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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETING
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In the Matter of)
) Docket No. 50-155-OLA
CONSUMERS POWER COMPANY) (Spent Fuel Pool
) Modification)
(Big Rock Point Nuclear Power Plant))

CONSUMERS POWER COMPANY'S PARTIAL
RESPONSE TO ATOMIC SAFETY AND LICENSING BOARD ORDER

On September 14, 1982, the Atomic Safety and Licensing Board ("Licensing Board") issued its "Initial Decision" (hereinafter the "September 14 Decision") concerning, inter alia, several emergency planning issues. The September 14 Decision ordered Consumers Power Company ("Licensee") to demonstrate within one month^{1/} that certain evidentiary deficiencies concerning these emergency planning issues have been remedied, are not serious, or are being remedied through adequate interim compensating actions. Specifically, the Licensing Board found the evidentiary record lacking with respect to (a) the adequacy of radiological training of local and school officials, including school bus drivers, (b) the need, if any, for the transportation of persons who lack vehicles during an evacuation, (c) the adequacy of the evacuation means for schoolchildren, and

1/ The deadline was later extended to December 3, 1982, by the Licensing Board's Order of October 21, 1982.

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(d) the adequacy of the list of invalids who require evacuation assistance.

This response addresses radiological training of local and school officials, including school bus drivers (item (a) above) and the present list of invalids and the means for their evacuation (items (d) and (b) above). The remaining matters will be addressed in a subsequent response. The need and reason for additional time in this matter is set forth in the Motion for Extension of time accompanying this pleading.

A. Radiological Training (Christa-Maria Contention 9(2)).

The Licensing Board found the hearing record lacking on this issue because no evidence was presented with respect to a training program that systematically considers who must be trained, what they must learn, how they will be trained and the frequency of retraining. (September 14 Decision, pp. 3-4). The Licensing Board thus identified the following evidentiary deficiency:

failure to show the extent of the need for radiological training of local officials or school officials or to show that the need is being met in a satisfactory fashion by the combined efforts of applicant and state and local governments.
(September 14 Decision, p. 12).

Licensee hereby submits the affidavits of Lt. Tyler, and Messrs. Muma and Miller to remedy this evidentiary deficiency. The "Affidavit of Lt. James M. Tyler," "Affidavit of Earl

Muma" and the "Affidavit of William W. Miller" (hereinafter referred to as the "Tyler Affidavit," "Muma Affidavit" and "Miller Affidavit") are attached hereto as Attachments A, B and C respectively.

Lt. Tyler is the Commanding Officer of the Pre-Disaster Services Section of the Emergency Management Division of the Michigan State Police and he is responsible for training to support the radiological emergency planning that occurs at the political subdivisions within the emergency planning zones around Michigan's commercial nuclear power plants. (Tyler Affidavit, ¶¶ 1 and 3). Mr. Muma is the Emergency Services Director of Charlevoix County and he serves a prominent role in the support of radiological planning and training for local officials and support groups in the Big Rock Point environs. (Muma Affidavit, ¶¶ 4 and 6-10; Tyler Affidavit, ¶¶ 9 and 14). Mr. Miller, an employee of Licensee, has responsibility for some aspects of emergency planning training. (Miller Affidavit, ¶ 2).

1. Past Training Activities

Lt. Tyler details the planning and training activities which have been conducted by the State of Michigan's Emergency Management Division (formerly the Emergency Services Division) concerning the Big Rock Point Plant since the accident at Three Mile Island in March 1979. (Tyler Affidavit, ¶¶ 7-11). These activities have included planning sessions with elected and appointed officials at the state and

local levels of government who would have responsibilities in a nuclear emergency, and orientation sessions, training drills and exercises for the public officials with emergency responsibilities at the Charlevoix and Emmet Counties Emergency Operations Centers (EOC). (Tyler Affidavit, ¶¶ 10 a.-g.). These same officials have received a limited amount of radiological training from these sessions, training drills and exercise. (Id.) In addition, Mr. Muma has received extensive training in radiological matters. (Muma Affidavit, ¶ 2). The hospital emergency room staffs and ambulance crews of the two support hospitals, namely, the Charlevoix Area Hospital located in Charlevoix and the Little Traverse Hospital located in Petoskey, have been receiving annual training in the handling of radiologically contaminated patients since 1968. (Miller Affidavit, ¶ 3). The most recent training session occurred on May 27 and 28, 1982. (Miller Affidavit, ¶¶ 4-5).

