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NUCLEAR REGULATORY COMMISSION

**POOR ORIGINAL**

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IN THE MATTER OF:

PUBLIC MEETING

BRIEFING ON SECY-79-499 - REPORT OF TASK FORCE ON  
EMERGENCY PLANNING

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Place - Washington, D. C.

Date - Thursday, 13 September 1979

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1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION

3 PUBLIC MEETING  
4

5 BRIEFING ON SECY-79-499 - REPORT OF TASK FORCE ON EMERGENCY  
6 PLANNING

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8 ROOM 1130  
9 1717 H Street, N. W.  
10 Washington, D. C.

11 Thursday, 13 September 1979

12 The Commission met, pursuant to notice, at 3:35 p.m.

13 BEFORE:

14 DR. JOSEPH M. HENDRIE, Chairman

15 VICTOR GILINSKY, Commissioner

16 PETER A. BRADFORD, Commissioner

17 JOHN F. AHEARNE, Commissioner

18 PRESENT:

19 Messrs. Carter, Gossick, Bickwit, Chilk, Kenneke, and  
20 Engelhardt.

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## P R O C E E D I N G S

(3:35 p.m.)

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COMMISSIONER GILINSKY: We are to hear a report from the task force on emergency planning. Mr. Carter, I guess, is speaking.

Lee, will you introduce him?

MR. GOSSICK: Thank you, Commissioner Gilinsky. You recall we were here on June 28th on a status report by the task force that was established in June to undertake the review of our emergency planning activities and to come up with recommendations on those things which we felt necessary to improve the overall effort.

The task force reported in on August 9th, and that report was sent to you by SECY 79-499 on August 21. We tried to put a summary on top of it that might make it a little easier to digest in a somewhat easier fashion. I'm not sure how successful that was.

The way we're going to present this this afternoon, we will ask several people addressing each of the major parts of the overall planning effort, to come up and give their part of the report in a very brief fashion. It might be useful if we handed out to you a tagged copy of the paper here, which will make the enclosures much easier to find. If you find that useful, I am sure you may have made notes on it, but perhaps you can use this just to find what

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2 COMMISSIONER AHEARNE: Since you raise that, when  
3 will we be getting a summary of the public comments on the  
4 advanced —

5 MR. GOSSICK: Tom?

6 MR. CARTER: Mike is reviewing this and I think  
7 Mike's going to discuss this.

8 MR. GOSSICK: We will be covering that, too,  
9 shortly.

10 One other matter having to do with the  
11 organizational management aspects of this and also mentioned  
12 in the memo that you sent us, Commissioner Ahearne, we will  
13 discuss that toward the end of this briefing. We have some  
14 recommendations on that aspect.

15 I would like to touch just briefly on the other  
16 questions that you asked and point out that the various  
17 speakers, as we go through it, will address the questions  
18 that you have indicated here about what actions have I  
19 offered or have the audit or have the office directors  
20 ordered, and those that are pending Commission decision.  
21 The major items, of course, I just mentioned. But there are  
22 some other things; why, if or not those things would  
23 prejudice the rulemaking.

24 As to any substantial disagreement, to the best of  
25 my knowledge, other than perhaps some difference of views on  
the best way to manage this effort, which we can address

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1 later, there are no minority opinions or disagreements.

2 In June when we were here, there was some  
3 discussion or debate about the modeling effort that was  
4 being proposed at that time, which has been set aside,  
5 really. So that is no longer an issue.

6 So with that, I will ask Mr. Carter to introduce  
7 the briefing, and then proceed with that.

8 MR. CARTER: Thank you, Mr. Gossick.

9 We have members that represented all the major  
10 offices here today. In the front of the notebooks, we have  
11 a list -- and I have some extra copies, so maybe you can  
12 each work from these -- in the order in which they will be  
13 discussed.

14 First, I would like to summarize briefly how the  
15 task force approached this objective and its mission. We  
16 had representatives from each office, each major program  
17 office within the staff, as members, and in some cases more  
18 than one representative from the offices. We created,  
19 separate from the task force itself, a working group of  
20 representatives from the offices involved.

21 That working group was headed up by Charlie South,  
22 who is also here today and can respond to questions. They  
23 separate themselves from the task force while we were  
24 working on the issues that were being developed for public  
25 comment, which the Commission used part of. And they tried

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1 and I think did a very good job in developing a description  
2 of the current emergency planning system and critiquing the  
3 current emergency planning system, which led to a group of  
4 30 problem areas which are identified very specifically in  
5 the Commission paper that came up.

6 Those issues or problem areas basically were  
7 presented to the task force. The task force discussed them  
8 in detail, looked very hard at the wording for the problem  
9 areas, trying to really understand, interpret the wording  
10 chosen by the working group that supported the task force,  
11 trying to get an in-depth understanding of why those people  
12 chose these problem areas.

13 I think they were massaged very thoroughly. Then  
14 the task force agreed upon the three problems and chose to  
15 approach the solution of those problems via a series of  
16 action plans, which are represented in the Commission  
17 paper. Each outfit developed their action plan after we had  
18 agreed upon really a determination of which office should  
19 have a lead role, a support role, whether it was long-term,  
20 short term, for each of the problem areas. Then the action  
21 plans were developed.

22 The way we would like to discuss the action plans  
23 today is go through the major offices as indicated on the  
24 agenda and summarize, as Mr. Gossick indicated, the  
25 organization action plan, which really comes first in the

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1 Commission paper. We would prefer to discuss it last.

2 So, with that, if Brian Grimes will discuss the  
3 NRR action plan.

4 COMMISSIONER AHEARNE: Just to help those of us  
5 who might have read the paper first, is there going to be  
6 any comparison in the way the briefings are conducted and  
7 the way the paper is laid out?

8 MR. CARTER: We are following the paper in order,  
9 basically, except for the organization --

10 COMMISSIONER AHEARNE: Fine. But for example,  
11 when you go down the problem, you'll be using the  
12 description of the problems and the solutions as indicated  
13 in the paper?

14 MR. CARTER: Because of the limited time, we have  
15 not proposed to address each of the problems. Each office  
16 was going to highlight one or two problem areas that they  
17 thought were important, then, of course, respond to  
18 questions on specific problem areas.

19 COMMISSIONER AHEARNE: Fine.

20 MR. GRIMES: With respect to the NRR effort -- and  
21 I think we have had fairly thorough discussion last week on  
22 the team approach, to try to promptly upgrade the state of  
23 emergency preparedness at operating reactor facilities, and  
24 I won't go through them and beat that again.

25 We are making progress. The first two site



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1 visits are next week, followed the following week by some  
2 more site visits on the first plants being reviewed by the  
3 six teams. And we are developing guidance on action level  
4 criteria, which we will provide to the Commission in the  
5 next few days for their information and possible comment.

6 With respect to the problem areas, most of the  
7 areas are being addressed in the context of the teams, and  
8 the one area where we have not yet put significant resources  
9 is on — I don't remember the numbers. It is F-2, which is  
10 the last one, which is developing criteria for joint  
11 exercises, to be working with state programs.

12 But our efforts to date have been getting the  
13 teams out, getting the emergency response plans reviewed, as  
14 opposed to focusing on the test exercises at this point.  
15 But all other areas are under way to some degree.

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ash 1 COMMISSIONER AHEARNE: If we could go back to  
MM 2 problem area 6. Could you comment why it wasn't appropriate  
3 for the NRR action plan to specifically address that?

4 MR. GRIMES: The problem here that the licensee's  
5 responsibility for emergency planning exceeds his direct  
6 authority to affect the actions of off-site officials is  
7 a recognized problem. But we did not believe that we had the  
8 resources, or really, that it was very realistic to expect  
9 to change the relationship between the federal and state  
10 government and private industry in this regard.

11 And we had to recognize that as a problem, recognize  
12 that our authority is over the licensee, and work through  
13 that mechanism.

14 COMMISSIONER AHEARNE: When you say it wouldn't be  
15 realistic to change it —

16 MR. GRIMES: Well —

17 COMMISSIONER AHEARNE: Let's put the question whether  
18 or not it would be realistic aside just for a minute. What  
19 kind of changes would you think would be significant  
20 improvement?

21 (At 3:35, Chairman Hendrie entered the room.)

22 MR. GRIMES: Well, to solve this problem, one would  
23 have to give — to put in effect restrictions or penalties  
24 on off-site agencies to in some way compel them to do  
25 certain things. I don't think it's realistic to do that. I

gsh 1 don't have any particular ways of approaching it.

2 MR. GOSSICK: Brian, this is really one of the  
3 aspects of the rule-making that we're in for the legislation  
4 that may come about. You're saying that you can't go ahead  
5 with it and act in advance of whatever is decided on  
6 rule-making, or whatever legislation finally is produced.

7 MR. GRIMES: That's correct. And further, I don't  
8 really see a good way to do it, thinking about it myself.

9 MR. GOSSICK: That's one of the questions  
10 Commissioner Ahearne of the kind that you ask, ... that  
11 would pre-judge, I think, the rule-making --

12 COMMISSIONER AHEARNE: Well, there could have been  
13 a more detailed description of what the problems were.

14 MR. GOSSICK: Well, this is a very brief summary  
15 of that.

16 COMMISSIONER AHEARNE: But this particular sentence  
17 wasn't even considered. So I imagine that that's as lengthy  
18 a summary as there probably is.

19 Go back, then, to page 11(f)(2). Do you have an  
20 estimate of when those joint exercise criteria might be  
21 developed?

22 MR. GRIMES: No. I think it's a task that we have  
23 to face in the next two or three months. Right now we have  
24 not put any resources on that.

25 COMMISSIONER AHEARNE: Once resources are put on it,

gsh 1 you think then it would be a 2- to 3-month job?

2 MR. GRIMES: Yes.

3 COMMISSIONER AHEARNE: All right.

4 MR. GOSSICK: Any other questions for Brian before  
5 we go on to NMSS action plan?

6 COMMISSIONER AHEARNE: I imagine when you get back  
7 to the organizational question --

8 MR. GOSSICK: Yes, certainly.

9 MR. CARTER: I would like to briefly summarize then  
10 and make some points on the NMSS action plan.

11 One of the first impacts of Three Mile Island NMSS  
12 I believe was it forced them to take a very hard look at  
13 emergency planning within the fuel cycle facilities, and  
14 the realization very rapidly that we had not been doing, really  
15 the job we need to do on fuel cycle perspective for  
16 emergency planning.

17 The regulations require emergency plans for Part  
18 70 licensees, part of Part 70 licensees, fuel processing,  
19 fuel fabrication -- you have six conversion plants --  
20 and the reprocessing facilities such as NFS, West  
21 Valley.

