May 20, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
UNION ELECTRIC COMPANY	)	Docket No. STN 50-483 OL
	)	
(Callaway Plant, Unit 1)	)	

APPLICANT'S MOTION FOR SUMMARY DISPOSITION OF REED CONTENTION 17 (RADIOLOGICAL MONITORING)

Pursuant to 10 C.F.R. § 2.749, Applicant moves the Atomic Safety and Licensing Board for summary disposition of Reed Contention 17. As grounds for its motion, Applicant asserts that there is no genuine issue of material fact to be heard with respect to Contention 17, and that Applicant is entitled to a decision in its favor on that contention as a matter of law.

This motion is supported by Applicant's Statement of Material Facts as to which there is No Genuine Issue to be Heard (Contention 17), the Affidavit of Kenneth V. Miller on Reed Contention 17 (Radiological Monitoring)(hereafter "Miller

Affidavit"), the Affidavit of William K. Johnson on Reed Contention 17 (Radiological Monitoring) (hereafter "Johnson Affidavit"), the Affidavit of Neal G. Slaten on Reed Contention 17 (Radiological Monitoring) (hereafter "Slaten Affidavit"), Applicant's Memorandum of Law in Support of Motions for Summary Disposition on Emergency Planning Issues, the Missouri Nuclear Accident Plan -- Callaway ("State Plan"), the Callaway County/ Fulton Radiological Emergency Response Plan ("Callaway/Fulton Plan"), the Osage County Radiological Emergency Response Plan ("Osage Plan"), the Gasconade County Radiological Emergency Response Plan ("Gasconade Plan"), the Montgomery County Radiological Emergency Response Plan ("Montgomery Plan"),1/ and the (Union Electric Company) Callaway Plant Radiological Emergency Response Plan, together with all pleadings and other papers in this proceeding.

I. Procedural Background

Reed Contention 17, entitled "Radiological Monitoring," states as follows:

> Proposed SOPs and the Offsite Plan place the responsibility for environmental monitoring upon the State of Missouri (see Offsite Plan, Section 8 and Radiological Monitoring procedures in SOPs). State Plans do not include how many monitor teams would be activated, how they would be notified, how many personnel would be included in each field team, how they would be transported to the affected area, what type of communications equipment they would use or radio

---

1/ The Callaway/Fulton, Osage, Gasconade and Montgomery Plans are also referred to collectively as the "local plans."

frequencies available for use by teams, the type of monitoring equipment they would have available and most importantly, what their estimated deployment times would be after notification of an accident/release of nuclides as required by NUREG 0654, II, I.7&8.

A. Protective responses are based upon rapid, accurate information from monitor personnel/equipment. Failure to designate the information listed above, can result in an inadequately manned team being fielded or teams being sent out without proper equipment or both. Also, an inability to communicate with Applicant's EOF or other information collection point may result if methods of communication are not available or known to the organization receiving field monitor reports. Failure to indicate deployment times and modes of transportation can result in local governments being forced to make decisions based upon no knowledge of the expected departure/arrival times of the only environmental monitoring teams to be fielded by agencies or organizations other than the Applicant.

B. Failure of the State of Missouri to have the capacity to measure radioiodine levels as low as 10-7 uCi/cc under field conditions as required by NUREG 0654, II, I.9 (see Missouri RERP, page A2B.2) clearly indicates that monitoring teams sent out by State are inadequately equipped to perform their required function (see NUREG 0654, Part I, Table 3) which is to detect and measure radioiodines as well as other radionuclides which contribute to dominant exposure modes.

C. State resources in trained personnel and radiation monitor equipment are inadequate to properly perform monitoring tasks in the plume exposure EPZ and the ingestion exposure EPZ without support from local government.

Final Particularization of Reed's Amended Contentions 1, 2 and 3 (Oct. 1, 1982), at 39-40. The Board admitted Reed Contention 17 in its Memorandum and Order (Specification and Approval of Contentions), dated February 25, 1983.

II. Governing Legal Standards

The Commission's regulations which include the standards to met by off-site radiological emergency response plans for nuclear power reactors require that "[a]dequate methods, systems and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition are in use." 10 C.F.R. § 50.47(b)(9).

