DIVISION OF DISASTER EMERGENCY SERVICES

TEXAS DEPARTMENT OF PUBLIC SAFETY

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WILLIAM P. CLEMENTS, JR.
Governor

JAMES B. ADAMS
Director

FRANK T. COX
Coordinator

May 28, 1980

Honorable John F. Ahearne
Chairman
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Dr. Ahearne:

The Division of Disaster Emergency Services, Texas Department of Public Safety, is the State agency charged by Texas law with planning for and coordination of all phases of preparedness, response and recovery from disaster occurrences within this State. This responsibility includes radiological emergencies associated with nuclear power plant operations. As a concerned agency, we have on numerous occasions submitted our comments on proposed NRC regulations in accordance with published guidance. Because our views have not been addressed at any level within the NRC, and because those views apparently are not reaching the Commission, The Division of Disaster Emergency Services now feels constrained to address our comments directly to the Commission.

Contrary to the impression which seems to exist at some levels within the NRC, considerable experience in disaster operations and planning does exist at both the State and local levels. Technology may change, but the philosophy and concepts of disaster preparedness remain constant and this Division has been dealing with those concepts for the past thirty (30) years. The total man-years of experience in this field embodied in our present staff exceeds 150 years and embraces planning and response to threats which range from natural disasters with the destructive force of Hurricane Carla (which caused the evacuation of 1/2 million persons from the Texas coast) to the logistic complexities of crisis relocation planning (which involves the relocation of approximately 8.5 million persons out of thirty-five risk areas in this State and the reception and care of those persons in 238 counties in Texas, nine counties in Oklahoma, and four counties in New Mexico; with all plans being prepared by this staff). We may not have all the answers, but our experience with the philosophy and concepts of disaster preparedness should warrant more than the casual regard they have to-date received from the NRC staff.

Because of a shortage of travel funds available to this staff, we will not be able to appear in person before the Commission when it considers the Proposed Rule on Emergency Planning (10 CFR Part 50) and related planning

guidance proposals. We therefore respectfully request that this letter and its attachments be read into the record as testimony addressing those proposals.

We would first wish to point out that all comments included in this letter and its attachments have been previously directed either to the Commission in writing, or to NRC and/or FEMA staff members as verbal comments during proceedings which were stated by those staff members to be a part of the public comment process. Please note that neither NUREG/CP-0011, Proceedings of Workshops on Proposed Rulemaking on Emergency Planning for Nuclear Power Plants nor attachment #1 to this letter (FEMA VI State Reactions and Questions on FNF/REP Criteria) even indicate that we have expressed concern over certain provisions; much less give our reasons for concern or our suggestions for solution.

Items which we have addressed in writing are included in attachments number 2 and 3 to this letter. Items which we addressed verbally to the NRC staff or to FEMA staff members are basically as follow:

1. The State of Texas does object very emphatically to the imposition of a requirement for a 15 minute warning capability within the EPZ. We objected during the workshop in San Francisco and again during an 8-hour workshop with FEMA Regional Advisory Committee members which was conducted on March 27, 1980 here in Austin. The damage done by a premature warning could very conceivably be far worse than the damage resulting from the power plant incident generating said warning. Not only is a release with such short warning highly unlikely (taking it outside the realm of probable events which plans should be required to address); the typical exposure resulting from such a release would not be of sufficient magnitude to warrant the dissemination of warning, and the duration of the release would most probably be so short that protective actions could not be implemented before the danger had passed. By attempting to ensure that warning will be disseminated prior to every possible release, the NRC staff is instead practically ensuring that sufficient false warnings will be disseminated to bring about a negative response from the public whenever a true emergency arises.

2. Detailed evacuation planning; particularly the enumeration of every traffic control location, the identification of every reception center, and the pre-selection of every lodging facility to be used for housing evacuees is both unnecessary and unwise. Texas plants were intentionally sited in areas with very low populations. There are less than 4,000 persons living within five (5) miles of the Comanche Peak facility. Given the low probability of any need for ever evacuating these persons, and the probability that such need would arise only after hours (not minutes) had passed, this type of extensive planning could not be justified for any other than an NRC

monitored activity and has not been adequately justified for those activities either.

3. The Preliminary Safety Analysis Reports (PSAR's) for all facilities in Texas show that the 8-hour terminus (the maximum distance where the Protective Action Guide levels would be exceeded in 8 hours if no action were taken) never exceeds 4.5 miles. These PSAR's were prepared using NRC criteria. Why does other NRC criteria now require that we develop the capability to warn persons out to 10 miles within 15 minutes? The NRC should accept its own findings (or findings resulting from application of NRC guidance) and acknowledge that proposed warning and evacuation planning requirements are unjustified outside the 8-hour terminus; and that the 15 minute warning requirement is questionable in all cases.

4. In a related matter, the State objects to the requirement for 24-hour per day manning of communications links by local government. In communities of the size of those in the 10 mile EPZ's of Texas plants, there is absolutely no reason for 24-hour manning aside from the NRC requirement; and if the 15 minute warning requirement is modified not even the NRC reason for 24-hour manning will remain.

