

July 25, 1979

SECY-79-461

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For: The Commissioners

From: The NRC/EPA Task Force on Emergency Planning

Thru: ~~Executive Director for Operations~~ **COMMISSIONER ACTION**

Subject: ~~RECOMMENDATIONS OF THE NRC/EPA TASK FORCE ON EMERGENCY PLANNING~~

Purpose: To obtain Commission approval of a policy statement (enclosure 1) concerning guidance for State and local governments on the establishment of an emergency planning basis for nuclear power facilities.

Category: This paper covers additional emergency planning guidance principally for States and local governments.

Discussion: In December, 1978, the joint NRC/EPA Task Force on Emergency Planning issued its report entitled "Planning Basis for the Development of State and Local Government Radiological Emergency Response Plans in support of Light Water Nuclear Power Plants" (NUREG-0396/EPA 520/ 1-78-016). The report provides a basis for Federal, State and local government emergency preparedness organizations to determine the appropriate degree of emergency response planning efforts in the environs of nuclear power plants. The guidance in the report is intended to supplement the extensive emergency planning guidance already published by the NRC and EPA.

The report introduces the concept of generic Emergency Planning Zones as a basis for the planning of response actions which would result in dose savings in the environs of nuclear facilities in the event of a serious power reactor accident. Application of the Task Force guidance should result in the development of more uniform emergency plans from site to site. The Emergency Planning Zone concept provides a needed framework within which existing planning elements can be developed. A proposed Commission policy statement which would adopt the planning basis recommended by the task force is provided in Enclosure 1.

A detailed briefing was provided to the Commission on the task force report on December 5, 1978. The task force report was put out for public comment via a Federal Register notice dated December 15, 1978. The comment period was extended by a second notice (in view of the Three Mile Island accident) until May 15, 1979. Enclosure 2 contains

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SECY NOTE: Notebook containing letters of comment has been distributed to Commissioners' offices, OPE and SECY.

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responses to the comments received on the report from other Federal agencies, State and local governments, industry, citizen groups and private individuals. Letters from EPA, the Interorganizational Advisory Committee (comprised of members from the National Association of State Directors for Disaster Preparedness, the Conference of (State) Radiation Control Program Directors, and the U.S. Civil Defense Council, which is the State and local government interagency organization which commented extensively on the earlier task force report drafts) and T. Carter, Chairman of the recently established NRC Emergency Planning Task Force are provided in Enclosure 3.

EPA's October 12, 1978 position (Enclosure 3) on the emergency planning concepts put forth in the Task Force report has not changed and is its current position. With respect to the Interorganizational Advisory Committee of State and local government people, item 13 in the Committee Chairman's letter of June 25, 1979, endorses and recommends implementation of the Concept of Emergency Planning Zones as soon as possible (Enclosure 3).

As noted in Mr. Carter's June 19, 1979 memorandum to the Commission, which is found at Enclosure 3, the NRC/EPA Task Force recommendations on the planning basis are brought forward for Commission consideration separately from the efforts of Mr. Carter's task force. Note that the July 17, 1979 Federal Register Notice, "Adequacy and Acceptance of Emergency Planning Around Nuclear Facilities" has some issues which are also discussed in the NRC/EPA Task Force report.

The concepts of the task force report have received wide acceptance and a number of States have indicated that the planning basis is already being used in their current emergency preparedness efforts. Under separate cover, notebooks have been sent to the Commission with the letters commenting on the Task Force report. Additional copies of NUREG-0396 are available from the Office of State Programs.

This action involves no new resource requirements beyond those authorized for FY 79 and 80.

Recommendation: That the Commission:

Approve the proposed policy statement regarding the emergency planning basis and its publication in the Federal Register.

Note that a press release will be prepared by the Office of Public Affairs.

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Note that public comments on the final manner of implementation of planning basis guidance will be taken into account in the forthcoming rulemaking on emergency planning (See Federal Register Notice of July 17, 1979).

Coordination: This paper with the proposed Policy Statement and task force assessment of comments has been circulated to the Offices of Nuclear Reactor Regulation, Inspection and Enforcement, Standards Development, Nuclear Materials Safety and Safeguards, Nuclear Regulatory Research and State Programs. All of these offices concur in the proposed Policy Statement.

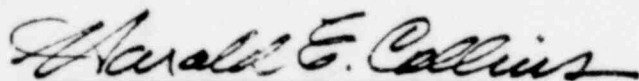
The Office of the Executive Legal Director has no legal objection.

The Acting Director, Division of Site Safety and Environmental Analysis, NRR does not concur in the proposed Commission Policy Statement.

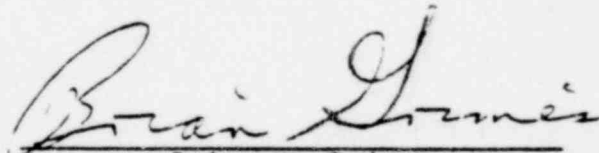
Office and individual comments received in writing on this paper are attached as Enclosure 4.

The EPA contingent of the task force headed by Floyd L. Galpin, Director, Environmental Analysis Division, Office of Radiation Programs, EPA, is making a recommendation concerning adoption of a similar policy statement by EPA.

Scheduling: Expedited action is requested in view of the clear need to encourage simple, practical improvements in State and local government emergency preparedness while longer term NRC actions, such as rulemaking, are pursued. If scheduled, Staff recommends an open agenda session.



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Co-Chairmen of the Task Force

Enclosures:

1. Proposed Policy Statement
2. Response to Comments on Task Force Report
3. Letters from EPA, IOAC and T. Carter regarding task force report
4. Office and Individual Comments on this Commission Paper

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Commissioners' comments should be provided directly to the Office of the Secretary by c.o.b. Tuesday, August 7, 1979.

Commission Staff Office comments, if any, should be submitted to the Commissioners NLT August 1, 1979, with an information copy to the Office of the Secretary. If the paper is of such a nature that it requires additional time for analytical review and comment, the Commissioners and the Secretariat should be apprised of when comments may be expected.

DISTRIBUTION

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ENCLOSURE 1

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