with other industries.

3 COMMISSIONER LYONS: Thank you. I'll be interested in more
4 questions later if we have additional time.

5 CHAIRMAN KLEIN: Jim, one of the things that might happen is if the
6 chemical stockpile gets destroyed that program will go away where the nuclear
7 one will be around for a lot longer.

8 MR. KISH: As a matter of fact we just completed the destruction of
9 the last of the VX agent out in Illinois as of yesterday.

10 CHAIRMAN KLEIN: Great. Commissioner Svinicki?

11 COMMISSIONER SVINICKI: Thank you. As the newest
12 Commissioner I get occasional opportunities to bat cleanup, so I'll drag out my
13 tired line of I think everything's been said, but not everybody said it yet. I do, in all
14 seriousness, have one comment I'd like to make.

15 When I started and came to the NRC I tried to discern a pattern and what
16 topics are nominated for the Commission to convene and hold a meeting. There's
17 so much important work that goes on, but why does the Commission convene.

18 I figured out that sometimes the Commission convenes to communicate
19 very clearly to stakeholders and agency staff that the Commission's attention is on
20 a topic of importance. I think clearly that's one of the purposes of convening with
21 you today.

22 As I listened to you talk, Administrator Paulison, I couldn't help but think this

1 is one important topic of dozens of important topics competing for your attention
2 every day. So, I have to thank you for your leadership.

3 Again, it is important that the tone be set and the focus be set at the top
4 levels and Mr. Schrader this would apply to you as well. I think there's no FEMA
5 employee that would be made aware of your participation here today who wouldn't
6 take away the message that this is one important topic of many important topics,
7 but that it does have your attention. I thank you both for your leadership.

8 You've talked about this is almost a 30-year relationship. I think the first
9 MOA was post TMI and I was encouraged to hear again because I'm somewhat
10 new to these topics that you think that the relationship between FEMA and NRC is
11 as good as it's ever been.

12 I'm encouraged that you're focused with the changes that will be coming at
13 the end of this year and early next year on sustaining this focus on this.

14 I would be curious about what measures are you putting in place either
15 across the FEMA regions or for the folks that are working on this. I think that
16 Mr. Kish is one of your important elements of continuity and sustained focus.

17 Is there anything that you would ask of or would suggest to the Commission
18 that we could do where we have the luxury of maybe not having as much
19 disruption in the upcoming period, but what could we be doing and what do you
20 think are the elements you're putting in place that will keep these things going at a
21 good clip and with the focus they have.

22 And then also do you have any suggestions in terms of interfacing with

1 state and local governments? Again, Mr. Administrator, no one need look any
2 further than your resume to know that when you speak of that as an important
3 element of success is working with the state and locals is that your resume
4 certainly speaks to that and your long experience in emergency planning.

5 So, drawing on that experience as well is there any advice that you'd give
6 this side of the table?

7 ADMINISTRATOR PAULISON: I think you asked about three
8 questions there. One issue for me is I came from the local level. As a fire chief
9 and running emergency management and I didn't like being ignored by the Federal
10 government or having things put in place without at least asking me what kind of
11 impact it's going to have. I just want to make sure that doesn't happen on my
12 watch.

13 As far as protecting that and protecting what we're doing here into the next
14 Administration is putting good, solid people in place at the career level, involving
15 the careers in FEMA in the decision-making process.

16 If you sit in my staff meetings, the bulk of the people in my staff meetings
17 are the career leaders in the department making sure all those position are filled
18 before I leave. We're about 99% there.

19 My 10 regions -- when I took over FEMA we only had two regional directors.
20 The other eight were empty. They're now all filled and on top of that three of those
21 are careers. So, Region 9 in Oakland and Philadelphia office and the Atlanta
22 office are career people that will be there from now on.

1 The key to it is making sure that the career people are involved in that
2 decision-making process, involved in that culture change, if you will, of this
3 organization and buy into that because they'll be here for 30 years. So, that's what
4 I'm putting in place.

5 Making sure that this culture change we put inside of FEMA sticks, because
6 we've worked to hard to let it fall through the cracks.

7 As far as what you can do, I think keep putting good people on board like
8 you have sitting next to me here. They have been outstanding with us and keep
9 that involvement and force whoever is next in-line to come to these meetings and
10 sit here and answer questions and tell you what they're doing.

11 That's what will keep this going. Neither one of us can afford to let it fall
12 through the cracks now. It's too important.

13 COMMISSIONER SVINICKI: Thank you. Thank you, Mr. Chairman.

14 CHAIRMAN KLEIN: Dennis, any comments or questions?

15 MR. SCHRADER: Just a few thoughts to piggyback on the
16 Administrator's. One is that we have been endeavoring to make sure we
17 document this process. So, we've memorialized, for example, Harvey Johnson
18 the Chief Operating Officer has been briefed in. He signed out a letter back in
19 February or March that documented and gave direction to us that documented the
20 prior six months' work.

21 We required that there be a detailed project plan that goes well beyond
22 January 20th. It shows where we're going to. We're engaging our regional offices

1 through the Administrator's directive. We've reintegrated the REP staff under a
2 GS-15 Federal Preparedness Coordinator in each region in the country and that's
3 reintegrated that group, so there's a lot more focus by the Regional Administrator.

4 And we've given the Regional Administrator the authority now to do
5 reasonable assurance again. So, we're decentralizing the program.

6 COMMISSIONER SVINICKI: I'm sorry, how will you balance that
7 decentralization that you've talked about the importance of consistency across the
8 region? How do you work that aspect of it?

9 MR. SCHRADER: That's Jim's mission.

10 CHAIRMAN KLEIN: Job security.

11 MR. SCHRADER: Exactly. I would also add that we felt this
12 program was so important. Vanessa Quinn, who many of you knew stepped up
13 and was the leader of this program at the GS-15 level, but we recognize with the
14 growth and the change we're adding 80 new positions through the increase in the
15 funding that we've gotten. We've hired about half of those so far.

16 We decided that it required a senior executive service person, which is Jim.
17 Given that Jim's background was in the National Exercise Program he had the
18 ability to bridge the two programs and bring them together.

19 So, there's a number of things that we're doing, but the last thing I'll mention
20 is that the first person who called me when I was confirmed last August and
21 wouldn't leave my doorstep until I met with him was Roy Zimmerman.

22 MR. ZIMMERMAN: We've had a great relationship since.

1 MR. SCHRADER: It's been really good, but he's persistent and it's
2 been great. And his staff is terrific. It's been a really professional working
3 relationship.

4 But the last thing I'll mention is the fact that you all have a directive that
5 directed staff to do certain things. We took that to heart and said this is a
6 partnership. So, that had an influence also, I believe.

7 MR. KISH: I think you asked an important question there and I got
8 tattooed with it. So, I probably ought to address it a little bit here. The question is:
9 How do you ensure that consistency or address it or try and account for that
10 consistency?

11 Well, I see my role as one working on behalf of the Administrator to set the
12 policies that need to guide the execution of the Regional Administrator and their
13 key staff and how they execute those missions. I think if we preserve that and not
14 do it in a vacuum, but very inclusive; we're engaged and we're listening and we're
15 able to balance the needs across those 10 FEMA regions as well as the
16 relationships that they have with the NRC regions. I think we'll be effective in that.

17 One example of that might be recent initiatives relative to alert notification
18 sirens. Another key would be laying on the table the requirement for all the REP
19 staff to take all the requisite training associated with the Homeland Security
20 Exercise Evaluation Program and to start implementing change at that kind of
21 fundamental level.

22 Of course, people still have to act out their rolls and there are still people

1 that have a lot of cultural history here, but that involves leadership and that's
2 where we're at with that right now.

3 CHAIRMAN KLEIN: Any other comments, Jim? Pete, do you have
4 another question?

5 COMMISSIONER LYONS: We're slightly out of order.

6 CHAIRMAN KLEIN: I got mine finished and he got his finished. So,
7 now we're up to you.

8 COMMISSIONER LYONS: I wanted to explore a little bit further the
9 focus group issue that several of you mentioned. I know there's been quite a
10 number of focus groups conducted now across the country.

11 We've heard back from staff that there's at least some degree of skepticism
12 among some of the participants in those focus groups about how their inputs will
13 be assimilated and used by both the NRC and FEMA.

14 I was just curious if there could be some comments from both our staff and
15 from FEMA on how you/we intend to use the input from those focus groups and to
16 provide some feedback to the people who have given of their time to participate in
17 those groups.

18 MR. SCHRADER: We'll jump in. Jim has been -- his team has been
19 running it, but let me just start by saying from the very beginning when we talked
20 with the two staffs we said we're going to have to expand this nationally and really
21 get as many people involved as possible.

22 We do a lot of documents on an annual basis where we have to take

1 feedback. The approach we quite frankly take is we're looking for ideas. We're
2 looking for concerns and issues. We also recognize that you can't accommodate
3 everybody's concerns, but you want to make sure you're directionally going in the
4 right direction and things like at the National REP Conference. One of the themes
5 that came out is you've got two programs out here in the country.

6 You've got this Homeland Security program and you've got the REP
7 program. We're the same people at the local level implementing. Would you
8 please put them together? We're hearing that and that's part of Jim's task. So,
9 those are the kind of things --

10 And then the other concern is that each state has a different -- if you've got
11 five plants, it's one thing. If you have one plant, it's a whole different issue and
12 then we've got to figure out how do you balance that.

13 We've got to listen an awful lot because we may have to balance that in a
14 way that accommodates both situations. So, I think it's really an opportunity for us
15 to understand what the issues are and also to communicate as far ahead of time.

16 There's a lot of concern at the state and local level. For example, a lot of
17 times the local emergency manager might be a volunteer fire chief who's got a day
18 job. It puts a lot of pressure on them.

19 They want to know 18 months to two years ahead of time, if we can, what's
20 coming so that they can start to anticipate and not just show up one day and say,
21 "Okay, this is what we're going to do next." That's part of the issue, too, is also
22 communicating as far in advance as possible. There's just three thoughts. Jim?

1 MR. KISH: I think you've covered most of it. I'll highlight from my
2 perspective. Draw all the information you can get, put it on the table and sort out
3 the best ideas that conform with the overall direction that we need to go.

4 Communicate effectively that direction and rationales associated with that
5 to all the people who provided those inputs and then move forward with it.

6 At the end of the day we can wring our hands and cogitate ourselves into
7 perfection and have the enemy of good enough that wins the day. We've seen
8 this on a number of different fronts.

9 We just recently completed the finalization and fielding of the National
10 Response framework. That may not be the poster child for total inclusion, but at
11 the end of the day there were some number of inputs, roughly 7,000 plus that
12 came from the public, that came from state and local level, that came from the
13 Federal inter agencies that had to be adjudicated. We hit every one of those.
14 They were all handled in some way, shape, or form and communicated back to the
15 people who provided those inputs.

