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General Comment

Comments on Staff Guidance and NUREG 0654/REP-1 Sup 4.

Attachments

NRC-2008-0122-DRAFT-0071.1: Comment on FR Doc # E9-11390

NRC-2008-0122-DRAFT-0071.2: Comment on FR Doc # E9-11390

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Add: D. Faillart (dx+6)

NSIR/DPR-ISG-01
 INTERIM STAFF GUIDANCE
 EMERGENCY PLANNING FOR NUCLEAR POWER PLANTS

Page	Para-graph	Comments & Recommendations
Document		It appears that when soliciting information from stakeholders at regional meetings, etc., all comments and recommendations were disregarded. Examples include the fact that in reality, responses to Hostile Action Based Events is no different than dealing with a natural disaster and a nuclear power station incident at the same time; that while some exercise elements are predicable due to the objectives required by NRC and FEMA to be met, there has always been the element of unpredictability as well with scenario injects and human decision-making or human errors; That exercises did not always escalate through the classification levels but start at SAE, etc., to name a couple of the discussion items.
Document		In several areas, this document uses the recent DHS Comprehensive Reviews as a source and reason for new regulation. The States, prior to attending those Comprehensive Reviews were assured that the only reason for the reviews was to review overall emergency response with regards to security and provide grant funding to shore up any weaknesses found. It is obvious from this document that the Federal Government once again has misled the State and Local Agencies and that any future requests for cooperation in such reviews will be hard to come by.
Document		States and locals presently plan, train and exercise as best they can to ensure they can successfully respond to a nuclear power station incident/accident. If the NRC implements these new regulations, states and locals will be planning and training just to successfully pass exercises, as these regulations are not reality based performance measures.
17-20	IV.E	<ol style="list-style-type: none"> 1. Does not this requirement conflict with FEMA's responsibility to ensure reasonable assurance that state and locals can protect the health and safety of the public? 2. This requirement implies that NRC would have the authority to become involved with off-site planning and response. It also could end with the state and locals as well as the licensee being caught between FEMA and NRC disputes. 3. Please explain how a Hostile Action Based Event (HABE) differs from a natural disaster (such as a tornado or flash flood wiping out an adjacent town or city while at the same time) causing a nuclear power station emergency. They both disrupt emergency planning, including radiological and they both will result in the competition and demand for the same limited resources. That's why they're called emergencies and disasters. There is no need for additional regulation here.
25	IV.G	<ol style="list-style-type: none"> 1. The reason there are predicable elements to the exercise is that there are required NRC/FEMA objectives to be met by the ERO and OROs. 2. Recommended PARs may also be made based on meteorological conditions in addition to plant conditions. The policy of NE is to evacuate prior to a release so the assessment of nuclear power station conditions is more critical than an assessment of radiological conditions initially. 3. Exercises in NE with Cooper and Fort Calhoun Nuclear Power Stations have included natural disasters and have not always escalated through the ECLs. In fact the State and locals never know when they will or will not escalate through the ECLs as the Control Room Manager or EOF Director has in the past decided, based on scenario elements, that the nuclear power station needs to be at a higher ECL than what the exercise scenario calls for at a specific time, which results in skipping or starting at a higher ECL.

