

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF NUCLEAR REACTOR REGULATION
Thomas E. Murley, Director

In the Matter of)	DOCKET NOS.	50-440
)		50-441
CLEVELAND ELECTRIC ILLUMINATING)		
COMPANY, ET AL.)		
)		
(Perry Nuclear Power Plant,)		
Units 1 & 2))		

DIRECTOR'S DECISION PURSUANT TO 10 CFR §2.206

INTRODUCTION

On November 7, 1986, Terry J. Lodge, on behalf of Sunflower Alliance, Inc. (Petitioner), submitted to the U.S. Nuclear Regulatory Commission (NRC) a Motion to reopen the record in the Perry Nuclear Power Plant (Perry) operating license proceeding and consider new contentions related to emergency planning or, alternatively, for the Commission to issue an order to show cause why the facility's operating license should not be modified or revoked on the basis of alleged offsite emergency planning deficiencies. The operating license for Unit 1 of the Perry facility was issued on November 13, 1986 to Cleveland Electric Illuminating Company (CEI), et al. (Licensees). On February 25, 1987, the NRC notified the Petitioner that the Motion would be considered as a Petition pursuant to 10 CFR §2.206.

The Petition raises a number of issues. The Petition alleges that certain "care centers" that are to support emergency planning efforts for the Perry facility have inadequate provisions and arrangements to ensure that the centers

will perform adequately in the event of an emergency. The Petition also questions the adequacy of "commitments" with school districts for the provision of buses, personnel, equipment, and facilities for use during an emergency. The Petition notes that, in October 1986, the Northeast District of the Ohio Association of Public School Employees, American Federation of State, County and Municipal Employees, AFL-CIO (OAPSE), voted not to participate in any drill or actual evacuation activities involving the Perry facility. Finally, the Petition questions whether the personnel and facilities of the Ashtabula County Medical Center are adequate for the decontamination and treatment of exposed emergency workers.

On January 20, 1987, the Licensees submitted "Licensees' Response to §2.206 Petition of Sunflower Alliance" (Licensees' Response). On March 3, 1987, the NRC requested that the Federal Emergency Management Agency (FEMA) address the issues raised by the Petitioner. FEMA's Report on "Sunflower Alliance 2.206 Petition" dated July 14, 1987 (FEMA Report) is attached hereto as Exhibit A. My final decision in this matter now follows.

BACKGROUND

The Commission's regulations in 10 CFR §50.54(q) and (s) require the submission and implementation of licensee and state and local governmental emergency plans that meet the standards in 10 CFR §50.47(b) and Appendix E to 10 CFR Part

50. ^{1/} As described in the Memorandum of Understanding between FEMA and the NRC (50 Fed. Reg. 15485, April 18, 1985), FEMA has lead responsibility for assessing offsite radiological emergency response plans and preparedness. ^{2/} NRC assesses onsite emergency planning and reviews FEMA's assessment of offsite plans for the purpose of making findings on the overall state of emergency preparedness. See 10 CFR §50.47(a). The NRC must find reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency at a nuclear facility licensed pursuant to 10 CFR Part 50.

For nuclear power plants licensed to operate after the NRC final rule on emergency planning became effective (November 3, 1980), the NRC bases its reasonable assurance finding for each operating reactor on (1) a review of the FEMA findings and determinations as to whether state and local plans are adequate and whether there is reasonable assurance that they can be implemented, (2) a review of the onsite plans by the NRC, (3) a comprehensive appraisal conducted by the NRC at the operating reactor site to verify the implementation of the licensee's plan, and (4) the evaluation of a joint exercise involving the licensee and state and local governmental organizations.

^{1/} NUREG-0654/FEMA-REP-1, Revision 1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," provides guidance for the implementation of the standards in 10 CFR §50.47.

^{2/} In addition to reviewing offsite emergency preparedness as requested by the NRC with respect to nuclear facilities, FEMA has in place procedures set forth in 44 CFR Part 350 for the assessment of the offsite plans submitted by state and local governments.