16 I think process-wise that's our commitment back to all of our stakeholders.
17 We listen as carefully as we can. We act as forcefully as we can to incorporate all
18 inputs, but at the end of the day we have to move forward.

19 COMMISSIONER LYONS: Is there a particular communication
20 mechanism that will be used to provide that feedback to the stakeholders?

21 MR. MILLER: Commissioner, if I could. Let me tell you a couple of
22 things that we had did have in the planning process and then I'll tell you how that's

1 going to scope out at the end of some of these focus groups.

2 First of all, I want to recognize our FEMA partners because when we looked
3 at how do we get the input, FEMA stepped up and said, "Look, we have some of
4 these local meetings going on across the country. Let's try to incorporate these
5 into our meetings and that's how we're going to hear back from the states and
6 locals the maximum amount of participation."

7 So, that was in the planning process. When we said we're going to do that
8 we tried to ensure that we had the bulk of these meetings completed before we
9 started our actual finalizing our pen to paper for the proposed rulemaking.

10 So, the idea is to gather all that input and then how do we communicate
11 that back in our public meetings on the proposed rulemakings? We're going to
12 feed that back to the stakeholders. We're going to give them input. We're going to
13 say we heard this. We're going to have a wrap up of all of these focus group
14 meetings.

15 We're going to have a summary of them and then in those public meetings
16 we're going to have wrap up of these are the key issues that came out and here's
17 how we address those issues. We'll address that in the proposed rulemaking.

18 We also, as Dennis mentioned earlier, we have an In-Progress Review
19 scheduled where we really are going to take a hard look at all of these and that's
20 one of the things that's on the agenda for that In-Progress Review in September is
21 to look at all the stakeholder comments that we got out of those focus groups.

22 So, we really do have a lot of people listening and taking notes and figuring

1 out what's the best solution to these problems.

2 MR. ZIMMERMAN: If I can add. What we want to do when we do
3 this is we want to bin them in such a way that the individuals that raise the
4 concerns can see themselves in the concerns we're reporting back on.

5 The frustration comes when they feel they get lost in the shuffle and nobody
6 is dealing with their concerns. So, we can bin them in a manner that this was my
7 concern, other people have these concerns and here's the response. They may or
8 may not agree with it, but at least they're seeing that we took it seriously. We
9 looked at it and here's how we disposition their concern.

10 ADMINISTRATOR PAULISON: The skepticism is understood and
11 probably rightfully so. The proof is going to be how we respond back to them.
12 That's what we're going to do.

13 We have to prove over and over again that we are listening and Dennis is
14 right. We can't resolve everybody's issue. As I've seen over the last several years
15 of doing this there's always general themes that run through when you go from city
16 to city or state to state.

17 We're going to make sure we get those in and like Roy said get back to
18 people and show them that we did listen to what they had to say. We may or may
19 not agree with it, but we'll do the best we can. It's going to be the proof in doing it
20 over and over again and showing that yes, we are listening.

21 Again, all that response is local and that's where we have to make sure we
22 listen to the people out there daily doing the job.

1 COMMISSIONER LYONS: David, I really appreciate your
2 comments, those of your colleagues and the staff on this issue because I think this
3 is a very, very key point. The focus groups have certainly been a very, very
4 important step and it's equally important to be sure that we have an effective way
5 collectively among us of assimilating, using, benefiting and potentially improving
6 from that kind of feedback.

7 And I would just add in closing my comments how much I have appreciated
8 the participation from FEMA today and the evidence of close cooperation and
9 partnership between FEMA and the NRC staff. It's very, very beneficial to the
10 American people.

11 COMMISSIONER JACZKO: If I could just add, too, on the point that
12 Commissioner Lyons raised about the focus groups, I do think this is critically
13 important because emergency preparedness and emergency response as we all
14 know is built upon the public carrying out instructions that they're given in a time of
15 crisis.

16 So, establishing that relationship in particular when we're doing these focus
17 groups with members of the public even so that they have trust and faith in their
18 government is extremely important because in the end we rely on that trust when
19 we actually go forward and carry on our activities.

20 We talk a lot about exercises, but we don't actually involve the public itself
21 in the exercises. So, they really are the most crucial element of the stakeholders
22 that we deal with. In the end, I think the focus groups are a good opportunity to

1 hear from them, but it really only will be successful if we do have a good
2 mechanism to get good feedback to them and have them feel involved and
3 invested in the decisions that we make for a system that's ultimately there to
4 protect them. So, it is a crucial piece.

5 CHAIRMAN KLEIN: Well, thank you for those good presentations
6 both from the NRC and from FEMA. As Commissioner Lyons stated, I'd like to
7 thank FEMA on behalf of all the Commissioners and the staff for having a good
8 working relationship because it really is important. We are all in this together.

9 Now, we'll take a five minute break and we'll hear from the stakeholders.
10 As Mr. Paulison indicated earlier, these are the people who are really going to be
11 the front lines on any event that occurs.

12 So, we'll take a five minute break and reshuffle and look forward to the next
13 session. Thank you.

14 (Recess taken)

15

16 Panel 2

17

18 CHAIRMAN KLEIN: Well, good afternoon and we'll start. As I
19 indicated earlier, David Paulison had also indicated that where the rubber really
20 meets the road is at the state level, so we really appreciate you coming in and
21 hearing from your perspective and also continue with the dialogue.

22 What we'll do is -- I know that Tina and Joe and Nancy will start and give

1 the perspective and if you would also introduce your counterparts when your
2 presentation occurs. I should note that Joe got his training in Texas. So, that's a
3 good aspect. Even though he migrated north, he got his training in Texas. Tina,
4 would you like to start?

5 MS. CURRY: Good afternoon, Chairman Klein and members of the
6 Commission. Again, my name is Tina Curry. I'm Deputy Director of Preparedness
7 and Training at the California Office of Emergency Services. And really on behalf
8 of our state it's a privilege to be here.

9 I welcome the opportunity to just present briefly on the systems that we
10 have in California and how they serve us well in this arena. And how we
11 coordinate effectively with our partners at all levels for nuclear preparedness and
12 disasters overall. And hopefully set the stage for my colleague's presentation for
13 the local level. If I could have the second slide.

14 I'll talk a little bit about our mission, which is under the authority of the
15 Emergency Services Act in our state. We mitigate, plan and prepare for, respond
16 and recover from disasters. So, we're really full spectrum at our state office
17 whether we're preparing the plans, exercising them, coordinating the response
18 and recovery. We provide all those services out of one office. And again, in
19 support of our local jurisdictions for disasters and emergencies and the citizens of
20 California. Next slide.

21 I want to spend a few moments talking about our system in the State of
22 California. We operate under something called the Standardized Emergency

1 Management System. We adopted this about a decade ago and what this really
2 means is all the agencies during response operate in a common and integrated
3 manner, whether it's at the field level all the way up to the state and Federal
4 government integration.

5 Like the National Incident Management System at the Federal level, SEMS
6 is grounded in the principle of the Incident Command System, which is again that
7 common operating structure that we use no matter what the hazard is that we're
8 dealing with.

9 It also includes components of interagency coordination and something we
10 call the Master of Mutual Aid Agreement, which is all of our counties and most of
11 our local jurisdictions have signed off on a neighbor helping neighbor concept.
12 Regardless of hazard, our emergency responders will help one another during a
13 crisis.

14 SEMS -- what is especially beneficial about it is it facilitates the
15 communication, it facilitates the coordination, it facilitates the decision-making. All
16 of the players are, again, operating under one principle type of organization to
17 make sure that our disasters are managed in the most effective manner because
18 as you know we do have quite a few different types in California that we're faced
19 with.

20 In California we consider all disasters local. I've heard that theme kind of
21 mentioned today and they're handled at the local level and the state and Federal
22 government come in to support those local jurisdictions with the resources that

1 they need as well as with the communication facilitation.

2 We use this in real events which we've had just a couple of recently out in
3 our state and also in our exercises.

4 I want to point out and I'm kind of referring back to the slide is that the
5 Interjurisdictional Planning Committee that has been established by our local
6 jurisdictions around the San Onofre facility is going to be explained in a little more
7 detail by my colleague Mike Rose, but really they've taken the SEMS system and
8 almost raise it to another level by working together with multiple local jurisdictions
9 in order to even better facilitate the communication.

10 This organization includes the utility, the Federal government, the state
11 agencies are affected and they plan together and they also respond together and
12 I'll touch on just a couple of examples of how that worked for us in real life
13 disasters.

14 And I just wanted to recognize that really effective model that they
15 developed under the SEMS system. Next slide.

16 I also wanted to talk just briefly about the disaster initiated review that was
17 accomplished during the 2007 October wildfires and the reason for touching on
18 this is, again, to highlight and underscore the good collaboration that we have in
19 place that serves us well when we have a disaster response.

20 Again, this was in the October fire siege in Southern California and in
21 coordination with FEMA and our locals and the IPC we were able to complete the
22 disaster initiated review in order to reopen the SONGS facility and ensure the

1 effective offsite readiness was in place in order to accomplish that.

2 Again, on October 25th we were about day four into that fire siege and our
3 local, state and Federal agencies were extremely engaged with the fire fighting
4 and evacuations and all the issues that came with that fire in itself.

5 Probably most have heard about the significance of that event with 24 fires
6 in seven counties; one of our largest evacuations that we ever had in California
7 with a half a million evacuated and thousands of structures lost.

8 We were able amidst all of this because of the structure that we had in
9 place -- with the communications we already had in place to recognize the
10 importance of reopening this facility, but doing it in a safe manner to make sure all
11 the checks were in place so that we could effectively do that.

12 And in about an eight hour time frame we were able to complete the DIR,
13 have it accepted by FEMA so that the facility could become operational again.
14 Again, I want to highlight this was because of the structure we already had in place
15 in responding to the fire, the participants were able to recognize the importance of
16 the operation of the facility, but given all their other priorities were able to put it into
17 that list and make it happen.

18 Again, we're working with the IPC and with FEMA to take the lessons
19 learned from that activity. It was a success in itself that we were able to
20 accomplish it, but we can find ways to streamline them even more and make it an
21 even more effective process in the future. Next slide.

22 And just touching on from the state perspective some of the coordination

1 strategies that we see. Again, I mentioned before the established systems and the
2 relationships are absolutely key. I mentioned the disaster initiated review.

3 Also, we had an earthquake a few weeks ago that caused the facility and
4 SONGS to kind of go through its checks to make sure that it was okay. We were
5 able to have those communications instantaneously because we work together
6 very often in the preparedness realm.

7 This also will serve us well in exercises regardless of the hazard type. So, I
8 just want to underscore how our system can be useful, whether it's a nuclear
9 preparedness event or any other type of hazard.

