

OPE COMMENTARY ON NRC PROGRAM FOR
EMERGENCY PLANNING AND PREPAREDNESSI. Policy Assumptions

- o NRC's activities in emergency planning will be upgraded, in terms of the Commission and staff's perceptions of the relative priority and importance of emergency planning and preparedness in light of the TMI experience, and the resources which NRC commits to this area.
- o A clearly defined organizational focus and structure will be developed within NRC which will highlight emergency planning as a significant staff activity and develop an integrated staff approach to the complex of related problems in this area.
- o The Commission will establish a clearer understanding than now exists of Federal, state, local and private sector responsibilities in emergency planning and preparedness, and improved modes of interaction among the several levels of government, the licensee, and the affected public.
- o Improved procedures will be developed for monitoring and collecting data on radiological releases; for coordinating such efforts and communicating with all interested public agencies (at each governmental level), the licensee and the public.
- o NRC's basic guidance documents in emergency planning and related programs including 10 CFR Part 50, Appendix E; Regulatory Guide 1.101; guide and checklist for state and local governments (NUREG-75/111) will be reviewed and reassessed.
- o The adequacy of concurred-in state emergency plans will be evaluated.
- o The Commission will take timely action on the recommendations of the GAO report and the NRC/EPA task force study (NUREG-0396).
- o The emergency planning and preparedness implications of NRC's siting policy will be reviewed and reassessed.

II. Ongoing Staff Actions

- o Response to GAO report on radiological emergencies. SP has drafted a response, circulated it for comments, and is preparing a paper for Commission action. EDO due date was May 4. The Commission response is due to Congress May 30.

Staff should be asked to forward the draft response to the Commission, with dissents attached, for immediate review as Commission policy.

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- o Regulatory approaches. In a draft response to question 54 to the staff of the Senate Subcommittee on Nuclear Regulation (5-4-79), NRC staff has promised to re-examine the need to incorporate in the regulations more specific requirements for licensee capabilities in an emergency situation, including: accident assessment with onsite instrumentation; communications requirements; offsite monitoring; and coordination with other Federal agencies.
- o NRC/EPA task force report (NUREG-0396). The public comment period ended on May 15, 1979. SP and NRR have promised to complete action and submit staff recommendations to Commission by July 1979.
- o NRC emergency planning guidance for state and local governments (NUREG-75/111).
SP expects to complete review and updating by December 1979.
- o NRC-state relations:
 - Eighteen letters have been sent to the Governors of each state with a nuclear power plant in operation (and to states contiguous to those with operating reactors) where NRC has not concurred in the states' emergency plans.
 - Federal Interagency Regional Advisory Committees have begun reviews of the Vermont and Pennsylvania state plans (reported in SP Weekly Report, April 27).
- o Additional Personnel. The EDO has assigned SP two additional person to work on emergency planning and has authorized six temporary positions at the Regional Office level to expedite review and approval of state emergency plans.
- o Communications:
 - NRC (IE) has requested licensees to notify NRC regional offices within an hour in the event of an uncontrolled transient and to maintain a continuous communications channel with NRC.
 - Staff has promised a response on means for expanding communications with states by July 1, 1979.
 - IE staff is presently working with AT&T to develop two telephone systems to connect each site with the NRC Operations Center and regional offices. The two systems would include: an operations line in each control room and a system for health physics communication.

In view of the slow pace of installation of telephone equipment the Chairman may wish to consider calling AT&T for assistance in accomplishing this.

o Improved Capabilities of State and Local Emergency Response Efforts

- SP has drafted a report, "Beyond Defense in Depth: Cost and Funding of State and local Government Radiological Emergency Response Plans and Preparedness in Support of Commercial Nuclear Power Stations", NUREG-0553, March 30, 1979, and has circulated it for staff comments. OPE has commented extensively on the report and has suggested revisions to improve the study.

- o Draft Manual Chapter on National Level Emergency Planning. MPA's Performance Appraisal Briefing (5-14-79) indicates that this is now in circulation and that comments from IE are still outstanding. The EDO has suggested deferral of this activity until 10-1-79.

III. Significant Outstanding Issues

Institutional Issues:

- o Coordination of emergency response activities at federal level. Pertinent issues to be addressed include:
 - Clarification of NRC's emergency response authority and responsibility for executing evacuation plans;
 - NRC's relationship to other federal agencies with emergency response responsibilities, including FEMA and IRAP;
 - Review and possible upgrading of IRAP responsibilities.
- o Clearly defined organizational focus within NRC. A mechanism is needed to provide emergency planning and preparedness activities with the attention it warrants, to develop an integrated staff approach to the many related issues, to develop and monitor contracts with outside consultants, as appropriate, and to coordinate relations with federal, state and regional offices.

