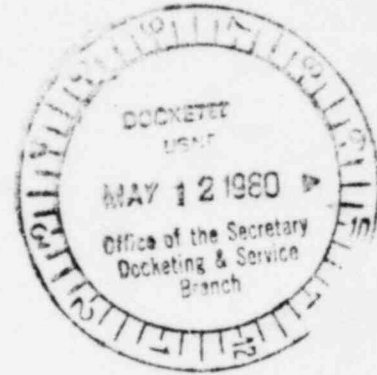


5 May 1980

PROPOSED RULE **PR-NUREG-0654** (2)
(45 FR 9768)



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

ATTENTION: Docketing and Service Branch

Subject: Comments on NUREG 0654/FEMA-REP-1
(Federal Register, VOL 45, Notices, Page 9768)

Dear Sirs:

Enclosed are the Nebraska State Civil Defense Agency's comments on
NUREG 0654/FEMA-REP-1.

Sincerely,

A handwritten signature in cursive script, appearing to read "Francis A. Laden".

FRANCIS A. LADEN
Assistant Director
State Civil Defense Agency

Encl: A/S

8005220770

General Comments

The Nebraska radiological response planning effort completed the State and one local plan which were submitted for RAC review in May 1979. After a successful exercise in July 1979, NRC concurrence was received in September on these two plans. The Nebraska plans were the first to receive NRC concurrence after TMI. This was followed by development of further local plans for the second power plant. The adequacy of these plans was demonstrated by an exercise in December and NRC concurrence on the second local plan was pending when procedures changed in middle December 1979.

An important feature of our planning has been early adoption of the preparedness concepts outlined in NUREG 0396. Currently the FEMA review in accordance with NUREG 0654/FEMA-REP-1 and the Presidential directive has just been completed. Generally we find our potential plan revisions are not extensive, although some of the required changes are clearly beyond our resources.

In accordance with the invitation for public comment we have completely reviewed NUREG 0654/FEMA-REP-1. During this review we have attempted to maintain the perspective of what a State and Local government can accomplish. Our comments have been developed as part of a positive effort to make a good plan that much better. Our overall evaluation is that this document represents a step forward in emergency preparedness. Official publication of NUREG 0654/FEMA-REP-1 will not only give us clear objectives but will also help us to structure our future radiological emergency planning program.

While we feel the organization and continuity of NUREG 0654/FEMA-REP-1 are definite improvements, the wording of some criteria elements causes us concern. Prior Federal emergency planning guidance has made a definite distinction between the amount of detail required to be included in emergency plans and the size of the political subdivision concerned. CPG 1-5 (April 1978) and CPG 1-8 (July 1979) recognize that civil preparedness requirements in a smaller rural county may not be as complex as in a large city. Yet NUREG 0654/FEMA-REP-1 establishes detailed guidelines pertaining to areas where State and local prerogatives and capabilities should be the determining factor in the actual mode of operation. Because of the varied local situations you can not standardize all the detailed aspects of a plan.

CPG 1-8 (July 1979) gives much information as to the type of information to be included in well prepared plans. Generally this guidance requires that planners should address what, where, when and by whom in this context. "How" to accomplish emergency response is seldom indicated. Planning must be kept flexible to meet changing situations and the specifics of actual mission accomplishment must remain one of the prerogatives of the responsible emergency organization. Many provisions of NUREG 0654/FEMA-REP-1 not only spell out how to accomplish detailed functions but also in many cases disregard the fact that the specific response required might not be appropriate in all situations. II. C. 2. provides for the liberal exchange of representatives from each principal organization, yet the particular type of incident and/or the phase of incident response might not fully require this function. During a disaster operation, dispatch of representatives should be made by the responsible

organization as needed. Some emergency organizations do not have the personnel required for this function. Items II. E. 7., II. G. 1. 2. & 5. tell all concerned precisely how to prepare and disseminate emergency information to the media and public. The need for this type of action is clear, however, some degree of latitude should be left to the sovereign governments and political subdivisions who are well aware of their responsibilities. Items II. H. 10. and 11. specifically require certain maintenance procedures, inventories, etc., for emergency equipment be included in emergency plans. This overlooks the fact that other regulations and guidance adequately provide for these services. A simple reference to these companion documents would be sufficient instead of duplicating this information in all response plans. The same reasoning is employed in Item II. I. 10. in which plans have to specifically outline health physics techniques established by other procedures or standards. Detailed agricultural study must be added to plans as required by II. J. 11. This information is readily available in the internal files of those agricultural agencies responsible for monitoring the food chain. In II. J. 10. f. the State plan must specify the method by which the State Health Department makes certain health hazard decisions, despite reams of separate guidance published on this subject.