10 And I illustrated the SEMS structure. It was kind of a stair-step graphic.
11 While it's tiered, it's not cumbersome. We recognize at the state level that our
12 communications and information needs, whether it's at the field all the way up to
13 the Federal government are instantaneous and it is not intended to slow things
14 down, but is intended to make sure that we can facilitate that as effectively as
15 possible.

16 We know who to call. We're talking to each other early and often and our
17 system really has served us well in that regard in disasters. There's no doubt that
18 nuclear power preparedness present some unique characteristics even though we
19 have one system and the hostile action scenario just adds another layer to those
20 challenges.

21 But at the same time that's why it is so important that we continue to work
22 together and have the type of dialogue we are having with the partner agencies so

1 that we can make that as effective as possible.

2 From the state perspective real events and exercise always result in
3 opportunities for improvement and we are committed as a state to identify lessons
4 learned and always make our system better.

5 We have a robust system, but we want to make sure it's the best it can be.
6 Working with our partners at Federal, local and the private sector in this area will
7 allow us to best protect the citizens of California. I think that's all of our goal in this
8 program.

9 So, I just made some very brief remarks to set the stage and I want to thank
10 you again to the Commission. I look forward to working together with the NRC,
11 Administrator Paulison with your staff who have been tremendous in supporting
12 our disasters as well as our appropriations in this program and the utilities as we
13 continue to move forward.

14 So, thank you. I'm sorry; I was supposed to introduce Mike Rose from the
15 City of Dana Point.

16 MR. ROSE: I think they know I'm here. Thank you again, Chairman
17 and Commissioners for the opportunity to be here in support of the State of
18 California and the initiatives that have been put forth.

19 I'd like briefly just to preface my remarks today by giving you a brief
20 introduction to what the Interjurisdictional Planning Committee is and who I
21 represent in being here today.

22 The IPC, which is much easier to say than Interjurisdictional Planning

1 Committee, was codified by the California Health and Safety Code in 1981. So,
2 this organization has been in place and been meeting monthly for over 25 years
3 around San Onofre.

4 It is made up of representatives from all the offsite responding organizations
5 responsible for the protection of the public's health and safety around San Onofre
6 in the Emergency Planning Zone.

7 Our mission is really to promote nuclear power preparedness through the
8 coordination of our agencies and jurisdictions and integrating our emergency
9 plans.

10 And basically what that means is that we are multiple independent
11 jurisdictions, but our protective action decision-making is done in unison, in
12 uniform so that we have a united front always when it comes to responding to this
13 type of emergency.

14 The next page shows you -- I don't want to spend much time on here, but it
15 shows you real briefly who we are made up of. Again, seven independent
16 jurisdictions surrounding San Onofre and the licensee, Southern California Edison,
17 are our primary or what we call voting members.

18 These are the real stakeholders in our Emergency Planning Zone and then
19 the associate members are all of those other entities that are going to respond
20 with us in support of the response to an emergency at the utility.

21 The first subject that I was going to cover was really a brief discussion of
22 our challenges and lessons learned from the recent hostile action based exercise

1 that was conducted. This event took place in April and May of this year.

2 We started with a table top exercise that included all of the affected
3 agencies in one room basically talking through the entire process. That was
4 extremely valuable to put everybody on the same page and that was upscaled into
5 the full-scale exercise in May.

6 Without going into much detail on how that went some of the challenges
7 that we faced in going through this exercise perhaps first and foremost was that
8 we identified that our integrated law enforcement plan which was developed for
9 the response to hostile action based initiating events was developed by and for our
10 law enforcement agencies.

11 And while it was not developed in a vacuum it was developed separate from
12 our multi-hazard and typical REP planning process. So, it was done exclusively by
13 and for law enforcement. So, that was a challenge that we had to overcome in
14 actually participating in a REP exercise.

15 The emergency response to an incident scene. We've heard a lot of this
16 from the earlier comments, but the development of a unified command and
17 utilization of the Incident Command System in the field is not a typical component
18 that we would find in a traditional REP exercise. So, that presented a new
19 challenge that we got to deal with in the conduction of this exercise.

20 Another challenge was the coordination of our protective action decision
21 making because we introduced this component of field command or the unified
22 command system into this exercise. We had to then coordinate the need of the

1 incident commanders out in the field making decisions based on the incident as it
2 was developing as well as the functionality of the emergency operation centers
3 which are traditionally responsible for the protective action decision-making for the
4 jurisdiction-wide public safety.

5 And then the last component is something that's going to be a little bit more
6 difficult to overcome, but is easily integrated. We realized that we had a relatively
7 high turnover rate in our emergency response personnel and that's not to say that
8 they were no longer with those agencies, but individuals who were responsible for
9 the development and the planning process for this plan may not have been in
10 place and responsible for the activation of that plan when we got around to
11 actually exercising it.

12 And so that presented a unique objective where we had a lot of new faces
13 and people who had not been exposed to the development and the reasons why
14 the plan was developed in that way.

15 So, in moving on to our lessons learned and how we move forward from
16 this point. First and foremost, our law enforcement plan we realize has to be
17 completely developed or completely integrated I should say into our multi-hazard
18 planning. There's really no other way to work with two separate programs.

19 We want to fully integrate our law enforcement plan for hostile action based
20 scenarios just right along the lines of everything else that we do with the REP
21 program. It's a slightly different response with a slightly different initiating event,
22 but we feel it's important that everything be in line and in place from one planning

1 standard.

2 And right along in line with that is our REP training needs, our Radiological
3 Emergency Preparedness training needs need to be incorporated into first
4 responder training so that first responders that are new to the area or may be
5 exposed to the hostile action based scenario will also be exposed to the
6 multi-hazard planning process and everything that's existing in place already.

7 So that as that turn over takes place we can address that through training
8 so that everyone is at all times on the same sheet of music, if you will.

9 And then I heard this mentioned earlier. When it comes to evaluating these
10 exercises and the introduction of the ICS and NIMS and SEMS into a REP
11 program exercise, we really feel that it's important that as we move forward from
12 an evaluation standpoint that an individual who is responsible for evaluating the
13 Incident Command System during these exercises be a qualified individual who is
14 knowledgeable and experienced with incident command and knows what they're
15 looking at and knows what to look for.

16 Ultimately, one size does not fit all. I think that's from the very beginning of
17 this. You've heard that from some of the locals when it comes to exercise
18 planning. And specifically here in the evaluation of field command one size does
19 not fit all and it's really important to evaluate based on results as opposed to the
20 checklist and getting from one point to another.

21 The second subject that I was hoping to discuss was really the spectrum of
22 exercise scenarios from our perspective. Our goal for our exercise program is to

1 continuous improvement of our responder preparedness and conducting exercises
2 through realistic scenarios that enhance our capabilities and advance our existing
3 training programs.

4 In doing this we'd really like to see an increase in our flexibility and the
5 variety with which we develop these exercise scenarios. This could include
6 varying emergency classification levels, the introduction of hostile action based
7 scenarios into our six year cycle, a variety of initiating events for these scenarios.

8 Really, the hope here is to move away from the negative reinforcement that
9 we've been hearing about, the continuing ongoing standard, if you will, from how
10 we perform REP exercises.

11 We really hope that the forthcoming rulemakings and the draft policies that
12 we're looking forward to will see the opportunity for a licensee to partner with the
13 offsite responding organizations in the development of the scenario to develop
14 exercising by objective.

15 I think we've seen some of that in the introduction of the HSEEP program.
16 We feel that all REP exercise scenarios should be based on a logical and realistic
17 progression of events.

18 That's not to say that we should stick with a progression through the
19 emergency classification levels, but that everything that goes on should be logical
20 in terms of whether it's a natural disaster initiating event or whether it's mechanical
21 or however that takes place.

22 It should just be logical rather than what seems to be haphazard and an

1 overwhelming opportunity for circumstances to take place where we have a lot of
2 different mechanical issues that just happen to take place at the same time leading
3 us down the road to a general emergency.

4 General emergency declarations in every scenario seem to create
5 predictability. You've heard that and we've talked about it. From our perspective
6 predictability is breeding complacency and negative reinforcement in our
7 emergency response organizations.

8 When is lunch because we know as soon as the caterer comes in then
9 we're going to have a general emergency and then everything will be okay after
10 about an hour.

11 Scenarios resulting in less than a worst-case scenario outcome really do
12 exercise our offsite emergency plans. There is an opportunity to let the licensee
13 win once in a while. I had a discussion this morning where my point was
14 everything that we do in an existing traditional REP exercise right up to and
15 through a site area emergency is mobilization of our resources and developing of
16 the Emergency Response Organization.

17 The only difference when we cross that line into a general emergency is
18 that final demonstration of protective action decision-making whereby we say,
19 "Okay, yes, this is the PAR. We are going to take this protective action decision
20 based on this PAR and the facts before us." And from that point on everything
21 else is completely simulated.

22 We are not actually pushing out traffic control. We are not actually

1 evacuating our populations. So, really, that lead up to a general emergency,
2 everything has already been demonstrated, including from our perspective the
3 coordination of all of our communications and the mobilization of all of our
4 resources.

5 And finally, I mentioned this briefly, but we feel we want to encourage
6 FEMA and the NRC to move the REP program into complete integration with the
7 HSEEP process so that we're not running on two different paths.

8 That concludes my remarks. Thank you very much for your time.

9 CHAIRMAN KLEIN: Thank you. Well, Joe, obviously you don't have
10 probably quite as many disasters that Tina probably has throughout the year, but
11 you do have more nuclear plants that you can probably practice with.

12 MR. KLINGER: We do and we have our share of disasters, too, it
13 seems like lately. Thank you Chairman and Professor Klein and Administrator
14 Paulison, NRC Commissioners. It's a real pleasure to be here and an honor.

15 I feel like I'm preaching to the choir because I'm hearing the same thing, but
16 that's a good thing because this is a partnership and this is what good government
17 is all about when we all work together at all levels of government. So, I'm really
18 happy to hear these comments.

19 NRC and FEMA have already been talking to people, I can tell, because
20 they've already got some solutions and stuff that are great. So, I think my
21 comments will just serve to support some of the initiatives that you've already got
22 ongoing.

1 Director Velasquez asked me to express his regrets for being unavailable
2 for this presentation. He's in California. He's in Monterey, California at the Navy
3 Postgraduate School and he also asked me to express our appreciation for
4 FEMA's assistance recently with the flooding. We had some very serious flooding
5 and FEMA was there on the spot and really helped us out. So, thank you. So,
6 next slide.

7 So, we do have more nuclear power plants than any other state. We have
8 six stations. We actually have seven stations, but only six with operating nuclear
9 power plants, eleven reactors.

10 We actually perform three REP exercises per year and three pre-drills. So,
11 we're very busy. Now, we're doing hostile action based exercises and we have
12 already completed four of those. So, that's probably more than anybody else, I
13 suspect. We have two more planned for this coming year.

