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Notice of Availability of NUREG-0654/FEMA-REP-1, Revision 1, Supplement 3, Guidance for Protective Action Recommendations for General Emergencies

Comment On: NRC-2010-0080-0001

NUREG-0654/FEMA-REP-1, Rev. 1, Supplement 3, Guidance for Protective Action Recommendations for General Emergencies; Draft for Comment

Document: NRC-2010-0080-DRAFT-0006

Comment on FR Doc # 2010-04878

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Government Agency: Emergency Management

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General Comment

See Attachment Comments.

Attachments

NRC-2010-0080-DRAFT-0006.1: Comment on FR Doc # 2010-04878

*SUNSI Review Complete
Template = ADM-013*

*F-REDS = ADM-03
Add = R. Sullivan (RX53)*

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Page Ref.	Comment	Potential Impact
	GENERAL COMMENT #1: It appears this is once again an NRC attempt to "back-door" the States and locals in order to get the States and locals to conform with NRC and FEMA views by applying pressure to the utilities.	Continued loss of trust between the Federal Regulators and States and locals.
	GENERAL COMMENT #2: State and local officials have been conducting shelter-in-place and evacuations related other hazmat emergencies for many years now and are pretty well prepared to do so for nuclear power station emergencies as well should the need arise. While the NRC is perfectly within its rights to conduct studies and its staff agree or disagree with those studies, the NRC has no authority to direct State and locals in what protective actions they should take. Trying to apply pressure to States and Locals thru rules and regulations on the Utilities to comply with NRC and FEMA views not appropriate.	Could result in the loss of nuclear power plants when the nation needs more nuclear power instead of less. Will result in loss of participation by volunteer emergency first responder agencies.
	GENERAL COMMENT #3: Trying to write plans, procedures, and messages for all possible contingencies only piles more paper into present plans and procedures.	Emergency management and emergency response personnel will refuse to look at them or use them.
	GENERAL COMMENT #4: Every state and local governmental agency desires to ensure that it has the capability to protect the health and safety of the public and its citizens. However, the changes recommended by the NRC/FEMA such as inserting or re-inserting the "Fast-Breaking", "HAB Event", "No-Notice" and "After-Hours" exercises only serves to place more of a burden on the States and Locals for planning and to prove they can pass an exercise. In a real event, notifying the public is going to take as long as our political leaders decide its going to take. In a real event, people are going to get their information from their favorite news source(s) and not rely on single radio station, no matter what an EAS message says.	

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	<p>GENERAL COMMENT #5: It seemed that this document is very repetitious in that some of what you read in body of the document or it's appendix you see repeated again. What you read in the Appendix, Paragraph 2, you can basically read again in the Appendix, Paragraph 3 and what you read in the Appendix, Paragraph 3 you can read in Paragraph 4 and what you in Paragraph 5 is what you read in Paragraph 4 prior (now you an idea of what it was like reading this!).</p>	<p>Rambles... Makes it difficult to concentrate on what may be important.</p>
<p>Page 1 #1. Introduction</p>	<p>It appears that the horse has already left the barn, in that NUREG 0654, Supplement 4 (Draft) already out for review, basically puts into practice what the Introduction of NUREG 0654, Supplement 3 Draft 2010 would like to have put into practice.</p>	<p>Thus we have "fait accompli"</p>
<p>Page 6, #2. Implementation of Guidance Paragraph 1</p>	<p>As "The PAR Study found that General Emergencies are unlikely events. A General Emergency followed by severe core melt is even more unlikely, and a General Emergency where the containment would rapidly fail is still more unlikely..." Why did the NRC demand in the DRAFT Supplement 4 and FEMA in its FEMA Program Manual that the licensee and OROs have exercises involving basically "Fast-Breaker" incidents????</p>	<p>Again, results in a great distrust of Federal agencies and anything said or represented by them.</p>

