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AND  
CONSUMER ADVOCATE

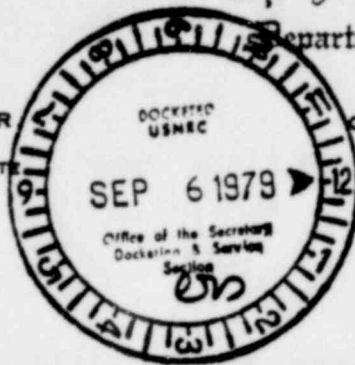
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DOCKET NUMBER PR-50 (44 FR 4483)  
PROPOSED RULE

The State of South Carolina

Department of Consumer Affairs

2221 DEVINE STREET  
P. O. BOX 5757  
COLUMBIA, S. C. 29250



August 29, 1979

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Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, DC 29555

Dear Mr. Secretary:

In accordance with 44 FR 41483, July 17, 1979, the Department of Consumer Affairs for the State of South Carolina would like to offer the following comments relating to the adequacy and acceptance of emergency planning around nuclear facilities. Comments pertain to numbered sections appearing in the Federal Register:

1. Effective emergency planning around fixed nuclear facilities would encompass all three of the objectives of evacuating the public; preventing public radiation exposure; and reducing public radiation exposure. By focusing on the ability to evacuate the public, however, the other two objectives might well be accomplished. Therefore, we suggest evacuation be a primary objective. We also suggest that this objective should be quantified as follows. The NRC should fund projects to develop site specific radii for emergency planning zones by application of computer models. The Commission should develop these radii in conjunction with public hearings in order that interested parties could assist in development of them. These models would measure such things as atmospheric dispersion around a site.
2. An effective emergency response plan for state and local agencies as well as for licensees, would include elements basic to a state's natural disaster plan, such as South Carolina's Comprehensive Disaster Plan but would also include mechanisms for increased coordination among the above three parties in times of emergency away from the facility. Offsite planning appears to be the area which needs the most improvement.
3. Prior NRC concurrence of an associated state and local emergency response plan should be a requirement before issuance of any new operating licenses and should be effective immediately with as little grandfathering as possible.

Acknowledged by card... 9-6-79

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5. We are presently participating in South Carolina in the Governor's Task Force For Emergency Response Capabilities In Support Of Fixed Nuclear Facilities. The NRC should use federal tax dollars to develop the computer models for site specific characteristics and provide them to the state and local governments for incorporation in their emergency response planning. Additional financial assistance might be required to increase warning capabilities through siren systems or better yet automatic warning systems. The NRC might require a utility to bear the additional expense as part of its licensing process and construction of a nuclear facility of installing adequate siren systems throughout a 10 - 15 mile radius. In addition as part of the licensing process the NRC should require the installation of automated systems in each commercial plant which would trigger alarms in the Governor's Office and at designated local agencies. The alarms would be activated by any of the following: initiation of emergency core cooling systems, indications of high radiation in the containment building, and indications of excessive radiation levels present in the release of stack gases. Threshold levels for these devices could be established by respective state Health and Environmental Control agencies. Individual state regulatory commissions could decide whether a utility could pass through these costs to affected customers or whether stockholders should bear the expense of installation and maintenance of the siren and automated warning systems.

6. Some type of radiological emergency response drills should be a requirement of a licensee. The source of authority for these drills would be contingent upon whether the computer model which develop site specific radii included more than one state boundary; and if it did, then the federal government might likely take the lead role in coordination of such drills. Normally, however, assuming a response drill would be carried on only within a given state's borders, then the state government should take the lead coordination role in conjunction with the local and federal governments. As a practical matter a state government might be in the best position to take the lead in response drills within a given state or across state boundaries, and assuming that, then the state(s) would in all instances be the primary authority. Local governments and licensees should be required to participate to the extent the state government deems necessary to evacuate effectively a given radius around a fixed facility.

7. The public should be informed through normal channels in the media of a facility malfunction, resulting from the triggering of an automated system referred to in paragraph 5 above.

9. At the very least a licensee should notify state, local, and federal agencies of incidents, including emergencies, in accordance with the criteria set forth in paragraph 5 above for

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the automated warning system installed in a facility. Members of the public would be notified at that point and should be told precisely the status of the malfunction at the time, preferably by the Governor's Office in conjunction with the state health official, if he is qualified. After this initial alarm went off the NRC and licensee employees would work in conjunction with the Governor's Office. It would appear likely that the NRC and the governor of the affected state(s) would be the primary spokespersons. We have assumed that the NRC onsite inspector would be aware of a malfunction whenever a governor or a local agency tied in with an automated warning system would be.

13. Primary reliance for the assessment of the actual or potential consequences of an accident should be with the federal and state and local governments rather than the licensee. Triggering of an automated alarm system would put the state and local and federal government on notice of a malfunction which might become a threat to the health and safety of the general population. Placing reliance on the above would insure timely notification under all circumstances.

14. Public participation and radiological emergency response drills, including evacuation, would serve a useful purpose but would possibly be expensive. At the least the state, local and federal agencies developing state emergency response plans should hold a series of workshops designed to inform the general public and possibly to lay the foundation for what their response should be in an actual evacuation situation (i.e. that an individual should drive his own car or should drive or go to a designated area to ride a public transportation vehicle).

Thank you for your consideration of these comments.

Sincerely yours,

*Raymon E. Lark, Jr.*

Raymon E. Lark, Jr.  
Staff Attorney

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