Radiological training has been provided to the school bus drivers for the Charlevoix Public Schools - - once in May 1981 and again on October 27, 1982. (Muma Affidavit, ¶ 5). These training sessions covered the bus drivers' responsibilities during a radiological emergency. The October 27, 1982 training session included the following: details of the school's evacuation plan, notification procedures, bus routing, specific procedures to be followed, an overview of emergency planning, organizational structures, basic radiological principles, biological effects and risks of radiation,

structure and responsibilities of support organizations including the EOC, and communications system. (Muma Affidavit, ¶ 5). This was a mandatory session attended by all but one of the regular bus drivers and one of the substitute drivers, both of whom attended the prior training session conducted in May 1981. (Id.)

Personnel within departments at the state level have been trained in radiological matters. State Troopers and Field Coordinators for the Emergency Management Division have received radiological training in their respective capacities. (Tyler Affidavit, ¶ 10 h.). Technical Staff members of the Radiological Health Services Division of the Michigan Department of Health who would be responsible for offsite radiation dose assessment and recommendations for protective action guides and emergency action levels have had radiological training. (Tyler Affidavit, ¶ 11). Several state officials, representing departments with emergency planning responsibilities in the Big Rock Point Area, attended presentations acquainting them with, inter alia, radiological matters. (Tyler Affidavit, ¶ 10 i.). Finally news media personnel receive annual briefings in emergency response plans, radiological matters and the Joint Public Information Center which would be the source of public information in an emergency. (Tyler Affidavit, ¶ 10 k.)

2. Ongoing and Future Training Activities

The Emergency Management Division has developed a comprehensive training program which will be applied to the training of all radiological emergency support groups throughout Michigan. This training program will be presented at least once a year to each support group in accordance with the guidelines of NUREG-0654. (Tyler Affidavit, ¶ 13). The training program as it is being and will be applied to the Big Rock Point Plant consists of a four part presentation. A discussion of basic nuclear physics will be presented by Mr. Mike Dixon, a Health Physicist with Licensee. (Tyler Affidavit, ¶ 13 a.). A discussion of biological effects of radiation will be presented by Mr. James Kreh, a Health Physicist with the Radiological Health Services Division of the Michigan Department of Health (Tyler Affidavit, ¶ 13 b.). A newly formed Radiological Emergency Training Unit of the Emergency Management Division will present an overview of the radiological emergency response plan and integration of the state, local and utility's plans. (Tyler Affidavit, ¶¶ 12 and 13 c.). The local Emergency Services Director, Mr. Muma, and the local official responsible for coordinating the function of the support group being trained will cover the local emergency support structure and the specific function, responsibilities and emergency procedures of the support group. (Tyler Affidavit, ¶ 13 d.).

The Emergency Management Division has identified over 20 categories of support groups that should receive training in radiological emergency responsibilities. (Tyler Affidavit, ¶ 13 and Exhibit C). These support groups are essentially those groups specified on page 76 of NUREG-0654. Mr. Muma has further identified the support groups that need training and is cooperating with the Emergency Management Division in scheduling the training for the support groups in the near future. (Muma Affidavit, ¶ 6). For those emergency support groups who would work within the emergency planning zone around the Big Rock Point Plant and therefore, could potentially be exposed to radiation, the training program will cover basic nuclear physics and biological effects of radiation. (Tyler Affidavit, ¶ 14, Muma Affidavit, ¶ 6). These groups include the Charlevoix EOC Board, the Charlevoix County Sheriff's Department, the Emmet County Sheriff's Department, the Charlevoix Police Department, the Charlevoix Fire Department, the Charlevoix Township Fire Department, the Petoskey Fire Department, the Charlevoix County Emergency Services Director, Emmet County Emergency Services Director, the Charlevoix Public School bus drivers, the Charlevoix County Public Transit System bus drivers, District Health Department No. 3, Charlevoix ambulance services, Petoskey ambulance services, and the Charlevoix County Road Commission. (Muma Affidavit, ¶ 6). These groups will receive the training program described above. (Tyler Affidavit, ¶ 16 and Muma