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<p>Page 6, Paragraph 2.3 "Precautionary Protective Actions at Site Area Emergency", first sub-paragraph</p>	<p>It states, "The NRC does not require precautionary protective actions in response to Site Area Emergency or lesser emergency classifications. However, OROs at many sites already plan precautionary actions upon declaration of a Site Area Emergency..." It is strongly recommended that NRC consult with it's Federal counterpart, FEMA, concerning this statement. While FEMA may deny it, it has been our experience that FEMA wants to see precautionary protective actions at the SAE and if none are taken during exercises, then it becomes a planning issue or worse, to ensure that actions are taken at the SAE.</p>	<p>Creates confusion between what one Federal agency states and another then mandates.</p>
<p>Page 7, Paragraph 2.3 "Precautionary Protective Actions at Site Area Emergency", third sub-paragraph</p>	<p>It states, "The NRC does not recommend that precautionary protective actions be automatic at the Site Area Emergency level..... The NRC recommends that OROs consider implementation of precautionary protective actions appropriate for their locale following a Site Area Emergency declaration after conferring with licensee personnel regarding the nature of the event and the likelihood of core degradation." Again, it is strongly recommended that NRC consult with it's Federal counterpart, FEMA, concerning this statement. While FEMA may deny it, it has been our experience that FEMA wants to see automatic precautionary protective actions at the SAE and if none are taken during exercises, then it becomes a planning issue or worse, to ensure that actions are taken. In addition, during a recent HAB exercise where it has been the Dept. of Health's SOP to call the control room to ascertain plant status, the plant personnel now state that control room personnel may be too busy to talk with State personnel during such incidents. So, NRC, how are State personnel to confer with licensee personnel to determine appropriate protective actions?</p>	<p>Creates confusion between what one Federal agency states and another then mandates. Creates confusion on what NRC says and what the States and locals are to do. Also it creates confusion as to what the NRC says and what the Utilities say they can do.</p>

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Page A-1, Appendix "Effective Communication with the Public to Support Emergency Preparedness and Response"	The information provided in the appendix applies to the ORO's and is not applicable to the utilities. The information pertains to everything that is an ORO's responsibility, not the Utility's. The information pertained in the appendix has always been under the oversight of FEMA and it now appears that the NRC is creeping into FEMA's area of responsibility. It also appears that the NRC is in the initial process of trying to "back-door" their regulatory oversight authority on off-site agencies by applying pressure to the utilities to make the utilities responsible for what are actually ORO responsibilities.	Loss of nuclear power stations as ORO's may not go along with the NRC. Loss of emergency first responder agencies who are tired of federal interference and mandates.
Page A-1, Paragraph "1. Purpose"	The last sentence of this paragraph states, "This communications appendix is intended to be fully consistent with, and complementary to, the Federal Emergency Management Agency (FEMA) guidance." Maybe the NRC has some idea what the FEMA guidance is, or is going to be, but at the present time, FEMA has failed to publish via the Federal Register, the public comments on the draft of the FEMA Program Guidance Manual or publish the actual manual itself. So how can NRC say the appendix is fully consistent with and complementary to FEMA guidance. In addition, how can the NRC and we, the general public, intelligently comment on this statement. Right now, NRC guidance may not be consistent with, and complementary to, FEMA guidance.	Creates confusion between what one Federal agency states and another then mandates.

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Page A-2, Paragraph "2.1 Public Response" Bullet #4	Bullet # 4 states, "Time--Inform the public how long they have to implement protective actions and why the time is important. In most instances, immediate and urgent response would not be needed, and messages should convey that residents have time to prepare and evacuate." If the message says evacuate the area by such and such a time, and then something unforeseen happens requiring the sirens to sound and another message to go out saying evacuate immediately, it creates doubt in the public's mind about whom to trust. If there is not an urgent need to evacuate, then tell the public they may need to evacuate later and prepare for such a contingency. Don't tell them they have to evacuate and give them a time.	Following NRC direction leaves States and locals wide open to public distrust and severe criticism.

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Page A-3, Paragraph "2.1 Public Response, last sub-paragraph.	This paragraph states, "The frequency of messaging is also important, because the number of times a message is heard affects understanding and belief. This increases confidence that the message is understood and decreases the opportunity for misinterpretation. Communications with the public during emergencies should be expeditiously address information needs to minimize the time individuals take to verify information and implement a protective action." While the frequency of messaging is important, the statement is misleading, in that one must be careful not to rebroadcast the message too often or lose the attention of the audience one is trying to protect. It seems pretty obvious that the study failed to talk with radio broadcasters or National Weather Service personnel who put out watches and warning all the time for HazMat and Severe Weather. According to radio personalities and NWS personnel who have dealt with other emergency broadcasts on a regular basis, one should broadcast the special news broadcast message 3 or 4 time over 30 to 60 minutes and allow the radio and TV personalities fill in the gaps with discuss of what is happening, instead of just repeatedly	Information Overload; loss of public interest.

