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August 28, 1979

BUCKET NUMBER 51
PROCESSED BY [unclear] - 5044FR41483



Secretary of the Commission
Attention: Docketing & Service Branch
Nuclear Regulatory Commission
Washington, D.C. 20555

RE: NRC Emergency Plans
Comments on No. 79-122

Dear Sirs:

In response to the questions posed by your release on the proposed NRC regulations, please find the following comments:

1. What should be the basic objectives of emergency planning? Reduce public radiation exposure? Prevent public radiation exposure? Capability to evacuate the public? To what extent should these objectives be quantified?

Perhaps the most basic objective in emergency planning should be to minimize any danger to public and property and to maximize emergency response by appropriate officials and agencies.

If acceptance is made that some leakage will occur and that some hazard will exist, then emergency procedures must be undertaken to minimize those exposures to the general public. The NRC should study all aspects of emergency procedures toward containing any accident on-site. If however, an accident occurs and its effects, procedures must be made to ensure the evacuation of the general public in an orderly fashion. Perhaps use of the emergency broadcast system would be in order to notify the general public. One group must be in charge or designated to handle such a movement.

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Emergency planning must address on-site management of a crises. Immediate response by on-site personnel is mandatory. Further, immediate response is vital by the power company, responsible state officials and local officials, and the NRC is clearly needed. NRC should undertake the creation of a Crisis Task Force which has the statutory authority to take overall command of a crisis. Legislation and regulations should make it mandatory that penalties would be imposed in the ways of fines or shutdowns of nuclear facilities if emergencies were not reported to the NRC. If the case in point - Three Mile Island - proved anything, it is that there is no provision currently for crises response management by any official. It was only after the NRC moved by order of the President, was the crisis managed to any degree of success. Clearly, the State and Metropolitan Edison did a magnificent job of botching the management of the crisis at Three Mile Island. A NRC response team should have the statutory authority to overrule any decisions by local or state officials.

2. What constitutes an effective emergency response plan for State and local agencies and for NRC licenses? What are the essential elements that must be included in an effective plan? Do existing NRC requirements and guidance lack any of these essential elements?

1. Clear emergency procedures for the containment of any leakage on-site and beyond on-site.

2. Clear, effective leadership on-site with control over all management aspects of the crisis.

3. Procedures for the orderly evacuation of personnel of the on-site area and the civilian population in varying degrees.

I believe that current NRC rules do not allow for an "orderly" effective management of a crises. Further, it is my view that the NRC does not, in view of Three Mile Island, have any clear procedures stated that requires power companies to notify the NRC in case of any "emergency". Neither, referring back to question No. 1, does the NRC have any policy for on-site management of a crisis.

3. Should NRC concurrence in the associated State and local emergency response plans be a requirement for continued operation of any nuclear plant with an existing operating License? If so, when should this general requirement become effective?

Yes, immediately.

4. Should prior NRC concurrence in the associated State and local emergency response plans be a requirement for the issuance of any new operating license for a nuclear power plant? If so, when should this general requirement become effective?

Yes, immediately.

5. Should financial assistance be provided to State and local governments for radiological emergency response planning and preparedness? If so, to what extent and by what means? What should be the source of the funds?

Congress should appropriate immediately through either the Department of Energy or Defense, grant funds for the development of emergency containment and evacuation procedures and plans.

6. Should radiological emergency response drills be a requirement? If so, under whose authority: Federal, State or local government? To what extent should Federal, State and local governments, and licensees be required to participate?

All on-site personnel should be well trained in emergency procedures. This should also pertain to a representative number of public personnel - state police, fire and police officials should be trained as well in the management of radiological materials.

Unfortunately, even though Federal officials might be well-suited in management of on-site crisis because they can usually have a "take charge" attitude toward State and local officials, this may not be the case in any procedures outside the walls of a power plant. Local officials are notorious in passing the buck but taking credit. Clearly, even though Federal officials cannot take charge if evacuation or other procedures are necessary, clear policy must be established as to which local agency would be most effective in handling a crisis. Although ideally the State patrol might be called on, they may not have enough manpower to adequately do the job. Perhaps the most ideal agency would be the local Disaster Services Agency. However, not all areas have a DSA and it might not be adequate. The situation would be too far spread for any local police agency to be in charge.

The problem of control in an emergency, pass the on-site management portion, is therefore a crucial one. Quite frankly, I have no one answer - only to pose questions and problems.

