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COMMONWEALTH of VIRGINIA

Karen Remley, MD, MBA, FAAP
State Health Commissioner

Department of Health
P O BOX 2448
RICHMOND, VA 23218

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TTY 7-1-1 OR
1-800-828-1120

May 4, 2010

75 FR 10524

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Michael T. Lesar, Chief, Rulemaking and Directives
Branch (RDB), Division of Administrative Services,
Office of Administration, Mail Stop: TWB-05-B01M,
U.S. Nuclear Regulatory Commission,
Washington, DC 20555-0001

RE: Docket ID NRC-2010-0080

Dear Mr. Lesar:

I have prepared the following comments regarding NUREG-0654/FEMA-REP-1, Rev. 1, Supplement 3, Guidance for Protective Action Recommendations for General Emergencies; Draft for Comment:

- The development of the initial protective action recommendation to evacuate versus shelter-in-place will require knowledge of the Evacuation Time Estimates for 90% of the population (ETE90%). This information may not be readily available and may require significant resources for the States to obtain the data. Additional guidance may be required to use existing data based on ETE 100% or other values and derive the ETE 90%.
- Recommendation: Define "preferential sheltering" Can this type of shelter be a designated public building or a building accessible to the public? Is there an expectation that a local government provide staffing to operate such a shelter?

Since the NRC is seeking comment on the technical content of draft Supplement 3 as well as its implementation schedule. I will also comment that the Virginia Department of Health will support the utility and Department of Emergency Management's efforts to implement the guidance when it becomes final. My understanding is the Commonwealth of Virginia intends to implement the final guidance within one year from the publication date of the final guidance. If the published date of the final guidance will be in mid-2011. The earliest evaluated exercise that the new guidance can be used is the North Anna

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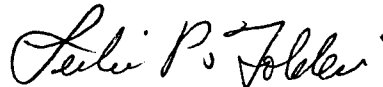
E-RIDS = Adm-03
Add: R. Sullivan (rxs3)

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exercise scheduled for July 2012. If the publication date is after July 2011, then the new guidance will be used in the Surry exercise in July 2013. Adoption of the guidance earlier than one year will be predicated on the state's resources to obtain current data for the Evacuation Time Estimates at 90% (ETE90%), which will support decisions for evacuation versus shelter-in-place.

Thank you for your consideration of my comments. If you need any clarification of my comments, you may contact me at 804-864-8151 or by email at Les.Foldesi@vdh.virginia.gov.

Sincerely yours,



Leslie P. Foldesi, M.S., CHP, Director
Division of Radiological Health

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