

JAN 26 1988

MEMORANDUM FOR: Those on attached list

FROM: Hugh L. Thompson, Jr., Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT: REVISION TO NRC RESPONSE PLAN FOR INCIDENTS INVOLVING
NUCLEAR MATERIAL IN UNAUTHORIZED PLACES

Enclosed for your information and use is the subject NRC Response Plan. This plan is unchanged from the way it was originally issued on June 28, 1985, except for changes in assignment necessitated by the reorganization of the agency that occurred last year.

(Signed) Robert M. Bernero

Hugh L. Thompson, Jr., Director
Office of Nuclear Material Safety
and Safeguards

Enclosure:
As stated

NRC RESPONSE PLAN
FOR INCIDENTS INVOLVING NUCLEAR MATERIAL
IN UNAUTHORIZED PLACES

(Revised October 30, 1987)

The purpose of this document is to set forth the actions to be taken by the Nuclear Regulatory Commission (NRC) when nuclear material is found to be widespread (that is, involving several States or a wide region) in places not authorized by a general or specific license issued by the NRC or an Agreement State or by the conditions under which a material is exempt from licensing. The plan is necessary to ensure that appropriate and timely steps are taken to protect health, to minimize danger to property, and to answer public concern about the event. The plan covers all byproduct, source, and special nuclear material ("radioactive material") regulated by the NRC and by Agreement States. However, the scope of the plan is limited in several ways. First, it excludes nuclear material at an operating nuclear reactor. Second, it is limited to incidents that are of more than local concern but that do not require an emergency response. That is, these incidents fall below the threshold calling for application of NRC Manual Chapter 0502, the NRC Incident Response Plan, and supplementing documents. And third, the scope excludes those incidents that are quite limited in extent and that are routinely handled by an NRC Regional Office or by an Agreement State. Most contamination incidents fall in this latter category. However, the NRC response to any incident that could generate broad public concern should be coordinated by NRC Headquarters.

For those events that fall within the scope of the plan as just delineated, experience indicates that the NRC is normally viewed as the primary Federal agency responsible for responding to the events. In such instances, the NRC staff assumes responsibility for response coordination and information exchange. Regulatory activities are shared by Regional Offices (in non-Agreement States) and by Agreement States within their own jurisdictions.

NRC responsibility for managing a materials incident that falls within the scope of this plan and for coordination at the NRC Headquarters level resides with the Office of Nuclear Material Safety and Safeguards (NMSS). NMSS, in its role as manager of the materials program area, has the Agency lead for developing policy guidance and providing technical support related to management of the incident. NMSS will coordinate NRC actions and will be the point of contact through which information flows at NRC Headquarters after the initial report is received. NMSS will maintain a record of NRC actions and provide periodic information related to incident status and recovery actions to other NRC Offices and to the Executive Director for Operations as might be appropriate. NMSS will seek assistance from other NRC Headquarters offices as appropriate. NMSS will also coordinate with other federal agencies at the Washington Headquarters level, using the NRC Operations Center for routine notifications and requests for assistance from the U.S. Department of Energy (DOE). In this connection, NMSS will keep the Operations Center informed of the status of this type of incident and the designated contacts. The Director, Division of Industrial and Medical Nuclear Safety, is designated by the Director of NMSS to be the NMSS point of contact for ensuring that NRC actions are timely and appropriately taken.

The Office for Analysis and Evaluation of Operational Data (AEOD) is responsible for transmitting initial reports of contamination incidents received from the NRC regional offices or through the NRC Operations Center. The resources of the NRC Operations Center will be used to:

- ° Make initial and followup notifications within the NRC and to other federal and State agencies, in coordination with NMSS;
- ° Maintain cognizance of the incident;
- ° Prepare to escalate the NRC response if required; and
- ° Request, in coordination with NMSS, and monitor assistance from DOE.

The Office of Enforcement (OE), in coordination with NMSS, will prepare or coordinate orders on the enforcement action, as appropriate, with respect to the possession and use of byproduct, source, and special nuclear material.

Regional offices have the primary role in effecting NRC's actions in accordance with the policy guidance and technical support of NMSS. To this end, the regional offices collect information, make special inspections, take needed enforcement actions, and ensure proper disposal of radioactive material in non-Agreement States. They also work with individual States as necessary, using State and Governmental Affairs staff. Regional offices shall inform NMSS:IMNS of their use of inspection resources for these actions.

Information flow to NRC Headquarters shall be through the NMSS-designated coordinating official. Direction to NRC regional offices concerning NRC actions shall also be through this official. Where appropriate, NRC-originated communications with other government agencies, which are normally handled by the NRC Operations Center, will be coordinated with the NMSS-designated official. All NRC Headquarters and Regional Offices are responsible for keeping NMSS currently informed of all developments related to a contamination incident.

International Programs (GPA:IP) is designated as the NRC lead for needed coordination with other countries and the Department of State. GPA:IP will coordinate its actions with NMSS.

State, Local and Indian Tribe Programs (GPA:SLITP) will assist in providing advisory information to State governments and, in coordination with NMSS, will coordinate the response with regard to State governments.

Public Affairs (GPA:PA) will prepare any NRC public releases from NRC Headquarters and will be the main point of contact with the news media concerning all matters related to the incident at NRC Headquarters. A similar function will be performed by the Public Affairs officers assigned to NRC regional offices for news releases and media inquiries related to actions of the regional offices. The Public Affairs staff may draw on the technical staff as it deems appropriate to develop information and respond to inquiries.

The goal of the NRC in responding to a radiological incident is to ensure that timely and appropriate actions are taken to provide needed protection against radiation hazards and to alleviate public concern about the event.

Tasks that are to be carried out by the various NRC offices are listed in the attached staff guidance. These tasks are not strictly chronological; actions taken in one task may well overlap actions in previous or subsequent tasks.

Roles of other federal agencies in responding to incidents involving radioactive material in unexpected places are briefly summarized in an Appendix.