The Licensees' onsite emergency plan was submitted to the NRC in May 1981. The emergency preparedness implementation appraisal of the Licensees' plan was conducted at Perry from February 25 to March 7, 1985. Certain appraisal areas (52 specific items) were identified as requiring either correction or improvement. All identified items were reviewed during subsequent inspections in 1985 and 1986 and found to be satisfactorily resolved. The Perry offsite plan was submitted in March 1983 by Ohio to FEMA for review and evaluation in accordance with 44 CFR Part 350. ^{3/} On March 1, 1984, FEMA provided an interim report to the NRC on the offsite emergency plans for Perry. FEMA concluded that, based on its review of the Ohio and Ashtabula, Geauga, and Lake Counties offsite radiological emergency preparedness plans, there was reasonable assurance that the plans were adequate and capable of being implemented in the event of an accident at the Perry site. A full-participation exercise involving the Licensees and state and local organizations was conducted on November 28, 1984. The NRC and FEMA evaluated the implementation of the Licensees' onsite and offsite plans, respectively. The onsite portions of such exercises are observed by the NRC; the offsite portions are observed by FEMA and other members

^{3/} The FEMA process for formal approval of offsite plans is set forth in 44 CFR Part 350. However, this formal process need not be completed for the purpose of NRC licensing reviews either for operating plants or plants being licensed. The fact that FEMA approval of offsite plans in accordance with 44 CFR Part 350 has not been received for a particular facility does not mean that an inadequate level of emergency preparedness exists. During the approval process, FEMA may issue interim findings of reasonable assurance that adequate measures can be taken in the event of a radiological emergency that are based on reviews of emergency plans and exercise observations.

of the Regional Assistance Committee (RAC). ^{4/} On January 31, 1985, FEMA provided the NRC with its findings on the exercise. FEMA reported that there were no deficiencies affecting public health and safety; however, there were 22 other deficiencies of a lesser nature that required corrective action by the State of Ohio and Lake, Ashtabula, and Geauga Counties. On May 23, 1985, FEMA reported that the State of Ohio had submitted an acceptable schedule of corrective actions for all of the identified deficiencies. A partial-participation exercise involving the Licensees and state and local organizations was conducted on April 15, 1986. On September 5, 1986, FEMA reported to the NRC that no deficiencies were found during the April 1986 exercise and that the 1984 exercise deficiencies had been corrected.

In addition, Atomic Safety and Licensing Board (ASLB) hearings were held on the Perry offsite plans, and contentions were litigated during the period April 9-12, 1985. The Petitioner was a party to this proceeding. The ASLB issued a Partial and Concluding Initial Decision on September 3, 1985. ^{5/} The

^{4/} There exists in each of the 10 standard Federal regions a Regional Assistance Committee (RAC) (formerly the Regional Advisory Committee) chaired by a FEMA regional official and having members from the Nuclear Regulatory Commission, Department of Health and Human Services, Department of Energy, Department of Transportation, Environmental Protection Agency, Department of Agriculture, and Department of Commerce. The RACs assist state and local government officials in the development of their radiological emergency response plans and review plans and observe exercises to evaluate the adequacy of these plans and related preparedness. This assistance does not include the actual writing of state and local government plans by RAC members.

^{5/} Cleveland Electric Illuminating Company, et al. (Perry Nuclear Power Plant, Units 1 and 2), LBP-85-35, 22 NRC 514 (1985). The Atomic Safety and Licensing Appeal Board affirmed this decision. ALAB-841, 24 NRC 64 (1986).

ASLB authorized issuance of an operating license subject to the Licensees satisfying certain conditions related to offsite emergency planning.

In Supplement No. 7 to the Perry Safety Evaluation Report, ^{6/} the NRC approved the Licensees' overall state of emergency preparedness subject to resolution of certain conditions of the September 3, 1985 ASLB Decision related to offsite emergency planning. On February 4, 1986, FEMA provided its supplemental findings on the offsite emergency preparedness conditions specified in the ASLB Decision. FEMA concluded that the emergency preparedness issues as specified in the ASLB Decision have been satisfactorily resolved.

On November 7, 1986, the Nuclear Regulatory Commission voted 4-1 to authorize the NRC to issue a full-power operating license for Perry Nuclear Power Plant, Unit 1. In reaching its decision, the Commission explicitly considered and approved emergency planning for the Perry facility. ^{7/}

DISCUSSION

The Petition raises the following four specific issues calling into question the adequacy of offsite emergency planning for the Perry facility:

- (1) The adequacy of Geauga County reception/congregate care centers.