In the area of emergency information to the public, the Federal government has always urged the State and local response agencies to channel public information, when appropriate, through a single authoritative source and that it be closely coordinated with the facility operator and local governments. Under NUREG 0654/FEMA-REP-1 each agency would be authorized to make public information releases. This would create a situation similar to TMI in that a large percentage of these releases would contain inaccuracies because the author(s) would not be privy to the correct information as established by responsible authorities.

Emergency plans should cover specific operations using existing resources. To do otherwise would set artificial standards and would detract from realistic evaluation of what the plans actually could accomplish. There are many provisions of NUREG 0654/FEMA-REP-1 which require extraordinary application of government personnel and funding resources beyond our present manning and funding levels. At the same time NUREG 0654/FEMA-REP-1 requires equal compliance with all criteria elements. In terms of planning, a "bottom line" of major elements must be established. Obviously, it is extremely unrealistic to equate establishment of an EPZ with preparation of block diagrams.

Response plan requirements which include specific information that is subject to rapidly becoming outdated should be avoided. Lists of names, telephone numbers and detailed equipment inventories change rapidly. II. H. 11. requires an appendix containing an inventory of equipment. Development of this inventory is difficult, immediately outdated, and impossible to keep current without major expenditure of funds and personnel. These inventories should be maintained at the using agency level.

Details irrelevant to the actual contingency for which the operations plan was developed should not be included. Matters such as training, exercises.

etc., that are not directly related to the actual operation should receive only general treatment and should be referenced to other administrative guidance. Despite the connection between training and response, everything in the operations plan should be related to pure emergency matters. During an actual emergency these sections will not be needed nor consulted.

The guidance in NUREG 0654/FEMA-REP-1 as outlined in Section I. J. notes that response plans should be kept as concise as possible and they should be understandable by a layman in a single reading. At the same time, FEMA/NRC indicate that NUREG 0654/FEMA-REP-1 does not specify a single format for emergency response plans. These are commendable features for all emergency plans. However, this good start is clearly contradicted by the specific requirements to have a table of contents cross-referenced to the FEMA/NRC criteria and an index, to say nothing of the admittedly large amount of duplicate information. It would seem that many of the criteria are not aimed at improving the plan, but rather at making it more convenient for FEMA/NRC to do a review.

Specific Comments

The following are comments which are keyed specifically to the criteria paragraphs contained in NUREG 0654/FEMA-REP-1.

II. A. - The term "organization" is given an extremely wide scope throughout NUREG 0654/FEMA-REP-1. It cannot be used interchangeably at each level of government and still retain a specific meaning for each criteria item. An organization at the State level would be the Department of Health. Therefore, in this type of planning the Department of Health would have a major role and a significant portion of the State response plan would specifically cover this role. At the local level the volunteer Fire Department would also be described as an organization but its role is much more supportive. Thus, some distinction must be made between major activities which have statutory responsibilities and other activities whose responsibilities would derive from those of the major activities and/or whose actions would be largely supportive.

II. A. 1. b. - If a concept of operation must be listed for each organization and sub-organization in the plan, this will result in a gross duplication (between plans) of unnecessary information especially for those organizations whose emergency operations derive their authority from major or parent organizations.

II. A. 1. c. - Block diagrams have their place in showing internal command and support relationships between major activities. However, they become useless in showing governmental relationships where major officials are elected. Does the Governor command a State agency headed by an independent board or commission? Does the Chairman of the County Board command the local Sheriff who is also an elected official? General supporting diagrams indicating levels of assistance are acceptable, but to diagram each individual response entity down to the last man is best left to the individual organizations and not placed in the major plans.

II. A. 1. e. - This is an unrealistic requirement unless "organization" is defined. All organizations which may be required to respond at one time or another do not have 24-hour communications links for notification. This requirement seems to envision some sort of super group on constant standby to provide instant reaction. This may be true of major response organizations but not for all entities. Notification and communications procedures are best left to the States and Locals to work out within the available means.

II. A. 2. a. - The requirement to specify functions and responsibilities is acceptable. The requirement that we shall have a chart deals with internal plan development and should be left to the manner which best suits our needs. Your interest should be that the information is there, how we show it is our concern. Page 25 of NUREG 0654/FEMA-REP-1 states "The guidance does not specify a single format . . . ", you should follow your own words.

II. A. 4. - By definition emergency organizations are designed to protect public safety. Their size and capabilities have been designed by government consistent with evaluation of potential hazards and the resources available. To require 24-hour operation for a protracted period is incapable of a planning solution due to the vagueness of "protracted". This is gross interference with State and local prerogatives, the requirements for operations should be left to the organization after an evaluation of the mission. Specifying an individual is duplication of the requirement contained in II. A. 1. d.

II. C. 2. - The requirement to include the all-encompassing criteria to dispatch representatives to the operators near-site EOF is of concern. State and Local Planning must consider this requirement, but providing representatives at the EOF should be as required. The lack of qualified manpower may preclude the accomplishment of this. Let the State and Local Government determine the resources they can commit and where they will be committed.