The implementing NRC/Federal Emergency Management Agency ("FEMA") guidance is provided in the following provisions of evaluation criterion II.I (Accident Assessment)2/ applicable to the State of Missouri:

> 7. Each organization shall describe the capability and resources for field monitoring within the plume exposure Emergency Planning Zone which are an intrinsic part of the concept of operations for the facility.
>
> 8. Each organization, where appropriate, shall provide methods, equipment and expertise to make rapid assessments of the actual or potential magnitude and locations of any radiological hazards through liquid or gaseous release pathways. This shall include activation, notification means, field team composition, transportation, communication, monitoring equipment and estimated deployment times.

2/ NUREG-0654, FEMA-REP-1, Rev. 1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants." This document provides nonbinding guidance on means to satisfy the standards in 10 C.F.R. § 50.47(b). See Metropolitan Edison Company (Three Mile Island Nuclear Station, Unit No. 1), LBP-81-59, 14 N.R.C. 1211, 1460 (1981), aff'd, ALAB-698, 16 N.R.C. __, slip op. at 13-15 (Oct. 22, 1982).

> 9. Each organization shall have a capability to detect and measure radioiodine concentrations in air in the plume exposure EPZ as low as 10-7 uCi/cc (microcuries per cubic centimeter) under field conditions. Interference from the presence of noble gas and background radiation shall not decrease the stated minimum detectable activity.
>
> 10. Each organization shall establish means for relating the various measured parameters (e.g., contamination levels, water and air activity levels) to dose rates for key isotopes (i.e., those given in Table 3, page 18) and gross radioactivity measurements. Provisions shall be made for estimating integrated dose from the projected and actual dose rates and for comparing these estimates with the protective action guides. The detailed provisions shall be described in separate procedures.
>
> 11. Arrangements to locate and track the airborne radioactive plume shall be made, using either or both Federal and State resources.

NUREG-0654 at 57, 58.

III. Argument

Mr. Reed has argued, see Contention 17.C, that some local capability should exist to perform radiological accident assessment, in addition to the capability of Applicant and the State of Missouri. It has been Mr. Reed's position that the planning criteria in NUREG-0654 require redundant State and local off-site radiological monitoring capability:

> 84. What "support from local governments" (Contention 17.C) is available to the State for radiological monitoring? If State resources are indeed inadequate, why

shouldn't improvements or augmentation be made at the State rather than the local level?3/

84. None at present, but such can be provided if the capability is built at the local levels of government as directed in NUREG 0654, II, I, 8.4/

See also Dep. Tr. 264-267 (Aug. 18, 1982).

The only NRC/FEMA accident assessment planning criteria identified as applicable to local authorities (in addition to the State and licensee) are II.I.7 and II.I.8 (quoted above). These criteria are addressed in Annex H (Accident Assessment) of the local plans, where local capabilities and resources for field monitoring within the plume exposure EPZ are described. The local plans state there that the counties (and the City of Fulton) do not have the capability of performing field radiological monitoring and sampling in support of accident assessment. Instead, the local plans indicate, radiological monitoring and sampling, and assessment of radiological data will be performed by the Callaway Plant, State and Federal agencies. See Attachment 1 hereto (Annex H from the Callaway/Fulton Plan). Since there are no resources and capabilities locally, it is not "appropriate," in the words of criterion II.I.8, to

---

3/ Applicant's Revised Interrogatories and Requests for Production of Documents of Intervenor John G. Reed, October 20, 1982.

4/ John G. Reed's Responses to Applicant's Revised Interrogatories, November 12, 1982.

provide information in the plan on those resources and capabilities.

Mr. Reed's thesis has been that the "X's" in the columns next to planning criteria in NUREG-0654 require adherence to the criteria for each level of government identified. Mr. Reed sought Commission confirmation of his interpretation, and received the following guidance from the Director of the Office of Inspection and Enforcement:

> The party (State, local, licensee) with responsibility to address a specific criterion is indicated in the guidance criteria checklist by an X. In many cases, the NRC licensee, the State, and local authorities are all called upon to provide material to address the same criteria. Where more than one X is indicated, it should not be interpreted to mean that redundant capabilities are required. This consolidated guidance is intended to allow all parties to recognize and understand each other's capabilities, responsibilities and obligations. It further allows NRC/FEMA reviewers to analyze plans and probe the relationship of one plan with another. If weaknesses in one plan are identified but compensated for in another, an adequate state of emergency preparedness can still exist. It is recognized that capabilities, responsibilities and obligations vary widely among State and local governments. NRC/FEMA review these plans to ensure that the standards of 10 CFR 50 § 50.47 are met rather than which organization performs the function.