^{6/} NUREG-0887, "Safety Evaluation Report Related to the Operation of Perry Nuclear Power Plant, Units 1 and 2," Docket Nos. 50-440 and 50-441, Supplement No. 7, November 1985.

^{7/} Cleveland Electric Illuminating Co., et al. (Perry Nuclear Power Plant, Units 1 and 2), CLI-86-22, 24 NRC 685 (1986).

- (2) The effect of the July 14, 1986, Jefferson Area Local School District Superintendent's Letter.
- (3) The effect of the Resolution of the Northeast District of OAPSE.
- (4) The adequacy of the Ashtabula County Medical Center.

With respect to the first issue, the claim raised by the Petitioner is based on the Affidavit by Mrs. Theresa M. Burling. Mrs. Burling cites a lack of stored food, clothing, cots, or bedding at the schools that will serve as reception/congregate care centers in the event of an evacuation of the area near the Perry site. Mrs. Burling also raises the issue of failure of contact and/or discussion between the American Red Cross and school administrators. Finally, Mrs. Burling's Affidavit specifies that 12,891 evacuees are proposed to be housed in these care centers. The FEMA Report indicates that an apparent misunderstanding exists on the part of Mrs. Burling in that there is no requirement that the supplies referred to be stored in these reception/congregate care facilities in advance of an emergency at the Perry plant. FEMA stated that the current arrangements (i.e., a letter of agreement between the Red Cross and Geauga County specifying that the Red Cross will provide cots, blankets, and other items at the care centers and the use of the school food supply in addition to local purchase for feeding purposes) are similar to other arrangements around the country and that FEMA finds these arrangements to be adequate. All primary (four each) and alternate (six each) designated reception/congregate care centers other than Kent State University - Burton, a state operated institution designated as a reception center for about 200 people, have entered into an agreement with Geauga County and have copies of the Geauga County plan. These arrangements are satisfactory to FEMA. The Geauga County Emergency Operations Center's Operation Group Staff includes the

Geauga County School Superintendent and a liaison from the Red Cross. The Berkshire High School and West Geauga High School facilities were evaluated by Federal observers during the 1984 full-participation and 1986 partial-participation exercises, respectively. The exercises confirmed the availability and adequacy of these facilities as care centers. Regarding the capacity of the care centers, FEMA reports that the Geauga County plan notes that approximately 2,000 residents of Thompson Township (Gauga County) live within the 10-mile emergency planning zone (EPZ) of the Perry plant. The capacity of the 4 primary and 6 alternate care centers, as specified in the Geauga County plan, is 12,891, well in excess of the 2,000 Geauga residents within the 10-mile EPZ. On the basis of its review of the Geauga County plan, FEMA concluded that there was excess capacity in the Geauga County centers.

With respect to the second issue, the Petition bases its argument on the assertion that the NRC has required licensees to have in place before an operating license is issued written agreements or commitments from nearby school districts to provide facilities, personnel, and equipment, particularly buses, in the event of an emergency. The Petition also included a July 14, 1986, letter from the Superintendent of the Jefferson Area Local School District that the Petitioner alleges formally withdrew a previous commitment letter and indicated that there is a lack of authority to make commitments for buses, personnel, equipment, and facilities for use during an emergency. The Petitioner has mischaracterized the July 14, 1986 letter. In that letter, the Superintendent focused on his legal authority regarding facilities and personnel in the event of an emergency. In essence, the Superintendent noted that he was without legal authority to permit the use of school district

resources in an emergency situation. The NRC recognizes this as the case, and has not in the past required legally binding documents to determine what response would be available in an emergency. Historically, public institutions have an outstanding record of response in emergencies. What is important is for the appropriate institutions to be aware of the role they may be called upon to play in an emergency and to formally recognize that likelihood. A legal contract is not needed. The Superintendent's letter reflects that a legal contract does not exist. In fact, subsequent to the July 14, 1986 letter, the Jefferson Area Local School District reaffirmed its willingness to assist in an emergency. See Paragraph 6 of the Hulbert Affidavit attached to the Licensees' Response. Also, FEMA contacted the Superintendent on March 2, 1987, to discuss the July 14, 1986, letter. According to FEMA, the Superintendent pointed out that his letter of July 14, 1986, was written to clarify a legal point and should not be taken to mean that the Jefferson Area Local School District would not cooperate in disaster planning in response to an accident at the Perry plant.