II. E. 1. - The procedures for verification of a message should not be included in the plan. Contents of the verification procedure should be maintained only by those needing to know. If you are requiring this in the plan, it is contrary to the proposed NRC rules (page 75173, C. Activation of Emergency Organization) which states: "The existence but not the details of a message authentication scheme shall be noted for such agencies." The extent of the verification system required should be determined by the State and Local Government based on their operating procedures.

II. F. 1. - The term "compatible" is extremely vague. Also, there is no guidance as to the desired scope of this mysterious compatibility. The need for reliable primary and backup means of communications is clearly recognized and supported.

II. G. 1. a. through e. - The broad context of "organization" makes this extremely difficult. Our previous emergency preparedness efforts in this area have been directed towards consolidation and uniformity in PI content. Does this criteria mean that local sheriffs, fire chiefs, police, etc., are now in the PI business instead of a designated spokesman? We view this as a "shotgun" requirement which is directly opposed to a coordinated program. The need for a PI program is not questioned. We believe the program should be consolidated at Plant, State and Local levels, rather than each "organization" going its own way.

II. H. 3. - Once again, the poor use of "organization". Does this mean that each Sheriff, Fire Department or Police Department needs an EOC? I trust that is not the intent. EOC's are designed to facilitate coordination at a level of government, to place response services together. This criteria should state that an EOC should be established for each level of government response activity (i.e. Local, State, Plant).

II. H. 10. - Use of the broad term "emergency equipment" makes this element extremely vague. Does this pertain to fire trucks, rescue vehicles, communication vans, and other equipment used by State and local agencies? If so, we could easily be forcing these agencies to adopt standards beyond those normally required in their respective areas of responsibility. In many cases State and local government lack the authority to specifically require actions contrary to normally accepted procedures. In the case of Civil Defense radiological monitoring equipment assigned to local agencies there is definitely a conflict in standards. In CPG 1-5 (April 1978) Standard Four (Tangible Components of Emergency Readiness: Facilities and Equipment) para 3(5) an annual inspection and operational check of local government radiological instruments is required in accordance with the schedule provided by State. The requirement for quarterly inspections must be substantiated by fact before this criteria has any sensible meaning.

II. H. 11. - Inventories of such a wide-range of equipment do not belong in emergency response plans. Endless listings of tools, kits, etc., are internal agency matters and this information does nothing to increase the effectiveness of response. It is recognized that some key, specialized items such as radiological monitoring sets are exceptions. Each response agency has a need for certain types of equipment. The availability of this equipment is their responsibility and is under their control. The task of monitoring listing and updating an all inclusive equipment list is not practical.

II. I. 7. - We understand that there is no equipment available which will accomplish this requirement.

II. J. 10. h. - This criteria should be made more flexible in that relocation facilities may not be readily available. The Emergency Planning Zone (10-mile EPZ) criteria can be determined by certain judgement factors (Page 14, NUREG 0654/FEMA-REP-1). This relocation center criteria should be afforded the same considerations. Examination of the existing conditions should be the prime factor in determining a relocation center.

II. J. 10. k. - The term "potential impediments" is much too general. If this element is intended to apply to existing road net as compared with potential evacuees, then some justification exists. However, if this pertains to temporary impediments such road repairs, storms, etc., then identification and solution must be accomplished at the time of incident. No amount of pre-planning can account for all potentials. In the broad context this does not belong in a State response plan.

II. J. 10. l. - State and local personnel and funding resources are not sufficient to accomplish this dynamic analysis.

II. J. 11. - The agricultural information is much too detailed to be included in a State level response plan. It properly belongs at the agency level (USDA and State) where it will be of maximum benefit to those agencies who are specifically charged in the plan with responsibilities for agricultural actions in the 50-mile EPZ. It would be extremely wasteful in resources to consolidate and maintain this information in the State plan. Some of the required actions also cover internal agency procedures which do not belong in a State level plan.

II. N. 3. 4. and 5. - Specific details of exercise scenarios do not belong in an emergency response plan. This should be covered by separate administrative procedures. Specific information as to observers, critiques, etc., should be treated similarly.

II. O. 4. - Some of the training requirements listed under this criteria element are well beyond the local capabilities. Some of them are beyond State capabilities. This entire element overlooks the fact that all local and most State emergency response agencies are primarily organized and trained for an area of emergency functions, some features of which might be useful for this contingency. These agencies must train to meet their most pressing needs according to their responsibilities. There is difficulty imposing major additional training requirements on largely volunteer agencies who have problems meeting their present commitments. At the same time this very precise directed format should not be made a part of our response plans. This is properly a subject for separate administrative action.

II. P. 7. - We do not understand this criteria element. What is a procedure? In our plans we have carefully listed the statutory references governing emergency actions by all agencies concerned. To turn around and prepare a listing by procedures(?) would be meaningless in terms of how we normally conduct our emergency operations.