14 Just briefly about our agency. It's a little different. We have a resident
15 inspector program. I think most of you know about that. We are NIMS compliant,
16 EMAP accredited, all these things and that's because in 2003 our nuclear safety
17 program was merged with the Illinois Emergency Management Agency.

18 At first I didn't make the connection like, "Why did they do this?" But it
19 really does make sense because now, rather than just introducing yourself should
20 there be a problem with the radiological or nuclear event and getting around the
21 table and meeting all these people we are there working with them all the time on
22 floods and earthquakes and tornadoes and things like that. So, that's why all of

1 our staff on the nuclear safety side really are NIMS compliant.

2 They know what's going on. They're not unfamiliar with ICS and NIMS.

3 There's been some really good advantages to that. I'm real happy about that.

4 Next slide.

5 On lessons learned after these four and I skipped one down here. The
6 amount of effort concerning hostile action based exercises in terms of messages,
7 coordination, data development, et cetera, is at least that compared to the normal
8 REP exercises.

9 When we first started doing these hostile action based exercises we
10 thought, "Boy, this is really different. This is so different." But after we've done
11 four and we've benefited from experience every time we've learned that they're
12 really not that different. We're exercising the same sort of things.

13 Now sure, there's more law enforcement activities in the ICS system, but
14 we're comfortable with that anyway. So, we've kind of gotten to the point where
15 these are very similar to REP exercises and stuff. So, that's kind of one of the
16 main points that I've got throughout my presentation.

17 Rev 1 to NEI 06-04 is a good methodology for the way hostile action drills
18 are conducted. I went to the first hostile action based exercise and that was in
19 Quad Cities. That was fascinating. I couldn't believe the way people responded
20 when you get all these people in one room.

21 You've got fire. You've got ambulance, police; all these people seeing what
22 goes on at all the different levels in emergency response all being able to walk up

1 there, communicate, talk through the issues and stuff. That was extremely
2 beneficial and it only got better with each of the successive exercises. So, that
3 was real good.

4 Again, my point: stay with the REP drill concepts. There's no need to
5 reinvent the wheel. We thought we had to reinvent the wheel, but we found out we
6 don't really need to. The system is already there.

7 I've already mentioned the table tops. In a hostile action drill the radiation
8 threat is secondary unlike a typical REP exercise. That's something that takes a
9 little getting used to. Next slide please.

10 When radiation is not the primary threat, shelter in place becomes the
11 preferred strategy and we've seen that on a couple of occasions. We saw it with
12 the utility. Utilities have got to follow their processes, do everything right and
13 there's an impediment clause in there for things like ice storms and snow
14 emergencies and things like that.

15 So, maybe you don't want to evacuate for those things, but with hostile
16 action based exercises in the case of a real event sometimes you don't want to
17 evacuate. You don't even have the hostiles taken care of yet and you want to
18 have an evacuation of the area.

19 So, we had two exercises, Byron and Dresden, where the recommendation
20 was -- from the utility was to evacuate two miles around and five miles down wind.
21 We decided to go with shelter in place for those very reasons.

22 It's just different things to consider and things other than radiological take

1 precedent. That is different. But most of the rest of the things that we do are the
2 same as REP exercises.

3 For example, our standard REP procedures are still effective. They're used
4 in response to hostile action scenarios, predictive dose assessments, KI
5 evaluation, when to use it, how to distribute it, all that. The radiological field
6 component is also -- we actually simulated most of that, but it's the same sort of
7 events that we do.

8 The radiological response liaisons. We staff the JIC, the TSC, the EOF; all
9 the things just like we do for a REP exercise. Okay, next.

10 The Challenge: Everyone is already busy with required exercise. Like I
11 said, we have three and then three pre-drills and now these two additional ones.
12 It's very time-consuming. It's very important, but it's very time-consuming.

13 The additional two hostile action tabletops and two drills to the existing REP
14 exercises and pre-drills have stretched available resources. We have about 220
15 people in our agency, the combined nuclear safety and emergency management.
16 We have a radiological task force consisting of 116 people.

17 Those people are assigned doing their regular job, but then in the event of
18 these exercises and real events they're pulled off and that takes priority. So, it
19 may sound like a lot for some programs, but there's a lot of exercises. We've got
20 so many nuclear power plants it's tough to stay on top of it. So, that's an important
21 factor.

22 Going forward, we think that the hostile action drills need to be used as one

1 of the existing REP exercises in the six year exercise cycle. That's important for
2 us because we've got six stations. Now, if you only have one it's not quite as
3 critical, but for us it's pretty important.

4 The next topic is the spectrum of exercise scenarios. It's been alluded to
5 several times. The exercise scenarios must be realistic otherwise training is
6 negative. Gosh, how many times have we heard that today? So, we're all on
7 board there.

8 Source terms used must reflect simulated accident conditions. Sometimes
9 you're having fuel damage on a scenario. How did you get there? It's scenarios.
10 We can do a better job. Let's make it realistic because if you practice for
11 non-realistic events you're not helping anything. So, again, you've heard these
12 same sorts of comments.

13 Scenarios must vary -- just like Mike just said and others about trying to
14 eliminate the pre-conditioning.

15 Allow non-sequential classification progression. We think not every time,
16 but every once in awhile do that because it may not always happen in that
17 progression. Let's hope it never happens, but if it does it may not happen in the
18 typical progression. Next slide, please.

19 Guidance should be flexible to include a wide spectrum of accidents and
20 release types from no release to major core failure. We think even in a no release
21 scenario we can still demonstrate our effectiveness. You can't do it maybe every
22 time, but every once in a while let them succeed, like you said.

1 If you reinforce it always fails, well the guys in the operating room -- control
2 room are going, "My God! We're always failing. This isn't right." And it's not really
3 realistic. So, let's be realistic about it.

4 A release is not required. I just said that. Response activities can be
5 demonstrated without a release occurring. We'll still deploy our field teams. We'll
6 do environmental monitoring to ensure that there is a zero release; there's been
7 no release. So, we're going to exercise. We're going to demonstrate our
8 capabilities regardless.

9 The Integrated Emergency Management. This is a little bit easier for us
10 because of what I've already said about our agency. In Illinois there is already a
11 strong integration of resources among the various counties and state. We deal
12 with them every day on various things.

13 Right now, we're still working on the flooding situation. We're in the
14 recovery phase and working with FEMA very closely and the SCO and all that.
15 And it's working very well.

16 In Illinois because of the way we're set up in our daily interactions this isn't
17 as much of a problem as it might be in some other states. We have our SEOC,
18 our State Emergency Operations Center. It's an \$18.5 million facility. We've got
19 all the agencies around the table; 20 plus agencies. NRC has a place, FEMA has
20 a place, DHS has a place around the table; everybody, and we use that all the
21 time.

22 And so, we also have a Statewide Terrorism Intel Center, perfect for hostile

1 based actions because if there's any Intel, anything like that, they're monitoring it
2 all the time and before anything is released -- I know that was one of the issues
3 about what do you say to the public and stuff. That would be cleared before
4 anything would be released to the public.

5 The system is already in place. We have numerous Mutual Aid
6 Agreements in place. We have a thing called ILLEAS, that's for Law Enforcement
7 and MABAS of the Mutual Aid Box Alarm System for fire. So, I think we're in good
8 shape.

9 The interoperability communication we have StarComm21 700/800 MHz
10 radios that we are providing to people throughout the state. Just thousands and
11 thousands to assist in that so we can eliminate that problem.

12 Conclusion: Hostile action based drills have provided additional learning
13 opportunities. They're programmatically equivalent to the standard REP
14 exercises. They should be integrated into the current REP program and not only
15 integrated, but substitute for a REP exercise, in our case at least.

16 And concerns exist that hostile action drills will become an additional
17 required drill and that prescriptive criteria will be required in extent of play. We
18 don't really want that. We've got enough on our plate and I think we can
19 demonstrate our capabilities with that. Thank you.

20 CHAIRMAN KLEIN: Thanks, Joe. Nancy?

21 MS. DRAGANI: You ready?

22 CHAIRMAN KLEIN: Yes.

1 MS. DRAGANI: Okay. Good afternoon. Thank you for the invitation
2 to come here and address the Nuclear Regulatory Commission. Nancy Dragani
3 from the State of Ohio and I need to preface with a couple things to set the
4 scenario.

5 The first is Ohio has three nuclear power plants that are either in Ohio or
6 impact us. We're very glad that we're not like Illinois. Two in Ohio, one in
7 Pennsylvania that impacts us in the 10-mile EPZ. We've had one hostile action
8 exercise last year just about a year ago. It was at the Perry nuclear power plant
9 and we have two more scheduled; one at the end of this year and one of the
10 beginning of 2009.

11 I want to start off by echoing something that I think Joe alluded to and it
12 answers the focus group question. I would suggest that the evidence of what the
13 NRC and FEMA discussed at the first part of this meeting plays out to the fact that
14 you're listening during the focus group meetings because much of what we're
15 saying and I've heard consistently being said you've already addressed as areas
16 you know you need to take corrective action or move things forward.

17 So, I think from my perspective much of that has already been processed
18 and is now being moved forward from a focus group perspective.

19 Much of also what I have has already been addressed by other members,
20 so if it's already been touched on I won't spend a lot of time on it.

21 The first slide -- and you might have already moved off of it -- I talked about
22 the exercise we've participated in. We talked about protective action

1 recommendations and those decisions that require new considerations. And then
2 integrating ICS into REP planning.

3 I think Mike mentioned the fact much like in California, in Ohio during a REP
4 event the County Commissioners have the ultimate authority to order an
5 evacuation. Yet in an ICS structure it's the Incident Commander. So, if we have
6 an event that happens in the proximity of a nuclear power plant perhaps the
7 evacuation isn't ordered because of the plant, but it's ordered because of a fuel
8 release, which would be the purview of the Incident Commander not the County
9 Commissioners.

10 So, just a recognition that there are some nuances when we have ICS in a
11 system like a nuclear power plant and different parties that call evacuations for
12 different reasons. So, more of a comment rather than a recommendation. Next
13 slide, please.

14 First responders are engaged on site rather than on traditional offsite
15 response. This really speaks to the fact that first responders are going to be
16 providing direct support to the plant to help secure and respond to the event.

17 Those are the same responders that we rely on to initiate evacuation and
18 set up roadblocks and support local government in making sure that people can
19 safely evacuate should that be necessary.

20 So, there is a need for training and duplication in training and making sure
21 that we've got the Mutual Aid System in place to shore up those responders that
22 are going to the plant as opposed to their traditional response activities during an

1 incident at the plant.

2 Second point: Many state and local personnel gravitated toward the
3 standard REP exercise concerns. We've talked a little bit about that. From my
4 perspective at the Perry nuclear power plant and again I'm going to take a minute
5 to set the stage.