Regarding the remainder of commitment/agreement documents on file wherein the Petitioner alleges that facilities, personnel, and buses have not been committed in a legally recognizable fashion, as stated above, legal contracts are not required. It is the view of the NRC that the purpose of written commitments is to reasonably determine and confirm the available resources and to assure that the providers are capable of providing those resources. Philadelphia Electric Company (Limerick Generating Station, Units 1 and 2), LBP-85-14, 21 NRC 1219, 1273 (1985). Historically, providers have responded when called upon to do so.

The issue of letters of agreement for school buses was first raised by the Petitioner and litigated before the ASLB during the Perry emergency planning hearings in April 1985. In its decision of September 3, 1985, LBP-85-35, the ASLB directed CEI to obtain letters of agreement from all school districts regarding the supply of buses for evacuation purposes. On February 4, 1986, FEMA notified the NRC that the State of Ohio had obtained letters of agreement from the 10 school districts identified in the Ashtabula County Radiological Emergency Response Plan, the 8 educational institutions in Geauga County, and the 10 school districts participating in Lake County. FEMA concluded that these documents satisfied the terms of the ASLB decision.

In my view, the issue is not whether a particular institution believes it has legal authority to perform some aspect of planning and preparedness. The issue is whether the institution is likely to cooperate in disaster planning and whether facilities, personnel, and buses will likely be available in the event of a radiological emergency. Based on the above discussion, it appears reasonable that the appropriate institutions, including the Jefferson Area Local School District, are prepared to do their part.

With respect to the third issue, the Petitioner argues that the Resolution of the Northeast District of the OAPSE calls into question the availability of emergency workers in the event of an emergency at the Perry facility. FEMA had previously investigated a similar resolution passed by the Northwest District of the OAPSE in response to a petition pursuant to 10 CFR §2.206 related to the

Davis-Besse Nuclear Power Station. ^{8/} In its letter of November 14, 1986, FEMA described that resolution as a nonbinding resolution and provided a status report. ^{9/} FEMA also noted that the Ohio Disaster Services Agency (ODSA) and the Toledo Edison Company were meeting with the involved school systems and union members to discuss the resolution and to schedule additional training. In FEMA's view, the union members were willing to cooperate, attend meetings, and participate in training related to their emergency duties. Based on these events, FEMA had not revised its position that there was reasonable assurance that adequate protective measures can be taken in the event of a radiological emergency at the Davis-Besse facility.

With regard to the instant Petition, based on a November 13, 1986 letter from the ODSA and a March 5, 1987 training status report from CEI, FEMA reported that similar training of union members in their emergency duties had taken place around the Perry plant. According to the CEI status report, 12 bus driver training sessions involving 339 bus drivers had been conducted as part of Perry offsite planning during 1986-1987. In addition, other training sessions had been conducted for superintendents, transportation supervisors, building principals, teachers, and custodians. In FEMA's view, the union members are willing to cooperate, attend meetings, and participate in training related to their emergency duties. As of this time, FEMA has not changed its

^{8/} Toledo Edison Company (Davis-Besse Nuclear Power Station, Unit 1), DD-86-17, 24 NRC 753 (1986).

^{9/} Memorandum from Richard W. Krimm, FEMA, to Edward L. Jordan, NRC, dated November 14, 1986.

position that there is reasonable assurance that adequate protective measures can be taken in the event of a radiological emergency at the Perry facility.

With respect to the fourth issue, the Petition alleges that the equipment, personnel, and facilities at Ashtabula County Medical Center (ACMC) fail to meet the requirements of the Joint Commission on Accreditation for Hospitals (JCAH). Specific problems alleged include a joint ventilation system for the hospital and the emergency room area in which contamination victims would be treated; no isolated, designated area for holding of contamination victims; lack of adequate training of emergency room and other staff of ACMC in the care of contaminated victims; and inadequate preparations for ambulance transport of contamination victims from ACMC to other hospitals in the event of a severe radioactive release from the Perry plant in the direction of Ashtabula.