22 There is no specific requirement under Part 3 of  
23 by-product material licensees to have emergency plans.  
24 Now Squibb, for example, has a voluntary emergency plan,  
25 which is a very good plan, we feel. What we would like to do,

gsn 1 and what we have started to do, is to perform detailed  
.M 2 accident analyses for all of our facilities to determine  
3 looking at the criticality, fire, explosion, natural  
4 phenomenon, abuse accidents, coupled with the actual location  
5 sometimes in urban areas of facilities, what a priority list  
6 would be in developing emergency planning for these  
7 facilities.

8 COMMISSIONER GILINSKY: Presumably, the accidents  
9 that you analyzed are in the safety analysis reports, aren't  
10 they?

11 MR. CARTER: That's correct. We feel, as indicated  
12 in our problem area B-3, which is on page 10 of the NMSS  
13 action plan, that the licensee plan really was based on  
14 accidents up to and including the most serious design basis  
15 accident, which in some cases probably, considering Three  
16 Mile Island, it is not a serious enough accident to do  
17 your planning.

18 COMMISSIONER GILINSKY: Is that the point then?  
19 You're thinking of it in terms of supplementing the discussion  
20 of accidents that are being considered?

21 MR. CARTER: Yes, sir. Going a step further,  
22 looking at the human error of possibility, multiple equipment  
23 failures, whatever we have to look at to see how serious  
24 accident situations could develop in these plants. And that's  
25 what we're thinking about.

gsh 1 We have some effort underway under B-3, as  
...d 2 summarized there. We are just getting started. We're trying  
3 to take a look, as we had discussed in the budget presentations  
4 also.

5 (At 3:50, Commissioner Bradford leaves the room.)

6 MR. CARTER: Another problem area identified in the  
7 NMS3 area which is E-3, which is on page 16, we felt that  
8 the task force and the working group felt that the majority  
9 of operating facilities had not been evaluated against the  
10 staff's current criteria for emergency planning. We certainly  
11 had to agree with that because the requirements for Part 30,  
12 by-product facilities, did not even exist for emergency  
13 plans.

14 We wanted to take a hard look at that.

15 After we had gone through these analyses, we want  
16 to really come up with pre-conceived framework of a criteria,  
17 the staff guidelines, the regulations to be strengthened if  
18 necessary, and the guidance to the licensees, really  
19 defining the functions and their responsibilities, of all  
20 the participants, the licensors, the licensees, what we  
21 would expect from local and state governments surrounding the  
22 facilities, how that would go into or impact the state and  
23 local government plans around the facilities.

24 We recognize the need to expand the regulations  
25 in the area of the fuel cycles to cover the other licensees

gsh 1 covered now. We're not sure to what extent we do believe they  
2 need to be -- the regs need to be strengthened in Part 70  
3 and 50, as they apply specifically to the fuel cycle  
4 facilities in lieu of just the reactor language presently  
5 there.

6 We have those efforts underway and we will be  
7 coming to the commission in the near future. We have proposed  
8 an action plan to present to the commission proposed  
9 by the end of this year, proposed language changes in Part 30  
10 and, if necessary, Part 40.

11 That's basically a summary of our approach.

12 COMMISSIONER AHEARNE: You list in Problem F-2 a  
13 second review.

14 MR. CARTER: F-2 being evaluation criteria for  
15 drills and exercises are not defined?

16 COMMISSIONER AHEARNE: Yes.

17 MR. CARTER: Yes. We would like to reassess the  
18 criteria in the procedures for fuel cycle facilities.

19 COMMISSIONER AHEARNE: Now that, you estimate, is  
20 a short-term completion term?

21 MR. CARTER: Our priorities now are to do the  
22 detailed accident analyses to put a priority ranking, as you  
23 might say, against the facilities. Take a look at the  
24 changes to Part 30 for the by-product licenses. As part of  
25 that guidance development or thinking of the guidance there

gsh 1 we would have to look at that criteria. I would estimate  
M 2 it would be the first half of next year.

3 Jim Sniezek can discuss the I&E action plan.

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gsh 1 MR. SNIEZEK: I will highlight the I&E actions  
2 that I think are of special interest to the commission.

3 The I&E action plan, the first item is on page 5.  
4 One of the problems identified was that terminal  
5 arrangements between the agencies need approval.

6 They were \_\_\_\_\_ specifically by IRAP. The  
7 meeting with DOE and other agencies, members of IRAP, was yesterday  
8 And it was their outline, what basically the problems  
9 are with IRAP, what can be improved. And what we are  
10 pushing for is more and clearer delineation of who is in  
11 charge, responsibility, a commitment of resources and not  
12 a voluntary assignment of resources.

13 That agency in charge really call on resources of  
14 another agency.

15 Now FEMA representatives were there and they want  
16 to fold us under the FEMA concept and give it more  
17 statutory authority.

18 The next meeting is scheduled -- well, by November  
19 1st, we're to have comments specifically on IRAP, the  
20 specifics that we would like to be changed, in writing. All the  
21 agencies are to come in for comments and then shortly after  
22 that, there will be another meeting to discuss where IRAP  
23 will go from there.

24 But we believe the basic IRAP framework is good, but  
25 it needs some hardening as far as responsibilities, who's in

gsh 1 charge of specific actions.

2 The next item which can be found on pages 7 and 8,  
3 it's basically that the instant response program needs  
4 revision. That would come out on B-2.

5 COMMISSIONER GILINSKY: Let me understand. Would  
6 IRAP encompass all federal efforts?

7 MR. SNIEZEK: No. It would come under the FEMA  
8 umbrella. But it is really the resources that are available  
9 by the agencies that would really respond to a nuclear  
10 accident.

11 COMMISSIONER GILINSKY: When you say who is in  
12 charge of the accident --

13 MR. SNIEZEK: In other words, if it's an NRC license  
14 facility, who should be calling the shots at the scene? It  
15 should probably be the NRC, as far as the coordination of  
16 the effort. If it's a DOE facility, DOE would be calling the  
17 shots as to what should be done. If it happened to occur in  
18 an agreement state and we were providing support to the  
19 agreement state, they would be calling the shots of how they  
20 thought the resources should be deployed, what measurements should  
21 be taken, et cetera, so everyone wouldn't be going helter  
22 skelter doing their own thing. There would be better  
23 coordination of the overall monitoring of the accident.

24 COMMISSIONER GILINSKY: Are you speaking just of  
25 monitoring or of other things, too?

gsh 1 Are there instructions or recommendations that  
A 2 would be given to the licensee in the facility?

3 MR. SNIEZEK: That would be tied in. But the details  
4 of how they would go, we're not there yet.

5 CHAIRMAN HENDRIE: But under the overall radiological  
6 emergency plan, the federal plan, it would go a lot further  
7 than just monitoring.

8 MR. SNIEZEK: That's correct.

9 CHAIRMAN HENDRIE: And it would go outside the things  
10 that the IRAP plan covers, for instance. And it would  
11 include deployment -- such things as deployment, emergency  
12 field kitchens, medical equipment, cots --

13 MR. SNIEZEK: Right. That would be outside of  
14 IRAP.

15 CHAIRMAN HENDRIE: Part of the federal disaster  
16 assistance kind of action. And there are some interesting  
17 questions, then. If we should ever have a Three Mile Island  
18 sort of situation, I expect whoever is our senior officer at  
19 the site will not want to have to worry about how people  
20 are taken care of in terms of provision for people who are  
21 evacuated, or something like that.

22 You will want to be able to call for an evacuation  
23 is one is necessary and trust that there be an appropriate  
24 organization out there to take care of it as it moves on out.

25 MR. SNIEZEK: IRAP is not getting into that type of

gsh 1 discussion.

2 COMMISSIONER GILINSKY: Isn't that the responsibility  
3 of the state?

4 CHAIRMAN HENDRIE: Yes, I think it is. But there is  
5 substantial federal aid that turns up. Remember, there were  
6 people from -- what is it, the Federal Disaster Assistance  
7 Administration down there in the Governor's -- right outside  
8 the Governor's door. And they deployed a lot of material and  
9 people, in fact, in preparation. And we're waiting for  
10 whatever the state called for.

11 Well, I can see some complicated discussions and  
12 trying to sort out who does what, but obviously, better before  
13 than after.

14 COMMISSIONER AHEARNE: Clearly, there will be a  
15 lot of discussions on that, both in among them or different  
16 places. I would guess that we still have a long way to  
17 go until we see clearly who is going to be in charge of  
18 what.

19 MR. SNIEZEK: It's my understanding that FEMA wants  
20 to fold IRAP into a small part of the overall umbrella of  
21 response.

22 CHAIRMAN HENDRIE: Well, they need to prepare -- they  
23 are under a mandate to prepare a national plan and they have  
24 got to either replace or refurbish that thing which serves as  
25 the overall federal planning document which has the acronym,

gsh 1 FRPPNE. I guess I'm unable to help the Reporter with the  
A 2 spelling.

3 COMMISSIONER AHEARNE: It's F-R-P-P-N-E.

4 CHAIRMAN HENDRIE: Under two hours? And IRAP would  
5 be a portion of that.

6 MR. SNIEZEK: On pages 7 and 8, there is a discussion  
7 about the instant response program needs revisions. That's  
8 a few of the things that are happening right now. The  
9 revised EMP procedures are being outlined for discussions at  
10 an EMP meeting the week of September 17. And the first  
11 dedicated phone lines have been installed in the operational  
12 center going to operating power reactors and selected fuel  
13 facilities.

14 The second line is scheduled to be installed by the  
15 end of this year.

16 On pages 11 and 12 —

17 COMMISSIONER AHEARNE: Jim, could I ask you a  
18 question? You mentioned that there is developing rule-making  
19 to determine who pays for the communications at the licensee  
20 sites. Is that really a major issue?

21 MR. SNIEZEK: I don't believe that is. I don't  
22 think that anything has been started on it.

23 COMMISSIONER AHEARNE: Does it really have to go  
24 through rule-making to decide?

25 MR. SNIEZEK: I'm really not sure if it does.

gsh 1 MR. ENGELHARDT: I am unfamiliar with that particular  
A 2 recommendation.

3 MR. SNIEZEK: It's one of the things that's going  
4 to be looked at in the overall sequence, whether it should  
5 or not. We really haven't gotten to that area yet.

6 COMMISSIONER AHEARNE: You passed by an item on —  
7 let's see, page 6. And it's, I guess, with reference to  
8 problem A-5. It's a report on the NRC role. NRC has not  
9 adequately defined its role in emergency response.