Page	Para-graph	Comments & Recommendations
25	IV.G	4. Exercises should be designed to allow enough time to adequately test the plan and work the plan. They should not be designed to ensure failure as NRC seems to want to do.
26	IV.G	<p>1. Why is HSEEP being brought up in this section at this time when the new HSEEP guidance has yet to be published?</p> <p>2. To ensure everyone is on the same sheet and mutually understands the needs of the others, the statement "A reference to the standardized methodology of the Homeland Security Exercise Evaluation Program (HSEEP) would be added [to NUREG 0665, Evaluation Criteria N.1.a] which would apply to State and local organizations only." is unacceptable! NIMS is all encompassing and thus not only should the states and locals be involved, but the nuclear power stations and all FEDERAL AGENCIES as well in this process.</p>
27	IV.G	<p>1. The change to Evaluation Criteria N.1.a "Exercises shall be conducted as set forth in NRC and FEMA rules as well as in accordance with the standardized methodology of the Homeland Security Exercise Evaluation Program (HSEEP)." is also unacceptable. Nebraska exercises under HSEEP per Presidential Directive, and is glad that NRC/FEMA is moving in this direction, but should this move be made, there cannot be exceptions to HSEEP and NRC/FEMA should move to change current REP regulations with other exercise requirements.</p> <p>2. The change to Evaluation Criteria N.1.b "... The scenario shall be varied such that the major elements of the plans and preparedness organizations are tested within a six-year exercise planning cycle...". HSEEP requires a 5-year planning cycle, not six. Until DHS changes the HSEEP requirements, this NRC/FEMA requirement is unacceptable.</p> <p>3. The change to Evaluation Criteria N.1.b "... The scenario variations shall include, but not be limited to, the following: An initial classification of or rapid escalation to a Site Area Emergency or General Emergency;..." Commonly called the "Fast Breaker"(and rejected years ago) does nothing, exercise wise, except make people scramble around as normally happens initially in any disaster. The most that can be done in this circumstance is notify people to stay tuned if the ECL is a SAE and have people stay in their homes at GE until the State and locals can figure out what happened and if the evacuation routes are open; then the exercise reverts to a normal REP exercise. Nebraska finds this requirement unacceptable.</p> <p>4. What does NRC/FEMA mean by including as a scenario variation bullet "Implementation of strategies, procedures, and guidance developed under 10 CFR 50.54(hh)..."? </p> <p>5. The "Hostile action directed against the plant site" and "An Initial classification of or rapid escalation to a Site Area Emergency or General Emergency" scenario variations are listed in the five-year cycle. Then NRC mentions that the following scenarios shall occur at least once every eight years and mentions the same scenario variations a second time. This is confusing. First NRC wants them once every 6 years (6-year cycle), then says they have to be conducted at least every eight years. While NE has an idea what NRC is requiring, this needs to be clarified if these variations survive scrutiny and the regulation review process.</p> <p>6. As "Hostile action directed against the plant site" is one scenario variation bullet, why does NRC basically repeat itself by adding another scenario variation bullet entitled, "Integration of offsite resources with onsite response" which is basically a hostile action based event scenario?</p>

Page	Para-graph	Comments & Recommendations
27	IV.G	7. Concerning the last entry: Once again, HSEEP presently requires a 5 year planning cycle

		which States and locals that are federally compliant, follow. Thus the 6-year cycle needs to be reduced or this part of the regulation be eliminated.
28	IV.G	The NRC addition of Evaluation Criterion N.1.c "Provisions must be made to start a drill or exercise between 6:00 p.m. and 4:00 a.m. once in every six-year exercise planning cycle. Drills or exercises should be conducted under various weather conditions. Some drills or exercises should be unannounced." appears to be a "back-door" inroad into FEMA's area of responsibility and way to mandate the States and Locals once again conduct such exercises. FEMA in cooperation with their state and local stakeholders determined that because State and Local jurisdictions respond to real emergencies that are both unannounced and which occur during off-hours, there was no need or requirement for offsite organizations to participate in off-hours or unannounced evaluated exercises. NRC/FEMA should not try and re-invent the wheel and in a most underhanded manner re-institute such measures as listed in N.1.c. Who is NRC trying to fool here by stating that N.1.c would only be applicable to the licensee? The FEMA evaluated exercises are held at the same time as the Nuclear Power Station exercises. Thus, NRC would in fact be requiring state and local OROs to participate in off-hours and unannounced exercises! Such exercises would cost a lot more money in overtime expenses and such expenses would have to be budgeted for, thus it would be known that such an exercise is going to happen during the upcoming fiscal year. In addition, State and locals jurisdictions do participate in nuclear power station drills and exercises to maintain proficiency and to assist the nuclear power stations in practicing interaction with their State and local partners. To require off-hours and unannounced exercises and drills would also require the States and locals to participate at these times.
29	IV.G	<ol style="list-style-type: none"> 1. Concerning the list of a wide spectrum of scenario elements, NE once again wants to stress that the element dealing with "Response to a scenario that begins with a Site Area Emergency or General Emergency, or escalates rapidly (within 30 minutes) to a SAE or GE is unacceptable. 2. Concerning the list of a wide spectrum of scenario elements again. The 9th bullet states "Real-time staffing of facilities during off-hours (i.e., 6:00 p.m. to 4:00 a.m.) (need not be performed in an exercise) does not comply with the proposed change to Evaluation Criteria N.1.c listed at the top of page 28.
46	IV.J	The proposed change to NUREG-0654, Appendix 3, Section B.2.d "Utility operators shall identify and develop, in conjunction with State and local officials, both the administrative and physical means for a backup public alert and notification system capable of covering essentially 100% of the population within the entire plume exposure EPZ in the event the primary method is unavailable. The backup means of alert and notification shall be conducted within a reasonable time." is not specific enough. It is too broad and could require the mandatory inclusion of any present or new technological widget at the whim of the NRC. Unless this requirement is limited and its meaning defined more specifically, NE would find this unacceptable.
46	IV.J	NRC first states "Assurance of continued notification capability may be verified on a statistical basis." In the very next sentence NRC states "Every year, or in conjunction with an exercise of the facility, FEMA, in cooperation with the utility operator, and/or State and local governments will take a statistical sample of the residents of all areas within about 10 miles to assess the public's ability to hear or receive the alerting signal and their awareness of the meaning of the prompt notification message as well as the availability of information on what to do in an emergency. NE is just wondering what is really the intent here? "May" verify or "Will" verify?