Abbreviations used in the following staff guidance are defined as follows:

AEOD	- Office for Analysis and Evaluation of Operational Data
AEOD:DOA	- Division of Operational Assessment, AEOD
AEOD:IRB	- Incident Response Branch, AEOD
AMS	- Aerial Measuring System
DOE	- U.S. Department of Energy
EPA	- U.S. Environmental Protection Agency
FEMA	- U.S. Federal Emergency Management Agency
GC	- Office of the General Counsel
GPA	- Office of Governmental and Public Affairs
GPA:IP	- International Programs, GPA
GPA:PA	- Public Affairs, GPA
GPA:SLITP	- State, Local and Indian Tribe Programs, GPA
HHS	- U.S. Department of Health and Human Services
HQ	- NRC Headquarters
NMSS:IMNS	- Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards
NRR:DREP	- Division of Radiation Protection and Emergency Preparedness, Office of Nuclear Reactor Regulation
OE	- Office of Enforcement
RES	- Office of Nuclear Regulatory Research
USDA	- U.S. Department of Agriculture

STAFF GUIDANCE FOR RESPONDING TO INCIDENTS INVOLVING
RADIOACTIVE MATERIAL IN UNAUTHORIZED PLACES

Task No. 1 -- BEGIN NRC RESPONSE ACTIONS

Factors to Consider:

- . Credibility of source(s) of information.
- . Type(s) of material(s) with which radioactivity is associated.
- . Preliminary estimate of significance of detected radioactivity:
 - Kinds and amounts of radioactive nuclides (tentative);
 - Kinds and numbers of radioactive materials or products (tentative);
 - Distribution of radioactive materials or products.
- . Likelihood that the radioactive material is subject to NRC or Agreement
- . State jurisdiction under the Atomic Energy Act.
- . Nature of health hazard (based on initial information).
- . Possible involvement of foreign governments.
- . Possible sabotage as cause.

Actions:

- . Inform HQ Operations Center of facts known and source of information.
- . Inform NMSS:IMNS of facts and source of information.
- . Ascertain whether or not the incident constitutes an emergency in accordance with the procedures in NUREG-0845. (If a decision is made for the NRC to enter "Standby Mode," this plan does not apply.)
- . Proceed to handle problem in customary manner unless and until problem is determined to occur widely or could generate broad public concern. (If no such determination is made, this plan does not apply.)
- . Ascertain if HQ coordination is required because of occurrence in more than one Region or broad public concern.

Action taken by:

Cognizant NRC official or
Regional Duty Officer.
HQ Operations Center.

HQ Duty Officer; Regional
Administrator and/or
Executive Team member.

Regional office or
Agreement State where
problem is discovered.

NMSS:IMNS.

- . Designate an NMSS coordinator for technical support and policy advice and who maintains records of NRC assessment and response actions. NMSS:IMNS.
- . Inform AEOD:DOA and NRR:DREP of HQ involvement, facts known, and source of information. NMSS:IMNS.
- . Issue Preliminary Notification (PNO), if appropriate. Regional office where problem is discovered or NRC-HQ.
- . Use the facilities or the NRC Operations Center to notify:
 - NRC regional offices, GPA:SLITP, AEOD:IRB
GPA:IP, GPA:PA.
 - NRC Commissioners. AEOD:IRB
 - DOE, FEMA, EPA, HHS, and any other AEOD:IRB
agency having jurisdictional interest.
 - Officials of State governments. Regional offices in coordination with GPA:SLITP as needed.
 - Foreign governments (if any are involved) GPA:IP
and Department of State concurrently.

Task No. 2 -- ENHANCE UNDERSTANDING OF PROBLEM

Factors to Consider:

- . Availability of radiation monitoring resources near scene of incident (State Bureau of Radiological Health, DOE Radiological Assistance Team, NRC Resident Inspector, hospital, local civil defense office, NRC Regions, or university with radiation protection technicians, etc.).
- . Levels of radiation and radioactive contamination, and whether uniformly distributed or in "hot" spots.
- . Location and/or dispersion of radioactivity: on specific products, on persons, along highway, in public buildings, in private homes, etc.

Actions:

- . Determine kind and amount of radiological monitoring data needed to understand the problem.
- . Ensure that complete and accurate radiological monitoring data are obtained and are properly evaluated.
- . Identify origin of radioactive source, if possible.
- . Ascertain manufacturer and distributor(s) of radioactive manufactured products.
- . Identify specific radioactive nuclide(s).
- . Keep NMSS:IMNS informed.
- . If nuclide(s) is/are not byproduct, source, or special nuclear material, identify agency having jurisdiction.
- . Notify agency having jurisdiction and offer NRC assistance.
- . Inform NMSS:IMNS of inspection findings.
- . Maintain information flow between NRC Headquarters and regional offices, and with other participating NRC offices. (Provide periodic status reports to all NRC participating offices -- daily at first.)

Action taken by:

Appropriate regional office(s) and Agreement States, if any, in consultation with NMSS:IMNS.

Appropriate regional office(s) and Agreement States.

Appropriate regional office(s).

Appropriate regional office(s).

Appropriate regional office(s).

Appropriate regional office(s).

NMSS:IMNS in coordination with regional office(s) GPA:SLITP, AEOD:IRB, and GC.

GPA:SLITP if a State or AEOD:IRB if another federal agency.

Appropriate regional office(s).

NMSS:IMNS.

Task No. 3 -- DETERMINE SCOPE OF PROBLEM

Factors to Consider:

- . Known paths of identified radioactivity.
- . Possible other paths from same origin.
- . Possibility of other origins.
- . Possible need for Aerial Measuring System (AMS) overflights.
- . Possible need for assistance from States, DOE, EPA, HHS, and USDA.

Actions:

- . Solicit data from involved manufacturer and/or distributor when applicable.
- . Request assistance from or offer assistance to States in making contacts with manufacturers and distributors.
- . Request assistance from foreign governments if import-export problem.
- . If appropriate, recommend to Agreement State that it requests AMS overflights. (AEOD:IRB should make the request in non-Agreement States, using the facilities of the NRC Operations Center.)
- . Request participation by other federal agencies, as appropriate, using the facilities of the NRC Operations Center.
- . Inform other appropriate federal agencies of understanding of the status of the incident, with periodic followup.
- . Provide periodic status reports to all participating NRC offices.

Action taken by:

Appropriate regional office, or GPA:IP if foreign involvement.

Regional offices in coordination with GPA:SLITP.

GPA:IP.

Regional offices in coordination with NMSS:IMNS, AEOD:IRB, and GPA:SLITP.