10 MR. SNIEZEK: What we're looking at are things other  
11 than the commission role in emergency response there. And  
12 there was a first meeting of inter-office work group to  
13 define what should we be doing and they come up with a  
14 definition of what we should really do in response to an  
15 incident.

16 COMMISSIONER AHEARNE: I guess from my own point of  
17 view, I guess I think June, 1980 is a little late. I would  
18 guess that if we don't have a fairly clear picture by the  
19 end of the next few months in what ought to be our role, we  
20 will have a number of people answering for us.

21 I guess I would like to know from the staff what  
22 they think, certainly by the end of the year. June, 1980 is —

23 MR. SNIEZEK: I believe by the end of the year we  
24 will have a direction we're going as far as teams or things  
25 of that nature and how we will respond.

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COMMISSIONER AHEARNE: I guess my point was I think the NRC, as a body, is going to have to have a clear picture on what its role is in emergency response. And that is going to have to be reached at least in the midst of the rule-making, and certainly by preparation of testimony in the early spring.

And I just don't think June, 1980 is going to hack it.

MR. GOSSICK: The first step on that problem, Commissioner Ahearne, is a little bit involved in this meeting that Jim mentioned next week.

I asked Denton and Bill Dircks and Vic Stello to get pulled together based on our experience of Three Mile Island. Assume another one like that or something of a similar nature happened tomorrow. What would we do as the EMP?

First of all, let's assume that it's the middle of the night and the commissioners are all out of reach, for whatever reason or another, or even if they are — but at least we're not getting into this other question that we got into of the commission.

But what is it that we would do differently in addition to, instead of, in this case from that which we did in Three Mile Island?

It's a kind of an interim, if you will, checklist

gsh 1 for the EMP as it meets in the event of another accident.

M 2 And this will be a first cut at that kind of question.

3 I think it's the kind of thing, however, that will  
4 take much further steps. I thought that it was important that  
5 we have something like that ready and on hand.

6 COMMISSIONER GILINSKY: Where is the first cut?

7 MR. GOSSICK: That's what we're meeting on. I think  
8 it's Wednesday instead of next week, to review a straw man  
9 that's being prepared by Vic and his people.

10 COMMISSIONER GILINSKY: And that is something that  
11 we will have pretty soon?

12 MR. GOSSICK: Yes, as soon as we can look at it and  
13 decide. This looks like it makes some sense. And we will  
14 get it down to you for your comments.

15 COMMISSIONER GILINSKY: Is this a very complicated  
16 question?

17 MR. GOSSICK: I don't think so. I told Vic to keep  
18 it short and simple because it's the kind of thing that people  
19 are going to have to deal with, you know, in the midst of a  
20 panic, if that ever happens. And we don't want it to be a  
21 long and complicated thing.

22 But they are examples of things that you know in  
23 retrospect we would do it differently.

24 COMMISSIONER AHEARNE: Lee, I think the problem you  
25 may find is that, and I think the steps that you are taking



gsh 1 are correct — the point that Jim said he is starting on,  
M 2 it is right. It's just that to then wait until June —

3 MR. GOSSICK: I agree with you. We can't survive  
4 just not having anything before June of '80. Whatever comes  
5 out of this may entail some further action that may take  
6 longer.

7 MR. SNIEZEK: The short one was meant to define  
8 really what had to be done. The refinement comes later.

9 COMMISSIONER AHEARNE: And what I am saying is that  
10 I think the later ought to be no later than the end of  
11 December.

12 COMMISSIONER GILINSKY: Or September. I really don't  
13 see it as all that complicated a question, unless I'm really  
14 missing something here.

15 MR. GOSSICK: We'll get to that this week and find  
16 out why it's so complicated or what it is that they anticipate  
17 in addition to the kind of thing that I was talking about.

18 MR. SNIEZEK: On pages 11 and 12, there is a  
19 discussion of devoting additional licensing and inspection  
20 resources to better implement emergency preparedness efforts  
21 by the NRC.

22 As Brian has mentioned, there are other teams going out.  
23 I&E has representation on each of those teams. In order to  
24 accomplish that, we have deferred our normal routine inspection  
25 program in emergency preparedness and we believe that we can

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accomplish this objective as part of the team reviews for right now. But as far as the recurring reviews of our emergency preparedness efforts, we do not have the resources to implement what we have laid out in the action plan.

As you know, we set forth these resources in our '80 supplemental request and it was turned down. There's about 10 additional people in inspector positions that are necessary to accomplish what we had laid out in that action plan.

9

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1                   Pages 12 and 13, Problem E-4, to sharpen the  
2 incident notification criteria and expediting NRC internal  
3 notifications. From the end of July, criteria was set to  
4 the licensees, power reactor licensees and the selected fuel  
5 facility licensees, the ones that have the hot lines  
6 installed, which laid out sharper criteria by which they  
7 should report problems.

8                   COMMISSIONER GILINSKY: Does anyone ever use  
9 those? Because as of a month or so ago, I remember asking  
10 and it had never been used or used on one occasion.

11                   MR. SNIEZEK: The phone?

12                   COMMISSIONER GILINSKY: Yes.

13                   MR. SNIEZEK: Oh, we get several phone calls a  
14 week coming in on the lines. If there's a reactor trip,  
15 they will normally call on that line, as an example,  
16 notification.

17                   It's normally during the off-normal working  
18 hours. Normally, during the daytime they make the normal  
19 calls to the regional office. If it happens at nighttime,  
20 the call comes in to the response center.

21                   At the same time, in order to prevent delays in  
22 notifications during off-normal working hours, all our  
23 regional calls are diverted directly to our headquarters  
24 operations center.

25                   COMMISSIONER AHEARNE: As part of that, are you

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MM mte 1 providing a set of clear instructions to the people at the  
2 other end of the telephone line as to when they ought to use  
3 it?

4 MR. SNIEZEK: I don't know. Let me check. I  
5 don't believe they have been written yet, or it's in the  
6 plan.

7 Joe, is there a clear set of instructions to the  
8 licensees on when they should use the hot line?

9 VOICE: Only in the letter that we provide to the  
10 licensees for the criteria under which to use the phone.  
11 Simply all they have to do is pick up.

12 COMMISSIONER AHEARNE: No, my question wasn't if  
13 they knew how to use the phone. It is when to use it. The  
14 criteria that went out were a little murky. And my  
15 understanding was that there was going to be an attempt to  
16 at least come out with a clearer set of criteria for the  
17 licensee.

18 VOICE: I would say, based on our daily experience  
19 with the plants, we're essentially developing a dialogue  
20 with telephone operators, and they seem to be reporting  
21 many events which are way below any threshold.

22 We haven't come up with any more specific criteria  
23 as to when in fact they should pick up the telephone. We're  
24 getting more information than we need.

25 COMMISSIONER AHEARNE: I guess when I read them

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MM mte 1 my concern really wasn't that you might get more information  
2 than you need, but it was possible to be interpreted that  
3 you would get less information than you might really want.

4 COMMISSIONER GILINSKY: Of course, the main  
5 purpose of these things was to make sure that there was a  
6 link when either of the parties wanted to use it.

7 COMMISSIONER AHEARNE: Yes. In addition, though,  
8 that we would want to make sure that they would use it when  
9 we would want them to, and my concern was the instructions  
10 were still a little murky.

11 MR. SNIEZEK: So far, we haven't noticed any real  
12 problem in not getting the information reported, that issue  
13 being reported to us.

14 Page 16, there is a discussion of need to improve  
15 the NRC monitoring capabilities under accident conditions.  
16 And right now there is a task force that is working on  
17 defining the radiological monitoring improvement  
18 capabilities that we need, and I expect a draft report from  
19 that task force in November, and a final in December, in  
20 time to start ordering the equipment we think will be  
21 necessary during the next fiscal year.

22 The TLD placement is proceeding, placement of NRC  
23 TLDs around the sites. Letters were sent out to all state  
24 health departments soliciting their cooperation. We have  
25 gotten responses, I believe, back from all of them. All but

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1 a few states are very anxious to participate. We expect to  
2 have TLDs around five sites in October of this year, and the  
3 remainder of the sites by the end of this year.

4 COMMISSIONER AHEARNE: Do I gather, then, from  
5 what you said that some states are not anxious to  
6 participate?

7 MR. SNIEZEK: There are a few that are not  
8 overwhelmingly enthusiastic with resources involved and  
9 things of that nature.

10 Now, the state role here — we are asking that  
11 they would place and collect the TLDs, send them to us for  
12 processing, and they would get a copy of all the reports.

13 COMMISSIONER AHEARNE: Now, for those states that  
14 are not enthusiastic, what do we intend to do?

15 MR. SNIEZEK: We'll do what we did in some of our  
16 other programs, that sometimes we go for a contract with a  
17 local high school science teacher, for example. Or where we  
18 have a resident, we may do it ourselves, if we can get a  
19 contract.

20 We intend to place the TLDs and collect them.  
21 Now, we would like to get the states to do it as a first  
22 priority. Second priority, to contract it out; and third  
23 priority, do it ourselves. But we are going to do it.

24 Those were the highlights that the Commission  
25 wanted to hear.

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1                   COMMISSIONER AHEARNE: Just as a question, on page  
2 11 of the front summary, assorted problems, under I&E tasks,  
3 down under C, you are going to procure operational  
4 parameters?

5                   MR. SNIJEZEK: Those are the data links for the  
6 operational parameters. These are explanatory of the basic  
7 C.

8                   COMMISSIONER AHEARNE: Yes.

9                   MR. CARTER: Mr. Collins will now discuss the  
10 Office of State Programs action.

11                   MR. COLLINS: Mr. Chairman and Commissioners, what  
12 I thought I would like to do, since we only have a limited  
13 amount of time, is to use Enclosure 4, which deals with the  
14 office tasks, sorted out by problem, and try to give you at  
15 least a quick overview of these individual problem task  
16 numbers and how they relate to the general responsibilities  
17 in the emergency preparedness area for the Office of State  
18 Programs.

19                   The first thing you will notice in there is that  
20 Items A-1, A-2, B-4 and E-1 in Enclosure 4 all in some  
21 manner or another relate to this FRPPNE that the Chairman  
22 referred to, the Federal Response Plan for Peacetime Nuclear  
23 Emergencies.

24                   Dr. Hendrie had a meeting with Mr. Macy the other  
25 day concerning the interrelationships between NRC and FEMA,

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MM mte 1 and of course we will be using the preliminary guidance that  
2 came out of that meeting between the two heads of the  
3 agencies to start looking into exactly what form this  
4 Federal Response Plan for Peacetime Nuclear Emergencies may  
5 turn into.