NEBRASKA EMERGENCY MANAGEMENT AGENCY
Review of FEMA Rule Making For NUREG-0654/REP-1, Sup 4
Docket ID FEMA-2008-0022

Page Ref.	Comment	Potential Impact
Document	<p>General Comment # 1: NIMS/ ICS are already covered by other Department of Homeland Security (DHS) publications, The National Incident Management Systems (NIMS) and the National Response Framework (NRF) which are regulated and certified by the State of Nebraska. Local plans and procedures were certified as NIMS compliant by the Governor of Nebraska through the Nebraska Emergency Management Agency (NEMA) during 2005. Requirements beyond those certified by the Governor of Nebraska should not be required in any local jurisdiction just because of proximity to a Nuclear Power Station.</p>	<p>These potential changes to local plans would not be in compliance with templates for local planning designated/certified, by the NEMA and codified in law by the State of Nebraska. Further, these potential requirements would make seven Nebraska counties prepare local planning documents that go beyond required NEMA guidance and hence do not correspond to the other 86 counties of the State of Nebraska.</p>
Document	<p>General Comment #2: The pre-conditioned response by local jurisdictions mentioned by the NRC and FEMA has been driven by unrealistic scenarios required by NRC/FEMA in order to exercise the full Offsite Response Organization (ORO). Approximately 30 years of negative conditioning by the NRC/FEMA always requiring exercises to go beyond reasonable/logical potential release scenarios to a mandatory GENERAL EMERGENCY (GE) is the cause of this pre-conditioning. Since the incident at Three Mile Island and primarily due to robust safety systems and controls, extensive plant maintenance requirements/operations, and a safety mindedness that leads/exceeds other commercial industrial operations, there has not been a GE in the entire U.S. nuclear industry.</p>	<p>Pre-conditioning will continue due to regulatory requirements to exercise/grade the entire ORO rather than have realistic scenarios.</p> <p>Realistic scenarios are not part of the current exercise program that far exceeds NRC estimates of a potential accident/incident at a commercial nuclear power facility that would produce an offsite release of radiation that would exceed U.S. Environmental Protection Agency (EPA) Protective Action Guidelines (PAGs).</p>