AEOD:IRB in coordination with NMSS:IMNS and AEOD:IRB.

AEOD:IRB.

NMSS:IMNS.

Task No. 4 -- ESTABLISH DEGREE OF HEALTH HAZARD

Factors to Consider:

- . Possible doses to persons from direct radiation.
- . Pathway(s) for ingestion or inhalation by persons and possible doses from bodily intake of contaminated articles.

- . Nature of population at risk: groups of individuals, number of individuals.
- . Total population doses taking into account extent of radioactivity in unrestricted areas.

Actions:

- . Make preliminary assessment of hazards and needed response actions.
- . Designate technical groups to continue assessment of hazards as additional information is received.
- . Develop recommendations for modification of NRC response actions as needed.
- . Provide periodic status reports to all participating NRC offices.
- . Keep States fully informed.

Action taken by:

NMSS:IMNS in coordination with NRR:DREP and regional offices.

NMSS:IMNS

NMSS:IMNS

NMSS:IMNS

Regional offices

Task No. 5 -- KEEP PUBLIC INFORMED

Factors to consider:

- . Extent of public risk.
- . Extent of public interest.
- . Need for action(s) (if any) to be taken by members of the public.
- . Confidence in validity of information reported to NRC.
- . Measures that have been taken to protect the public (e.g., health physics and medical services that have been made available to the public).
- . Coordination of information among the NRC offices, federal agencies, and State and local agencies.
- . Assurance of correctness of information provided to the news media and the public.
- . Attributing credit for actions taken by other federal agencies and by State and local authorities.

Actions:

- . Issue public announcements when appropriate.
- . Answer media inquiries from news media reporters and other members of the public.
- . Inform persons who possess radioactive material of the degree of health hazard and actions believed appropriate to limit individual exposures.
- . Keep States fully informed of NRC public announcements.

Action taken by:

GPA:PA (in coordination with NMSS:IMNS).

GPA:PA (in coordination with NMSS:IMNS, NRR:DREP, GPA:SLITP, and regional offices, or other offices in coordination with GPA:PA).

Regional office(s) in coordination with NMSS:IMNS and NRR:DREP

Regional offices.

Task No. 6 -- ENSURE PREVENTION OF CONTINUED RADIOACTIVE CONTAMINATION

Factors to Consider:

- . Organization(s) or person(s) having control of locations or articles where radioactivity has been detected.
- . Step(s) necessary to prevent the source of radioactivity from continuing to be a problem.

Actions:

- . Obtain commitments, where appropriate, from persons possessing radioactive materials to stop their distribution.
- . Determine if situation warrants issuance of orders.
- . Issue orders if situation warrants.
- . Inspect to ensure proscribed radioactive materials are no longer being distributed.

Action taken by:

Regional offices in coordination with NMSS:IMNS and GPA:SLITP.

OE in coordination with NMSS:IMNS, NRR:DREP, regional offices, and GPA:SLITP.

OE with assistance from GC.

Regional offices.

Task No. 7 - IDENTIFY OTHER POSSIBLE SIMILAR SOURCES OF RADIOACTIVE MATERIAL
Factors to Consider:

- . Possible commonality of activities: other products, other manufacturers, other distributors.

Actions:

- . Request information from companies (and possibly trade associations) involved in similar activities.
- . Request information, where appropriate, from manufacturers/distributors engaged in same or similar activities as that which produced the contamination or distributed the radioactive or contaminated products.

Action taken by:

Regional office(s) in coordination with
GPA:SLITP, NRR:DREP, and NMSS:IMNS.
Regional offices in coordination with
NRR:DREP, NMSS:IMNS, and GPA:SLITP.

Task No. 8 -- ENSURE CONTROL/RECOVERY/SAFE DISPOSAL OF RADIOACTIVE MATERIAL
Factors to Consider:

- . Exposure potential.
- . Cost/benefit impacts in making any changes in the use of radioactive materials.
- . Degree of radiation hazard.
- . Keeping public and recovery worker exposure as low as reasonably achievable.
- . Alternative methods of decontaminating property and disposing of radioactive and contaminated materials and waste.

Actions:

- . Determine what is needed in way of control.
- . Develop and issue guidance on recommended course of action.
- . Obtain commitments from distributors of radioactive or contaminated products to recall them, where appropriate, in a time frame commensurate with the degree of public hazard.

Action taken by:

NMSS:IMNS in coordination with regional offices.
NMSS:IMNS.
Agreement States or regional offices in coordination with
GPA:SLITP, and GPA:IP if foreign distribution is involved.

- | | |
|---|--|
| <ul style="list-style-type: none"> . Determine if situation warrants issuance of orders. | <p>OE in coordination with
NMSS:IMNS, NRR:DREP,
regional offices, and
GPA:SLITP.</p> |
| <ul style="list-style-type: none"> . Issue orders if situation warrants. | <p>OE with assistance from
GC.</p> |
| <ul style="list-style-type: none"> . Ensure proper disposal of radioactive material. | <p>Agreement States or
regional offices in
coordination with
NMSS:IMNS, NRR:DREP,
and GPA:SLITP.</p> |

Task No. 9 -- EXAMINE REGULATORY SIGNIFICANCE OF INCIDENT

Factors to Consider:

- . Possibility of generic implications.
- . Need to prevent recurrence.
- . Possible need for new rulemaking.

Actions:

- . Gather all pertinent and contributory information and forward to NMSS:IMNS for analysis. (If the involved radioactive material originated in an Agreement State, that State should be contacted by the regional office for appropriate information.)
- . Inspect for compliance with NRC regulations in non-Agreement States.
- . Take enforcement actions where appropriate.
- . Analyze all data and information relative to the event for significance, generic implications, and possibilities for improved procedures. Keep AEOD informed.

Action taken by:

Regional office(s),
NRR:DREP, GPA:SLITP,
and GPA:IP

Regional office(s) in
coordination with
NMSS:IMNS (and GPA:IP
if foreign involvement).

Regional office(s) in
coordination with OE.
NMSS:IMNS.

- . Determine whether changes in license conditions would result in necessary degree of control.

NMSS:IMNS in coordination with regional office.

- . Determine any needed change in NRC regulations and recommend, for consideration by Agreement States, any needed changes in State regulations.