6 FEMA did indicate to us during that meeting that  
7 they intend to use the FRPPNE as a starting point and base  
8 for the national plan for radiological emergencies. That's  
9 referred to in the Hart legislation. It also relates  
10 somewhat to the pending legislation in S. 562 that requires  
11 the NRC to develop an agency plan, and I think our thinking,  
12 at least in State Programs -- and I think this is probably  
13 shared by some other offices -- is that the development or  
14 the lead office role for the development of the agency plan  
15 probably should gravitate towards the Office of Inspection  
16 and Enforcement.

17 COMMISSIONER GILINSKY: Say that again?

18 MR. COLLINS: The lead office responsibility in  
19 this agency for working on the agency plan called for by the  
20 Hart bill should probably gravitate to the Office of  
21 Inspection and Enforcement, since they already do now manage  
22 the manual chapter which deals with this agency's response,  
23 and which would have to be added to and updated and  
24 incorporate IRAP and all of these other things that FEMA has  
25 got in mind.

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2 So, since Inspection and Enforcement already  
3 really sits in the leadership role for the existing plan of  
4 the agency, such as it is, we feel it's a natural that they  
5 continue on with that work. And since they have already had  
6 some initial meetings with the Department of Energy  
7 concerning the IRAP and any pending provisions to the IRAP

—

8 COMMISSIONER AHEARNE: But to some extent it  
9 depends, doesn't it, Lee, on what resolution is reached on  
10 any reorganization?

11 MR. GOSSICK: Right.

12 MR. COLLINS: Yes, it would. But I was talking  
13 about the way things are today.

14 The national plan that is referred to, which  
15 relates somewhat to FRPPNE, obviously, if the Hart  
16 legislation goes through, will probably be a FEMA  
17 responsibility to develop plan for the nation.

18 Now, the FRPPNE is not a plan in itself. It's a  
19 guidance document, as Mr. Macy said the day before  
20 yesterday. It is just that the federal agencies, the  
21 30-some odd federal agencies that helped put that thing  
22 together, have just not done much with the guidance document  
23 to turn it into a federal plan.

24 But it will serve as the base for FEMA getting  
25 started on this national plan.

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COMMISSIONER GILINSKY: Does FEMA expect to develop expertise in accidents --

2

MR. COLLINS: Radiological?

3

COMMISSIONER GILINSKY: Yes.

4

MR. COLLINS: They have some expertise now, Commissioner Gilinsky, but it's mainly nuclear war-oriented. Where their existing expertise comes from is the portion of FEMA that was the old Defense Civil Preparedness Agency. So there is some capability there.

5

COMMISSIONER AHEARNE: It's a reasonable amount as far as radiological measurement.

6

MR. COLLINS: With respect to nuclear war.

7

COMMISSIONER AHEARNE: It's still radiological measurement.

8

MR. COLLINS: Right.

9

COMMISSIONER AHEARNE: I don't want to leave the impression that the nuclear war aspects have anything to do with the strategic weapons per se. It's the effects that that agency was associated with.

10

MR. COLLINS: Right. Of course, many of the instruments that the old Defense Civil Preparedness Agency had, the radiological instruments which have been inherited by FEMA -- and there are millions of these instruments out there -- are designed and constructed to respond to weapons-type fallout.

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1 Now, some of those instruments are useful for  
2 off-site assessment of accidents which might happen at  
3 nuclear power stations, and right now we have a contract  
4 with Idaho National Engineering Laboratory to look at the  
5 FEMA instruments to see which of them would be useful in  
6 assessing reactor accidents on site. And we should have an  
7 answer out of Idaho perhaps in less than a year. So those  
8 instruments would represent some additional capability out  
9 there.

10 It's just that no one has ever really looked very  
11 closely at the response of those instruments to the types of  
12 radionuclides which can come from a nuclear power station.  
13 So that's why we're doing that now. The states have asked  
14 us to do this.

15 COMMISSIONER GILINSKY: Somehow, this is all  
16 getting very complicated. FRPPNE and FEMA and IRAP —

17 CHAIRMAN HENDRIE: The first thing you have to do  
18 is to learn the acronyms.

19 COMMISSIONER GILINSKY: Doesn't it come down to  
20 someone in the Federal Government providing a place to state  
21 and other competent authority on whether or not people ought  
22 to get moved? I can't imagine that being anyone else but  
23 the NRC.

24 COMMISSIONER AHEARNE: I think it's a little bit  
25 broader than that.

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MM mta 1                   COMMISSIONER GILINSKY: There are other aspects,  
2 obviously.

3                   COMMISSIONER AHEARNE: A lot of the advanced  
4 planning, the coordination of the federal agencies, the  
5 state agencies, the private agencies, that in itself is a  
6 fairly complicated operation.

7                   MR. COLLINS: The whole business of emergency  
8 preparedness is not just, you know, getting people out of an  
9 area. It encompasses a lot of complex areas, one of the  
10 most complex of which is accident assessment, and a great  
11 deal of work has to be done in the area of accident  
12 assessment. And that's one of the reasons why we're taking  
13 a look at existing instruments that are already out in the  
14 hands of state and local people, that might be able to  
15 provide them some useful information in the event of an  
16 accident, again.

17                   But this has all got to be looked at. The  
18 instruments have to be looked at and the response to the  
19 instruments has to be examined.

20                   COMMISSIONER GILINSKY: When all is said and done,  
21 after these assessments, isn't it a question of whether or  
22 not persons have to be moved or should be moved, should move  
23 out of the way or not?

24                   MR. COLLINS: Well, you have to make a decision  
25 whether you want to move them or shelter them. Under some

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MM mte 1 situations you may not be able to move them, and the  
2 protective measure that you might have to opt for is  
3 sheltering. In inclement weather, that's about all you have  
4 got, really. You wouldn't even be able to pass out  
5 potassium iodide in inclement weather, because you wouldn't  
6 be able to get around to the doors if there's six, eight,  
7 nine feet of snow. So they're already sheltered and they'll  
8 have to stay there. If the accident happens with nine feet  
9 of snow, some serious considerations --

10 (Laughter.)

11 There are three basic protective measures for  
12 provision --

13 CHAIRMAN HENDRIE: I might be willing to regard  
14 that as Class 10.

15 (Laughter.)

16 CHAIRMAN HENDRIE: And just not plan for that.

17 MR. COLLINS: Right.

18 There are three basic protective measures  
19 identified for the ten-mile emergency planning zone, which  
20 went forward to you in a SECY paper, and those are  
21 evacuation, sheltering, and thyroid blocking. That's what  
22 it comes out to; or a mixture of those four actions.

23 The ultimate, of course, is evacuation.

24 MR. GOSSICK: Beyond that, though, suppose there  
25 is an evacuation. The question then is, is it safe to come

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1 back or when is it safe to come back. And that's a part  
 2 that, you know, I guess we still say, stay involved in. Is  
 3 it going to be our responsibility or whose will it, to make  
 4 that determination as you see it?

5 MR. COLLINS: To re-enter the area?

6 MR. GOSSICK: Yes.

7 MR. COLLINS: I think that will probably -- if  
 8 that ever comes to pass, where people have to leave because  
 9 of radioactive contamination of an area, I would think that  
 10 such agencies as this agency, HEW and EPA and FEMA would  
 11 jointly make such determination as to whether or not they  
 12 could go back in; HEW from the standpoint of foods,  
 13 watershed areas, milkshed areas; EPA from the standpoint of  
 14 people; HEW from the standpoint of people.

15 I would think that these two agencies would have a  
 16 big role in determining whether or not people could go back  
 17 into an area.

18 COMMISSIONER GILINSKY: But that isn't something  
 19 in which minutes count. In other words, there is time to  
 20 do that and improvise if necessary. If someone gets back a  
 21 few hours later, it's not the end of the world.

22 MR. COLLINS: Right.

23 COMMISSIONER GILINSKY: But it is important to be  
 24 able to take action on evacuation, if that's called for,  
 25 promptly. And that's something one has to be prepared to

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1 do.

2 MR. COLLINS: Right.

3 If I can go on, a couple of other items in  
4 Enclosure 4, C-1 and C-3 specifically relate mainly to  
5 guidance, existing guidance and forthcoming guidance. And  
6 it also encompasses not only guidance that this agency has  
7 produced, but guidance that other federal agencies have  
8 produced or have not produced, which is needed.

9 We are, in the Office of State Programs, at this  
10 time looking at the existing guidance for stat. and local  
11 governments and what are the problems with it. Although  
12 it's fairly comprehensive, one of the things that we know  
13 has to be done is to delineate in the guidance for  
14 emergency plans more clearly the kinds of things that belong  
15 to local government planning and the kinds of things that  
16 belong to state government planning and the kinds of things  
17 that belong in the plans of both levels of government.

18 We are acquiring some expertise from local  
19 governments. To do this, we already have a temporary  
20 employee on board who is a county -- former county employee,  
21 with some experience in planning. And we are getting out an  
22 intergovernmental personnel fellowship, probably to arrive  
23 Sunday of this week, a county civil defense director from  
24 Westchester County near Indian Point, who will come aboard  
25 for three months under an intergovernmental fellowship.

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And these two gentlemen, to try to help us in  
 giving us some advice as to how to separate out this  
 guidance as it relates to the local governments and state  
 governments. I think this will be a useful exercise and we  
 certainly need the help of these people, because we haven't  
 had any people on the staff with local government experience  
 before.

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HEW and EPA have a substantial piece of business to do, and I notice the Chairman sent off a letter the other day to HEW recommending that they complete their work on protective action guides and publish it as federal guidance forthwith. And I was glad to see that letter go forward.

6

Dr. Hendrie and Mr. Macy also discussed the business on potassium iodide policy.

8

CHAIRMAN HENDRIE: We've got one item, John. We can put a check beside that.

10

(Laughter.)

11

MR. COLLINS: Under B-6(a), I think we can say — so we have some work cut out for us in revising our guidance. And we also have to look forward that if the Hart legislation or something like it comes down the pike, we have got to have a weather eye out for it, converting the guidance or codifying the guidance into some kind of a regulatory mode.

18

And of course, we would look into the Office of Standards Development to pick up a big chunk of that kind of activity, if it goes that way.

21

One thing I would like to take just a moment on, at least for my own part — and I think I would speak for Mr. Grimes with NRR — we would like the Commission to act on our SECY paper on the emergency planning zones, if they can, as soon as they can, because we think the

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MM mte 1 establishment of these emergency planning zones as  
2 recommended in that paper is the necessary framework that we  
3 all need to put our guidance into better shape.