Page Ref.	Comment	Potential Impact
Page 2	<p>Ref I.A.II: National Preparedness Initiatives have been integrated into ORO local emergency response plans and radiological emergency response plans and activities as directed by DHS through NEMA. NEMA certifies compliance of local planning standards through the development of local planning guidance and designated templates for the State of Nebraska that meet the requirement of NIMS/ICS, comply with the National Exercise Program and incorporate the use of the Homeland Security Exercise Evaluation Program (HSEEP) into local planning/exercises and emergency operations.</p>	<p>Requirements beyond those required by the State of Nebraska for only seven (7) Nebraska as counties exceeds the authority of NRC/FEMA and places a heavy additional regulatory burden on small counties with limited Emergency Management planning and operational staffing.</p>
Page 2	<p>Ref I.A.III: The relationship between nuclear power stations and local jurisdictions constituting the ORO has been well documented, practiced, and evaluated by FEMA for years. The insertion of NRC inspection of the OROs beyond those belonging specifically to the Licensee is a new requirement that is an increase in regulatory intrusion into local planning and operational requirements that is regulated by the sovereign State of Nebraska and a violation of the 10th Amendment to the Constitution of the United States. Memorandums of Understanding (MOUs) between Nebraska counties for a broad range of contingencies (All Hazard) are the responsibility of the sovereign State of Nebraska, designated Councils of Government (COGs), and the local jurisdictions. Hostile action-based (HAB) events are already part of local jurisdiction planning and operational efforts in an Annex dealing specifically with Terrorism and designated as a required planning document by Nebraska. Traffic Control Points (TCPs) and route alerting, etc. are portions of FEMA biennial evaluations that have been inspected on a routine basis for many years.</p>	<p>Another Federal agency (NRC) with potential impact on local planning and operations.</p> <p>Leave all offsite evaluation of non-Licensee assets to the no-fault HSEEP evaluation process established by the Department of Homeland Security under Presidential Directive.</p> <p>HAB events are contingencies already in place in Nebraska counties as a result of the events of 9/11/2001. Annex H, Appendix 1 (Terrorism) to local jurisdiction planning documents covers terrorism events to include terrorist attacks using a variety of weapons, explosives, and chemical and biological agents.</p> <p>Revision of local jurisdiction plans to meet specific HAB requirements is not beyond the current requirements of the State of Nebraska and locally established MOUs. However, "back fill" requirements for forces deployed to the nuclear power station in the event of a HAB do not specify how far into surrounding counties this requirement may be evaluated. Is the intent to include all counties in the 50-mile EPZ or only counties and non-governmental organizations immediately outside of the 10-mile EPZ? This open-ended</p>

Page Ref.	Comment	Potential Impact
Page 2	Ref I.A.III:	requirement may place an excessive manpower and financial burden on Licensees and local jurisdictions at a time of severe economic impact. Additional training support to and participation in drills and exercises involving the Nuclear Power Station could greatly impact governmental resources (Sheriff’s Department, police, fire, and EMS) in local jurisdictions that are currently being forced to down-size due to losses in tax base and other fiscal considerations. During the hours of darkness only one deputy may be available in some counties; therefore leaving that jurisdiction would require notification of additional manpower. Other specialized resources, i.e., bomb squads are in limited supply and may or may not be withheld if a HAB event could lead to action within the jurisdictions owning the bomb squad or other specialized response units.
Page 2	Ref I.A.IV: “Challenging Drills and Exercises” evidently does not correspond to realistic drills and exercises. The predictability of biennial exercises will not change due to the addition of new scenario variables, varied release conditions, non-sequential escalation of emergency classification levels (ECLs) and the incorporation of HAB events. The “New” additions seem to be a not so subtle attempt to incorporate the “Fast-breaker” into regulatory evaluation. As the document clearly states, “. . . it may be necessary to reach General Emergency classification in order to drive offsite response.” So much for predictability! The inclusion of a new 8-year HAB cycle in addition to the 6-year biennial evaluation cycle does nothing to preclude predictability and hence pre-conditioning of OROs. The mix of 6-year and 8-year cycles overlaps in regard to the rapid escalation of the ECL. Local jurisdictions DO NOT have dedicated planning staff that could not be used during a drill or exercise to meet HSEEP requirements on dedicated, non-playing exercise planners. Positions in small Nebraska counties are bare-bones with	Severe manpower and fiscal constraints for ORO local jurisdictions to meet HSEEP planning requirements. Small Nebraska counties do not have the luxury to have excess planners to become dedicated planners and not perform operational assignments during an emergency drill or exercise. The 6 and 8- year requirements are confusing when the rapid escalation feature is a designated part of both cycles. Licensees are unfairly hamstrung in being unable to perform emergency maintenance procedures designed to mitigate or prevent a release of radiation offsite. This lack of scenario realism definitely impacts Licensee emergency maintenance operations and creates a false allusion for OROs that a release is always going to be an outcome in any drill or exercise that involves evaluation by FEMA staff. If participation by the entire ORO is to be a required part of the FEMA evaluation, this should become an out-of-sequence event, similar to MS-1 drills and Receptions Center evaluations