7. How and to what extent should the public be informed, prior to any emergency, concerning actions, it might be called upon to take?

The public should be informed at all times through the media. All releases should be coordinated through the agency in charge on-site. Three Mile Island showed conclusively that the people were not being told the whole truth all of the time.

8. No comments.

9. Under what circumstances and using what criteria should a licensee notify State, local and Federal agencies of incidents, including emergencies?

When, how, to what extent, and by whom should the public be notified of these incidents?

Immediately upon notification within the plant of a clear "accident", the supervisor in charge should notify his superiors of the situation. Under no circumstances should the superiors sit on an incident. They, in turn must notify the NRC and this activates the Crisis Team. Response time is critical. A Crisis Team should be on its way within 3 hours of the reporting of an accident. Only then should the licensee notify other State and local officials. Only the plant supervisor should be in charge until the NRC arrives. Supervisors should have the protection of the Federal government in making decisions prior to the NRC's arrival which beconstrued to be contradictory to the licensee's policy or in direct conflict with his superiors which might tend to "cover-up" the seriousness of the accident.

Upon arrival, only the NRC officer in charge should authorize the release of news releases.

10. How and to what extent should the concerns of State and local governments be incorporated into Federal radiological emergency response planning?

The NRC should hold regional public hearings into the proposed rules. Further, each Governor and Disaster Services Agency in the country should be requested to respond and all pertinent Federal agencies. So many times, local governments are dictated to, and not consulted in areas which are generally of concern to them. In many cases, it is not the Federal government which is on the scene first, but rather the local agencies or the State which must respond.

11. How should Federal agencies interface with State and local governments and the licensee during emergencies?

As already stated, the NRC should have exclusive control of all activities on-site. Not that the State or local officials are incompetent, but they have too much to gain politically and otherwise by masking the true extent of the emergency. Hopefully, with NRC personnel in charge, this would not occur.

12. Should the licensee be required to provide radiological emergency response training for State and local government personnel? If so, to what extent? Should the Federal government provide such training? If so, to what extent?

I would be in favor of utilizing the talent of a licensee to brief and train local officials and law enforcement people in the intricacies of radiological materials. However, quire frankly, I would not trust licensees to be in charge completely. It may turn into a mutual admiration society.

The Federal and State governments should provide grants for the training of personnel - perhaps through the local disaster service agencies.

13. To what extent should reliance be placed on licensees for the assessment of the actual or potential consequences of an accident with regard to initiation of protective action? To what extent should this responsibility be borne by Federal, State or local governments?

Quite frankly, I would not trust the licensee. Three Mile Island demonstrated quite clearly the deceptive tendency of the licensee to "place the best face forward" on the consequences of an accident. The NRC should have exclusive control over the explanation to all parties and the general public of all potential hazards and problems relating to an on-site emergency. The general public is most likely to believe the Federal officials, most notably the NRC - particularly after Mr. Denton's performance at Three Mile Island. The State and local officials should have no voice whatsoever - they are not experts for the most part.

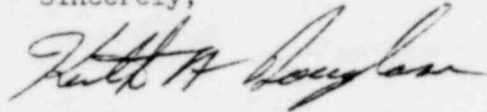
14. Would public participation in radiological emergency response drills, including evacuation, serve a useful purpose? If so, what should be the extent of the public participation?

Generally, I would say yes. Public participation, if possible, would be most useful in alerting other people in emergency procedures. Quite frankly however, short of delivering to every home in America an emergency route in case of an accident, a drill of evacuation would result in chaos. (Even in rush hour, the traffic out of the greater Cleveland area is horrendous. Can you imagine evacuating New York City or Cleveland, since we have one plant already running and one being constructed very close to the greater Cleveland area).

In other comments, so much as been said about accidents on-site at nuclear power plants. Regulations are sorely needed on response by State and local officials on accidents by the transportation of radioactive materials. In Northeast Ohio, many communities have now required a permit for the transportation of nuclear materials through their communities. I too have authored such an ordinance in Chardon, as a Council member. Clearly, local areas are concerned over both accidents on-site at nuclear power plants and also along our highways where contamination might be extremely serious prior to responsible and trained officials are on-site. Assistance in training personnel is vital. Further, notification of local officials is also critical and those companies which do transport such materials should be required to notify the local jurisdictions through which the shipment is scheduled to travel. Only then can we protect our citizens.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Keith A. Douglass".

Keith A. Douglass
Administrator/Clerk

KAD/slt
cc: Session
D. Pokorny