4 So I would hope that the EPZ business can go  
5 forward soon.

6 CHAIRMAN HENDRIE: Doesn't that preempt a piece of  
7 the rulemaking we are trying to carry out, or does it?

8 COMMISSIONER GILINSKY: If it doesn't, it ought  
9 to.

10 COMMISSIONER AHEARNE: Since I have already said  
11 it should, I guess I have already answered that for myself.

12 MR. COLLINS: Those of us who spent a lot of time  
13 on that SECY paper and the two and a half years on the task  
14 force report, we were a little upset when we saw that go  
15 into the advanced notice of proposed rulemaking as one of  
16 the 13 or 14 points. But nevertheless, it got in there.  
17 But we think that at least a policy statement on EPZs might  
18 be —

19 COMMISSIONER AHEARNE: I think we can endorse it.

20 MR. COLLINS: — advisable, at least on an interim  
21 basis.

22 I would like to make the observation that several  
23 states are already running with the emergency planning zone  
24 concept and several utilities have indicated to us that they  
25 are running with it as well.

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COMMISSIONER GILINSKY: Could we bring that up for  
2 consideration?

3

COMMISSIONER AHEARNE: You can agree with the memo  
4 I sent.

5

CHAIRMAN HENDRIE: Never mind the lobbying over  
6 there.

7

Having cited the item, Len, in the notice of  
8 rulemaking, so that in principle it is an issue to be  
9 discussed, considered in that rulemaking, suppose we wanted  
10 to pull it back out and deal with it separately, so that it  
11 would either be a given in the rulemaking or —

12

COMMISSIONER AHEARNE: It's one piece, because  
13 what the rulemaking said is, asked for comments on how the  
14 recommendations of it ought to be implemented. There are a  
15 number of implementations — two zones or one major —  
16 agreed, a major implementation. So I think the question  
17 really ought to be if you pull that piece of it out.

18

MR. BICKWIT: You can pull anything out of that  
19 rulemaking.

20

CHAIRMAN HENDRIE: I presume what it would require  
21 would be simply Commission action and publication of an  
22 amended notice.

23

MR. BICKWIT: That's right, or you may decide that  
24 you don't want to go through the process in order to take a  
25 particular action. In that case, you can take it by

MM mte 1 policy statement or an immediately effective rule.

2 MR. JAMGOCHIAN: Excuse me. I'd like to make a  
3 point.

4 My name is Mike Jamgochian, from the Office of  
5 Standards Development.

6 The policy statement itself really addresses the  
7 EPZ and emergency planning considerations to state and local  
8 governments. The rule change does not address anything to  
9 state and local governments. The rule change is primarily  
10 focused to requirements to licensees and applicants. It's  
11 two separate things.

12 CHAIRMAN HENDRIE: You would regard it as separate  
13 enough?.

14 MR. JAMGOCHIAN: I have.

15 CHAIRMAN HENDRIE: So I can either agree with the  
16 paper or disagree with the paper or something in between,  
17 and that —

18 MR. JAMGOCHIAN: The policy statement says to the  
19 state governments, we think you should plan out to 10 miles  
20 and 15 miles. The proposed rule change that you people have  
21 before you now talks to a licensee: A licensee shall make  
22 appropriate arrangements beyond the LPZ out to an area  
23 called the EPZ.

24 But again, they are addressed to separate people.

25 CHAIRMAN HENDRIE: I see.

MM mte 1

COMMISSIONER AHEARNE: Vic, just initial it.

2

CHAIRMAN HENDRIE: You want to show me where to

3

sign it now?

4

(Laughter.)

5

COMMISSIONER AHEARNE: I'll send you another copy, just in case you might have put it somewhere.

6

CHAIRMAN HENDRIE: Put an X where I should sign.

7

(Laughter.)

8

9

MR. COLLINS: One of the other items, F-3, dealt with training and retraining. As you are aware, gentlemen, we have a fairly substantial training program with state and local governments under way. One of the criticisms of that training program was that there were no provisions for retraining of personnel to replace personnel at the state and local government who attritioned out.

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The turnover rate among state and local governments in some areas is quite high, and one of the reasons we didn't develop any retraining programs was we were just barely able to keep our heads above water training people who had never been trained before, and our budgets were limited.

Our FY '80 budget is substantially increased over what we had before. It's about \$800,000 a year, and we are taking a look at now the retraining needs of the state and local governments. And I feel we will be able to make

MM mte 1 progress in that area.

2 Another item in there, A-3, funding, dealt with,  
3 in the main, Dr. Solomon's funding study which he has —

4 COMMISSIONER AHEARNE: Before you move to that,  
5 while we're still on that particular F-3, could you say a  
6 few words on what you have in mind on the certification,  
7 federal certification of the emergency planning?

8 MR. COLLINS: Of emergency personnel? What we had  
9 in mind there, Commissioner Ahearne, was that we would  
10 suggest to FEMA, and we are prepared to suggest to FEMA,  
11 that they establish the mechanism to certify the personnel  
12 by some means.

13 We have the existing training programs in place.  
14 The courses are in place. It's just that we don't have a  
15 certification procedure. What a person gets when he comes  
16 out of one of these training programs is a certificate from  
17 the contractor or from the NRC, whoever is conducting the  
18 program.

19 So we would look to FEMA to establish maybe some  
20 kind of a certification mechanism. In other words, a person  
21 could get a certificate if he attended a special  
22 certification qualification. If he attended all of the  
23 emergency planning and preparedness program courses that are  
24 offered, he might get some kind of a rating of A or  
25 something like that; and if he attended just certain ones

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MM mte 1 another certification might be given.

2 This might help the states in determining which of  
3 their people were qualified to do planning and which were  
4 qualified to do response operations and so forth. We think  
5 it's a decent idea and we would look to FEMA to certainly  
6 properly assume the role in certification.

7 The funding study, Dr. Solomon's report,  
8 NUREG-0553, will be probably out of the print shop any day  
9 now. It was already out in draft form last spring. And  
10 what we intend to do with the funding study is to ensure  
11 that it gets up to the Commission with some options and so  
12 forth and, more importantly, that it get to FEMA. Because  
13 we think the document will be a very good first cut look at  
14 the funding problem at state and local government level for  
15 FEMA.

16 We don't think FEMA has -- we know of no such  
17 study that has been made for FEMA or for NRC in the past,  
18 and it should be useful to them, in addition to this agency.

19 I would expect that the bulk of any action  
20 concerning funding that would be taken as a result of this  
21 study and any forthcoming studies after that would be  
22 undertaken by FEMA, because they look like they are going to  
23 be the moneybags outfit of the Federal Government on  
24 emergency planning preparedness.

25 We do have some funds in fiscal '80, \$500,000,

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MM mte 1 if that comes through, where we can put that into some  
2 problem site areas for emergency planning around the  
3 country. And we are thinking about possibly the county  
4 areas around Indian Point, as a sort of an interim funding  
5 measure there.

6 Items D-2 and B-6 relate to mainly field  
7 assistance, our field assistance program and our concurrence  
8 program with state and local government plans. We have  
9 expanded our field assistance effort. We have three people  
10 from Nuclear Reactor Regulation assigned to the Office of  
11 State Programs to help push the review and concurrence  
12 function with the states.

13 We have a commitment from all states with  
14 operating reactors, with an estimated date when they feel  
15 their plan would be able to get a concurrence using the  
16 existing guidelines. These dates range all the way from  
17 this month all the way out to June of 1980 for the last  
18 state, which would be Illinois.

19 Illinois has a lot of work to do and they have  
20 indicated that they will have a draft plan in to us in  
21 December and probably a plan ready for concurrence in June  
22 of 1980.

23 I think they are all trying to beat the dates that  
24 are set forth in the Hart legislation, and as long as we  
25 have an augmentation of personnel in our office and get the



036 12 10

MM mte 1 assistance of the other involved offices at the regional  
2 level, the other federal agencies, I think we can pull it  
3 off and at least get the plans up to the level of meeting  
4 today's criterion guidelines as a first step, and then later  
5 implement the concept of emergency planning zones, if the  
6 Commission gives us the green light on that.

7 We wouldn't expect the states to be able to hang  
8 the EPZs around each facility immediately. They would take  
9 some time to do that, probably by about January of '81.

10 The response to the Chairman's letters to the  
11 states concerning concurrence has been overwhelmingly good,  
12 and we have seen no letters come back from any states  
13 indicating that they don't want to cooperate in the existing  
14 concurrence program.

15 Finally, the last item, which is B-5, which is  
16 research. A comment was made during the deliberations of  
17 the task force that someone ought to take a look at the  
18 research that is going on in the emergency preparedness area  
19 and the lack of research that's going on. And our office  
20 volunteered to try to prepare a laundry list of all the  
21 research activities in emergency preparedness that we know  
22 are going on, not only in this agency, but in other federal  
23 agencies, so that then we and the other federal agencies can  
24 look at this and see what needs to be done and what's  
25 already being done.

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MM mte 1                   And we would hope to have a look-see at what is  
2 going on in research inside and outside the agency, and have  
3 a list of that activity, and then be able to make some  
4 proposals for additional research by the middle of this  
5 fall, I would think.

6                   I think, Tom, that finishes my presentation.

7                   MR. CARTER: Mike Jamgochian will discuss Office  
8 of Standards Development.

9                   MR. JAMGOCHIAN: Gentlemen: The Office of  
10 Standards Development plans to resolve everybody's problems  
11 by writing regulations —

12                   (Laughter.)

13                   MR. JAMGOCHIAN: — quick and easy.

14                   COMMISSIONER AHEARNE: That's emblazened over your  
15 doorway, by the way.

16                   (Laughter.)

17                   MR. JAMGOCHIAN: Basically, what I wanted to do  
18 was, rather than go over specific problem areas laid out in  
19 the action plan, go over rules, regulations and regulatory  
20 guides that we have written, are in the process of writing,  
21 or what we plan on doing.

22                   One of the problem areas that surfaced was  
23 emergency planning for research reactors, and also  
24 maintaining emergency plans up to date. We wrote a rule  
25 change. The Commission approved the proposed rule change.

036 12 12

MM mte 1 It is to be published in the Federal Register either  
2 tomorrow or the beginning of next week.

3 Second, there is a rewrite to Appendix E to 10 CFR  
4 50, as well as a change, proposed change, to 5033 and 5054.  
5 You received the last few pages to the task force report, a  
6 first-cut draft of proposed rule changes. Now, this first  
7 cut was simply my own personal draft as a result of sitting  
8 down listening to a number of Commission meetings, your  
9 concerns in emergency planning, and sitting down with the  
10 various offices, getting their ideas.