The issue of the adequacy of medical services was litigated before the ASLB in the operating license proceeding. The Petitioner there sponsored a contention asserting deficiencies in this area and presented evidence. The ASLB rejected the contention and found that the training, personnel, and equipment at designated hospitals within the emergency planning zone (EPZ) as well as the medical resources available outside the EPZ were adequate. This finding included arrangements for medical services of contaminated individuals. ^{10/} The ASLB specifically noted that ACMC is accredited by the State of Ohio for handling contaminated individuals. Furthermore, the Petitioner's assertion

^{10/} LBP-85-35, supra, pp. 523-525 and 564-566.

that APMC is not accredited by the JCAH is simply incorrect. See Paragraph 9 of the Hulbert Affidavit attached to the Licensees' Response.

FEMA has also evaluated medical services in the event of an emergency at the Perry facility. According to the FEMA Report, the medical staff at APMC demonstrated its capabilities and the adequacy of the hospital during the November 28, 1984, full-participation exercise. The one 1984 exercise deficiency at APMC reported by FEMA - all equipment necessary to handle a contaminated victim was not demonstrated - was resolved during the 1986 exercise. FEMA concluded that APMC is capable of treating victims of radiological accidents. FEMA also reported that training sessions were conducted for the staff at APMC under the program, "Managing the Emergency Care of Radiation Accident Victims," on February 19-20, 1987. In addition, FEMA reported that, since APMC is outside the Perry 10-mile EPZ, it is not necessary to make preparations for ambulance transport of contaminated victims from APMC to other hospitals in the event of a severe radioactive release from the Perry plant in the direction of Ashtabula. The FEMA Report concluded that APMC is capable of treating victims of a radiological accident. In light of these findings, I find the Petitioner's allegations to be without merit.

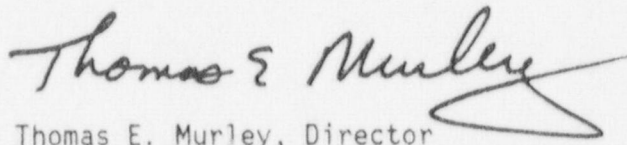
CONCLUSION

The Petitioner seeks the institution of a show cause proceeding pursuant to 10 CFR §2.202 to modify or revoke the operating license for the Perry facility. The institution of proceedings pursuant to 10 CFR §2.202 is appropriate only

where substantial health and safety issues have been raised. See Consolidated Edison Company of New York (Indian Point, Units 1, 2, and 3), CLI-75-8, 2 NRC 173, 175 (1975) and Washington Public Power System (WPPS Nuclear Project No.2), DD-84-7, 19 NRC 899, 923 (1984). This is the standard which I have applied to the concerns raised by the Petitioner in this decision to determine whether enforcement action is warranted.

For the reasons discussed above, I find no substantial basis for taking the actions requested by the Petitioner. Rather, based upon the lengthy oversight and review of emergency planning efforts at Perry by both the NRC and FEMA, including the consideration of issues raised in the present Petition, and the consideration given to the emergency planning area by the Commission and its Licensing and Appeal Boards, I continue to be of the view that emergency planning and preparedness for the Perry facility are adequate. Accordingly, the Petitioner's request for action pursuant to 10 CFR §2.206 is denied. As provided in 10 CFR §2.206(c), a copy of this Decision will be filed with the Secretary for the Commission's review.

FOR THE NUCLEAR REGULATORY COMMISSION


Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 14th day of September 1987.



Federal Emergency Management Agency

Washington, D.C. 20472

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MEMORANDUM TO: Frank J. Congel
Director, Division of Radiation Protection
and Emergency Preparedness
Office of Nuclear Reactor Regulation
Nuclear Regulatory Commission

FROM: *Richard W. Krimm*
Richard W. Krimm
Assistant Associate Director
Office of Natural and Technological Hazards Programs

SUBJECT: Sunflower Alliance 2.206 Petition

This is in response to the March 3, 1987, memorandum from Edward L. Jordan, Office of Inspection and Enforcement, Nuclear Regulatory Commission (NRC), requesting the Federal Emergency Management Agency (FEMA) to review a motion submitted by Mr. Terry J. Lodge, counsel for the Sunflower Alliance. The NRC had determined that the motion should be treated as a petition filed under 10 CFR 2.206.