See Attachment 2 hereto (letter, Richard C. DeYoung to John G. Reed, June 17, 1982).

Consequently, there is no legal or planning basis for requiring redundant off-site radiological monitoring capability at the State and local level. See Southern California Edison Company, et al. (San Onofre Nuclear Generating Station, Units 2 and 3), LBP-82-39, 15 N.R.C. 1163, 1201 and n.31 (1982), motion to stay denied, ALAB-680, 17 N.R.C. ___ (July 16, 1982), aff'd, ALAB-717, 17 N.R.C. ___ (March 4, 1983) (no need for separate dose assessment capability where a principal response organization off-site has it). The Administrator of the Bureau of Radiological Health, Missouri Division of Health, and the State Radiological Defense Officer with the State Emergency Management Agency have both testified that the State does not require local government support in order to carry out its radiological monitoring responsibilities. Miller Affidavit, ¶ 8; Johnson Affidavit, ¶ 8.

B. The State Off-Site Radiological Monitoring Capability is Adequate.

As another licensing board explained:

> Should there be an actual or potential radiological release . . ., the nature and magnitude of the release and the prevailing meteorological conditions must be established and kept current so that potential offsite doses can be projected. Such projections give decisionmakers in the offsite response organizations the information they need to make correct decisions concerning the appropriate corrective action -- sheltering or evacuation. Field monitoring confirms the accuracy of offsite dose projections made on the basis of onsite data.

San Onofre, LBP-82-39, supra, 15 N.R.C. at 1201 (1982). See also Slaten Affidavit, ¶¶ 18-20.

In the event of an accident at the Callaway Plant, it would be the responsibility of the Bureau of Radiological Health ("BRH"), of the Missouri Division of Health, to direct operations specifically related to nuclear radiation affecting the environment outside the Callaway Plant exclusion area. This responsibility includes radiological monitoring. Miller Affidavit, ¶ 1; State Plan, BRH section of Annex A. The State Emergency Management Agency ("SEMA"), in addition to its role as overall coordinator of the State's response, has a support role, as described below, with respect to transportation and communications associated with radiological monitoring. Johnson Affidavit, ¶ 2.

The State Plan now has the information sought by Reed Contention 17 with respect to the State's field radiological monitoring capability -- including the number and composition of field monitoring teams, means for the notification and transportation of the teams, their deployment time after notification, their means of communication, and the monitoring equipment to be used. Annex D of the State Plan, entitled "Radiological Monitoring and Decontamination Support," as well as the BRH and SEMA sections of Annex A, provide this information.5/

5/ While Contention 17 focuses upon accident assessment, radiological monitoring in the ingestion EPZ is also addressed

(Continued Next Page)

Notification will occur pursuant to Appendix 3 (Notification Procedures) of the State Plan. The Callaway Plant informs SEMA through the State Highway Patrol. BRH, in turn, will be notified by SEMA. State Plan at App. 3; Annex A at SEMA 5 and BRH 7. Emergency call lists for BRH staff and the potential SEMA monitoring team members are in the State Plan. Annex A, SEMA A1A.1, BRH A1B.1.

The State field monitoring teams will be dispatched from the Forward Command Post as deemed warranted by BRH, but not later than at the declaration of a Site Area Emergency. SEMA will provide transportation for the field monitoring teams, which should be in the field within one hour of initial notification. Miller Affidavit, ¶ 4, ¶ 7 and Exhibit B; Johnson Affidavit, ¶ 3.

At least two teams will be deployed at predesignated (in the State Plan, Annex A, BRH A5B) monitoring and sampling points.6/ Each field radiological monitoring team will consist of a BRH staff member who will act as team leader and be

---

(Continued)

in Annex D. See also Applicant's motion for summary disposition of Contention 18.

6/ Two teams per 12-hour shift to monitor a plume are adequate where an acceptable method for deploying the teams is described and there is close communication with the utility's teams. The actual Field Monitoring and Plume Verification procedure is included in Exhibit B to the Miller Affidavit.

responsible for radiological monitoring, and a SEMA staff member who will be responsible for transportation and communications.7/ The SEMA member will also have been trained in radiological monitoring and may assist in that effort. Miller Affidavit, ¶ 4; Johnson Affidavit, ¶ 4.

