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FAX #: 301-492-3446

FROM: Alabama Emergency Management Agency

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COMMENTS: Docket ID NRC-2010-0080

*SOUSI Review Complete
Template = ADM-013*

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Call = B. Sullivan (X53)*

Alabama Emergency Management Agency**DATE: August 9, 2010****SUBJECT: Draft Report for Comment Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants NUREG-0654/FEMA-REP-1, Rev. 1, Supplement 3, Guidance for Protective Action Recommendations for General Emergencies****DOCKET NUMBER: NRC-2010-0080**

The Alabama Emergency Management Agency has reviewed the proposed changes to Supplement 3 and recommends a more coordinated review of this document between FEMA and the NRC in order to avoid publishing conflicting guidance. The NRC is responsible for the oversight of on-site, licensee, emergency preparedness plans. How off-site emergency response organizations execute their plans is outside of the regulatory scope of the NRC. A distinction needs to be made whether this document will be used as guidance for the OROs, or if the recommendations made by the NRC are just recommendations. If this document is intended to be used as guidance there needs to be additional clarification on how FEMA will utilize it to assess the adequacy of off-site emergency plans and the implementation schedule that OROs will need to adhere to. Although the document states that it is a joint effort between the NRC and FEMA, it references little to no input or comments from FEMA. This can be seen as the NRC dictating planning standards to OROs.

The Effective Communication with the Public to Support Emergency Preparedness and Response Appendix "is intended to be fully consistent with, and complementary to, the Federal Emergency Management Agency (FEMA) guidance" page A-1. With the Interim REP manual currently under review it is difficult to ensure consistency between the proposed rulemaking. Until final changes are made to all draft or interim guidance it is impossible to avoid multiple future revisions and to ensure consistency. References to studies that are currently in draft form, under review, or unpublished need to be made available to stakeholders so that they can provide an adequate and informed review of the proposed changes. (Examples: Page 6 – "Licensee emergency plans are designed to support mitigative actions to ameliorate plan accidents, and an ongoing NRC study, (the State of the Art Reactor Consequence analysis, yet unpublished) concludes that mitigative actions will likely be successful." Pages 9 and 15- Nuclear Regulatory Commission (U.S) (NRC) NUREG-6953 Vol. III "Review of NUREG-0654, Supplement 3, 'Criteria for Protective Action Recommendations for Severe Accidents. Technical Basis for Protective Actions Logic Diagram'" NRC: Washington, D.C. 2010 Draft. Pages A-3 and A-20 - Federal Emergency Management Agency (FEMA) "Interim Radiological Emergency Preparedness (REP) Program Manual." FEMA: Washington D.C. August 2002)