As a concluding statement, and as an indication of the planning and preparedness goals which this State endeavors to attain, we urge that regulations for nuclear power plant emergency response planning address only those capabilities which are essential for meeting the needs posed by events which are likely to occur. We cannot devote the degree of attention demanded by the NRC to events which have practically zero probability of ever occurring. To do so would be to jeopardize the safety of the population in the face of other threats which can and do arise almost daily within the State. The Petition for Rulemaking which was filed with the NRC on March 12, 1980 by Counsel for Duke Power Company, Texas Utilities & Generating Company, and Washington Public Power Supply System raises some valid questions about the proposed Rule on Emergency Planning (10 CFR Part 50) and about the provisions of NUREG-0654 as it presently exists. These questions are recognized by this staff and the position of the Petitioners is one in which this State and at least Alabama, Colorado and Virginia concur. We urge that that petition and the objections raised in this letter and its attached documents be given very careful consideration by the Commission before any rules or regulations are imposed.

Sincerely,

Frank T. Cox
State Coordinator

FTC:Bg

Attachments (3)

3. Page 40, F.1.b "Emergency Communications"

What type of communications are needed with contiguous state/local governments outside the 10-mile zone but within the 50-mile zone other than State contact with dairy farms and other farm producers? Is it necessary to plan to contact every local government within the 50-mile zone? If so, what is the time frame within which this contact should be made?

4. Page 40, F.1.c "Emergency Communications"

Should not the word "Federal" be deleted? If not, what Federal agency should local government be contacting?

5. Page 42, G.1.c "Public Information"

Respiratory protection appears to have different meanings to health officials. Does this not actually mean alternate protective actions? i.e., information to the public such as shut off ventilation systems, close windows, etc.

6. Page 46, H.11 "Emergency Facilities and Equipment"

Can this inventory be a part of the plan rather than a separate appendix as stated?

7. Page 48, I.7 "Accident Assessment"

State health has raised the question whether the concentration as indicated can be measured in the field through use of any portable instrumentation presently available. Can samples be taken in the field and returned to the site laboratory for analysis?

8. Page 52, J.10.b "Protective Response"

Population distribution is by sectors, but not in the format of Table J-1 due to natural geographical boundaries of streams and evacuation routes. This deviation appears in the best interest of the planning as it is already accomplished and should not be changed at this time.

9. Page 55, J.11 "Protective Response"

Must the plan actually include maps or list where they are readily available for use?

10. Page 64.N.3 "Exercises and Drills"

The states do not feel that scenario development including objectives, dates, and events are logical parts of the planning process. Exercises including those parameters will be conducted in accordance

FEDERAL EMERGENCY MANAGEMENT AGENCY
REGION VI
FEDERAL CENTER
DENTON, TEXAS 76201

March 20, 1980

MEMORANDUM FOR: Associate Assistant Director
Population Preparedness Office

FROM: William Tidball, Director
Plans and Preparedness Division

SUBJECT: FEMA VI State Reactions and Questions on FNF/REP Criteria (NUREG-0654/FEMA-REP-1)

FEMA Region VI has held State Planners/Operators meetings in Louisiana and Arkansas for the specific purpose of reviewing and discussing subject planning criteria. These meetings developed several areas where further information, guidance and interpretation of the meaning of the criteria is needed. Overall, State Planners have noted several items in which local government has been designated as having a responsibility for which they have neither the desire nor capability to fulfill. In planning to date the State has accepted these responsibilities and they are so indicated in the State Plan. At this point we stressed that the intent of the planning was to provide for adequate preparedness around the facility and that weaknesses in one organization could be covered by strengths in another.

Examples are H.7, 10, 11; I.8; and K.3, 4, 5, 8, where the State will be responsible for instrumentation and information to the local governments. In these areas the State Plans will reflect that the State is responsible for assuring that this criteria is met for the local government. Consequently, the State will not require that local plans contain statements that "we do not have this capability; it is being provided for by the State."

Following are questions and comments on specific items:

1. Page 34, C.2 "Emergency Response Support and Resources"

   States have voiced strong opposition to the necessity for having an operator representative at the local EOC and a local representative at the operator's EOF. The State will have representatives at each of the facilities. With the communications provided for in the plan there appears to be no reason for the exchange of other representatives.

2. Page 36, D.1 "Emergency Classification System"

   "The specific instruments, parameters or equipment status . . ." Does this require listing the type of instruments and needle readings within the operator's plan? Further explanation is needed.

ATTACHMENT #1

FACSIMILE TRANSMITTAL

TO	FROM	PRECEDENCE	ROUTINE / PRIORITY
LOCATION: STATE CD TEXAS	LOCATION: FEMA REGION VI	DATE-TIME GROUP	
NAME: Clarence Born	NAME: P&P/ M. Cunningham	May 27, 1980	
OFFICE SYMBOL:	OFFICE SYMBOL: P&P		
TELEPHONE EXT: 3633	TELEPHONE EXT: 341	NUMBER OF PAGES: 3	

REMARKS: (Special Instructions, Fax Identification, Suspense, etc.) pp-15

Per your telecon request this date.

TYPED NAME OF RELEASER

William C. Tidball

RELEASER'S INITIALS::)

9811

MAY 27 12 AM

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OUTGOING

10. (continued)

with the criteria. However, they do not want to include the samples in the plan.

11. Page 68, P.7. "Responsibility for the Planning Effort"

What specific training is required?

12. Page 68, P.7. Responsibility for the Planning Effort"

Better interpretation is needed of this item. What does it mean?

Your comments on the above would be helpful and appreciated.