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<p>Page A-6 to A-7, Paragraph "3. Public Information Materials", last bullet on the page.</p>	<p>The bullet states, "Explanation regarding what to do with pets. Information materials typically state that pets should be left at home or that pets are not allowed at congregate care centers. Research shows that residents are more likely to comply with an evacuation order if they can bring their pet (NRC, 2005; NRC, 2008a), thus, public information materials should not suggest that pets be left at home. Statements such as "pets may be brought to congregate care centers, provided they remain in pet carrier, in the vehicle or outside at all times," informs the recipient that pets may evacuate with the family but restrictions apply. The policy on pets must be discussed with the operator of the congregate care centers, as some operators do place restrictions on pets." #1) People need to take responsibility for their pets - knowing that not all people are responsible, means they will be problems, no matter what is said or done. #2) DHS and FEMA only require that the States consider pets in their plans, NRC cannot require what information is or is not put in messages by state or local authorities. #3) The NRC suggestion that pet</p>	<p>NRC not following DHS and FEMA guidance on pets.</p>

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Page A-7, Paragraph "3.1 Heightened Preparedness"	The paragraph states, "Heightened preparedness should be formally established as a protective action. The alert and notification that occurs by sounding sirens (or other alerting devices) and broadcasting EAS messages initiates the implementation of a heightened preparedness for those within the EPZ. Public information material should describe the concept of heightened preparedness, introduced in this update to Supplement 3." It seems that FEMA already requires this, at least informally, at the Site Area Emergency by demanding that the States follow up the EAS message with a Special News Broadcast Message on what precautionary protective actions should be taken, what actions are being taken by state and local authorities, etc. If NRC was not aware of this, maybe closer consultation with FEMA counterparts would be in order. The State of Nebraska does not feel formalizing "Heightened Preparedness" as a protective action is necessary and formalizing it would just create an additional unnecessary burden on both the States and Local Governments. It would also create confusion as there is no guidance	One Federal Agency not talking with the other. Would create confusion as to when to put "official 'Heightened Preparedness' protective action in place".
A-8, Paragraph "3.3 Staged Evacuation"	This paragraph states, "Staged evacuation, introduced in this update to Supplement 3, is the preferred initial protective action in response to a General Emergency because it is more protective of the public health and safety than other actions (NRC, 2007)." The NRC study may be correct for highly populated areas. However, for unpopulated areas around the nuclear power stations, might it be safer to evacuate everyone at once? This paragraph does not identify whose preferred method this is, is it the NRC's? FEMA's? EPA's?	Confusion as to who is dictating evacuation policy, the Federal Government, specifically the NRC, FEMA, or EPA? Leads one to question the planning guidance because of the vagueness of statements and creates confusion within State and local agencies.

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A-9, Paragraph "3.6 Shelter-in-Place"	Question: What if it is State policy to evacuate and only shelter-in-place as a last resort? NRC needs to rethink this. When it is 80 to 100 degrees outside, people who are instructed to shelter-in-place in most instances will not turn off A/C, seal windows and doors. Once again NRC is getting into the weeds on what needs to be in a plan and in messages.	Confusion as to who is dictating evacuation policy, the Federal Government, specifically the NRC, FEMA, or EPA? Leads one to question the planning guidance because of the vagueness of statements and creates confusion within State and local agencies.
Page A-10, Paragraph "3.7 Special Needs Individuals"	Per sub-paragraph one if one can understand this right: According to NRC research, 8% of the population of an EPZ (let's say the EPZ has 100 people) may require assistance, (8 people). NRC research further states that a quarter of those 8% (2 people) could evacuate on their own, leaving 6% (or 6 people) who will need assistance. NRC research then "indicates" that of that 6%, only 29% (thats 1.74 persons) have registered with local authorities. NRC research further indicates another 29% of the that 6% (again, that is 1.74 persons) don't know how to register. What has happened to the other 2.52 people of the six people that need assistance with evacuation? Survey numbers can be made to mean whatever a sponsoring agency wants them to mean. Having less then two people in 100 not knowing how to register is probably a very good response considering the population variables.	Meaningless Hyperbole creating confusion trying to impact planning guidance.