NMSS:IMNS in coordination with NRR:DREP, GC, and GPA:SLITP.

Task No. 10 -- CLOSE OUT NRC RESPONSE

Factors to Consider:

- . Opportunity for improving the regulatory process.
- . Value of documented case study.
- . Assurance against recurrence of similar incidents.
- . Extent to which this plan helped or hindered the response.

Actions:

- . Documentation of NRC analysis and findings.
- . Report to Commission.
- . Prepare changes to NRC Manual Chapter and regulations, if needed.
- . Prepare changes to this plan, if needed.

Action taken by:

NMSS:IMNS in coordination with regional offices and NOD:IRB; also in coordination with GPA:SLITP if State involvement and with GPA:IP if foreign involvement.

NMSS:IMNS in coordination with other NRC offices and Regions, as appropriate.

NMSS:IMNS and RES, respectively, in coordination with NMSS:IMNS.

NMSS:IMNS in coordination with other NRC offices.

Document Name:
NRC RESP PLAN/LONG APP A

Requestor's ID:
POTHIERJ

Author's Name:
LONG J

Document Comments:
SS-9/22 COMMO FROM KCI - 9/22/87

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APPENDIX

U. S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

Area of Interest - The EPA is primarily concerned with the safety of the public drinking water supplies in states that have not accepted primary responsibility under the Safe Drinking Water Act or when EPA concludes that States have not taken the necessary actions. The EPA also conducts environmental monitoring and consequence assessments when requested by a State or on its own initiative. EPA is also responsible for managing the Superfund Program, which was established by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Under this law, the Federal government is authorized to respond directly to releases of hazardous substances, and, if a responsible party is not taking action or no responsible party is identified, to clear up the contamination to protect the public health and safety. However, because of the strong regulatory programs for radioactive materials, the National Contingency Plan, which comprises the Superfund implementation procedures, indicates that the discharge of radioactive materials would be handled by the Federal Radiological Emergency Response Plan. If hazardous chemicals are released along with radioactive discharges, the National Response Center should be notified so that EPA may determine the extent of their interest in the incident.

Agency Role - In any incident of radioactive material in unrestricted areas, the EPA would, upon request, assist States in environmental and water supply monitoring and consequence assessment. The EPA has two laboratories, one in Alabama and one in Nevada, that can be used to assist the NRC, if needed, in performing radiological analyses of collected samples.

Contacts - The initial notification by the NRC Operations Center would be to:

Office of Radiation Protection
Analysis and Support Division

NRC Regional Offices should request assistance as needed from the appropriate EPA Regional Offices.

U. S. DEPARTMENT OF ENERGY (DOE)

Area of Interest - Any incident involving loss of control over radioactive material, in order to support efforts to protect the health and safety of the public and individuals.

Agency Role - Assistance is available at the time of a radiological incident to evaluate the hazardous aspects of the situation, to counsel responsible officials at the incident scene, to bring hazardous conditions under control, and to supplement the radiological emergency capabilities of other government and private organizations involved. Aerial monitoring is provided by DOE's Aerial Measuring System, and medical assistance is provided by DOE's Radiation Emergency Assistance Center/Training Site. Assistance cannot be used for the purpose of protecting private property or as a substitute for personnel protection that is the responsibility of a specific agency or organization. Any person or organization having knowledge of an incident believed to involve ionizing radiation or radioactive material hazardous to health and safety may request DOE assistance by telephoning the DOE Regional Coordinating Office nearest the incident.

Contacts - The initial notification by the NRC Operations Center would be to:

Deputy Assistant Secretary for Environment,
Safety, and Health
Office of Nuclear Safety
Division of Radiological Controls

U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Area of Interest - Within HHS, the principal emergency response agencies are the following elements of the Public Health Service (PHS). The Centers for Disease Control (CDC) administer national programs for prevention and control of communicable diseases and other preventable conditions. The Health Resources and Services Administration (HRSA) manages a variety of national health care programs and health resources and training activities. The National Institutes of Health (NIH) conduct and support biomedical research. The Alcohol, Drug Abuse and Mental Health Administration (ADAMHA) conducts and supports programs to reduce problems caused by drug and alcohol abuse, and to improve mental health. The Food and Drug Administration (FDA) is responsible for the safety and efficacy of drugs and medical devices and the safety of cosmetics and processed foods, including milk and milk products in interstate commerce.

Agency Role - The CDC coordinates PHS radiological emergency response and also conducts the epidemiological assessment of population exposures. The HRSA, NIH, ADAMHA, and other PHS components can provide medical, mental health, laboratory, and sanitary expertise and support for injured and evacuated persons. The FDA conducts sampling and assessment of contaminated food, milk, and other regulated products and provides radiation expertise as the Department's liaison to NRC and state and federal agencies.

Contacts - The initial notification by the NRC Operations Center would be to:

Food and Drug Administration
Center for Devices and Radiological Health
Office of Health Physics

U. S. DEPARTMENT OF AGRICULTURE (USDA)

Area of Interest - The USDA is interested in the following:

- Assuring the purity and wholesomeness of meat and meat products, poultry and poultry products, eggs and egg products;
- Disposing of livestock and poultry affected by radiation;
- Assisting in minimizing radiation dose through food inspection;
- Assessing damage and minimizing losses to agricultural resources.

Agency Role - In incidents involving radioactive materials in unrestricted areas, USDA and NRC should consult in order to formulate the most appropriate and timely course of action. USDA has the capability and resources to obtain various agricultural samples, but depends upon DOE and EPA for monitoring and assessment support. The USDA can also provide advice and assistance to state and local officials upon request for agricultural related issues. The USDA has statutory authority to condemn contaminated foods and food products under its jurisdiction.

Contacts - The initial notification by the NRC Operations Center would be to:

Food Safety and Inspection Service (FSIS)
Office of Emergency Planning

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Area of Interest - The FEMA is responsible for coordination of Federal agency activities in responding to a civil emergency and in assisting states upon request in obtaining resources for emergency purposes. A civil emergency is defined (Executive Order 12148, Sec. 2-203) as any accidental, natural, man-caused, or wartime emergency or threat thereof, which causes or may cause substantial injury or harm to the population or substantial damage to or loss of property. It is highly unlikely that an incident involving radioactive material in unexpected places, as defined in the NRC plan, would fall within this definition of civil emergency.