11 It was done very quickly, and attached here  
12 primarily in the hopes that the Commission could give me an  
13 idea if they have any major problems with the concepts that  
14 I have laid out in either the change to 5033, which is  
15 condition of an application, 5054, conditions of a license,  
16 and the rewrite of Appendix E.

17 As of September 1st, I started writing the formal  
18 Commission paper which lays out the discussions, the  
19 alternatives. I anticipate getting that through Office  
20 review and to the Commission the latter part of September,  
21 which, as you probably know, is one week off the schedule  
22 that you have directed for that rulemaking.

23 MR. GOSSICK: Mike, that will have the comments  
24 included that we have received or not?

25 MR. JAMGOCHIAN: Well, there's a problem, as with

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MM nte 1 most things. We received a great number of comments. As of  
2 today, I believe we received 95 comment letters. Each  
3 letter — well, approximately maybe five to ten comments per  
4 letter.

5 Well, as of the 1st of September, in order to meet  
6 your schedule, I had to start writing the rule, the  
7 Commission paper. We had only received approximately 30  
8 comment letters. I evaluated those comments, reviewed them,  
9 and took into consideration all the people's concerns in  
10 writing the Commission paper.

11 Well, now, since September 1st and as of today, we  
12 received a significant number more. So you know, I propose  
13 to continue forward because of the urgency of the matter and  
14 present the paper the latter part of September, with the  
15 consideration of 30 comment letters.

16 If the Commission doesn't like it that way and  
17 wants me to consider all the comments, you've got to give me  
18 more time.

19 COMMISSIONER AHEARNE: Is there anyone who is  
20 looking at the other 65 to see what major points are made  
21 throughout that?

22 MR. JAMGOCHIAN: That's me.

23 COMMISSIONER AHEARNE: You're the only person?

24 MR. JAMGOCHIAN: Yes, sir.

25 Now, the other 65 — as of today, I anticipate we

036 12 14

MM mte 1 are going to get 300 letters. This received a a great deal  
2 of publicity in the newspapers. So we are getting quite a  
3 bit.

4 So if we want, I can keep reviewing letters.  
5 We're going to get them.

6 COMMISSIONER AHEARNE: I would guess -- let me  
7 shift my question over two notches.

8 Lee, is it possible to talk to Bob to see if it's  
9 possible to find someone else to help Mike in reviewing  
10 these?

11 MR. GOSSICK: We obviously have to look into this  
12 to see if there is some way of task forcing a review of  
13 comments. You know, if the first 30 represent --

14 COMMISSIONER AHEARNE: And having that done, the  
15 task force not end up being Mike in a different suit.

16 MR. GOSSICK: I understand

17 MR. JAMGOCHIAN: Again, it's as of today we have  
18 received 95. So you've got to have a cutoff point in order  
19 to proceed with the Commission paper and with rulemaking.

20 COMMISSIONER AHEARNE: I understand, but there  
21 really has to be more personnel.

22 MR. GOSSICK: When does the comment period end,  
23 Mike?

24 MR. JAMGOCHIAN: The comment period ended the 1st  
25 of September.

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MM mte 1

MR. GOSSICK: So these are late comments, in

2 effect.

3

MR. JAMGOCHIAN: But that's usual.

4

MR. GOSSICK: That's normal.

5

6 COMMISSIONER AHEARNE: So you really need someone  
else to help review those.

7

8 MR. JAMGOCHIAN: What I anticipated doing was,  
9 yes, continue reviewing them, and if there's any major  
10 problem, then surface that when the Commission reviews the  
11 proposed rule changes. But again, this is only proposed  
rule changes; it's not effective rule changes

12

13 What I had anticipated doing was, prior to writing  
14 the Commission paper on the final rule changes, is have a  
thorough detailed analysis of all comments.

15

16 To address one of the questions I believe you had  
17 relative to the EPA-NRC task force, the comments that I  
18 reviewed, the 30, I did a fairly thorough evaluation of them  
19 and none of them, as of September 1st, had any problems with  
the EPA-NRC task force report. To be fair, many of them had  
20 never heard of it.

21

(Laughter.)

22

23 I have sent out 10 or 12 EPA-NRC task force  
reports to concerned citizens.

24

25 But to try to look at the questions that were sent  
out in the Federal Register notice, you know, it's a lot of

036 12 16

MM mte 1 concern to people at home that are simply saying, I live  
2 three miles or five miles from the plant and I'm worried.  
3 They are truly concerned.

4 Well, that EPA-NRC task force recommendation in  
5 essence takes into account, because we're saying, all right,  
6 we have to have emergency plans out to ten miles. So may of  
7 them are concerned that they never heard of an emergency  
8 plan and that they live four miles, five miles, down the  
9 road from a nuclear power plant.

10 So when I said that, they would like the concept  
11 of emergency planning out to that distance. Many of the  
12 states -- well, not many. A few of the states, in glancing  
13 through the other 90, the states had said that they were  
14 concerned as to NRC's role during emergency. Is Harold  
15 Denton going to come down and take over everything as soon  
16 as an emergency happens, that kind of a thing.

17 It was sincere concern. You know, why should we  
18 plan if NRC is going to take over the ballgame. So that was  
19 a concern.

20 CHAIRMAN HENDRIE: We only book Harold one  
21 engagement at a time.

22 MR. JAMGOCHIAN: And as of September 1st, we had  
23 no comments from the utilities.

24 Relative to the Appendix E change, I would like to  
25 simply go over the major changes. Basically, we have

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MM mte 1 required that implementing procedures be submitted as part  
2 of the FSAR for staff review and approval. These are major  
3 changes.

4 Number two, we have extended emergency planning  
5 consideration of licensees out to an EPZ; and, number three,  
6 requiring as a condition of an application and license that  
7 state and local government emergency response plans be  
8 submitted and concurred in by NRC.

9 Those are the three big changes. The other  
10 changes are, if you would, sharpening, clarifying, Appendix  
11 E, being more specific where it has been perceived that it  
12 hasn't been specific enough. Basically, that's the change  
13 in Appendix E.

14 Once Appendix E is changed and approved in final  
15 rule form, I anticipate on proceeding with revising  
16 Regulatory Guide 1.101 as well as Regulatory Guide 2.6,  
17 which is emergency planning for research reactors, and  
18 Regulatory Guide 3.42, I believe it is, emergency planning  
19 for Part 7 people.

20 COMMISSIONER AHEARNE: In your perspective, what  
21 ought to be the sequence of those changes with respect to  
22 the rulemaking?

23 MR. JAMGOCHIAN: What do you mean by the sequence?

24 COMMISSIONER AHEARNE: Should the emergency  
25 planning rulemaking be finished first before you make those

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MM mte

1 MR. JAMGOCHIAN: Two regulatory guides? Well, the  
2 basis for the regulatory guide is a rule. The foundation is  
3 the rule.

4 COMMISSIONER AHEARNE: Yes, so that we really  
5 ought to defer real consideration of those until after we  
6 finalize the rulemaking.

7 MR. JAMGOCHIAN: Most definitely. I thought I  
8 brought that out. Once Appendix E is written in its final  
9 form, then I'll proceed with rewriting regulatory guides.

10 Basically, that's it. Any problems?

11 (Laughter.)

12 COMMISSIONER AHEARNE: The largest problem is you  
13 don't have enough people to help you.

14 MR. KENNEKE: Let me ask you a question following  
15 Commissioner Ahearne. If you say you must have a rule  
16 before you can get the guides, nevertheless one of the  
17 elements of the rule is that the licensee submit a state  
18 plan, which in turn must incorporate local plans.

19 What are we doing to provide the guidance, in  
20 upgrading the guidance to the locals in particular, so that  
21 whatever the licensee submits will be acceptable and meet  
22 whatever criteria we have?

23 We need to go forward on both elements together.

24 MR. JAMGOCHIAN: Well, the criteria for accepting  
25 or concurring in a state plan has already been set out

MM mte 1 by State Programs in NUREG-75111.

2 COMMISSIONER AHEARNE: But it's a little weak, as  
3 has been pointed out, on where the state is and where the  
4 local is. I think Al --

5 MR. JAMGOCHIAN: Basically, we're going on what's  
6 on the books now. As a condition of application and as a  
7 condition of license, a concurred-in state plan will be  
8 required, according to the regulations.

9 MR. KENNEKE: No change from present criteria as  
10 reflected in 7511?

11 MR. JAMGOCHIAN: Correct. The action as it stands  
12 today.

13 COMMISSIONER AHEARNE: That, of course, is one of  
14 the things that the rulemaking is addressing?

15 MR. JAMGOCHIAN: Concurrence.

16 MR. KENNEKE: It may not be.

17 COMMISSIONER AHEARNE: Also, what ought to be in  
18 the Office of Local Planners.

19 MR. JAMGOCHIAN: Not in this rule change. The  
20 Hart bill says that the criteria for concurrence will then  
21 be put in our regulations.

22 COMMISSIONER AHEARNE: What I am saying is at  
23 least a notice for rulemaking had addressed one of the  
24 issues of what are the criteria.

25 MR. JAMGOCHIAN: Oh, yes, the advanced notice.

MM mte 1 That's true.

2 COMMISSIONER AHEARNE: So at least I trust, since  
3 that was in the advanced notice, it to some extent will be  
4 addressed in the rulemaking.

5 MR. JAMGOCHIAN: Not this particular rulemaking;  
6 another rulemaking at a later date. The advanced notice  
7 went out with a lot of general questions: What do you  
8 people think about emergency planning? You know, very  
9 general questions. And we're getting very general — in  
10 many of them, very general comments.

11 COMMISSIONER AHEARNE: Yes. I think some of those  
12 general questions were under the assumption that the rule  
13 would answer those general questions specifically.

14 MR. KENNEKE: Mike has given the draft rule, and  
15 it goes only to the requirement that a licensee submit a  
16 plan. It does not specify the criterion as part of the  
17 guidance I assume you are seeking —

18 MR. GOSSICK: That's intended to be a separate  
19 rulemaking with regard to the guidance to the state.

20 MR. JAMGOCHIAN: That's correct. We cannot put in  
21 our rules right now regulations to states. We have no right  
22 to regulate states. Our regulations, as I understand them,  
23 are primarily to licensees and applicants.

24 COMMISSIONER AHEARNE: Certainly. We can  
25 certainly say, can't we, that, here, licensee, we are

MM mte 1 telling you you will not get a license unless the state plan  
2 has X, Y, Z in it?

