



Washington Public Power Supply System
A JOINT OPERATING AGENCY

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PROPOSED RULE PR-50 (44 FR 41483) ⁽⁴⁵⁾



Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington D. C. 20555

Dear Sir:

Subject: ADEQUACY AND ACCEPTANCE OF EMERGENCY
PLANNING AROUND NUCLEAR FACILITIES

The attached comments are submitted in response to the advanced notice of proposed rule making concerning the adequacy and acceptance of emergency planning around nuclear facilities in the Federal Register, Volume 44, No. 138, Tuesday, July 17, 1979.

Very truly yours,

D L Renberger

D. L. RENBERGER
Assistant Director, Technology

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Attachment

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SPECIFIC COMMENTS ON ISSUES IN 44 FR 41483 and 41484

1. What should be the basic objectives of emergency planning?

The basic objective of emergency planning is to protect the health and safety of the public. This includes bringing under control the events which led to the accident, minimizing the overall effects, taking appropriate measures to prevent damage to property, as well as, protecting the health and safety of the workers and the public.

To what extent should these objectives be quantified?

The EPA Protective Action Guides (EPA-520/1-75-001) should be used as the basis for decision making. These guides, though not yet complete, provide reasonable criteria for initiating protective action for both the public and the emergency worker. Additionally, HEW proposals on contaminated food crops which provides protection levels for radioactive contamination of foods for animal or human consumption should be adopted to further complete the necessary guidance.

2. What constitutes an effective emergency response plan for state and local agencies?

An effective emergency response plan for state and local agencies should address the objectives listed in NUREG 75/111. However, much of the guidance given in this document results in an emergency plan which is politically oriented and difficult to implement due to the limited manpower and resources of state and local agencies. The state plan should be written by qualified persons knowledgeable in radiation safety and emergency planning, and developed as a workable response plan based upon the capabilities of the state and local agencies. If their capability is not sufficient, the licensee should develop the additional needed capability.

For licensees?

The requirements of 10CFR50 Appendix E and Regulatory Guide 1.101 provide an effective basis for the emergency planning. Improvements to Regulatory Guide 1.101 could include guidelines for adequate communications between the plant, NRC, and press, more emphasis on headquarter plans, and evacuation and sheltering criteria.

What are the essential elements that must be included in an effective plan?

An effective plan will encompass the following:

1. Detection of the emergency
2. Activation of the responding organization
3. Assessment of the situation

4. Initiation of protective actions
5. Assistance to affected persons
6. Initiation of corrective actions
7. Recovery actions

Do existing NRC requirements for licensee, and guidance for states lack any of these essential elements?

Existing requirements are weak in the area of interrelationships between federal, state and local agencies. The weakest link at the present time is lack of an emergency plan at the federal level, namely NRC. The state, local and licensee's emergency plans should include the actions to be taken by the NRC and other federal organizations, i.e., EPA, IRAP and HEW which will arrive to assist, and how they fit into the overall emergency response. Additionally, procedures for handling press releases and public relations should be addressed in the present requirements.

3. Should NRC concurrence in the associated state and local emergency response plans be a requirement for continued operation of any nuclear power plant with an existing operating license?

No. The federal government cannot provide assurance the state and local governments will develop and maintain emergency plans for nuclear power plants. State or local governments who decide it is politically advantageous to close down nuclear plants or not have them in their state, have the power to do so by not developing or maintaining an emergency plan.

If a state or local government is not interested in developing or maintaining emergency plans, then NRC should require the licensee to make provisions for handling the emergency without the commitment or leadership from these agencies.

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 their general requirement become effective?

Requiring concurrence of state and local emergency plans prior to issuance of an operating license will add a substantial roadblock to the licensing process. The plant and the federal government have no authority to require a state or local government to develop a plan much less one which meets the concurrence requirements. This issue focuses on the constitutional rights between states and the federal government and could be a major roadblock in developing new generating facilities.

The issue of requiring concurrence is presently being considered by Congress. Any decision by the Commission would be premature until Congress acts.

5. Should financial assistance be provided to state and local governments for radiological emergency response planning and preparedness?

Financial assistance should be provided to state and local governments for radiological emergency response planning and preparedness. The difficulty comes in how this can best be accomplished. At this time, utilities, whether private and public, are not in a position to make payments directly to those responsible for emergency planning within local and state governments. A utility's only method of providing financial assistance is through taxes, and there is no means by which a utility can earmark a portion of these taxes to be used for emergency planning. This is a decision of the local and state government. The other method that is available for providing financial assistance for state and local governments is through federal grants. In this manner financial assistance can be earmarked for needs in radiological emergency planning. This appears to be the only practical solution in providing financial assistance to state and local governments in emergency response planning.

6. Should radiological emergency response drills be a requirement?

Radiological emergency response drills are already a requirement as specified in 10CFR50 Appendix E, part IV-I.

If so, under whose authority?

Plant drills should be under the authority of the licensee. Drills beyond the exclusion area boundary should be under the authority of the local government with the cooperation of the plant and other agencies.

To what extent should federal, state, and local governments, and licensees be required to participate?

Obviously, a full scale major participation by all agencies annually is unreasonable due to the time and expense involved. A major full scale drill should be conducted periodically, such as once every five years, with the frequency decided on by those involved and incorporated into the state or local plan. Less extensive annual plant drills involving a site or general emergency and at least a communication check with outside agencies should be a minimum requirement, with more extensive participation based upon the agencies confidence in its ability to respond to a real emergency.