Agency Role - In any peacetime emergency involving radioactive material, FEMA would provide a focal point for any State request for assistance and would coordinate overall federal response if more than two other Federal agencies were to respond to meet statutory requirements.

Contacts - The initial notification by the NRC Operations Center would be to:

Emergency Operations Directorate
Emergency Information and Coordination Center



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SEP 23 1988

Ref: SA/JOL

ALL AGREEMENT STATES

REVISION TO NRC RESPONSE PLAN FOR INCIDENTS INVOLVING NUCLEAR MATERIAL
IN UNAUTHORIZED PLACES

Enclosed for your information is a copy of the subject NRC Response
Plan.

A handwritten signature in dark ink, appearing to read "Joel O. Lubenau", is positioned above the typed name.

Joel O. Lubenau
Acting Assistant Director
State Agreements Program
State, Local and Indian Tribe Programs

Enclosure:
As stated

cc: C. Toppan, ME, w/encl.

9306230002

JAN 26 1988

MEMORANDUM FOR: Those on attached list

FROM: Hugh L. Thompson, Jr., Director
Office of Nuclear Material Safety
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DISTRIBUTION:
IMOB R/F w/encl.
IMNS Central w/encl.
NMSS R/F
JLong w/encl.
DACool
JHickey
GSjoblom
RECunningham
NMSS Office R/F w/encl.
JFunches

OFC: *IMOB : *IMOB : *IMOB : *IMNS : IMNS : NMSS : NMSS
NAME: JLong/jp : DACool : JHickey:GSjoblom:RECunningham:RBernero:HThompson
DATE:12/10/87 :12/10/87:12/11/87: 1/21/88: 01/23/88 :01/24/87:01/24/88

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(Revised October 30, 1987)

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For those events that fall within the scope of the plan as just delineated, experience indicates that the NRC is normally viewed as the primary Federal agency responsible for responding to the events. In such instances, the NRC staff assumes responsibility for response coordination and information exchange. Regulatory activities are shared by Regional Offices (in non-Agreement States) and by Agreement States within their own jurisdictions.

NRC responsibility for managing a materials incident that falls within the scope of this plan and for coordination at the NRC Headquarters level resides with the Office of Nuclear Material Safety and Safeguards (NMSS). NMSS, in its role as manager of the materials program area, has the Agency lead for developing policy guidance and providing technical support related to management of the incident. NMSS will coordinate NRC actions and will be the point of contact through which information flows at NRC Headquarters after the initial report is received. NMSS will maintain a record of NRC actions and provide periodic information related to incident status and recovery actions to other NRC Offices and to the Executive Director for Operations as might be appropriate. NMSS will seek assistance from other NRC Headquarters offices as appropriate. NMSS will also coordinate with other federal agencies at the Washington Headquarters level, using the NRC Operations Center for routine notifications and requests for assistance from the U.S. Department of Energy (DOE). In this connection, NMSS will keep the Operations Center informed of the status of this type of incident and the designated contacts. The Director, Division of Industrial and Medical Nuclear Safety, is designated by the Director of NMSS to be the NMSS point of contact for ensuring that NRC actions are timely and appropriately taken.

The Office for Analysis and Evaluation of Operational Data (AEOD) is responsible for transmitting initial reports of contamination incidents received from the NRC regional offices or through the NRC Operations Center. The resources of the NRC Operations Center will be used to:

- ° Make initial and followup notifications within the NRC and to other federal and State agencies, in coordination with NMSS;
- ° Maintain cognizance of the incident;
- ° Prepare to escalate the NRC response if required; and
- ° Request, in coordination with NMSS, and monitor assistance from DOE.

The Office of Enforcement (OE), in coordination with NMSS, will prepare or coordinate orders on the enforcement action, as appropriate, with respect to the possession and use of byproduct, source, and special nuclear material.

Regional offices have the primary role in effecting NRC's actions in accordance with the policy guidance and technical support of NMSS. To this end, the regional offices collect information, make special inspections, take needed enforcement actions, and ensure proper disposal of radioactive material in non-Agreement States. They also work with individual States as necessary, using State and Governmental Affairs staff. Regional offices shall inform NMSS:IMNS of their use of inspection resources for these actions.

Information flow to NRC Headquarters shall be through the NMSS-designated coordinating official. Direction to NRC regional offices concerning NRC actions shall also be through this official. Where appropriate, NRC-originated communications with other government agencies, which are normally handled by the NRC Operations Center, will be coordinated with the NMSS-designated official. All NRC Headquarters and Regional Offices are responsible for keeping NMSS currently informed of all developments related to a contamination incident.

International Programs (GPA:IP) is designated as the NRC lead for needed coordination with other countries and the Department of State. GPA:IP will coordinate its actions with NMSS.

State, Local and Indian Tribe Programs (GPA:SLITP) will assist in providing advisory information to State governments and, in coordination with NMSS, will coordinate the response with regard to State governments.

Public Affairs (GPA:PA) will prepare any NRC public releases from NRC Headquarters and will be the main point of contact with the news media concerning all matters related to the incident at NRC Headquarters. A similar function will be performed by the Public Affairs officers assigned to NRC regional offices for news releases and media inquiries related to actions of the regional offices. The Public Affairs staff may draw on the technical staff as it deems appropriate to develop information and respond to inquiries.

The goal of the NRC in responding to a radiological incident is to ensure that timely and appropriate actions are taken to provide needed protection against radiation hazards and to alleviate public concern about the event.

Tasks that are to be carried out by the various NRC offices are listed in the attached staff guidance. These tasks are not strictly chronological; actions taken in one task may well overlap actions in previous or subsequent tasks.

Roles of other federal agencies in responding to incidents involving radioactive material in unexpected places are briefly summarized in an Appendix.