FEMA Region V has reviewed the "Intervenor's Sunflower Alliance Motion to Reopen the Record and to Submit New Contentions or Alternatively For Applicant To Show Cause Why Its License Should Not Be Modified or Denied," including the attached Affidavit of Theresa M. Burling and the July 14, 1986 letter from the Superintendent of the Jefferson Area Local School District. FEMA's review comments for each of the contentions raised in the Sunflower Alliance petition are reflected below.

1. Geauga County Reception/Congregate Care Centers

This contention raised by the Sunflower Alliance is based on the Affidavit filed by Mrs. Burling. She states that she helped conduct a survey in the summer of 1986, related to emergency preparedness for reception/congregate care facilities in Geauga County, Ohio. She states that 3 of the 7 school systems surveyed do not have food, clothing, cots or bedding stored at the schools.

This is an apparent misunderstanding on the part of Mrs. Burling in that there is no requirement that these supplies be stored in these reception/congregate care facilities in advance of an emergency at the Perry Nuclear Power plant. The American Red Cross, by letter of agreement with Geauga County, will provide cots, blankets, and other items at the care centers. The school food supply in addition to local purchase would be utilized for feeding purposes. This is similar to other arrangements around the country for these types of supplies at reception/congregate care centers. FEMA Region V finds these arrangements to be adequate.

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Mrs. Burling stated the purpose of the 1986 survey was to ascertain the availability and adequacy of care center facilities referred to in the Geauga County Radiological Emergency Response Plan (RERP). The following places were questioned: The Notre Dame Academy, Cardinal High School, Kent State University-Burton, and West Geauga Senior High School as "Primary Care Centers"; and Cardinal Middle School, Berkshire High School, Newbury High School, West Geauga Junior High School, Kenston High School, and Kenston Middle School as "alternate care centers." She stated that 5 of the 7 administrations have had no discussions with the American Red Cross, which the plan states is to operate the centers. She also stated at least 4 of the school systems have never been contacted; only one indicated that it had been contacted by the American Red Cross.

As previously mentioned, Geauga County has a signed "Statement of Understanding Between Geauga County and The American Red Cross." This can be found in Appendix 6 (Letters of Agreement), Page 6-1 of the Geauga County RERP dated March, 1986. Page iv of the plan further states that copies of the Geauga County plan have been distributed to the following local schools: Berkshire, Cardinal, Chardon, Kenston, Ledgemont, Newbury, Notre Dame Academy, and West Geauga. Appendix 6 of the plan also shows that Geauga County has letters of agreement with the following schools: Berkshire Local School District, Cardinal Local School District, Chardon Local Schools, Kenston Local School District, Ledgemont Local School District, Newbury Local Schools, Notre Dame Academy, and the West Geauga Local Schools.

The Geauga County Emergency Operations Center's Operations Group Staff include the Geauga County School Superintendent and a liaison from the American Red Cross. To date, two federally evaluated exercises have concluded Geauga County can activate, staff and operate reception/congregate care centers. In the November 28, 1984, full participation exercise, the Federal evaluation team evaluated the Berkshire High School facility. In the 1986 partial participation exercise the Federal evaluation team evaluated the West Geauga High School facility. Both exercises certified the availability and adequacy of these facilities as "care centers."

Mrs. Burling also states that 12,891 evacuees are proposed to be housed in the above care centers, according to the Geauga County RERP. Appendix 26 of the Geauga County RERP simply shows that the capacity of the four primary and the six alternate care centers shown in that appendix total 12,891 spaces. Appendix 20, Sector and Zone Designators for the Perry Nuclear Power Plant, show a population of 90,110 people within ten miles of the Perry Nuclear Power Plant. Appendix 21 shows that 90,867 permanent residents are within ten miles of the Perry Nuclear Power Plant. Appendix 20 also notes that slightly less than 2000 residents of Thompson Township (Gauga County) live within the 10-mile EPZ of the Perry Nuclear Power Plant. Although FEMA does not require a 100 percent congregate care capacity, it is obvious that the congregate care capacity for Geauga County is well in excess of the approximately 2000 Geauga residents within the 10-mile EPZ of the Perry Nuclear Power Plant.