Communications for the field monitoring teams will be via portable radios provided by SEMA. Portable radio communications between the field monitoring teams and the EOF Forward Command Post will be established during the operational check at the EOF, prior to deployment to the field. Johnson Affidavit, ¶ 5.

The emergency instruments, equipment and supplies to be used by BRH for radiological assessment are listed in the State Plan. See Miller Affidavit, Exhibit C. As indicated there, BRH will have the capability to measure radioiodine levels as low as 10^{-7} uCi/cc under field conditions. This represents a change from previous drafts of the State Plan and completely satisfies the concern raised in Reed Contention 17.B. Id. at ¶ 5.

All members of the BRH staff have participated in emergency response training programs sponsored by federal agencies. They periodically review and discuss emergency

---

7/ BRH and SEMA are staffed adequately to field four field monitoring teams (two such teams for each 12-hour shift). Miller Affidavit ¶ 8; Johnson Affidavit, ¶ 4.

procedures. BRH personnel are regularly engaged in radiation protection activities. That is their primary responsibility. They are experienced in conducting radiological surveys and in the use of radiation detection instruments and are familiar with the instruments and protective equipment which is available to them. They routinely respond to various kinds of radiological incidents and are accustomed to working both individually and as team members. The following quotation from the Final Report Evaluation of the Exercise of Radiological Accidents at Cooper Nuclear Station, Brownville, Nebraska, March 10, 1982 prepared by Federal Emergency Management Agency, Region VII, tends to support the competence and adequacy of training of BRH monitoring teams: "Field monitoring teams were well managed and capably directed from the FCP [Forward Command Post]. Monitoring procedures were excellent and rigorously followed. Field data was received by the FCP, promptly analyzed, and used as the basis for recommending appropriate protective actions." Miller Affidavit, ¶ 6. In addition, all BRH personnel will be familiar with both the terrain around the Callaway Plant, and with preselected monitoring points prior to plant operation. Id. at ¶ 7.

The State Plan clearly demonstrates that the State of Missouri has adequate resources in trained personnel and equipment to perform its off-site radiological monitoring tasks. Miller Affidavit, ¶ 8; Johnson Affidavit, ¶ 8. In

addition, the resources of the Missouri Nuclear Emergency Team are available if needed,8/ and Federal assistance should be available if needed.9/ Further, the State Plan itself meets the NRC/FEMA evaluation criteria cited in Reed Contention 17 -- II.I.7, II.I.8 and II.I.9, as well as 10 C.F.R. § 50.47(b)(9).

C. Applicant's Role

The NRC/FEMA guidance on accident assessment (planning criteria II.I) requires that a licensee must be able to measure the radiation levels in the plant in an accident situation. In the case of the Callaway Plant, a short term assessment to determine off-site doses will be performed by Union Electric Company with the use of its Radioactive Release Information System ("RRIS"). The RRIS provides near real-time predictions of atmospheric transport and diffusion estimates of radioactive releases. This information is provided to the control room, Technical Support Center, Emergency Operations Facility, Backup EOF, and the on-site health physics office. The RRIS utilizes real-time meteorological data, radioactive release rate data, isotopic concentrations, release flow rate data, and site-specific terrain and climatological features that affect atmospheric diffusion and the trajectories of the plume. This

---

8/ Johnson Affidavit, ¶¶ 6, 7.

9/ Miller Affidavit, ¶ 8; Attachment 1 hereto.

data is automatically transmitted to the RRIS. The RRIS output includes the plume position, the location, magnitude and arrival time of peak concentrations, and thyroid and whole body dose rates and cumulative dose. The NRC also will receive this data through the NRC Nuclear Data Link interface with the RRIS. In the event the computer is inoperable, manual calculations can be performed by the Dose Assessment Coordinator in a short timeframe. Slaten Affidavit, ¶ 21.