Abbreviations used in the following staff guidance are defined as follows:

AEOD	- Office for Analysis and Evaluation of Operational Data
AEOD:DOA	- Division of Operational Assessment, AEOD
AEOD:IRB	- Incident Response Branch, AEOD
AMS	- Aerial Measuring System
DOE	- U.S. Department of Energy
EPA	- U.S. Environmental Protection Agency
FEMA	- U.S. Federal Emergency Management Agency
GC	- Office of the General Counsel
GPA	- Office of Governmental and Public Affairs
GPA:IP	- International Programs, GPA
GPA:PA	- Public Affairs, GPA
GPA:SLITP	- State, Local and Indian Tribe Programs, GPA
HHS	- U.S. Department of Health and Human Services
HQ	- NRC Headquarters
NMSS:IMNS	- Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards
NRR:DREP	- Division of Radiation Protection and Emergency Preparedness, Office of Nuclear Reactor Regulation
OE	- Office of Enforcement
RES	- Office of Nuclear Regulatory Research
USDA	- U.S. Department of Agriculture

STAFF GUIDANCE FOR RESPONDING TO INCIDENTS INVOLVING
RADIOACTIVE MATERIAL IN UNAUTHORIZED PLACES

Task No. 1 -- BEGIN NRC RESPONSE ACTIONS

Factors to Consider:

- . Credibility of source(s) of information.
- . Type(s) of material(s) with which radioactivity is associated.
- . Preliminary estimate of significance of detected radioactivity:
 - Kinds and amounts of radioactive nuclides (tentative);
 - Kinds and numbers of radioactive materials or products (tentative);
 - Distribution of radioactive materials or products.
- . Likelihood that the radioactive material is subject to NRC or Agreement
- . State jurisdiction under the Atomic Energy Act.
- . Nature of health hazard (based on initial information).
- . Possible involvement of foreign governments.
- . Possible sabotage as cause.

Actions:

- . Inform HQ Operations Center of facts known and source of information.
- . Inform NMSS:IMNS of facts and source of information.
- . Ascertain whether or not the incident constitutes an emergency in accordance with the procedures in NUREG-0845. (If a decision is made for the NRC to enter "Standby Mode," this plan does not apply.)
- . Proceed to handle problem in customary manner unless and until problem is determined to occur widely or could generate broad public concern. (If no such determination is made, this plan does not apply.)
- . Ascertain if HQ coordination is required because of occurrence in more than one Region or broad public concern.

Action taken by:

Cognizant NRC official or
Regional Duty Officer.
HQ Operations Center.

HQ Duty Officer; Regional
Administrator and/or
Executive Team member.

Regional office or
Agreement State where
problem is discovered.

NMSS:IMNS.

- . Designate an NMSS coordinator for technical support and policy advice and who maintains records of NRC assessment and response actions. NMSS:IMNS.
- . Inform AEOD:DOA and NRR:DREP of HQ involvement, facts known, and source of information. NMSS:IMNS.
- . Issue Preliminary Notification (PNO), if appropriate. Regional office where problem is discovered or NRC-HQ.
- . Use the facilities or the NRC Operations Center to notify:
 - NRC regional offices, GPA:SLITP, AEOD:IRB
GPA:IP, GPA:PA.
 - NRC Commissioners. AEOD:IRB
 - DOE, FEMA, EPA, HHS, and any other AEOD:IRB
agency having jurisdictional interest.
 - Officials of State governments. Regional offices in
coordination with
GPA:SLITP as needed.
 - Foreign governments (if any are involved) GPA:IP
and Department of State concurrently.

Task No. 2 -- ENHANCE UNDERSTANDING OF PROBLEM

Factors to Consider:

- . Availability of radiation monitoring resources near scene of incident (State Bureau of Radiological Health, DOE Radiological Assistance Team, NRC Resident Inspector, hospital, local civil defense office, NRC Regions, or university with radiation protection technicians, etc.).
- . Levels of radiation and radioactive contamination, and whether uniformly distributed or in "hot" spots.
- . Location and/or dispersion of radioactivity: on specific products, on persons, along highway, in public buildings, in private homes, etc.

Actions:

- . Determine kind and amount of radiological monitoring data needed to understand the problem.
- . Ensure that complete and accurate radiological monitoring data are obtained and are properly evaluated.
- . Identify origin of radioactive source, if possible.
- . Ascertain manufacturer and distributor(s) of radioactive manufactured products.
- . Identify specific radioactive nuclide(s).
- . Keep NMSS:IMNS informed.
- . If nuclide(s) is/are not byproduct, source, or special nuclear material, identify agency having jurisdiction.
- . Notify agency having jurisdiction and offer NRC assistance.
- . Inform NMSS:IMNS of inspection findings.
- . Maintain information flow between NRC Headquarters and regional offices, and with other participating NRC offices. (Provide periodic status reports to all NRC participating offices -- daily at first.)

Action taken by:

Appropriate regional office(s) and Agreement States, if any, in consultation with NMSS:IMNS.

Appropriate regional office(s) and Agreement States.

Appropriate regional office(s).

Appropriate regional office(s).

Appropriate regional office(s).

Appropriate regional office(s).

NMSS:IMNS in coordination with regional office(s) GPA:SLITP, AEOD:IRB, and GC.

GPA:SLITP if a State or AEOD:IRB if another federal agency.

Appropriate regional office(s).

NMSS:IMNS.

Task No. 3 -- DETERMINE SCOPE OF PROBLEM

Factors to Consider:

- . Known paths of identified radioactivity.
- . Possible other paths from same origin.
- . Possibility of other origins.
- . Possible need for Aerial Measuring System (AMS) overflights.
- . Possible need for assistance from States, DOE, EPA, HHS, and USDA.

Actions:

- . Solicit data from involved manufacturer and/or distributor when applicable.
- . Request assistance from or offer assistance to States in making contacts with manufacturers and distributors.
- . Request assistance from foreign governments if import-export problem.
- . If appropriate, recommend to Agreement State that it requests AMS overflights. (AEOD:IRB should make the request in non-Agreement States, using the facilities of the NRC Operations Center.)
- . Request participation by other federal agencies, as appropriate, using the facilities of the NRC Operations Center.
- . Inform other appropriate federal agencies of understanding of the status of the incident, with periodic followup.
- . Provide periodic status reports to all participating NRC offices.

Action taken by:

Appropriate regional office, or GPA:IP if foreign involvement.

Regional offices in coordination with GPA:SLITP.

GPA:IP.

Regional offices in coordination with NMSS:IMNS, AEOD:IRB, and GPA:SLITP.

AEOD:IRB in coordination with NMSS:IMNS and AEOD:IRB.