6 The exercise scenario was an airliner that crashed into the plant
7 cantonment area, did not damage plant safety systems inside the fence line, killed
8 everybody on board. So, you have a mass fatality incident.

9 There is a natural tendency because of the predictability of the exercises to
10 as soon as you go general, flip the switch and all of a sudden everybody's focused
11 on how do we evacuate and nobody's focused on the fact that you have 150 dead
12 bodies and a lot of people that want to know if that's my mom or dad or husband
13 on that aircraft.

14 And there was just a natural tendency to focus on the REP side and not
15 focus on, in that case, what might have in fact been a much larger disaster than
16 the actual plant event. So again, just a consideration. It's something to guard
17 against.

18 I think some of that is scenario development and making sure that the
19 predictability as we've talked about is taken out so people don't assume we're
20 going to go general, now we've got to evacuate and we've got to start that play.

21 Development of planning standards have to accompany the exercise
22 requirements. I absolutely applaud the effort to move forward on the part of the

1 industry, the NRC and FEMA with these exercises.

2 But generally exercises exercise a plan and we haven't really done the plan
3 yet for hostile action exercises, so we're not necessarily exercising to a plan. So,
4 we might want to stop and take some time to make sure that we've got plans
5 identified so we're effectively exercising our plan. Next slide, please.

6 Spectrum of exercise scenarios: Commissioner Lyons, I think you also
7 asked a question about how do these exercises stack up with some of the other
8 industry areas.

9 I will tell you just having those three in Ohio from Ohio's perspective you
10 cannot undervalue, I believe, the value of these exercises in the REP program on
11 the part of local government.

12 Our counties that are host counties to nuclear power plants or are in the
13 10-mile EPZ are very well prepared. Their plans are up-to-date. Their equipment
14 is ready to go and operational. They're good at what they do and a lot of that --
15 and this carries over into natural hazards -- a lot of that I think is a direct result of
16 the exercises that they go through for the REP program.

17 So, I think the program in itself is really well done. Has it become
18 predictable? Absolutely. Do we all know when the lasagna is going to be served?
19 Without fail. But having said that, predictability is not always a bad thing and
20 sometimes through predictability then those responses become familiar and you're
21 more accustomed to them.

22 That was my preface to the next slide -- or this slide, which is, of course,

1 varying the exercise scenarios. We've talked about that to minimize predictability.
2 A concern that not only varying them, but the current guidelines and this is really
3 something I think FEMA will have to address on the part of the offsite responders;
4 that if we vary those, if we vary the releases, if we vary the scenarios, if we don't
5 always go to general or we don't always go to 10 mile, past five mile, that
6 obviously as state and local offsite responders we need a way to be able to do that
7 within the exercise framework.

8 I am strong advocate for not always going to general. I am a strong
9 advocate for not always going to 7-mile or 5-mile because I will tell you from a
10 policy level, from a leadership level, we have never wrestled with an event in
11 Pennsylvania that comes a half a mile short of Ohio.

12 And what we do? We're used to we skip through the exercise and we know
13 we're going to get to 7-mile sooner or later, so we know we're going to have to
14 issue an evacuation. But what if we don't?

15 How do I explain that to my governor and how do we explain it to the
16 congressman and how do we explain it to the public so that they understand, yes,
17 the sirens are sounding on the other side of the river, but it isn't in our area and so
18 there's no threat.

19 That's something we quite frankly have not wrestled with because of the
20 predictability of the exercise. I think it would be an interesting policy wrestle to
21 have.

22 Exercises should cover less severe accident scenarios including no

1 release. I think that's been talked about. We would encourage to the extent
2 practical as we move forward that the NRC and FEMA limit excessive out of
3 sequence activities when possible or activities driven by controller injects. And
4 that's just because it creates a sense of artificiality.

5 To the extent we know that it has to happen at some point, sometimes
6 there's no way around it, but to the extent possible keep the realism involved in the
7 exercises and limit those out of sequence, those off cycle activities.

8 Probability, possibility and realism: Probability, if we exercise a probable
9 event it would be the plant calling my REP program manager and telling her that
10 they're going to power down over the weekend to do preventative maintenance.
11 That would be a probable event.

12 A possible event is why we exercise because there is a possibility that there
13 could be an event that would cause these extraordinary actions. But as we
14 exercise the possibility then we need to make sure that we're exercising in a
15 realistic fashion.

16 I think that speaks to something that Mike talked about and Joe talked
17 about when we break it so many times that it starts to look like an unrealistic
18 possibility to occur or the wind just happens to blow the direction that it never
19 blows so that we can test our protective action decision-making process.

20 A balance must be achieved with respect to the responsibility to exercise all
21 aspects of the response, realism and predictability. Next slide, please.

22 Improving Coordination: Much like I think Jim talked about in showing

1 consistency through the HSEEP process and showing consistency between the
2 exercise programs we would encourage -- and again this is something,
3 Administrator, that I'll offer to FEMA as a suggestion.

4 There are multiple 22 different policies, regulations, guidances and REP
5 manuals out there. There was an effort several years ago to create a REP
6 Program Manual. It includes Sections 1 and 3, but to my knowledge was never
7 completed.

8 In the interest of consistency and understandability, we would encourage
9 the completion of that bringing those 22 separate manuals together and putting
10 that out as a final document nationwide so that we have some consistent
11 guidance.

12 NRC and FEMA alignment on exercise issues is paramount. I think we've
13 seen that already and certainly much appreciated.

14 Increase Federal participation during the exercises would be beneficial.
15 Understanding challenges that everyone at every level of Government faces with
16 budgets.

17 I would expand this beyond FEMA and the NRC, though. If we're going to
18 do hostile intent exercises in any kind of realistic fashion we have to have the FBI
19 at the table as a true player. We need to have the ATF if it involves them at the
20 table as a true player.

21 During the exercise at Perry, the Joint Information Center was set up.
22 Again, as is unfortunately fairly typical the exercise tended to focus on REP

1 events, not the airline.

2 The FBI, my understanding is, locked down the information and said,
3 "We're not going to release those names because it's a Federal scene and it
4 needs to be investigated." Well, I don't think anybody in this day and age really
5 believes that in half an hour the news media isn't going to have a manifest of
6 who's on that aircraft.

7 And wouldn't it be more beneficial for the partners that are coordinating the
8 response to be up front in releasing that information and providing that to our
9 constituents early on rather than making them wait for CNN to provide it to them.

10 I think it's important that it isn't just FEMA and the NRC, but it's a true
11 spectrum of federal participation.

12 And finally, ensuring the integration of REP with some of the more recent
13 Federal FEMA initiatives. I think we've already talked to that HSEEP and ICS.

14 That is the gist of my comments. I'd like to now turn this over to Larry
15 Greene. Larry is the Lake County Emergency Management Director and Lake
16 County is the host county for the Perry nuclear power plant.

17 MR. GREENE: Thank you, Nancy. Once again, I would like to thank
18 the Commission and Administrator Paulison for the opportunity to come here and
19 drill down a little bit more into our local level. I had one pin standing and Nancy
20 bowled a strike and knocked it over, so I'm done.

21 If I could hold that slide for just a moment up there. I kind of want to run
22 through some of my talking points here while that's up there. As you've heard, our

1 drill demonstrated the principles of the tiered response that are outlined within the
2 national response framework within those concepts.

3 Very importantly it helped us identify the trigger points in our local
4 emergency plans that we needed to pull in order to make that response practical
5 and realistic. It also let us apply the ICS concepts that we've been mandated
6 to train to over the last few years and actually apply those to what you see up on
7 the screen.

8 Less than a month after we did our hostile action based threat based drill
9 we had a 32 car train derailment in which we had to evacuate close to 2,000
10 people, shelter them for about four days without loss of life or injury.

11 I'm going to submit that that response we used the same equipment that we
12 used at our hostile action based drill only it was in the smoke and it was being
13 used for real. That, I think, is what I want to bring to the table today. Thank you.
14 Next slide.

15 COMMISSIONER LYONS: Larry, how far was the derailment from
16 the plant? It was like nine or 10 miles?

17 MR. GREENE: Not even. About 5 miles. As a matter of fact it
18 impacted some of our response at the plant because of impediment. We had to
19 work through that to make sure that that was taken care of.

20 Moving very quickly I want to stay within the time. We realized early on the
21 added value of this process and we brought it to our first responder community.
22 We brought it to the table to take the best advantage of it.

1 We found that if we included the first responder community in the scenario
2 development we had them use the ICS tools. We had them use the forms that we
3 use that we've been mandated to use through the NIMS system. They were the
4 ones that actually set forth the operational periods.

5 They worked through the communications plans. They worked through the
6 various issues that we have to do. If I could move to the hostile action real world
7 slide, please. Next one.

8 These are the things we have to look at when we do the planning. What
9 are the assets? How quickly can they be mobilized? What existing Mutual Aid
10 Plans -- I know Joe mentioned the MABES Plans. How well does your emergency
11 operations plan integrate with your unified command and with your incident
12 command? How long could you hold your own in an event like this until your state
13 partners and until your Federal partners begin to show up? Because as
14 Mr. Paulison stated this is a local issue that will be handled at the local level until
15 the resources show up. Next slide, please.

16 We looked at our NIMS and ICS app. We decided we don't want to get too
17 wrapped up into these concepts because as you go across the nation you're
18 looking at counties that have home rule like California and also you have states
19 like Illinois that are very strong in certain areas.

20 Those have to be adapted to make sure that they're going to be workable
21 for your individual issues. Although individual NIMS and ICS implementation
22 depends on many factors it's important to remember that both systems are

1 scalable and those words come right out of the 800 and out of the national
2 response framework. Terms that we need to cling to and we need to put into our
3 operational plans. Next slide, please.

4 What we found was the farther we moved away from our traditional first
5 responder community the more foreign the idea of NIMS and ICS were.

6 This was recognized in our facilitated discussions during the tabletop prior
7 to the hostile action based drills. We learned that -- and I don't want to embarrass
8 any of the disciplines, but some of the more non-traditional folks didn't realize what
9 their roles were and their responsibilities and more important their values had to
10 be drawn out in those tabletops, in those facilitated discussions.

11 Some didn't realize just how important they were to a multi-agency system
12 response until they were -- it was actually pulled out of them. Next slide, please.

13 Scenario Spectrums: If you look up there these are all things that have
14 already been mentioned earlier, so I'm not going to take time to talk about them.

15 What we found was the last one is probably the most critical for us and that
16 is create success paths through which facilitated discussion and participants can
17 be, as I alluded to earlier, can be discovered. Their values can be discovered.
18 The things that they bring to the table can be used.

19 That's pretty much all I have. Thank you very much.

20 CHAIRMAN KLEIN: Well, thank all of you for a very good
21 presentation. It's very informative, I think, for us to hear what it's like at the state
22 level and how we can work better.