Page Ref.	Comment	Potential Impact
Page 2	Ref I.A.IV Continued: personnel wearing many hats and performing many functions simultaneously.	
Page 4	Ref I.C.II.a, line 4, word 10: What does the word “should” mean with regard to evaluation by FEMA during biennial exercises? Regional FEMA regulators hesitated to define this word.	The interpretation can drastically affect relationships between local, state and Licensees if this word is interpreted as “must”.
Page 4	Ref I.C.II.a, line 11, words 5-7: A “catastrophic natural event” is changing the intent of the REP Program to an “All Hazard” evaluation by FEMA REP evaluators. Although FEMA Regions are capable of evaluating “All Hazards” it is doubtful that the FEMA REP Program and contractors would be effective evaluators unless augmented by FEMA Regional staff with a background in “All Hazards” planning and evaluation.	Un-trained evaluators, whether from FEMA REP Program staff or contract staff would not meet the intent of the National Evaluation Program (NEP) and fail to provide valid evaluation of OROs performing in accordance with State of Nebraska requirements provided through NEMA.
Pages 6 &7	Ref III. Line 35 and Line 1: “Emergency response plans and procedures should be revised to incorporate these elements.” Again what does the word “should” entail? This seems to refer to Jurisdiction “All Hazard” plans and supporting procedures. Or is this only referring to the addition of specific language referring to HAB events at the Nuclear Power Station?	The specific language addressing HAB events is only a creation of the NRC/FEMA REP Program and is not reflected in DHS guidance to Federal, State and local jurisdiction concerning NRP, NIMS/ICS, or State and local planning requirements. The addition of this terminology would not be compatible with NIMS/ICS and could lead to confusion in dealing with potential responders from the State or local jurisdictions beyond the 10-mile EPZ.
Page 7	Ref III, multiple references: “Alternate Personnel” Who are the defined “alternate personnel?” Who maintains the identified roster”? What training is required for “Alternate Personnel”?	Maintaining rosters of “alternate personnel” would be a staffing and time drain for OROs and those potentially responding personnel from beyond the 10-mile EPZ. Notification of staff that is not on duty places a great burden on dispatch facilities on a 24-hour basis. Many dispatch facilities are manned by only one dispatcher for police, fire, and EMS during the hours of darkness. Calling in extra dispatch staff to make these notifications would be very time consuming and potentially violating strict overtime policies being enforced due to the current economic situation in most departments and jurisdictions. Therefore, all personnel

Page Ref.	Comment	Potential Impact
Page 7	Ref III, multiple references Continued:	<p>should be trained as potential responders, again causing potential overtime overruns.</p> <p>Training of “Alternate Personnel” will place an additional burden on surrounding counties due to both personnel issues and fiscal constraints.</p> <p>MOUs between governmental bodies are put in place by elected officials. The Licensee may or may not be able to influence local officials to establish specific MOUs between jurisdiction and local government and non-governmental organizations.</p>
Page 8	<p>Ref IV. Lines 1 and 2. Anticipatory responses and preconditioning of exercise participants. All training conducted for a potential radiological release is designed to precondition responders to tasks that will have to be accomplished during drill, exercise or actual response to a radiological release affecting OROs. During extent-of-play (EOP) development, FEMA has been the driving force behind most of the listed “predictable features” included in the supplement. This is not likely to change unless FEMA becomes part of the HSEEP team that will develop biennial exercises. This will cause FEMA to abandon Guidance Memorandum # 8 and become a team player. Since Regional FEMA Headquarters now have dedicated Planners designated as the lead for each plant, that Planner should become part of the development team. This will preclude the usual back-and-forth between FEMA, the State, the local jurisdictions and the Licensee that comes after initial submission of scenario and extent of play documents. “Enhancements to Emergency Preparedness” means greater regulatory control, hence additional requirements in the development and progress of exercises. The guise of FEMA becoming an evaluator of “all-hazards” events will require additional staffing to properly</p>	<p>Scenario and EOP development needs to become a joint effort between FEMA, the State, local jurisdictions, and the Licensee. The multiple revisions to the EOP document have been very time consuming and have nearly delayed drills of exercises due to delays in timely reviews by FEMA staff. This can be precluded by “making” the FEMA Planner with Station responsibility part of the development team.</p>