AEOD:IRB.

NMSS:IMNS.

Task No. 4 -- ESTABLISH DEGREE OF HEALTH HAZARD

Factors to Consider:

- . Possible doses to persons from direct radiation.
- . Pathway(s) for ingestion or inhalation by persons and possible doses from bodily intake of contaminated articles.

- . Nature of population at risk: groups of individuals, number of individuals.
- . Total population doses taking into account extent of radioactivity in unrestricted areas.

Actions:

- . Make preliminary assessment of hazards and needed response actions.
- . Designate technical groups to continue assessment of hazards as additional information is received.
- . Develop recommendations for modification of NRC response actions as needed.
- . Provide periodic status reports to all participating NRC offices.
- . Keep States fully informed.

Action taken by:

NMSS:IMNS in coordination with NRR:DREP and regional offices.

NMSS:IMNS

NMSS:IMNS

NMSS:IMNS

Regional offices

Task No. 5 -- KEEP PUBLIC INFORMED

Factors to consider:

- . Extent of public risk.
- . Extent of public interest.
- . Need for action(s) (if any) to be taken by members of the public.
- . Confidence in validity of information reported to NRC.
- . Measures that have been taken to protect the public (e.g., health physics and medical services that have been made available to the public).
- . Coordination of information among the NRC offices, federal agencies, and State and local agencies.
- . Assurance of correctness of information provided to the news media and the public.
- . Attributing credit for actions taken by other federal agencies and by State and local authorities.

Actions:

- . Issue public announcements when appropriate.
- . Answer media inquiries from news media reporters and other members of the public.
- . Inform persons who possess radioactive material of the degree of health hazard and actions believed appropriate to limit individual exposures.
- . Keep States fully informed of NRC public announcements.

Action taken by:

GPA:PA (in coordination with NMSS:IMNS).

GPA:PA (in coordination with NMSS:IMNS, NRR:DREP, GPA:SLITP, and regional offices, or other offices in coordination with GPA:PA).

Regional office(s) in coordination with NMSS:IMNS and NRR:DREP

Regional offices.

Task No. 6 -- ENSURE PREVENTION OF CONTINUED RADIOACTIVE CONTAMINATION

Factors to Consider:

- . Organization(s) or person(s) having control of locations or articles where radioactivity has been detected.
- . Step(s) necessary to prevent the source of radioactivity from continuing to be a problem.

Actions:

- . Obtain commitments, where appropriate, from persons possessing radioactive materials to stop their distribution.
- . Determine if situation warrants issuance of orders.
- . Issue orders if situation warrants.
- . Inspect to ensure proscribed radioactive materials are no longer being distributed.

Action taken by:

Regional offices in coordination with NMSS:IMNS and GPA:SLITP.

OE in coordination with NMSS:IMNS, NRR:DREP, regional offices, and GPA:SLITP.

OE with assistance from GC.

Regional offices.

Task No. 7 - IDENTIFY OTHER POSSIBLE SIMILAR SOURCES OF RADIOACTIVE MATERIAL

Factors to Consider:

- . Possible commonality of activities: other products, other manufacturers, other distributors.

Actions:

- . Request information from companies (and possibly trade associations) involved in similar activities.
- . Request information, where appropriate, from manufacturers/distributors engaged in same or similar activities as that which produced the contamination or distributed the radioactive or contaminated products.

Action taken by:

Regional office(s) in coordination with GPA:SLITP, NRR:DREP, and NMSS:IMNS.
Regional offices in coordination with NRR:DREP, NMSS:IMNS, and GPA:SLITP.

Task No. 8 -- ENSURE CONTROL/RECOVERY/SAFE DISPOSAL OF RADIOACTIVE MATERIAL

Factors to Consider:

- . Exposure potential.
- . Cost/benefit impacts in making any changes in the use of radioactive materials.
- . Degree of radiation hazard.
- . Keeping public and recovery worker exposure as low as reasonably achievable.
- . Alternative methods of decontaminating property and disposing of radioactive and contaminated materials and waste.

Actions:

- . Determine what is needed in way of control.
- . Develop and issue guidance on recommended course of action.
- . Obtain commitments from distributors of radioactive or contaminated products to recall them, where appropriate, in a time frame commensurate with the degree of public hazard.

Action taken by:

NMSS:IMNS in coordination with regional offices.
NMSS:IMNS.
Agreement States or regional offices in coordination with GPA:SLITP, and GPA:IP if foreign distribution is involved.

- . Determine if situation warrants issuance of orders. OE in coordination with NMSS:IMNS, NRR:DREP, regional offices, and GPA:SLITP.
- . Issue orders if situation warrants. OE with assistance from GC.
- . Ensure proper disposal of radioactive material. Agreement States or regional offices in coordination with NMSS:IMNS, NRR:DREP, and GPA:SLITP.

Task No. 9 -- EXAMINE REGULATORY SIGNIFICANCE OF INCIDENT

Factors to Consider:

- . Possibility of generic implications.
- . Need to prevent recurrence.
- . Possible need for new rulemaking.

Actions:

- . Gather all pertinent and contributory information and forward to NMSS:IMNS for analysis. (If the involved radioactive material originated in an Agreement State, that State should be contacted by the regional office for appropriate information.)
- . Inspect for compliance with NRC regulations in non-Agreement States.
- . Take enforcement actions where appropriate.
- . Analyze all data and information relative to the event for significance, generic implications, and possibilities for improved procedures. Keep AEOD informed.

Action taken by:

Regional office(s),
NRR:DREP, GPA:SLITP,
and GPA:IP

Regional office(s) in
coordination with
NMSS:IMNS (and GPA:IP
if foreign involvement).
Regional office(s) in
coordination with OE.
NMSS:IMNS.

- | | |
|---|---|
| <ul style="list-style-type: none"> . Determine whether changes in license conditions would result in necessary degree of control. . Determine any needed change in NRC regulations and recommend, for consideration by Agreement States, any needed changes in State regulations. | <p>NMSS:IMNS in coordination with regional office.</p> <p>NMSS:IMNS in coordination with NRR:DREP, GC, and GPA:SLITP.</p> |
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Task No. 10 -- CLOSE OUT NRC RESPONSE

Factors to Consider:

- . Opportunity for improving the regulatory process.
- . Value of documented case study.
- . Assurance against recurrence of similar incidents.
- . Extent to which this plan helped or hindered the response.