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Page A-10, Paragraph "3.7 Special Needs Individuals"	Sub-Paragraph 2 states "Although most EPZ residents have reviewed the public information brochures(NRC), 2008b), of those who stated they may need evacuation assistance, 42 percent indicated they did not know they could register." Does the statement, "most EPZ residents have reviewed the public information brochure.." mean of all people living in the EPZ or just those with special needs? Does the statement "of those show stated they may need evacuation assistance, 42 percent indicate they did not know they could register." mean 42 percent of everyone within the EPZ or just of the Special Needs Population? If this 42 percent is of the Special Needs Population, it does not equate with the previous sub-paragraph where there is the discussion of only 29% of the 6% requiring assistance in evacuating.	Very confusing and written to try and justify NRC desires further into this paragraph.
Page A-12, Paragraph "4. Emergency Alerting and Instructions"	If the NRC and FEMA are going to want additional information in messages and additional messages developed, prescribed, and prerecorded, then the NRC and FEMA had better be prepared to provide funding for personnel needed to meet the new requirements or else be prepared to send Federal REP planners to assist State and Local jurisdictions in writing them. You can not have pre-scripted and pre-recorded messages for every contingency. Not only would paper copies of these fill filing cabinets if it was attempted, but no one could find the proper message in the applicable time limit allowed by FEMA.	Unfunded mandate. Possibly unmet mandate. Trying to have messages for every contingency requires more time and effort as well as more paper than many States and local jurisdictions can afford.

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<p>Page A-12, Paragraph "4. Emergency Alerting and Instructions"</p>	<p>The last two sentences read, "Additional tools are available and used by some OROs, including publishing information on emergency management Web sites, blast texting emergency notices using cell phone messaging systems, and establishing emergency management Internet blogs. Tools such as these should be considered, as their use is expanding and can cost effective." The last sentence should read, "Tools such as these that these should not be considered, as their inappropriate use is expanding and can be very costly." It appears the NRC has not talked with the FBI concerning the use of "texting", "blogs", "Face book", etc. and the NRC needs to do so immediately. In addition, using these forms of communication with the public all take manpower which many agencies just do not have. Further, use of cell phones is already frowned upon by FEMA and cell towers could be overloaded by mass texting and by public use in contacting family members, etc. This recommendation has not been well thought out or researched.</p>	<p>Means of communicating with the public and use of computers could be adversely affected by this recommendation.</p>
<p>Page A-12, Paragraph "4.2 Ongoing Communication s during an Emergency"</p>	<p>The first sub-paragraph states, "The length of time during which the public will be expected to monitor a situation should be mentioned as early in the communication as practical. If the initial notification to the general public is at Site Area Emergency (SAE), it may be hours before there is new information available that is substantively different than the original message. It is important to maintain a current status of the emergency with the public through frequent and scheduled updates, even when there is no measurable or definable change in the emergency status." Define frequent, and are updates by having news media briefing at the JIC satisfactory? Provide more information on what you are suggesting.</p>	<p>Loss of public interest due to information overload.</p>

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<p>Page A-12, Paragraph 4.2 Sub-Paragraph 2</p>	<p>This paragraph states, "The national survey of residents of EPZs (NRC, 2008b) found that less than 30 percent of the residents believe they would monitor an emergency event for more than four hours. Thus, for an emergency in which it may be necessary to ask the public to monitor the situation for many hours, it is important to convey the reason for such a lengthy monitoring period and to assure the public that , as events unfold, there will be time to implement protective actions." Once again, if you continuously repeat information, people have more of a tendency to turn off the radio/TV or switch to a different station. It has nothing to do with "Trust" or "Assurance". This is the electronic information age where everything comes at individuals at lightening speed. Humans are going to digest the information they receive and if it continues to be old information, they are going to get bored real fast and switch radio/TV stations or turn on the DVD player, etc. It's that, or people are going to self-evacuate even though there may be no hazard at that time to the general public.</p>	<p>Loss of public interest due to information overload.</p>
<p>Page A-13, Paragraph 4.2.1 "Sheltering-in-Place Message"</p>	<p>In Sub-Paragraph 1, it states, "An impediment to shelter-in-place may include loss of power or loss of communication systems. When these systems are not available to inform the public to take shelter and subsequently to inform the public when to exit the shelter and evacuate, then the effectiveness of shelter-in-place as a protective action may not be achieved." Is this not already stating the obvious? In addition, if one insists on putting this statement in the new Sup 3, then look at Paragraph 3.6 "Shelter-in-Place" on page A-9.</p>	<p>This statement could very well be considered an affront to State and Local Planners who deal with such considerations every day.</p>