(3)

According to a December 24, 1985, FEMA memorandum, the congregate care facility capacity in support of accidents at nuclear power facilities has been reviewed and is usually cited in plans as being between 5 - 15% of the plume EPZ population. This has been judged acceptable by FEMA.

The Ashtabula County plan identifies 15 congregate care facilities with sufficient space for 17,327 evacuees. The standard operating procedures to the Lake County plan identify another 8 congregate care facilities with sufficient space for another 18,064 evacuees.

Thus, using the figures mentioned by FEMA in its 1985 memorandum, it is obvious that there is excess capacity in the Geauga County Centers. This is also true for the congregate care centers in Ashtabula and Lake Counties. Letters of agreement exist between Geauga County, American Red Cross and the above identified Geauga County schools. In addition, the necessary Geauga County EOC staff exists to coordinate the use of the Geauga County congregate care facilities.

2. July 14, 1986 Jefferson Area Local School District Superintendent's Letter

On March 2, 1987, a member of the FEMA Region V staff telephoned and discussed with Mr. E. Lloyd Behr, Superintendent, Jefferson Area Local School District, his letter of July 14, 1986. Mr. Behr pointed out that his letter of July 14, 1986 was written to clarify a legal point and should not be taken to mean that the Jefferson Area Local School District has not nor would not cooperate in disaster planning in response to an accident at the Perry Nuclear Power Plant or any other emergency, natural or man-made. Mr. Behr pointed out that his letter to Michael Wheeler dated May 28, 1985 was in response to planning taking place at that time. Although not stated in Mr. Behr's July 14, 1986 letter, he pointed out in the course of the telephone conversation that the legal avenue to obtain assistance would be the Board of Education of the Jefferson Area Local School District. However, if the issue is that the Superintendent does not believe that he has the authority to do some aspect of the planning and preparedness this could be considered by FEMA if supported by a formal legal opinion.

3. OAPSE Bus Driver Resolution

This references the passage of a non-binding resolution by the Ohio Association of Public School Employees, American Federation of State, County, and Municipal Employees, AFL-CIO (OAPSE-AFSCME), not to participate

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FEMA Region V disagrees with this conclusion of the Sunflower Alliance, as stated in the FEMA Region V November 12, 1986 memorandum to FEMA HQ in response to the Susan A. Carter Petition. This memorandum is a status report of the actions taken by the Toledo Edison Company and the State of Ohio in response to the Susan A. Carter Petition to the Nuclear Regulatory Commission. The summary of the memorandum states that "In spite of the resolution passed by OAPSE-AFSCME, Northwest Chapter, it does appear that school employees are willing to cooperate, attend meetings and participate in training related to their emergency duties (school bus drivers, food service, custodial, etc.) in the event of an emergency at the Davis Besse Nuclear Power Station."

Similar training has taken place around the Perry Nuclear Power Plant. Attachment I to this memorandum is a status report of bus driver training conducted in 1986-87 around the Perry plant. The March 9, 1987 letter from the Ohio Disaster Services Agency (ODSA) points out that all training administered after November 13, 1986 has used the guidelines developed by the RPS Corporation for ODSA's use in the Davis Besse area. The ODSA further pointed out that due to their manpower constraints, these courses are currently being conducted by personnel from the Cleveland Electric Illuminating Company.

Mr. D.D. Hulbert (CEI) in his status report of March 5, 1987 indicates twelve bus driver training sessions involving approximately 339 bus drivers had been conducted during 1986-87 to date. FEMA has learned that another training session took place at Chardon, Ohio on April 3, 1987. Mr. Hulbert's status report further points out there were bus driver training sessions conducted in previous years. The report also states that other training sessions have been conducted for Superintendents, Transportation Supervisors, Building Principals, Teachers, and in some cases, Custodians and PTA's.

4. Ashtabula County Medical Center

The Sunflower Alliance alleged that the equipment, personnel, and facilities at the Ashtabula County Medical Center, one of five hospitals designated in emergency plans for the decontamination and treatment of exposed emergency workers, fail to meet the requirements of the Joint Commission on Accreditation for hospitals.