In addition, Callaway Plant Field Monitoring Teams are used to verify the initial assessment of off-site radiological conditions performed with the use of the RRIS. Deployment of Field Monitoring Teams is anticipated to occur within 30 to 45 minutes from the time a release is discovered or expected. Field Monitoring Teams will be equipped with health physics monitoring instrumentation to evaluate actual off-site dose rates and airborne radioactivity concentrations. Instrumentation available to the monitoring team(s) includes: low and high range beta-gamma survey meters, a rate meter instrument w/gm pancake probe, portable single channel analyzer with NaI detector, and an air sampler with supply of filter media and silver zeolite cartridges. This instrumentation provides the Field Monitoring Teams with the capability to analyze airborne and liquid environmental samples as well as the ability to monitor for surface contamination. In-field evaluation of radioiodine levels is accomplished by sampling

with a low volume air sampler using a silver zeolite cartridge as the collection media. Analysis of the cartridge is performed by using portable gamma spectroscopy equipment in the field. The sensitivity of this method enables measurement of iodine concentrations as low as 10^{-7} microcuries/cubic centimeter under low, background counting conditions. Slaten Affidavit, ¶ 22.

Applicant personnel assigned responsibilities for radiological response during an emergency have health physics or nuclear engineering degrees, and/or are trained radiation/chemistry technicians. All of these individuals will receive specific training in radiological monitoring and analysis, as well as other emergency-related tasks. Slaten Affidavit, ¶ 26.

Reed Contention 17 does not address Applicant's contribution toward accident assessment, including off-site field monitoring. Yet, in another NRC proceeding, it has been held that the utility's capability for radiation monitoring and assessment could meet all needs in the plume EPZ, and could compensate for deficiencies in off-site organizations. The legal argument that an applicant's system cannot compensate for deficiencies in the monitoring and assessment capabilities of off-site jurisdictions was rejected. San Onofre, supra, LBP-82-39, 15 N.R.C. at 1202 (1982), motion to stay denied, ALAB-680, 16 N.R.C. ___, slip op. at 22-29 (July 16, 1982), aff'd, ALAB-717, 17 N.R.C. ___, slip op. at 44-51 (March 4,

1983). Applicant does not assert here that there is a deficiency at the State level, but it is clearly appropriate to assess the State's capabilities with knowledge of and appreciation for Applicant's extensive radiological monitoring and assessment capabilities both on site and off site.

The off-site plans contemplate the receipt and use of Callaway Plant information on accident assessment. See Attachment 1 hereto. Applicant's monitoring program will be an important source of information about radioactive releases for all levels of government and the public.10/ The redundant monitoring capability of the State of Missouri will serve to verify Applicant's own findings. Slaten Affidavit, ¶ 27. See, e.g., State Plan, Annex A, at BRH 5 ("The Bureau of Radiological Health and the operator of the nuclear power plant will maintain continuous liaison during all states of a nuclear incident in order to confirm measurements . . ."), and A6B.1 ("Communication of information between state and utility field monitoring teams will be coordinated by BRH and utility personnel at the EOF/FCP").

10/ The Commission's emergency planning standards require that ". . . State and local response plans call for reliance on information provided by facility licensees for determination of minimum initial offsite response measures." 10 C.F.R. § 50.47(b)(4).

IV. Conclusion

There is no legal or planning basis for requiring a local off-site radiological monitoring and assessment capability which does not now exist. The capability of the State of Missouri, which is redundant to Applicant's own program, is adequate for off-site radiological monitoring and assessment, as the State Plan demonstrates.

For all of the foregoing reasons, there is no genuine issue of material fact to be heard with respect to Contention 17, and Applicant is entitled to a decision in its favor on that contention as a matter of law.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

Thomas A. Baxter

Thomas A. Baxter, P.C.
Deborah B. Bauser

Counsel for Applicant

1800 M Street, N.W.
Washington, D.C. 20036

(202) 822-1000

May 20, 1983

ANNEX H

ACCIDENT ASSESSMENT

I. RADIOLOGICAL MONITORING AND SAMPLING

A. Callaway Plant's Role

1. The assessment of Plant conditions, radiation levels and onsite/offsite consequences will be directed by the Emergency Coordinator.

2. Deployment of Field Monitoring Teams is anticipated within 30-45 minutes from the time a release is discovered or expected.

3. Field Monitoring Teams will be equipped with monitoring instrumentation to evaluate actual offsite dose rates and airborne radioactivity concentrations.

4. Data will be reported by the Field Monitoring Teams via radio to the Field Team Coordinator who relays this information to the Technical Support Center or the Emergency Operations Facility.