Page Ref.	Comment	Potential Impact
Page 8	<p>Ref IV. Lines 1 and 2 Continued: evaluate biennial exercises. Much of this evaluation is actually within the realm of the State of Texas who has been designated to certify NIMS compliance by local jurisdictions.</p>	
Page 9	<p>Ref IV.1. Paragraph 2. Eight year cycle and escalated ECL. Evidently this is intended to be a HAB event. However, this once again discusses EOP negotiations. This is a major time consumer of the State, local jurisdictions and the Licensee because FEMA will not talk “directly” with the Licensee. This is based on the old GM-8 which needs to be discarded. FEMA needs to participate face-to-face with the ORO, State and Licensee when developing scenarios and EOP documentation. The number of FEMA evaluators and NRC inspectors has taken a big jump in the last several years while the local jurisdictions and Licensee have cut staffing due to the economy, costs, and profits.</p> <p>“In a real event, the problem may be contained early in the response such that a General Emergency is never, reached, and therefore may not have required an evacuation.”</p>	<p>Negotiations need to be conducted face-to-face between FEMA, the State, local jurisdictions and the Licensee to streamline the EOP development process. FEMA’s refusal to talk with the Licensee slows the entire process.</p> <p>Adding a new type of “fast-breaker” scenario does not improve the evaluation process.</p> <p>Recommend combining the 6-year cycle and the 8-year cycle into a 12 year cycle. Evaluated exercise should be conducted only one every three years with accompanying MS-1 drill and Reception Center exercise being conducted only once every 3 years. Time and personnel used to conduct the exercises are very costly to local jurisdictions operating on limited budgets. The expense of these exercises target only seven counties of 93 counties in Nebraska and causes undue regulatory hardship for these small counties operating on reduced budgets. These exercises are imposed on top of State and Regional requirements. Historical data supports the validity of training while the absence of accidents/ incidents during the past 30 years resulting in a release of radiation offsite demonstrate the safety of Licensee operations and the robust safety systems of licensed nuclear power plants.</p> <p>The “Fast-breaker concept was <u>rejected years ago</u>.</p> <p>Offsite response from local jurisdictions, the State, and NGO has not been a problem identified during biennial exercises.</p> <p>The exercise cycle based upon NRC estimates of an accident</p>

Page Ref.	Comment	Potential Impact
Page 9	Ref IV.1. Paragraph 2 Continued.	which would produce an offsite release verify that a potential release is very remote. Therefore, OROs should not be subjected to repeated short-cycle exercises on a routine basis. A 3-year exercise cycle is more realistic based upon industry performance and ORO proven abilities.
Page 10	<p>Ref IV.2. Scenario development and release options. FEMA Regional Headquarters should become part of the planning process by utilizing their plant specific planner as an exercise planner. Sitting at the table with planners from the State, local jurisdictions, NGOs and the Licensee would give them both training and an appreciation of the efforts required to build the exercise. Recently added FEMA inspectors have a lack of radiological backgrounds and require additional training before being allowed to run an evaluation. Realism in potential radiological releases has never been a valid part of exercise planning. The difficulty in achieving a radiological release with today's robust safety systems is never considered. Hence, realism is thrown out before the scenario and EOP are ever written. More exercises should be conducted that involve no radiological release or a minimal radiological release that does not require public protective actions.</p> <p>Realistic risk analysis demonstrates that release scenarios on beyond reasonable estimates of potential release options predicted by the NRC. All-hazard analysis does not support a preponderance of scenarios where an actual release of radiation offsite would occur. A 12-year cycle with evaluated exercises occurring every three years and supporting operations, i.e., MS-1 drills, and Receptions Center exercise occurring at 1 ½ year intervals is a much more valid exercise program.</p> <p>Training for a radiological release is conducted locally by the Licensee on an annual basis for all OROs as documented in the</p>	<p>No release or minimal release options would allow OROs to perform routine duties in their local jurisdictions. This is the job they are really paid to perform. Emergency Management duties are practiced in State and Regional exercises or performed in response to real "all-hazard" events that require real action.</p> <p>FEMA evaluations have in the past several years become very adversarial with evaluators not taking into account players logs of actions performed when simultaneous actions have been performed that are not observed by the evaluators. New evaluators have been rushed into evaluations of exercises of which they have no concept. Contract evaluators in some cases have no concept of new technologies in use in modern emergency management.</p> <p>FEMA will require additional evaluation staff to perform valid evaluations involving NIMS/ICS, the NRF, and HAB events. Minimal classroom training is no substitute for the knowledge and experience necessary to evaluate competent elected officials and public employees performing in their Emergency Support Functions (ESF).</p> <p>Nuclear Power Stations are receiving no benefit for paying the annual bills of the FEMA REP Program without the capability to directly dialogue in two-way conversation due to GM # 8. GM # 8 should be deleted as a reference in the FEMA REP Manual.</p>