Affidavit, ¶ 10). The Charlevoix EOC Board received radiological training on December 2, 1982. (Muma Affidavit, ¶ 9). The Charlevoix Public School bus drivers received radiological training on October 27, 1982. The balance of the foregoing support groups are expected to be trained soon. (Muma Affidavit, ¶ 10).

Several groups have received radiological training and do not require additional training beyond that which is already received. These groups have been identified by Lt. Tyler and Mr. Muma and they include the Licensee's plant personnel, the radiological monitoring teams of the Radiological Health Services Division of the Michigan Department of Health, State Police Troopers, and the emergency room staffs and ambulance crews of the two support hospitals identified in the Miller Affidavit who receive annual training on the handling of radiological contaminated patients. (Tyler Affidavit, ¶ 15, Muma Affidavit, ¶ 6).

3. Conclusion

The program which has been developed by the Emergency Management Division of the Michigan Department of State Police and which is receiving the cooperation and participation of Licensee, the local Emergency Services Director and other local officials, and the Radiological Health Services Division of the Michigan Department of Health, demonstrates that the need for radiological training of local officials is being met in a satisfactory fashion. The program considers

who must be trained, what they must learn, how they will be trained and the frequency with which retraining must be provided. The showing provided by the attached affidavits of Lt. Tyler and Messrs. Muma and Miller overwhelmingly satisfies Licensee's burden of proof on Christa-Maria Contention 9 (2), and the contention should be dismissed.

B. Invalids

The Licensing Board also concluded that the Licensee had failed to carry the burden of proof on Christa-Maria Contention 9(5). Specifically, the Licensing Board found there was a "failure to show that an adequate list of invalids is being kept in order to facilitate their evacuation during an emergency." (September 14 Decision, p. 13). Licensee submits the "Affidavit of George Thomas Lasater" and the "Affidavit of Art Saworski" (hereinafter referred to as "Lasater Affidavit" and "Saworski Affidavit"), which are hereto attached as Attachments D and E respectively. This testimony explains the process by which Sheriff Lasater has developed his current list of 52 individuals who would need transportation assistance during a radiological emergency evacuation of the Big Rock Point EPZ. The testimony of both Sheriff Lasater and Mr. Saworski explain how the individuals on the Sheriff's list would, if necessary, be evacuated.

1. Present List of Invalids (Christa-Maria Contention 9(5))

Sheriff Lasater is responsible for the evacuation of invalids living in the EPZ and needing transportation assis-

tance in an emergency and, for that reason, he maintains a list of such invalids. His list also includes senior citizens and other persons needing transportation assistance in an evacuation. (Lasater Affidavit, ¶ 2). As stated in his affidavit, such a list is not intended to include all invalids or senior citizens, but only those that would not otherwise be able to provide for their own transportation during an emergency evacuation. (Lasater Affidavit, ¶ 3).

Persons in the Charlevoix area and particularly in the EPZ have been given notice of the opportunity to have their names added to the Sheriff's list. The list was initially compiled in the the Fall of 1979 as a result of news releases carried by all of the local newspapers and radio stations. (Lasater Affidavit, ¶5). Ms. Francis Martin, a person with particular knowledge of physically impaired citizens, actively assisted Sheriff Lasater in formulating the original list in 1979 . (Lasater Affidavit, ¶ 6). Subsequently, two more appeals, using news releases carried by the news media were made with the latest one occurring in June 1982. (Lasater Affidavit, ¶ 7). More recently, in October 1982, the new "Emergency Preparedness" pamphlet was mailed directly to all residences in the EPZ and it contained a mail-in form by which invalids, senior citizens or any other person needing transportation assistance could have their names added to the list. Eight persons have sent in this form and had their names added to the list. (Lasater Affidavit, ¶ 8).