Actions:

- . Documentation of NRC analysis and findings.
- . Report to Commission.
- . Prepare changes to NRC Manual Chapter and regulations, if needed.
- . Prepare changes to this plan, if needed.

Action taken by:

- NMSS:IMNS in coordination with regional offices and AEOD:IRB; also in coordination with GPA:SLITP if State involvement and with GPA:IP if foreign involvement.
- NMSS:IMNS in coordination with other NRC offices and Regions, as appropriate.
- NMSS:IMNS and RES, respectively, in coordination with NMSS:IMNS.
- NMSS:IMNS in coordination with other NRC offices.

APPENDIX

U. S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

Area of Interest - The EPA is primarily concerned with the safety of the public drinking water supplies in states that have not accepted primary responsibility under the Safe Drinking Water Act or when EPA concludes that States have not taken the necessary actions. The EPA also conducts environmental monitoring and consequence assessments when requested by a State or on its own initiative. EPA is also responsible for managing the Superfund Program, which was established by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Under this law, the Federal government is authorized to respond directly to releases of hazardous substances, and, if a responsible party is not taking action or no responsible party is identified, to clear up the contamination to protect the public health and safety. However, because of the strong regulatory programs for radioactive materials, the National Contingency Plan, which comprises the Superfund implementation procedures, indicates that the discharge of radioactive materials would be handled by the Federal Radiological Emergency Response Plan. If hazardous chemicals are released along with radioactive discharges, the National Response Center should be notified so that EPA may determine the extent of their interest in the incident.

Agency Role - In any incident of radioactive material in unrestricted areas, the EPA would, upon request, assist States in environmental and water supply monitoring and consequence assessment. The EPA has two laboratories, one in Alabama and one in Nevada, that can be used to assist the NRC, if needed, in performing radiological analyses of collected samples.

Contacts - The initial notification by the NRC Operations Center would be to:

Office of Radiation Protection
Analysis and Support Division

NRC Regional Offices should request assistance as needed from the appropriate EPA Regional Offices.

U. S. DEPARTMENT OF ENERGY (DOE)

Area of Interest - Any incident involving loss of control over radioactive material, in order to support efforts to protect the health and safety of the public and individuals.

Agency Role - Assistance is available at the time of a radiological incident to evaluate the hazardous aspects of the situation, to counsel responsible officials at the incident scene, to bring hazardous conditions under control, and to supplement the radiological emergency capabilities of other government and private organizations involved. Aerial monitoring is provided by DOE's Aerial Measuring System, and medical assistance is provided by DOE's Radiation Emergency Assistance Center/Training Site. Assistance cannot be used for the purpose of protecting private property or as a substitute for personnel protection that is the responsibility of a specific agency or organization. Any person or organization having knowledge of an incident believed to involve ionizing radiation or radioactive material hazardous to health and safety may request DOE assistance by telephoning the DOE Regional Coordinating Office nearest the incident.

Contacts - The initial notification by the NRC Operations Center would be to:

Deputy Assistant Secretary for Environment,
Safety, and Health
Office of Nuclear Safety
Division of Radiological Controls

U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Area of Interest - Within HHS, the principal emergency response agencies are the following elements of the Public Health Service (PHS). The Centers for Disease Control (CDC) administer national programs for prevention and control of communicable diseases and other preventable conditions. The Health Resources and Services Administration (HRSA) manages a variety of national health care programs and health resources and training activities. The National Institutes of Health (NIH) conduct and support biomedical research. The Alcohol, Drug Abuse and Mental Health Administration (ADAMHA) conducts and supports programs to reduce problems caused by drug and alcohol abuse, and to improve mental health. The Food and Drug Administration (FDA) is responsible for the safety and efficacy of drugs and medical devices and the safety of cosmetics and processed foods, including milk and milk products in interstate commerce.

Agency Role - The CDC coordinates PHS radiological emergency response and also conducts the epidemiological assessment of population exposures. The HRSA, NIH, ADAMHA, and other PHS components can provide medical, mental health, laboratory, and sanitary expertise and support for injured and evacuated persons. The FDA conducts sampling and assessment of contaminated food, milk, and other regulated products and provides radiation expertise as the Department's liaison to NRC and state and federal agencies.

Contacts - The initial notification by the NRC Operations Center would be to:

Food and Drug Administration
Center for Devices and Radiological Health
Office of Health Physics

U. S. DEPARTMENT OF AGRICULTURE (USDA)

Area of Interest - The USDA is interested in the following:

- Assuring the purity and wholesomeness of meat and meat products, poultry and poultry products, eggs and egg products;
- Disposing of livestock and poultry affected by radiation;
- Assisting in minimizing radiation dose through food inspection;
- Assessing damage and minimizing losses to agricultural resources.

Agency Role - In incidents involving radioactive materials in unrestricted areas, USDA and NRC should consult in order to formulate the most appropriate and timely course of action. USDA has the capability and resources to obtain various agricultural samples, but depends upon DOE and EPA for monitoring and assessment support. The USDA can also provide advice and assistance to state and local officials upon request for agricultural related issues. The USDA has statutory authority to condemn contaminated foods and food products under its jurisdiction.

Contacts - The initial notification by the NRC Operations Center would be to:

Food Safety and Inspection Service (FSIS)
Office of Emergency Planning

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Area of Interest - The FEMA is responsible for coordination of Federal agency activities in responding to a civil emergency and in assisting states upon request in obtaining resources for emergency purposes. A civil emergency is defined (Executive Order 12148, Sec. 2-203) as any accidental, natural, man-caused, or wartime emergency or threat thereof, which causes or may cause substantial injury or harm to the population or substantial damage to or loss of property. It is highly unlikely that an incident involving radioactive material in unexpected places, as defined in the NRC plan, would fall within this definition of civil emergency.

Agency Role - In any peacetime emergency involving radioactive material, FEMA would provide a focal point for any State request for assistance and would coordinate overall federal response if more than two other Federal agencies were to respond to meet statutory requirements.

Contacts - The initial notification by the NRC Operations Center would be to:

Emergency Operations Directorate
Emergency Information and Coordination Center