3 MR. JAMGOCHIAN: Yes.

4 COMMISSIONER AHEARN: Can't we do that?

5 MR. BICKWIT: I assume that we are proposing —  
6 you are contemplating a proposed rule which would say that.

7 MR. KENNELKE: That is not in Mike's proposal.

8 MR. BICKWIT: What is in your proposal, as I  
9 understood it, was a requirement of a concurred-in state  
10 plan as a condition to a license.

11 MR. JAMGOCHIAN: Yes, sir.

12 MR. BICKWIT: If you can require that as a  
13 condition to a license, you can require that it say certain  
14 things.

15 MR. JAMGOCHIAN: Okay.

16 MR. BICKWIT: As I read the advanced notice for  
17 proposed rulemaking, we were going to confront that issue in  
18 the rulemaking, just what criteria should we provide to the  
19 states and localities.

20

21

22

23

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1 MR. GOSSICK: The point Mike made is that guidance  
2 such as this is what you need to start putting together the  
3 final proposed rule.

4 MR. JAMGOCHIAN: That's true.

5 But to lay out more specifically the acceptance  
6 criteria for state and local government concurrence in our  
7 regulations now is much broader in scope than I had anticipated.

8 Again the rulemaking proceedings that you had directed  
9 originally is under very stiff scheduling.

10 COMMISSIONER AHEARNE: Right.

11 MR. JAMGOCHIAN: If the scope has to be expanded --

12 MR. BICKWIT: Just one relevant factor. In the  
13 Hart Bill, within six months of enactment, the Commission  
14 would be required if the bill passes in its present form, to  
15 have promulgated a stepup in the criteria for states and  
16 localities. It said, in effect, if that schedule is to be met,  
17 then this would appear to be the appropriate rulemaking to  
18 deal with that issue.

19 MR. KENNEKE: If I may follow this up, as I  
20 understand both NRR and State programs as they look at both  
21 sides of their action plans, one with state plans and one with  
22 licensee plans, are looking at local plans under the present  
23 criteria?

24 MR. CARTER: I think they should speak to that. I  
25 would assume they are.

mm2

1 MR. GRIMES: Yes. The test teams for NRR are looking  
2 at the adequacy of the plans around the facility which includes  
3 the state and local plans, and would have some draft or interim  
4 criteria that we are using, and we will have some action level  
5 criteria also for interim use which we will be getting experience  
6 with over the coming months and will undoubtedly we will  
7 change and develop as we use it.

8 So the answer is NRR will be looking at that. I  
9 am not sure the extent to which State Programs in their  
10 current exercise is looking at focusing on locals because  
11 they are using the same criteria as of July 16, specified in  
12 the Hart Bill for their concurrence exercise.

13 But there is some look at local plans through the  
14 team effort.

15 MR. COLLINS: Collins, State Programs.

16 We are looking at local government plans in the  
17 same light that we have paid attention to them in the past.

18 In other words, we are looking for them as a part  
19 of the state plan. Right now we are in a mode as I explained,  
20 of trying to be a little more definitive with respect to what  
21 we expect to see in the local plan, vis a vis our existing  
22 guidance and what we expect to see in the state plan and  
23 what should be in both.

24 Naturally, since we haven't paid a great deal of  
25 attention to separating the guidance elements at state

mm3  
1 level or local government level before simply because we  
2 didn't have the staff to do it, and to look at local plans, we  
3 are in kind of a mode right now what should be in local  
4 plans. But we intend to work with Nuclear Reactor Regulation.

5 And I think between the two offices we can quickly  
6 straighten this out.

7 MR. GRIMES: With respect to rulemaking I think  
8 it is a question of how much detail you want to put in the  
9 rule.

10 You can take these draft documents, guidance  
11 documents and put them out as the proposed rules, I suppose.  
12 But I think that is a good deal too detailed, given our current  
13 state of development of the documents.

14 COMMISSIONER AHEARNE: Mike, am I correct that you  
15 are the only person working on this advanced rulemaking?

16 MR. JAMGOCHIAN: Yes, sir, in the Office of Standards  
17 Development.

18 COMMISSIONER AHEARNE: But you don't have other  
19 people working with you?

20 MR. JAMGOCHIAN: No, I'm the bottom.

21 (Laughter)

22 COMMISSIONER AHEARNE: Or the top.

23 (Laughter)

24 For example you don't have an ELD lawyer full-time  
25 working with you?

mm4

1 MR. JAMGOCHIAN: No.

2 See, after the task force had this task force  
3 report submitted, we wanted a rule change to attach to it.  
4 I did have ELD input into that rule, into this package that  
5 you got, as well as NRR, State Programs and I&E.

6 COMMISSIONER AHEARNE: I recognize that.

7 I'm really trying to make sure that I understand --  
8 and I think I do. Thank you.

9 MR. GOSSICK: He is the Lone Ranger.

10 (Laughter.)

11 CHAIRMAN HENDRIE: Very good.

12 MR. JAMGOCHIAN: Thank you.

13 MR. CARTER: We do have one other section to  
14 discuss.

15 CHAIRMAN HENDRIE: Can we move briskly to it.

16 MR. CARTER: Yes, sir.

17 Mr. Durst?

18 MR. DURST: Gentlemen, it is my purpose to briefly  
19 review that portion of the task force review called the NRC  
20 Actions Plans, which is the first of the action plans attached  
21 to Appendix 3 to the report's enclosure 3.

22 I might say I got this job of having the perspective  
23 of the EDO or the NRC with Mr. Carter, when working with the  
24 task force when it was first put together, assigned me  
25 some representative research as the least involved person both

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mm5

1 in past and the future of the subject.

2 The first task of different tasks he gave me, was  
3 that of critiquing the present status of NRC defining implemen-  
4 tation and everything associated with emergency response.

5 He has already cited the results of this effort,  
6 which were achieved primarily by the working group under the  
7 direction of Mr. South and some slight help from me. These are  
8 contained in the report.

9 I think I would agree with Tom that the work they  
10 did deserve high compliments. I think it is a decisive  
11 analysis of what is going on and whatever the NRC may do to  
12 take future actions, they should surely start with the address  
13 of the problems identified in this plan.

14 Secondly, as the task force was coming to its  
15 reporting time, Mr. Carter asked me then to take the action  
16 plans submitted by the action offices that was required, and  
17 attempt to summarize those more on a linear basis than an  
18 analytic basis and to make some limited analysis of the value  
19 which they had as a basis for future action by the NRC in  
20 achieving its overall policy.

21 The results of this are contained in the action  
22 plan, specifically pages 3 through 5, summarize what has  
23 existed in the past, and include the fact that Mr. Jamgochian  
24 has been the Lone Ranger for a long time in the Office of  
25 Standards.

mm6

1                   And posits the estimates of each individual action  
2 office in what it views will be its requirements to meet their  
3 responsibilities.

4                   The rough figures are that summation of these  
5 action plans connotes a threefold increase of resources or  
6 something on the order of 16, to add an additional 44.

7                   The action plans were less precise in dollars.  
8 Some dollar figures were cited and a deduction can be that  
9 dollars might be roughly not dissimilar from the figures that  
10 were cited for manpower, although were not dealt with in that  
11 detail.

12                   Having analyzed the plans, some preliminary results  
13 were made. These results begin on page 6, and they state I  
14 think in a pretty agreed way that the short-run recommendation  
15 of the task force,           parts of the schedule which is at  
16 Table 2, provides fairly reasonable compliance with the wishes  
17 which the Commissioners exhibited, and the timetable that you  
18 wish to follow.

19                   It is a possible schedule but it is not an easy  
20 schedule as Mr. Jamgochian has just said. But if we desire  
21 to meet that schedule, or if the Commissioners or staff do,  
22 it is indeed possible to squeeze and come very close to meeting  
23 it.

24                   In the long range the product of the task force  
25

mm7

1 is less defined.

2 I think on page 8 which summarizes the recommenda-  
3 tions of the task force for the long range are really essentially  
4 three points:

5 The first, that the task force should be dissolved,  
6 which -- the reasons for which are stated quite extensively.

7 Secondly, that if in response to the requirements  
8 which the new rules impose upon the public we will require  
9 again an \_\_\_\_\_ by the NRC over an extended period  
10 of time.

11 Explicitly, the action plans did not address one  
12 of the elements which was contained in many of the topics  
13 put forth by the working group, and that was that there is  
14 and has been a lack of coordination among some of the policies  
15 which NRC has put together, and perhaps in some cases even  
16 confusion.

17 Stated previously, and I just cite it, a lot  
18 of this does come because resources devoted to this thing  
19 quite limited it to that.

20 But at the same time it was the feeling of the  
21 task force which does agree with the recommendations on page  
22 8, that if the NRC is to increase its effort in this field,  
23 that some more positive means of coordination will be required.  
24 And a specific recommendation, a consideration of the  
25 technical assistant to the EDO to assist the EDO in coordinating

mm8

1 over the long run, a concerted effort by all offices, seems  
2 reasonable.

3 I have nothing else. If you have any questions --

4 COMMISSIONER AHEARNE: Perhaps you might address --

5 MR. GOSSICK: Well, I think clearly what we have  
6 been doing here this afternoon points to the need for some  
7 better management approach towards integrating all of the  
8 various items and actions that are going on in the various  
9 parts of the organization.

10 I guess one can start with one solution of trying to  
11 pull it all out and put it together. I frankly don't think  
12 that that's a workable solution.

13 COMMISSIONER AHEARNE: Why not?

14 MR. GOSSICK: I just believe too many of these  
15 things are so intertwined with the I&E function, with the NRR  
16 function, that if you take it away and have a central office  
17 in charge of it, then when you come to implement an action,  
18 an emergency response of some sort, you are going to have  
19 another problem of having the involved offices aware and current  
20 up to date on what has been done with regard to planning.

21 Maybe you say, okay, let this office be in charge  
22 of the event. I don't really think that that is too good. It  
23 has problems. It also has some attractions in other respects.

24 COMMISSIONER GILINSKY: Wait a minute.

25 The distinction of being in charge of an event and

mm9

1 making sure that the various utilities and other localities  
2 and so on have adequate plans and check them out beforehand,  
3 that is really what this group is doing. State Programs isn't  
4 in charge of any event. The emergency people review the  
5 conformance to various Reg Guides and NRR are in charge of  
6 NRC's response to an accident. They deal with our reviews  
7 of utilities' plans.

8           And there has been a gap, it seems to me, pretty  
9 clearly between on the one hand our review of utility plans  
10 in NRR, and review of state plans in State Programs.