Alternative options for achieving such a coordinating mechanism include:

- Formation of a task force composed of representatives of the affected staff offices, perhaps to report directly to EDO;
 - Formation of a lead office with strengthened resources and staff to report to EDO or to the Commission;
 - Formation of a group composed of non-NRC persons as well as staff;
- o Commission structure for providing leadership during an emergency. This might include consideration of:
- Appropriateness of collegial structure for responding to emergencies;
 - Desirability of legislative changes.

- ° Clear definition of roles and responsibilities of NRC and state and local governments in radiological emergency response planning. Relevant issues to consider include:
 - Verification of capabilities of state and local governments to implement effectively their emergency plans, including the holding of drills and test exercises at the respective sites;
 - Desirability of legislative authorization for ensuring state and local conformance to federal standards of emergency planning;
 - Desirability of provision of funds to states and local governments to prepare and maintain their radiological emergency response plans.
- ° NRC relations to applicant. Pertinent questions include:
 - Should provision be made for a federal takeover of plant operations in similar circumstances to TMI?
 - Is NRC's existing authority adequate to require the licensee to follow a particular course of action in the event of an emergency?
 - Should NRC require licensee to provide adequate staffing during an emergency from outside sources (e.g. universities, utilities, consultants)?

Regulatory Issues:

- ° Monitoring, with attention to the following issues:
 - Clarification of responsibilities among federal agencies and applicant in collecting, recording and reporting on radiation data on a continuing basis in uniform ways. (Although NRC has authority, according to ELD, to engage in environmental monitoring to protect health and safety and to enforce its own regulations, the White House has assigned responsibility to EPA for coordinating and collecting the data for TMI.)
 - Purpose of environmental monitoring, including a clear notion of what is to be monitored;
 - Who is to perform the monitoring? What are respective roles of NRC, FEMA, EPA, IRAP, DOE?
 - Is state involvement appropriate?
 - Are federal-federal and/or federal-state interagency agreements desirable?

- Is better monitoring equipment needed to measure intermediate radiological releases?
- Are additional resources and time needed to equip each NRC regional office with mobile radiation monitoring units (memo from Commissioner Kennedy 4/20/79)?
- Are improvements needed in NRC's or applicant's capabilities for monitoring accidental releases offsite, and notifying affected state and local officials?
- Should identification be made of plants which need to upgrade their monitoring systems for intermediate level releases (promised to Moffett Subcommittee, 5/14/79)?

° Communications, with attention to the following issues:

- Identification of respective responsibilities of NRC, related federal agencies, the affected state or states, and the applicant, in the event of an accident;
- Actions to improve communication capabilities between licensees and NRC regarding unusual events at operating nuclear facilities. Commissioner Kennedy has requested a plan of action within 10 days (from May 4).
- Actions needed to improve communications among NRC personnel at site; between NRC and DOE; among NRC and federal, state, and local authorities; among the Commission, the site and the Incident Response Center; and between the affected site and regional headquarters, in the case of unusual events. Commissioner Kennedy requested a report on short term action (4/23/79).
- Review of information to public concerning adequate levels of protection, status reports and evacuation procedures in the event of an emergency. (This was promised to Moffett Subcommittee 5/14/79.)
- Should establishment of emergency regional response capability be required as a condition of licensing?
- Should applicant be required to make appropriate communication arrangements with state and local officials for designated distances around site?
- Should a single official spokesman be designated to provide definitive information to the affected public concerning the emergency and provide status reports?

° Notification - Review of present requirements for NRC and state and local authorities including attention to such issues as:

- Placement of offsite detectors with readouts in local Civil Defense (CD) offices and State Health Departments; and
- Establishment of meteorological data and readout capability in local CD offices, State Health Departments and off-site control center.

- Reassessment of regulatory requirements, with particular attention to the following:
 - Title 10 CFR, Part 50, Appendix E, "Emergency Plans for Production and Utilization Facilities":
 - NRC Regulatory Guide 1.101, "Emergency Planning for Nuclear Power Plants";
 - If GAO recommendations should be adopted, further changes should be undertaken.
- Adequacy of concurred - in state emergency response plans with attention to the following issues:
 - Should concurred in plans be site-specific, perhaps with a separate attachment for each facility?
 - Should affected local governments be more heavily involved in the formulation and implementation of state plans?
 - Should NRC require states and licensees to designate a lead agency in cases of emergencies?
 - Should state plans contain clearly articulated goals with respect to the levels of protection to be achieved within different zones within specified time periods?
 - Revision of state plans to include recommendations of NRC/EPA task force report.

N.B. Representative Moffett stated at the House Subcommittee hearing that he has requested a GAO inquiry into the adequacy of states' emergency plans.
- Reassessment of NRC's siting policy with particular reference to:
 - The siting of reactors in heavily populated areas;
 - The size of LPZ's;
 - Evacuation and justification of siting criteria;
 - Consideration of Class 9 accidents in the licensing process.