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

The public should be instructed on emergency actions when it becomes necessary that they act. When evacuation or sheltering becomes necessary, instructions should be provided at that time. Past experiences with

evacuations for industrial accidents, forest fires, and other disasters have shown that advanced notification is not necessary (EPA-520/6-74-002). The general public is responsible enough to follow instructions when given as demonstrated every year in actual evacuations throughout the U. S.

8. What actions should be taken in response to the recommendations of the joint NRC/EPA task force report?

There are two outstanding actions concerning emergency planning that must be completed by the NRC/EPA before it is reasonable to respond to the NRC/EPA Task Force Report NUREG-0396/EPA 520/1-78-016. First, the EPA issued the Manual of Protective Action Guides and Protective Actions for Nuclear Incidents in 1975. This document was issued in incomplete form at the time, and Chapters 3 and 4 have never been completed by the EPA. The document lacks the necessary guidance for protective actions for the important ingestion exposure pathway (food pathway). This information or guidance is necessary if governmental agencies are to respond to the recommendations of NUREG-0396.

Second, the NRC in December of 1978 requested comments from the public concerning NUREG-0396/EPA 520/1-78-016 prior to final Commission action. These comments have now been in the possession of the NRC for five months. It would seem appropriate and necessary that these comments be reviewed and, where appropriate, incorporated into the draft NUREG-0396. Once the two items described above have been completed, then the NRC should respond to the recommendations of the final version of NUREG-0396.

9. Under what circumstances and using what criteria should a licensee notify state, local, and federal agencies?

For proper response to this question, the terms "emergency" and "incident" need to be defined. An emergency is a situation requiring activation of part or all the plant's emergency organization. The emergency would be declared as such according to the criteria of Regulatory Guide 1.101 (i.e., Personnel, Alert, Plant, Site or General). An incident would be any other unusual event causing damage or exposure to radiation to the extent specified in 10CFR20.403.

The criteria for informing the state and local authorities should be defined in the state and local response plans. Basically, this should include immediate response for potential site and general emergencies and delayed response, i.e., 24-hour notification, for other emergencies.

Criteria for informing federal agencies should be the same as for state and local agencies with the additional notification requirements for incidents as specified in 10CFR20.403.

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

Federal planning should concern the federal response to an emergency and the federal interaction with state, local, and utility organizations. The concerns of state and local governments should be incorporated into the federal plan if appropriate and to the extent necessary to provide a workable plan that supports the plant, state, and local plans.

11. How should federal agencies interface with state and local governments and the licensee during emergencies?

Each area of responsibility should be well defined within the respective emergency plans with consideration given to the legal authority of the various organizations. The Federal government should coordinate federal efforts such as IRAP, EPA, NRC technical support, and other consulting organizations in support of the plant and under the direction of the state and local government. During the emergency, these federal agencies should report to and take instructions from the NRC which would act as the lead federal agency. Likewise, state and local governments will have response teams. The coordination of all the teams should be through the guidance of the licensee.

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

Training should be provided to offsite agencies to the extent necessary to provide effective support to the plant during an emergency. This training should cover the plant's emergency plans and include a familiarization of the plant layout, the emergency organization, emergency procedures, and the role of outside agencies.

Should the federal government provide such training? If so, to what extent?

The federal government's present training course in Nevada provides a very effective learning experience for outside agency personnel. This course, however, should also be made available to selected utility personnel. An extension of training beyond this level does not appear to be warranted. However, expanding this course to include more emphasis toward reactor accidents may be appropriate.

13. To what extent should reliance be placed on licensees for the assessment of the actual or potential consequence of an accident with regard to initiation of protective action?

The licensee maintains the ability and expertise to provide assessment of the consequences of the accident. Through in-plant monitoring systems, an initial assessment of the release can quickly be made and protective actions recommended. Ongoing assessment of the plant's status and reassessment of protective actions are only possible by the licensee.

Reliance must be placed on the licensee for assessing the accident with regard to initiating protective actions. The responsibility for providing recommendations to offsite agencies based on these assessments is a key factor in emergency planning.

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

Public evacuation during a drill should not be conducted. Conducting this level of emergency preparedness is not warranted based upon the safety record of nuclear power plants, in comparison with other industries. Accidents and disasters in the past which involved evacuation have shown that public response to evacuation instructions given at the time of implementation have been adequate. Participation by the public in evacuation drills would have to be voluntary and could not be forced upon locals which refused to participate. The benefit of these evacuation drills is questionable.

Summary

The questions asked in this Notice to Proposed Rulemaking are very pertinent to the concerns expressed since the TMI accident. However, one must be careful to avoid actions which could carry emergency planning from practical solutions to political solutions. Necessary improvements to emergency plans should be made, but consideration must also be given to future attitudes toward the decisions made now. If annual evacuation by the public was required around nuclear power plants, what will be the attitude of these residents after 10 or 20 years of preparing for an event which has little likelihood of occurring. At present, over 90% of the necessary emergency planning requirements are addressed in 10CFR50 Appendix E and Regulatory Guide 1.101. These documents may need updating to include more emphasis on headquarter plans, public information releases, evacuation and sheltering, and plant emergency organizations and their interface with outside agencies. An important part to successful emergency planning is that all responsible organizations must have a good working relationship. Through cooperation, workable emergency plans can be developed which are flexible enough to include the unique characteristics of each facility and its surrounding area, yet protect the health and safety of the public.