Sheriff Lasater's Department periodically calls all persons on the list to find out whether their names should remain on the list. (Lasater Affidavit, ¶ 9 and Exhibit A). There are currently 52 persons on the Sheriff's list. (Lasater Affidavit, ¶ 10).

The question of the need, if any, for transportation assistance for individuals who may be temporarily incapacitated is being pursued by Sheriff Lasater. (Lasater Affidavit, ¶ 15). Sheriff Lasater is working with the District Health Department No. 3 to establish a mechanism for identifying such individuals and for providing evacuation assistance. The most efficient procedure for utilizing the information and resources of the District Health Department No. 3 is still being explored and should be concluded within the next few weeks. (Id.).

A further affidavit will be submitted to the Licensing Board that will explain the results of the discussions between Sheriff Lasater and the District Health Department No. 3. Counsel has also requested that further contacts be made with additional organizations to assure that no individual or group of invalids or senior citizens have been overlooked. This information, as appropriate, will also be furnished to the Licensing Board by affidavit.

2. Evacuation of Invalids

Sheriff Lasater has secured the means and established procedures for the evacuation of the person on the

list of invalids, senior citizens and other persons requesting transportation assistance. Sheriff Lasater sends a letter to each person on the list informing them of the procedures they are to take during an evacuation. They are also sent a highly visible florescent sticker to place on their door to alert an evacuation team. (Lasater Affidavit, ¶ 11 and Exhibit B).

Primary transportation assistance would come from the Charlevoix County Public Transit System. Mr. Art Saworski, Director of the Public Transit System, details the number of buses and how the buses and their drivers would be made available during an emergency evacuation. The Public Transit System has a fleet of eight buses with ample capacity for those persons presently on the Sheriff's list. (Saworski Affidavit, ¶ 4). The Public Transit System also has ten bus drivers who have indicated their willingness to drive in an evacuation during a radiological emergency and their willingness to be trained for such an evacuation. (Saworski Affidavit, ¶7). (The Public Transit System bus drivers is one of the support groups identified as needing radiological training. (Muma Affidavit, ¶ 6). The bus drivers are all residents of Charlevoix County and familiar with the roads in the county and the City of Charlevoix. (Saworski Affidavit, ¶7). Backup support for the evacuation of persons on the Sheriff's list will be provided has been offered by the Boyne Falls Public Schools which has four school buses. (Lasater Affidavit, ¶ 14 and Exhibit D).

The procedures established by Sheriff Lasater provide that the communications office of the Sheriff's Department would contact the dispatcher's office of the Public Transit System who would relay a radio message to the bus drivers to report to the EOC with their buses. After business hours, the drivers would be contacted directly at home. The EOC has a list of the names, addresses and phone numbers of the bus drivers. (Lasater Affidavit, ¶ 16 a.; Saworski Affidavit, ¶ 8). At the EOC, the buses would be assigned to one of three evacuation teams, each team being responsible for one geographic area. Each team will be headed by a member of the Sheriffs' posse and at least one team member will be familiar with the area to be evacuated. (Lasater Affidavit, ¶ 16 b.). After being briefed in their evacuation assignments, each team would carry out its evacuation assignment and transport the evacuees to the Grandview Hospital in East Jordan where they will call the EOC, confirm completion of their assigned evacuation and standby for additional assignment. (Lasater Affidavit, ¶¶ 16 c.-d.).

3. Conclusion

The Sheriff's list has been diligently compiled and it is a complete and current compilation subject to possible amendment as a result of the ongoing discussions with District Health Department No. 3 and counsel's request for a further

check. The procedures and means to effect evacuation of those individuals on the Sheriff's list have been amply demonstrated.

Respectfully submitted,


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