1 I know that you said several times it's not good to have so much
2 predictability, but we're going to go predictability in the same order of questioning
3 so we don't get confused on this side of the table.

4 I had attended the San Onofre exercise recently and I was impressed with
5 anytime that you have a group like this and you coordinate all of those, it's pretty
6 amazing. I thought you all did a great job of bringing a lot of different groups
7 together and you also had a lot of equipment.

8 Samantha was a very capable vehicle that really enhances your
9 communication. So, you had a lot of capability. I guess the question is do you
10 think the fact that you have a lot of natural disasters helps you in those exercises?

11 MS. CURRY: From the state perspective, I'd say absolutely it's not
12 good that we have a lot of disasters. We wish it wasn't that way, but it does give
13 us an opportunity to test in real-life so to speak and exercise communication and
14 coordination with really a lot of the same responders and stakeholders, different
15 events.

16 A lot of it's the same and our system has served us well because we are
17 always able to evaluate and determine what works best and incorporate lessons
18 learned the next time.

19 It could be a non-nuclear event. Fortunately, we haven't had one of those,
20 but it can still teach us something to help in the planning in that area. I welcome if
21 Mike has any comments as well.

22 MR. ROSE: I would agree with Tina. I think that it actually works

1 both ways. The fact that we have a relatively regular occurrence of natural
2 disasters and potential for others that we don't see that often, I think that works
3 well into integrating our emergency plans and how we plan for the next event.

4 At the same time, I think it helps us plan for the nuclear event as well. I
5 think the regulatory requirements around the REP program also make us better
6 responders and more effective responders when it comes to the more likely
7 natural disasters.

8 I think we can probably agree that it's more likely to encounter an
9 earthquake or seismic type event in California than we are a disaster related to a
10 nuclear power plant.

11 It's not the nuclear power plant emergency that keeps me awake at night.
12 It's the earthquake or the tsunami or something like that. I think that our abilities
13 that we demonstrate on a regular basis when it comes to the REP program make
14 us more effective at the more likely scenarios.

15 CHAIRMAN KLEIN: Well, I think all of you talked about the
16 importance of communication. One of the issues that I don't have a good answer
17 for and I think you mentioned in fact sometimes other people should win in these
18 hostile activities.

19 One of the things that I learned when I was at the Department of Defense is
20 we really learned the most when you're running exercises and half the times the
21 bad guys would win and half the time the good guys would win because that's
22 where you really learn.

1 But in the public arena that we have in the nuclear field the headlines of
2 losing is not good. How do you think we could communicate that better?

3 In other words, I think we would learn more if we did win half and lose half,
4 but I'm concerned about the way we would communicate that.

5 Do you all have any suggestions? Start with Ohio and see if you have any.
6 I'll let Nancy see if she has any good thoughts.

7 MS. DRAGANI: I think that would be a very dicey conversation,
8 particularly with an already heightened sense of concern around nuclear power
9 plants. I think that in some cases let it win, the "let it win" comment may have
10 been "let the plant win" rather than breaking the plant every time so we have an
11 event.

12 Sometimes the plant gets to win and they get to step down from a site area
13 and we actually don't have a release and everything goes back to normal and it's a
14 good day.

15 So, I would probably be very cautious about exercising a scenario in the
16 public venue that has the bad guys winning unless at the end of the day some
17 organization that looks a whole lot like Rambo comes in and takes out the bad
18 guys and holds onto the plant. That would be my gut reaction.

19 CHAIRMAN KLEIN: Joe, any comments?

20 MR. KLINGER: I feel kind of the same way in that we're always
21 going to win in that situation. That's who we are. We've got the capability. I can't
22 imagine anybody beating us in a situation like that.

1 But in my comments earlier about letting them win was pretty much the
2 utility like you said. Let them fix it so it doesn't go to general emergency. But they
3 could have a scenario where the hostiles would make some pretty good progress
4 and then we take some very aggressive action and overpower them and stuff.

5 But I just can't envision, because we want to be realistic, I just can't
6 envision a situation where they would be successful. So, why practice it?

7 CHAIRMAN KLEIN: Any comments?

8 MR. ROSE: I agree with what's been said. I think when it comes to
9 exercising scenarios in the public light. If we're taking questions from the public on
10 our exercise program the public needs to have an understanding that everything
11 that we do in a training and exercise program is in an effort to improve our
12 response so that when it really happens the result is far better than the potential
13 worst case.

14 And so, if we are, for example, exercising to the worst case scenario or in
15 the off chance we let the bad guys win in a hostile action scenario I think there are,
16 as you say, lessons to be learned from that as well. And so it can be portrayed if
17 need be in that respect.

18 We can't necessarily deal with the public with kid gloves all the time. They
19 have to understand that we understand the worst case, but also understand where
20 the realism factors are and have that open communication whenever possible.

21 CHAIRMAN KLEIN: Thanks. Mr. Paulison?

22 ADMINISTRATOR PAULISON: Thank you, Mr. Chair. Appreciate it.

1 Just a couple. I think it's either Mike or Tina, you talked about how the law
2 enforcement planning was separate from the REP planning and you talked a little
3 bit how you fixed -- how did you actually go about bringing that about and how do
4 you fix that? That's an issue across the country. It's not something unique to you,
5 believe me.

6 MR. ROSE: We haven't fixed it yet.

7 ADMINISTRATOR PAULISON: Okay. Next question.

8 MR. ROSE: That's our goal in this coming year, really. We just
9 exercised the law enforcement plan and we learned a lot from doing that exercise.

10 One of the things we learned is in developing the law enforcement plan law
11 enforcement took the lead where emergency management has traditionally had
12 the lead for emergency planning for the REP program.

13 We just sort of --- law took the lead and that was partly prefaced by the fact
14 that the primary law enforcement agency for San Onofre is the FBI because the
15 plant resides on Federal land on Camp Pendleton.

16 So, with the FBI taking the lead in coordinating the other local law
17 enforcement agencies it's naturally going to trend in that direction and leave
18 emergency management a little bit behind.

19 What we saw clearly demonstrated from the exercises that we need to bring
20 those two groups back together, integrate the law enforcement program into the
21 multi-hazard plan. I think both sides became very cognizant of that in the process.

22 ADMINISTRATOR PAULISON: That's good. The reason I asked

1 the question was for a reason because that's one of the reasons we're doing these
2 types of exercises because we knew that was going to be an issue for us. It
3 doesn't matter who's in charge. The planning still has to be done together. And
4 I'm glad that you guys recognize that.

5 Nancy, you talked about the cross-state issue. Pennsylvania and Illinois
6 both have nuclear power plants that could possibly affect your state. Do you drill
7 with the other states or do exercises when they do theirs?

8 MS. DRAGANI: We do because we're in the 10-mile EPZ. So, when
9 Beaver Valley drills we're part of their exercise schedule.

10 ADMINISTRATOR PAULISON: That works well? The cross-state
11 exercising back and forth?

12 MS. DRAGANI: I'll be honest with you, Administrator Paulison, there
13 are some challenges regionally. Region III sometimes has a different -- and some
14 of this goes to consistency of guidance -- has a different perspective than Region
15 5. So, we're used to working with 5.

16 Obviously, Pennsylvania and West Virginia work with 3. It challenges even
17 more the sense of artificiality because when we exercise in Ohio, even if West
18 Virginia and Pennsylvania are participating, we still exercise from Ohio's
19 perspective.

20 And I have to remind my staff when they run through the checklist where
21 will the NRC establish the facility that they bring with lots and lots of people and
22 equipment -- the FRMAC -- it will not be in Ohio. And I have to remind my folks

1 that the plant is in Pennsylvania.

2 We will not have the FRMAC in Ohio. It doesn't make sense for the JFO to
3 be in Ohio. The plant is in Pennsylvania. So, even that kind of additional
4 artificiality occurs, I think, when you have a plant that crosses or that originates
5 in -- the host is in another state and you're in part of the 10-mile.

6 ADMINISTRATOR PAULISON: Is that something that we can help
7 you with by doing exercise planning to work on that piece?

8 MS. DRAGANI: I think so because again some of it comes back to
9 consistency and interpretation of policy.

10 ADMINISTRATOR PAULISON: By the way, Mr. Chair, I don't know
11 who picked the states to come in here, but you picked some of the best
12 emergency management states in the country. So, you did well. That's it, thank
13 you.

14 CHAIRMAN KLEIN: Commissioner Jaczko?

15 COMMISSIONER JACZKO: I would just say I think this is the
16 second meeting where we've talked about these issues. I would say that I think
17 this has been mentioned by many state and local representatives that there has
18 been, I think, a change in the communication and the fact that a lot of the
19 messages are consistent, I think, is a real positive.

20 I think it goes both to the efforts that have been made at your level and, I
21 think, to the efforts that have been made from our staff and FEMA staff to have
22 that. I think it is as you mentioned, Ms. Dragani, it is a reflection of people

1 listening and making the right kinds of changes. So, it is good to see that.

2 I have a few questions. This is following a little bit on what
3 Administrator Paulison said. I can't remember who made this comment, but
4 somebody raised the issue in one of their exercises that a natural problem that's
5 identified is a double counting in a way of response personnel; that response
6 personnel that had been planned to participate in an evacuation are in these
7 hostile action drills now being pulled -- it may have been you that mentioned this --
8 are being pulled to that.

9 I would ask a similar question to what Administrator Paulison said. How are
10 you handling that situation now? Are you re-examining the roles and
11 responsibilities to accommodate this kind of scenario in the future? How is that
12 being addressed? Anyone certainly can answer that who would like to.

13 MR. GREENE: I think that's where I mentioned earlier you have to
14 look at your existing Mutual Aid Plans. You have to be able to hold your own for a
15 period of time because that's what's going to happen.

16 I know Joe mentioned a flood that the State of Illinois just went through in
17 2006. July of 2006 we had a federally declared flood in our county and I can't say
18 enough good about FEMA and all the interaction and the work with the state.

19 We were on our own for about four or five hours until the swift water crews
20 started showing up and we were able to start rescuing people.

21 If you don't have those plans in place, in the middle of a disaster is not the
22 time to start flushing them out. You had better considered that and be realistic in

1 those assessments. Don't pretend that you have more than what you have
2 planned to what you can get and look at reasonable timeframes.

3 I keep preaching that. I'll say that till I'm blue in the face.

4 COMMISSIONER JACZKO: Anyone want to add anything else?

5 MS. DRAGANI: I think these exercises are an ideal opportunity to
6 bring in those mutual aid assets in an exercise environment to do things like traffic
7 control because while the folks in Lake County that routinely exercise traffic control
8 understand how to do it, if we bring somebody from Huron County or somebody
9 from Ashtabula or another county in to perform that activity they may not be as
10 well versed.