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Page A-13, Paragraph 4.2.1 "Sheltering-in-Place Message"	In Sub-Paragraph 2, it states, "Messages should address locations at which people might be sheltering such as at home, work, or other locations." Whoever is writing this, must be new to the Radiological Emergency Preparedness (REP) program. One would think that adults living and/or working in the 10-mile EPZ of a nuclear power station would know where and if necessary how to "shelter-in-place". Also, if one does not know then it would seem prudent that as an adult, one would ask or look in the public information brochure. To have to load an alert warning and notification message down with extraneous information, detracts from the most important fact that one is directed to seek shelter immediately.	This statement could very well be considered an affront to those people who live and work within the 10-mile EPZ as well as to the State and Local Planners who deal with such considerations every day.

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<p>Page A-13, Paragraph 4.2.2 "Evacuation Message"</p>	<p>This paragraph states, "It should be recognized that, even if an evacuation is ordered immediately, the mobilization of residents and their travel to exit the EPZ takes time. During this period, instructions and communication to the public should be continuous and informative regarding the status of the incident." While the frequency of messaging is important, the statement is misleading, in that one must be careful not to rebroadcast the message too often or lose the attention of the audience one is trying to protect. Again, it seems pretty obvious that the study failed to talk with radio broadcasters or National Weather Service personnel who put out watches and warning all the time for HazMat and Severe Weather. According to radio personalities and NWS personnel who have dealt with other emergency broadcasts on a regular basis, one should broadcast the special news broadcast message 3 or 4 time over 30 to 60 minutes and allow the radio and TV personalities fill in the gaps with discuss of what is happening, instead of just repeatedly reading it. If you continuously repeat the message, people have more of a tend</p>	<p>NRC and FEMA can dictate all they want for plans and make exercises hard, but when it comes to an actual event, State and local political leaders will decide when, what, where, and how much information is to be broadcast and not necessarily follow "The Plans" which have been created to address unrealistic expectations of NRC and FEMA guidance.</p>

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Page A-15 through A-17, Paragraphs 4.2.2.1; 4.2.2.2; 4.2.2.3; 4.2.2.4; 4.2.2.5; and 4.2.2.6	Talk about confusing the public! Based on NRC guidance, one could put out a message requiring a School Evacuation, immediately followed by a Staged Evacuation Message for the 2-mile area, but wait, moms and dads are rushing to get their kids from school, and now fighting traffic from the two mile area. Then the Shadow evacuation message goes out, and now the people in the two-mile area aren't sure if they are supposed to evacuate or if they are to remain in place. This doesn't count the Transit Dependent Evacuation Message, the Special Needs Residents Not Residing in Special Facilities or the Special Facilities Evacuation Messages which also could add confusion and broadcast time so that one cannot get the "Staged Evacuation" message repeated at all!	NRC needs to understand that flooding the public with too many messages in a short period of time on too many subjects is going to cause mass confusion.
Page A-18, Paragraph 5 "Additional Guidance For More Effective Messaging"	Once again, it appears the NRC has not talked with the FBI concerning the use of "texting", "blogs", "Face book", etc. and the NRC needs to do so immediately. In addition, using these forms of communication with the public all take manpower which many agencies just do not have. Further, use of cell phones is already frowned upon by FEMA and cell towers could be overloaded by mass texting and by public use in contacting family members, etc. This recommendation has not been well thought out or researched.	The Feds need to talk with each other... what happened to the Federal Fusion Center?
Additional Comment #1:	Nebraska has reviewed the comments submitted by the New Jersey Dept. of Environmental Protection and concurs with each of the four (4) points made in the Director's letter concerning NUREG-0654/FEMA-REP-1, Rev. 1, Supplement 3, "Guidance for Protective Action Action Recommendations for General Emergencies"; Draft for Comment published in Federal Register/Vol. 75, No. 44/Monday, March 8, 2010.	

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Additional Comment #2:	Nebraska has reviewed the questions and comments submitted by the "Conference of Radiation Control Program Directors (CRCPD) and concurs with each of the 11 points made to the NRC concerning NUREG-0654/FEMA-REP-1, Rev. 1, Supplement 3, "Guidance for Protective Action Action Recommendations for General Emergencies"; Draft for Comment published in Federal Register/Vol. 75, No. 44/Monday, March 8, 2010.	