11           And as far as I'm concerned, I think these two  
12 groups ought to be brought together. I'm not sure just where  
13 I would put them, and --

14           MR.GOSSICK: I think that's a problem. And you  
15 go further and also take that part of the emergency planning  
16 function that I&E is also wrestling with --

17           COMMISSIONER GILINSKY: I think I might put them in  
18 I&E. I'll tell you why:

19           Just as I think there is a problem in having a  
20 health and safety function in basically a liaison office which  
21 is basically what State Programs is, I also think there is a  
22 certain conflict in having an emergency planning office in  
23 NRR. And one of the reasons we haven't had good emergency  
24 planning is that, I think to do too much on that side seems  
25 to suggest we haven't done quite enough in reviewing the plan.

mm10

1                   And it may be that you want to have those  
2 responsibilities separated. In other words, those who review  
3 the plan shouldn't be assuming that their review wasn't  
4 adequate, there was an accident, the emergency planning will  
5 take care of it..

6                   In just the same way the emergency planners shouldn't  
7 be assuming too much about how effectively the reviews have been  
8 conducted and be too confident about avoiding any sorts of  
9 accidents.

10                   So it may be that one wants to take it out of NRR,  
11 too.

12                   In any case, I do think it is important that these  
13 activities be brought together, particularly if we are  
14 talking about requiring state plans as a condition -- and  
15 local plans as a condition of licenses.

16                   MR. GOSSICK: I certainly don't disagree with the  
17 need for tighter integration and the possibility of moving  
18 it all to one place or another, I think is something that would  
19 need to be studied certainly more carefully than we have delved  
20 into that.

21                   I think as an interim measure, at least an interim  
22 measure, that I think as opposed to the creation of a technical  
23 assistant or something to serve as the central point for  
24 coordinating all this effort, making sure that things don't  
25 get dropped in the cracks, that problems are elevated up to

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mm11 1 where they can be dealt with and so forth, that I propose to,  
2 at least for the moment, assigning this overall role to the  
3 deputy, currently acting deputy EDO. I may have to give him  
4 a legman to help stay current with the program, because this  
5 is something that I think is almost a fulltime task for  
6 somebody cutting across the parts of the Staff where this  
7 activity is currently going on and trying to track reporting  
8 progress.

9 But the overall structure, you know, that is of  
10 more extensive reorganization and taking all, or at least  
11 parts of the current effort and putting it in one place is  
12 something that we frankly have not studied the ramifications  
13 of.

14 COMMISSIONER AHEARNE: Well, I asked you last  
15 week, to be prepared today to at least address that. That  
16 was my Item No. 4.

17 MR. GOSSICK: Yes.

18 I'm not prepared to tell you that we have studied  
19 and come up with alternatives, options and pros and cons of  
20 various organizational fixes.

21 COMMISSIONER AHEARNE: I asked you for specific  
22 things. I asked you to describe the formation of a separate  
23 staff office, whose role would be to develop, coordinate  
24 and insure the implementation of emergency planning action  
25 and give me an estimate of what functions it might take over.

12  
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1 I think your answer is that you are not ready to  
2 address that?

3 MR. GOSSICK: Only to the extent that as far as  
4 coordinating the effort, assuming that you are leaving the  
5 functions where they are as opposed to trying to consolidate  
6 them.

7 COMMISSIONER AHEARNE: I think the request is, is  
8 a consolidation necessary. Certainly that is what I intended  
9 to write.

10 And I say which functions it would take over, it  
11 is a single office that would develop and coordinate.

12 MR. GOSSICK: I think that is the subject of a study  
13 that has to be very carefully done, and there frankly wasn't  
14 time to do it.

15 If it is your desire that we undertake such a study,  
16 fine, we will do that.

17 I think even if we do though, for the time being I  
18 would propose my going ahead with assigning the current  
19 continuing responsibility of integrating and coordinating  
20 this effort as I have indicated.

21 COMMISSIONER AHEARNE: I guess I thought back when  
22 this emergency task force was being started, I can remember  
23 one of the specific questions you asked to have addressed --

24 COMMISSIONER GILINSKY: That's what I thought.

25 COMMISSIONER AHEARNE: -- was to have it all pulled



ml3 1 together in a single office.

2 MR. GOSSICK: I don't believe that was in the guidance  
3 that came through from Mr. Chilk, and I don't recall it being  
4 put in that many words.

5 Do you, Tom?

6 MR. CARTER: No.

7 CHAIRMAN HENDRIE: I don't recall it in those  
8 terms. I may be wrong.

9 MR. GOSSICK: I think we reviewed that charter with  
10 you and our understanding of that charter, on June 28th --  
11 well, if we missed it, I'm sorry.

12 COMMISSIONER GILINSKY: Well, I'd like to see it  
13 brought together in one place.

14 CHAIRMAN HENDRIE: What activities do you have  
15 in mind?

16 Everything connected with emergency planning?

17 COMMISSIONER GILINSKY: Well, I would certainly put  
18 together the activities that are now presently in NRR with  
19 those in State Programs.

20 CHAIRMAN HENDRIE: So that NRR would not have any-  
21 thing to do with emergency planning?

22 COMMISSIONER GILINSKY: I didn't say where I would  
23 put them. We might put them in NRR. But I see a problem  
24 about doing that.

25 But I do think it is better to have them together in

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1 NRR than separate the way they are now.

2 MR. GOSSICK: I think I can perceive some real  
3 management problems with that. Again it is going to be  
4 something that is going to take some study and careful looking  
5 at the implications of this, resource impact, interactions,  
6 understanding with staff by this office, wherever it is, to  
7 do things like it currently is doing, field surveys and all that  
8 sort of thing, unless you provide a directive for that.

9 I guess another, just a point to mention, in  
10 creating a separate additional office is, I get a little  
11 concerned about, if a special topic comes up, we keep adding  
12 another special office of some kind. It suggests that either  
13 something is wrong with our basic structure -- maybe there is.  
14 And also it adds a span of control, an additional communication  
15 problem.

16 You may have cured problem. You have now  
17 created another set of problem to deal with. Interaction  
18 communications, and so forth.

19 COMMISSIONER AHEARNE: That's one of the disadvantages.  
20 Yes.

21 CHAIRMAN HENDRIE: Especially considering that we  
22 start with a set of statutory offices which anchor major  
23 portions of the organization in a certain way, which we are  
24 not free to redeal.

25 I am very leery of establishing -- every time a

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1 problem comes up, establishing an office. If Problem A comes  
2 up, good, we will now have the Office of A. Problem B, good,  
3 we will have the Office of B.

4 It is a random organizational approach which doesn't  
5 take account of the overall responsibilities for distribution  
6 of resources that are necessary to priorities. It is just  
7 simply a reactive response. Every time we get a problem that  
8 is causing trouble, good, we need an office for that. And  
9 they do their thing.

10 Now we would have some problems with that.

11 That doesn't necessarily mean that some reconfiguring  
12 of places, arrangements by which we deal with these things  
13 aren't appropriate and shouldn't be considered. But I think  
14 we ought to come very carefully and with careful thought of  
15 a reorganization for this purpose.

16 In the meantime I would suggest to you that whatever  
17 we may eventually decide about this, that the Staff has to  
18 keep collected on all of these things going on tomorrow, the  
19 next day and so on. And what the Executive Director is saying  
20 is that he proposes to establish responsibility to the Acting  
21 Deputy and bring into his office a fulltime professional  
22 who would, on the Deputy's behalf, be the cognizant engineer  
23 for emergency planning throughout the agency just to keep  
24 track of it in your office.

25 As an interim measure, that seems to me reasonable.

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1           It looks like these things are developing enough  
2 different elements in different places so that keeping track  
3 of it is a fulltime job.

4           MR. GOSSICK: I think this is a subject certainly,  
5 if we get to the Congress with our supplemental request,  
6 there is going to be interest in. And I would like to point  
7 to whatever steps we can take between now and then, not only  
8 actions, but the management of those actions.

9           COMMISSIONER AHEARNE: Certainly, it is entirely,  
10 as far as I can see, up to Lee if he wants to have an  
11 assistant in his office doing that coordination, that's fine  
12 with me.

13           .I doubt that it is going to be an adequate response  
14 overall to have one person try to coordinate this. There is  
15 a lot of problems in the coordination.

16           I agree with Vic, I think we are going to have  
17 to at some point get to some additional restructuring of  
18 those functions. But as a very short-term interim, certainly  
19 that's -- (Inaudible.)

20           CHAIRMAN HENDRIE: All right.

21           May we go on that basis, with the understanding  
22 that you will look to the matter of what alternate structures  
23 might be better than the ones we have now to manage the  
24 business. And ~~where~~ then, you cut off the transfer. That is,  
25 we talk about emergency planning in NRR, why it has elements,

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1 some of which trickle a long way down into the detail work of  
2 the shop. You just can't take the whole thing out. You may  
3 take just the planning elements out, or even some more than  
4 that. But you have to decide where that cut line is that you  
5 are going to transfer over into a separate office.

6 And what does that mean in terms of resources? And,  
7 are you ending up in turn now making emergency planning -- just  
8 how does it fit in terms of agency priorities and the overall  
9 resource allocation.

10 MR. GOSSICK: I would ask Norm Haller to take this  
11 on like he did the safeguards consolidation study on the  
12 organizational studies. And this is a four-bodied problem  
13 in that two-bodied problem essentially, and it will take, I'm  
14 not sure how much time required. Something in the nature of  
15 a few weeks to do.

16 CHAIRMAN HENDRIE: My guess is it will be more than  
17 that by the time we sort things out, and interact with the  
18 offices.

19 COMMISSIONER AHEARNE: In theory there is a  
20 fair amount of thought that's already been given, I'm sure,  
21 to the various aspects of it on the task force.

22 For me, I would like to thank Tom and the people  
23 that worked on this. This is certainly a very significant  
24 piece of work with a lot of hard effort, obviously, to bring  
25 us a good way forward on this very difficult subject.

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1 CHAIRMAN HENDRIE: Yes, I would like to join that  
2 sentiment. Thank you very much.

3 MR. GOSSICK: One last request is that when you  
4 respond to Sam on this, please remember that we have the  
5 Brooks letter to answer. In the report we have got to tell  
6 the Congress what the Commission intends to do.

7 So, if the Commission generally endorses the  
8 report, fine, or whatever. We need to have your guidance.

9 COMMISSIONER AHEARNE: We have the Lone Ranger  
10 working on it.

11 (Laughter)

12 (Whereupon, at 5:30 p.m., the hearing in the  
13 above-entitled matter was adjourned.)

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