5. Field Monitoring Teams will perform area dose rate measurements and obtain and analyze air samples. If required, the Field Monitoring Teams will also collect environmental samples for analysis.

6. Monitoring will continue throughout the duration of the emergency, as required, so that the need for protective measures can be quickly assessed.

7. Long-term assessment concerning contamination of soil, vegetation, milk, and water will be accomplished in accordance with the Callaway Plant Radiological Environmental Monitoring Program.

B. Local Role

1. The County/City does not have the capability of performing field radiological monitoring and sampling in support of accident assessment. It can only support self protection monitoring for its emergency workers.

2. Radiological monitoring and sampling and assessment of radiological data will be performed by Callaway Plant, the State and Federal agencies.

C. State's Role

1. Independent field radiological monitoring for accident assessment will be performed by Bureau of Radiological Health (BRH) personnel, supported by members of the MONET Team and personnel provided by the State Emergency Management Agency (SEMA).

2. All radiological data will be reported to the Emergency Operations Facility (EOF) for evaluation.

3. Ground transportation for field monitoring missions will be provided by SEMA, State Highway Patrol, Department of Conservation, State Highway and Transportation Department, or other State vehicles having mobile communication capabilities compatible with the EOF.

4. BRH, assisted by the State Department of Natural Resources, State Department of Agriculture, and other State agencies, as required, will be responsible for independently collecting samples of water, milk, vegetation, and soil for laboratory analysis in support of long-term assessment.

5. Any aerial monitoring deemed necessary will be performed by the U. S. Department of Energy through implementation of the Federal Radiological Monitoring and Assessment Plan and in coordination with SEMA.

D. Federal Role

1. The U. S. Department of Energy will assist in radiological monitoring..

2. The Federal Emergency Management Agency has the capability of providing additional radiological monitoring instruments and personnel in response to SEMA requests.

3. The Food and Drug Administration will assist in environmental monitoring.

II. ASSESSMENT

A. Radiolcgical data collected by field monitoring and sampling will be reported to the EOF.

B. Callaway Plant and BRH will perform assessments of the radiological aspects of the incident.

C. In additional to the State and Federal agencies identified above, additional assessment assistance will be provied by:

1. The Nuclear Regulatory Commission.

2. The Environmental Protection Agency.

D. Accident assessment information and protective actions recommendations will be communicated from the EOF to the County/City EOC for use in determining the need for protection measures.

ATTACHMENT 2

JUN 17 1982

Mr. John G. Reed
RFD #1
Kingdom City, Missouri 65252

Dear Mr. Reed:

This is in response to your letter of May 18, 1982 requesting a formal Commission decision on the interpretation of the symbol X as used in the guidance criteria in NUREG-0654/FEMA-REP-1, Rev. 1, "Response Plans and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants". Because this matter may be the subject of litigation before an NRC licensing board and because the Commission may eventually have to review the licensing board's decision, the Commission is unable to give you the formal ruling you request. However, the standards used by the NRC staff to assure that adequate protective measures are taken to protect the health and safety of the public in the event of a radiological emergency are specified in the Code of Federal Regulations, Chapter 10, Part 50, §50.47. These standards are reiterated in NUREG-0654/FEMA-REP-1, Rev. 1 and are addressed by specific guidance criteria which may be used by the licensee, State, and local planners to formulate integrated emergency plans to meet these standards. These guidance criteria provide an acceptable way to meet the standards, however, it should be recognized that they are not requirements and that the standards may be met in other ways.

The party (State, local, licensee) with responsibility to address a specific criterion is indicated in the guidance criteria checklist by an X. In many cases, the NRC licensee, the State, and local authorities are all called upon to provide material to address the same criteria. Where more than one X is indicated, it should not be interpreted to mean that redundant capabilities are required. This consolidated guidance is intended to allow all parties to recognize and understand each other's capabilities, responsibilities and obligations. It further allows NRC/FEMA reviewers to analyze plans and probe the relationship of one plan with another. If weaknesses in one plan are identified but compensated for in another, an adequate state of emergency preparedness can still exist. It is recognized that capabilities, responsibilities and obligations vary widely among State and local governments. NRC/FEMA review these plans to ensure that the standards of 10 CFR 50 §50.47 are met rather than which organization performs the function.

Sincerely,

Richard C. DeYoung, Director
Office of Inspection and Enforcement