11 So, I think the exercises are a good opportunity not only to identify the
12 mutual aid asset, but then bring them into the play so that they're prepared to take
13 that responsibility over so that the first responders that have the dosimetry, that
14 have the training can report to the plant and provide backup support to the plant
15 for the on-scene or the near-seen incident.

16 COMMISSIONER JACZKO: One of the issues that has come up
17 and this is something that the staff is looking at in a broader perspective is the
18 issue of sheltering in place. I think for many years the EP has become emergency
19 preparedness and it's become synonymous with evacuation planning.

20 Moving to the idea of sheltering in place, which has I think become a more
21 immediate issue in doing these hostile action based drills because evacuation may
22 not be feasible or may not be possible or may not be the most effective protective

1 action recommendation.

2 It raises a lot of questions about how we're communicating that to the
3 public. I think right now as I said the expectation on the part of the public is that in
4 the event of an issue at a nuclear power plant when the sirens go off their
5 response is to get in the car and go somewhere. And I think there is in a lot of
6 probably retraining that needs to happen.

7 I'm wondering if any of you have thoughts about how we begin to
8 communicate that more effectively with the public. Any thoughts on that?

9 MR. KLINGER: I know in our state ours is -- evacuation is one of the
10 options, but shelter in place it's all these other things. Tune to the Emergency
11 Broadcasting System and the JIC will inform you of the appropriate action. So, I
12 don't know that it's so ingrained.

13 Some might do it anyway because their fear of radiation, but we would be
14 very careful to broadcast exactly what we're recommending and hopefully the
15 people would do that.

16 Shelter in place is preferred in so many of these situations because
17 evacuation has a lot of downside with it. So, hopefully, I guess I've got a lot of
18 confidence in the people that they would listen to what we're recommending and
19 do that.

20 COMMISSIONER JACZKO: This was something that I observed at
21 Calvert Cliffs. It was new to me. It did get to this issue and at the general
22 emergency I believe in many states there is a general assumption -- I don't want to

1 say assumption, but the automatic response is to an evacuation at the general
2 emergency.

3 So, I'm wondering how that issue plays in here where potentially in hostile
4 action based drill at a general emergency there would not be a decision to go to an
5 evacuation.

6 Is there a mechanism to address that? Does there need to be a change in
7 our guidance and FEMA's guidance to open up that possibility and not have it be
8 the programs response?

9 MR. GREENE: If I might address one of the things that we did have
10 happen in our drill. We used the airliner attack scenario. We had the Incident
11 Commander at the scene, at the incident near site command post call for an
12 evacuation of two miles around the plant, five miles down wind, but it had nothing
13 to do with any protective action that was being issued by the utility.

14 He didn't want people in that area smelling jet fuel. It seemed to really
15 create an issue. I don't know if you remember, Nancy. That was one of the things
16 that we talked about, predictability and anticipatory response.

17 You have to be ready to listen to what that 25 year-old fire commander who
18 might have had the misfortune of working that day is going to be telling you to do
19 and you have to be ready to do it. You can't question him. You can't work back
20 through 14 levels of regulation and authority because that's what he wants done
21 now.

22 I think once we talked through that that was one of the interesting

1 discussions that we had in our hot wash was that will happen and it's going to
2 happen again. So, you'd better figure out some way to deal with it. It brings us
3 more into the all hazards way of viewing these events. Just my opinion.

4 MR. ROSE: If I could just add really quick on that same note from our
5 perspective, I think, it doesn't go to a retraining of our public in the Emergency
6 Planning Zone, it's a continued reinforcement of the training that we've been
7 pushing out there. Because with our relationship that we have with the utility and
8 our community alert siren system when we as emergency managers in the EPZ
9 are out talking to the public we stress that that system is in place for -- it's an
10 outdoor warning system. It was put in place by the utility because San Onofre -- of
11 the proximity we have to San Onofre, but it is completely controlled by the offsite
12 jurisdictions in the Emergency Planning Zone.

13 So, we have the ability to use that -- activate that siren system in
14 conjunction with the emergency alert system for whatever we may deem
15 necessary and we use that system to our benefit for tsunami preparedness, for
16 example.

17 We can do -- it's a digital siren system, so we actually have the ability to do
18 public address over our outdoor warning system as well as activating the alert
19 tone. The communication that we continually stress is that siren means one thing
20 and one thing only, to turn on your television or radio and listen to the emergency
21 message that we want you to hear.

22 What is the action that we want you to take? Those include potentially

1 evacuating, sheltering in place, ingestion of potassium iodide, et cetera, et cetera.

2 MS. DRAGANI: If I could offer one thing. And this is really
3 something, again, that I would offer to FEMA as a potential evaluation criteria.
4 Evaluating, actively evaluating leadership at the county and the state level on the
5 decisions that they're making.

6 Actively evaluating because that will begin to change the assumption that
7 we're at General, we have to evacuate. I'll real quickly tell a story.

8 We had an exercise started with a fire in a bucket. Rags in a trash can. Up
9 until then we kind of sequentially worked through the exercises. We called
10 together our assessment team. I looked at my REP manager. She told me what
11 was going on.

12 I said, "Carol, is this going to go anywhere?" Now, I know it's an exercise. I
13 know it's going to go somewhere, but we were being realistic. And I said, "Carol,
14 is this going to go anywhere? Do you really think this is going to cause the plant to
15 increase their emergency action level?" She goes, "No, it's a fire in a bucket." I
16 said, "Okay. We'll have our next briefing in four hours or if the situation changes
17 give me a call. We'll put people on standby, but we're not going to jump into our
18 normal activated response of sending up our COM van and notifying our JIC and
19 sending people north."

20 I took a lot of flak for that decision from some of the traditional partners
21 because the plan says you're going to automatically at alert, plant declared alert,
22 start these things in process.

1 FEMA recognized the discussion and I think actively reinforcing are
2 decisions being made by discussion and not procedure. Procedure is a good
3 thing. It shouldn't override discussion. I think could go a long way toward
4 eliminating some of that predictability.

5 ADMINISTRATOR PAULISON: Nancy, I think what you're saying is
6 very important. Our evaluation would indicate how did you get to the decision, not
7 what the decision was. Did you just do something or had a 25 year-old fire
8 lieutenant make a decision? Or was there some purposeful process you went
9 through to get to the decision? That's what's important that you make a conscious
10 decision to do something, not just have a knee-jerk reaction.

11 COMMISSIONER JACZKO: I would follow that, too, to say we've
12 had a similar situation with a licensee. We had a situation where the licensee,
13 again, made a decision and the NRC was looking at it from the perspective of the
14 decision-making process and we had, I think, some communication with the
15 licensee to get them to understand that we were trying to reinforce that; that it's
16 the decision-making process that's most important for us.

17 When we look at licensees we want to see them follow the right kinds of
18 steps and make the right kinds of decision. We're not necessarily looking to see
19 what decision they make. What did they do at an alert? What did they do at a
20 general emergency? Did they follow their procedures? If they didn't, why not?
21 Was it the right kind of decision not to? It applies as well, I think, on the on-site as
22 well.

1 If I could just ask one more question. I think one of the issues that I think
2 I've become more aware of as we do this is really the burden of doing these
3 additional pilot exercises. There seems to have been a tremendous improvement
4 in both the licensees understanding of these exercises as well as I think local and
5 state understanding of the hostile action based drills.

6 I'm wondering if from your perspective and maybe this applies in a state like
7 Illinois would it be possible to accelerate implementation of this program so we are
8 actually doing this for an exercise maybe perhaps in 2009 to take the burden of
9 perhaps doing an exercise that's going on in the state and then looking at a pilot
10 as well to minimize the things that we're doing? Anyone?

11 MR. KLINGER: I'd certainly like the opportunity and stuff, but I think
12 with our current schedule we still have two coming up for next year. I think we'd
13 like to get through those and then kind of reassess where we are and see where
14 all the guidance documents and the rules are at that point.

15 After that, I think it would be good. I'd love if somebody has reservations
16 about substituting one of these things for a REP exercise we'd love to demonstrate
17 it.

18 COMMISSIONER JACZKO: Thank you.

19 CHAIRMAN KLEIN: Commissioner Lyons?

20 COMMISSIONER LYONS: The presentations and the subsequent
21 discussion have really been excellent and very much appreciated. I'd like to
22 second the comment that Mr. Paulson made about the excellence of the

1 operations in each of your jurisdictions.

2 Mike, fairly early in my tenure on the Commission I had the opportunity to
3 sit with you and the EOC at Dana Point. At that time, as our Chairman did, I was
4 amazed at the complexity of your Interjurisdictional Planning Council or
5 Commission. That's a very complicated organization to pull together.

6 And Joe, I had the opportunity also to be in Springfield shortly after the
7 Emergency Management Agency was formed with the nuclear components as
8 well. I was very, very impressed. That was the first time I realized that Illinois may
9 be one of the few or only states with resident inspectors. It's very, very
10 impressive.

11 MR. KLINGER: It is. It's the only state. Our monitoring capability is
12 second to none. We're very blessed.

13 COMMISSIONER LYONS: I came back thinking that we had
14 lessons to learn from some of your monitoring capabilities and I certainly shared
15 that with our folks here.

16 And then Nancy and Larry, I've already mentioned that I found the exercise
17 at Perry to be certainly a tremendous learning experience for me, but I got the
18 opportunity to see your organizations in operation. And from the state perspective,
19 from the county perspective, very, very impressive.

20 And I mentioned earlier the interoperability which I just can't imagine how it
21 could have been better. You have clearly exercised that. You knew exactly what
22 you were doing.

1 MR. GREENE: Thank you, sir.

2 COMMISSIONER LYONS: By way of a question and this may be a
3 very silly question because I'm way outside my expertise here. We've talked here
4 about a number of different lessons that your different jurisdictions have learned.

5 Are there mechanisms, meetings, publications, whatever for you folks to be
6 sharing that with the other states? Or is there any need for NRC to be assisting in
7 some way in the sharing of those lessons?

8 I simply don't know what avenues you have to share those lessons. I'd
9 appreciate any comments.

10 MR. KLINGER: There was a national emergency preparedness
11 conference that some of these very issues were shared by one of our staff
12 members, Ken Evans. So, a national forum like that would be good and has
13 already been used. If we need anything further than that, maybe we do. I'd have
14 to check with staff to see what they think.

15 MS. DRAGANI: I think that there are currently venues, there are
16 REP planning conferences, there are regional REP conferences. The Radiological
17 Emergency Preparedness program is fairly small and fairly well formed. So, I think
18 that there's probably a lot of dialogue already.

19 Obviously, always an opportunity for increasing the dialogue. I think that's
20 a good thing, but my sense is -- you go those conferences as well -- that there's
21 venues out there.

22 MR. GREENE: I'm just thinking that listening, having the benefit of

1 listening as it came down the line. It almost appears we copied each other's
2 homework, but we didn't. The message is the same.