Page Ref.	Comment	Potential Impact
Page 10	Ref IV.2 Continued: Annual Letter of Certification. Therefore, realistic release options should only be included in ½ of the evaluated scenarios developed for the 12 year cycle. This would still constitute overkill of actual realistic release options.	FEMA REP should have a Planner included in the HSEEP planning process who has authority to make decision concerning scenario and EOP development and approval.
Page 10	Ref IV.3. Varying release conditions. Is this realism or a new source for pre-conditioning? Wind shift has become to new NRC “gotcha”, based upon recent inspection results. Realism should be a consideration. Prevailing wind direction and speed, along with prevailing stability class should be used during most exercises. Wind shifts should occur only if necessitated by realist wind shifts in prevailing local jurisdictions	Use of realistic wind and weather data will allow local OROs to exercise in conditions which “normally” occur in their jurisdiction. Practicing unusual weather conditions just to affect a specific population center or achieve specific Protective Action Recommendations (PARs) detracts from exercise realism and takes us back to pre-conditioning, i.e., using un-realistic scenarios to drive a desired outcome. If these are NOT requirements – why have they been included in this publication?
Pages 10, 11 and 12	Ref IV.4. Initiating Events and exercise cycles. Addition of the HAB event is a valid initiating condition in the times in which we live. Natural hazards may not achieve the desired release conditions due to the robust design criteria required under the NRC licensing process.	Combine the 6-year and 8-year cycles into a new 12-year cycle. However, as OROs and the Licensee progress through these requirements, it with become predictable to determine what “has” to happen during future exercise periods.
Pages 12 through 15	<p>Ref V. Backup means for alerting and notification systems. Timeframes? 100% notification. What is the requirement?</p> <p>What technologies will be considered?</p> <p>What does “essentially 100%” of the population constitute?</p>	<p>When do the clocks commence for timing the Alert and Notification System (ANS)? Is there a change?</p> <p>The addition of NUREG-0654/FEMA-REP-1, Appendix 3, Section B.2 d) is not reasonable or appropriate. Local jurisdictions are responsible for warning the public based upon State guidance and Annexes developed for local jurisdictions. The Nuclear Power Station should not perform, nor will they be allowed to perform a governmental function required by Nebraska. Backup means of alert and notification are the responsibility of the local jurisdiction in all-hazard situations.</p> <p>Who defines “reasonable time”?</p>

Page Ref.	Comment	Potential Impact
Pages 12 through 15	Ref V Continued:	<p>Is Route Alerting an adequate backup alerting system?</p> <p>Is backup power going to be a future requirement for fixed sirens?</p>
Page 16	<p>Ref NUREG-0654/FEMA-REP-1, Appendix 3, Section B.2. d)</p> <p>This new requirement should not be included.</p>	<p>The requirement interferes with State guidance and the responsibility of local jurisdictions to perform governmental duties. Requires a private entity to perform a governmental function without recourse to legislation or civil oversight.</p>
Page 16	<p>Ref: "FEMA, in cooperation with the utility operator"</p> <p>FEMA does not cooperate with the utility operator but has developed an adversarial relationship which has worsened in the last several years. GM #8 is a partial cause of distrust. Also the local jurisdictions, hospitals, Reception Centers, and ambulance services do not feel they can trust FEMA as impartial evaluators. FEAM has only proven to create regulatory "requirements" that do not agree with the written word.</p> <p>Who, actually, will take the statistical sample?</p>	<p>Local plans have been developed for alert and notification of the public in an all-hazards environment. Now FEMA is attempting to take that responsibility and make it the responsibility of a private business.</p>
Page 17	<p>Ref Appendix 3, Section C.3.g: The addition of the last paragraph of the publication is unnecessary unless there is an intention to designate an "independent backup means of public notification".</p>	<p>This addition is subject to interpretation by FEMA evaluators. Cost of additional notification systems cannot be expected of the local jurisdictions. Does this mean "Route Alerting"?</p>