3 You can take somebody from California and you can put them next to
4 somebody from New York and the issues, the challenges, all the things you need
5 to consider when you're building these types of programs, developing these types
6 of scenarios are pretty much nationwide.

7 What you've done and I want to once again commend you is you've allowed
8 us the privilege of coming here today and sitting down with you at this table in this
9 forum and sharing. None of us have ever talked to each other before about what
10 our presentations were going to be, but you can take them and overlay them.

11 So, I think that in and of itself speaks to the process and what ultimate
12 benefits are going to come out of it eventually. Like Administrator Paulison says,
13 "You're on the right track." You're right where you want to be, I think.

14 COMMISSIONER LYONS: I guess I'm hearing that you think there
15 are sufficient avenues to share this information now among states. It may be that
16 FEMA has strong programs that I just don't know about.

17 Just one other question if anybody would like to respond. I'm just curious if
18 any of you would comment on the extent of let's say outreach and communications
19 from the NRC.

20 Is it too much? Is it not enough? Is it about right? With regard to
21 emergency planning and these types of exercises.

22 I'd be curious on any feedback that you might provide that would benefit us

1 and benefit our staff.

2 MR. KLINGER: I'd like to make a couple comments on that. I'd like
3 to thank NRC again for having a number of our staff come in December of last
4 year and we observed the Operations Center here in anticipation of a hostile
5 action based exercise that was up coming. That was a nice outreach.

6 Being able -- because I didn't even know that all the capabilities and all the
7 things that you were doing in the Ops Center. We thought we were the only ones
8 doing it. And I felt good about that because now if there's any question that comes
9 up you've got most of the same information and stuff.

10 If there's a question you just contact our state people and say, "Why are
11 you doing this?" That's fine. It's better to have more people looking at it. It's fine
12 with me.

13 But having that opportunity I felt was really good. And opportunities like this
14 are definitely good. And then at a couple of the exercises I -- right at the start of
15 the exercise the NRC Commission, one of the Commissioners contacted the state
16 that was in the emergency operation center. I know there was a standard list of
17 questions, but that's okay because it was early on in the exercises.

18 It's just good especially in a real event to know NRC has already reached
19 out. FEMA with the flood recently. They were there on scene real quick standing
20 by; not to interfere. They made it real clear, but we're here in case you need us.
21 We're monitoring so we don't have to start from scratch when and if you do need
22 assistance.

1 I think those are really good efforts and I think NRC is doing a good job in
2 that regard.

3 COMMISSIONER LYONS: Anyone else?

4 MR. ROSE: I would just say that a couple years ago early on when
5 the NRC started to take a real active interest in offsite EP I think it was a little bit
6 uncomfortable for some of us as off-sites. NRC works with licensees and the
7 off-sites work with FEMA and that's the way it's always kind of been.

8 But the way it's developed especially with the relationship that has been
9 established between the NRC and FEMA and the partnership, the message that's
10 coming down to us as off-sites is this unified front. The NRC and FEMA want the
11 same things on the same time lines for the benefit of the public.

12 I, for one, am very comfortable with the level of communication that's taking
13 place when we hear from the NRC or we're hearing from FEMA, especially when
14 we're hearing from them combined in opportunities like the focus group to interact
15 with both agencies simultaneously so that we know that you are on the same page
16 and working from the same sheet of music to support what we're doing for
17 emergency planning to support the licensee in their efforts and offsite emergency
18 planning and as I said for the benefit of the public. I think that's been very
19 effective. Thank you.

20 MS. DRAGANI: I would certainly concur. I think we've been well
21 supported in Ohio by the NRC. We have a Region 5 NRC representative who
22 comes out on a quarterly basis and meets with our state agencies that are

1 involved in this issue. I think that there's always a benefit to reaching out.

2 I know, Commissioner, when you came to Ohio that was a great benefit, I
3 think, for us to spend some time with you to the extent that you can afford to
4 continue doing that as a Commission, sending your employees to the states
5 particularly during exercises.

6 If there is a gap in the exercise at the state and local level its Federal
7 interaction in a meaningful way and that is always going to be a challenge. We will
8 never really overcome that hurdle simply because of the amount of people that
9 would need to be involved to make it realistic.

10 But to the extent there is more involvement from an exercise standpoint for
11 participation of our Federal partners I think that would just enhance not only our
12 understanding of what you bring to the table, but your understanding of what our
13 issues at the state and local level might be.

14 COMMISSIONER LYONS: Thank you.

15 CHAIRMAN KLEIN: Commissioner Svinicki?

16 COMMISSIONER SVINICKI: Thank you. First of all, thank you all
17 for what you do and for being here today. As I reflect, we have the advantage
18 right now of all of your collective experiences and I know that you're here today to
19 talk about these drills and your relationship with NRC and FEMA.

20 I might ask that you all think about if any of you are interested in finishing
21 this sentence. It would be drawing on all of your interactions with Federal
22 agencies. If you would say, "As we move forward either on these drills or in our

1 interactions what would you ask that we be sensitive to or understand better in
2 terms of we don't walk in your shoes, so is there something that you would leave
3 us with that would help us better understand all of these interactions from your
4 perspective?"

5 MR. GREENE: I guess I can start with that very quickly. Drills,
6 functional drills, the drills that we have to do now as deliverables with our
7 Homeland Security grant funds and so on cost money. They take time. They take
8 people away from their normal jobs, their normal function.

9 So, if we could consolidate, if we good begin to as I think Deputy
10 Administrator Schrader mentioned, if we good bring the HSEEP Program into
11 compliance and start looking at some target objectives that we could lump in and
12 that we could hammer down and get some kind of credit for some of the stuff that
13 we're doing so we're not doing it here and doing it there and calling the same
14 group of people, and in my case my local Commissioners, together to do a
15 different type of drill day in and day out.

16 I hope that doesn't sound bad, but you asked.

17 COMMISSIONER SVINICKI: I did.

18 MR. GREENE: Thank you.

19 MS. DRAGANI: I think in addition to competing or conflicting
20 requirements at the state and local level it's to continue this interaction between
21 FEMA and the NRC. We certainly have gone through times when it seemed like
22 the states and locals were performing to a certain standard and sometimes it

1 conflicted with what the plants needed to do under NRC requirements.

2 So, I think continuing the interaction. There have been a couple times I've
3 called my regional administrator and said, "This is a Federal issue. You guys need
4 to work it out. I can't work it from my level. This is an NRC to FEMA." And it got
5 worked out, but I think continuing that interaction would be very, very beneficial.

6 MR. KLINGER: I think things are going quite well. A lot of
7 improvements I've seen over the years. I know drawing back on my RAM
8 background we have this Conference of Radiation Control Program Directors
9 Annual Meeting and the Organization of Agreement States and we would say,
10 "Where's the Commissioners?" Now, Commissioners do go to those meetings
11 and stuff. That sends a nice message that we are partners and stuff and you care
12 enough.

13 So, I've seen improvements there and just the general support. This is
14 wonderful to see FEMA and NRC. I wonder about DOE and NRC and some of
15 these others because there's some issues there in other areas within the purview
16 of NRC that issues probably still remain that I hope the same sort of situation is
17 ongoing with DOE and the other agencies and stuff.

18 I have no evidence to show that it's not, but this is very encouraging.

19 MS. CURRY: The fact, again, that we're here I think speaks
20 tremendous to the collaboration that's happening. So, again, I thank you for that
21 from the standpoint of California.

22 Again, as it's been stated here help us to make the exercises as realistic as

1 possible. We understand that we don't have the resources to make everything
2 customized for everything and there are rules, but to the extent that we can make
3 them meaningful and objective based we will get the most out of them and that will
4 go a long way for the resources expended.

5 I also just wanted to comment on, because this is something we deal with at
6 the state level, because of technology and because of the media and so much is
7 advanced our communication streamlining, especially in a crisis, is critical and the
8 extent that we can help you and likewise to make sure we know that we will need
9 information quickly and instantaneously at all levels.

10 And to be able to get the best message out to the public as possible is key.
11 Again, we have the technology. Now, I think the expectation are to go along with
12 that and that we can make it happen.

13 So, to the extent we can extend that to actually test those things and maybe
14 that's happening and it's all perfect, but always look at how we can test that and
15 make sure that its as effective as possible. I think that would be very helpful.

16 MR. ROSE: I think you've heard it all. One size does not fit all. I
17 have an evaluated exercise every other year. Tina has one every year. Joe has
18 three a year, every year. I just think if you're going to be sensitive to anything be
19 sensitive that all of us are coming from different perspectives and deal with things
20 as best as we can.

21 COMMISSIONER SVINICKI: I think I'm hearing from you that you
22 live in an all-hazards world. We live in a nuclear hazards world, but we'll try to

1 remember that.

2 The other thing, Mr. Chairman, I think it's good that we have kind of the best
3 of the best here, but the cautionary side of that is I will not take away from this
4 meeting an assumption that all states have the level of planning and coordination
5 that's represented here today. I think it's important to be mindful of that. Thank
6 you.

7 CHAIRMAN KLEIN: Dennis, any comments or questions?

8 MR. SCHRADER: I think Administrator Paulison said it all.

9 ADMINISTRATOR PAULISON: He's such a suck-up.

10 CHAIRMAN KLEIN: By definition, he said it all.

11 COMMISSIONER JACZKO: I don't think our staff has learned how
12 to do that yet.

13 CHAIRMAN KLEIN: Well, I'd like to thank all of you for participating,
14 not only for participating, but what you do every day. Because what you do really
15 does help protect the American people and we certainly appreciate the dedication
16 that you do and all your colleagues in the states.

17 I'd like to thank FEMA for coming and for your participation. It is really
18 important that we work together and we speak as much as we can with one single
19 voice. The famous words were from the Federal Government, "we're here to help"
20 is always a challenge.

21 As I think Mr. Paulison said, we do have three good states here and we will
22 be cautious that they're not all at that level, but I do thank you for all your hard

1 efforts.

2 I think we've made a lot of progress since 9/11. I think that was a wake-up
3 call that reminded us what can be out there that we have to prepare for and do.
4 We obviously have improvements that we can make and we just need to keep
5 working on it.

6 We are in this all together. It's a Federal government. It's the NRC, FEMA.
7 It's the states. It's the locals. We're all in this together. So, I think if they're saying
8 we can do better we need to hear and I think there's things we see that you all can
9 do and we'll want to communicate that as well.

10 Any final comments?

11 ADMINISTRATOR PAULISON: No, sir. I think you covered
12 everything. I'll quote our esteemed colleague on the end that everything is said
13 that needs to be said; just everybody hasn't said it yet. I think now everybody has
14 said it.

15 CHAIRMAN KLEIN: Thank you very much and the meeting is
16 adjourned.

17 (Whereupon, meeting was adjourned.)