(5)

This issue was first raised by the Sunflower Alliance as part of the Atomic Safety and Licensing Board (ASLB) hearing for the Perry Nuclear Power Plant. The ASLB Hearings were held in the period from April 9, 1985 to April 12, 1985. In essence, it has been litigated and a Concluding Partial Initial Decision by the Perry ASLB on September 3, 1985, has been made that went against the allegation made by the Sunflower Alliance. As stated on page 14 of that document, the Ashtabula Hospital is accredited by the State and has been licensed by the NRC for handling contaminated individuals. FEMA does not have the authority to reexamine factual issues which have been settled by a final decision of an ASLB. The Sunflower Alliance does not bring forward new or changed facts which would justify a new investigation.

On March 3, 1987, a member of FEMA Region V discussed the Sunflower Alliance petition with a member of Radiation Management Consultants (RMC) and learned that a training program entitled "Managing The Emergency Care of Radiation Accident Victims" was conducted for staff at the Ashtabula County Medical Center February 19, 1987, at 11:00 A.M.-2:00 P.M. and again at 7:00 -10:00 P.M. This same training was again conducted February 20, 1987, from 7:00-10:00 P.M.

The Medical Center staff also demonstrated their competence and the adequacy of the hospital during the November 28, 1984 full-participation exercise. The following is extracted from the FEMA Region V report of that exercise.

"Medical Support

1. Communications

There was a demonstration of the capability to receive, treat and decontaminate an injured contaminated individual at the Ashtabula County Medical Center, Ashtabula, Ohio. The Hospital Emergency Room staff was provided a written notification at approximately 0845 that a contaminated injured individual from the Saybrook Decontamination Station was enroute to the hospital via ambulance and would arrive at approximately 0905.

A member of the Hospital staff explained that the initial communications regarding incoming patients would normally come from the ambulance crews via the two-way Hospital Emergency Ambulance Reporting Net which is located and monitored in the Hospital's Emergency Room area. Communications with the utility, the County EOC, congregate care facilities, radiological laboratories, etc. is via commercial telephone.

2. Hospital Facilities and Procedures

The Hospital staff's Emergency Room spokesperson was unaware of the availability of a health physicist. It was stated that the Hospital's Disaster Chairman is also the Hospital's Radiation Officer. The Emergency Room staff were equipped with and demonstrated effective training in the use of geiger counter

(6)

survey meters, TLD's and self-reading dosimeters. It was explained by Emergency Room spokespersons that items such as whole body decontamination trays and water retention barrels were unavailable and means for completely segregating contaminated, injured patients from the rest of the hospital's population are presently incomplete.

The staff, through improvisation of unavailable items of equipment and explanations of procedures, accepted the incoming injured and contaminated patient and went through the procedures for monitoring, handling, decontamination and treatment of the patient. Additionally, they demonstrated procedures for hospital staff Emergency room dress, the issuance of dosimetry (TLD's and self-reading), the disposal of contaminated clothing and equipment and were aware of their responsibilities.

Deficiency: L.I. The Hospital Emergency Room staff did not demonstrate all of the equipment necessary to handle a contaminated injured victim. *

Recommendation: The State of Ohio should meet with representatives of the Ashtabula County Medical Center to ascertain the availability of appropriate equipment for the handling of a contaminated injured victim.

3. Ambulance Facilities and Procedures

This event was out of sequence with the rest of the exercise, in that the patient went to the medical facility earlier in the day so that the procedures at the hospital could be demonstrated.

Later during the exercise the same patient participated in the demonstration of procedures and handling of a contaminated injured person by ambulance crew. He was put on a ambulance cot and simulated being transported to the hospital.

The ambulance crew was part of the Saybrook Fire Department which took part in this exercise at a decontamination station for emergency workers. The ambulance crew was completely suited in protective clothing and they used their instruments and dosimetry equipment correctly. Once the patient had been given first aid he was placed on the ambulance cot, wrapped in disposable blankets and removed from the area.

The ambulance crew demonstrated prior training in the area of handling contaminated patients.

(* The use of the term "Deficiency" in 1984 was, in this case, equivalent to the current term "Area Requiring Corrective Action." It was only in July 1985, that it was defined as a more serious flaw in exercise performance. At the time of the Perry exercise, FEMA did not consider this to be a danger to the public health and safety.) Footnote added, not in original text.

(7)

4. Scenario (as it relates to medical support)

The scenario was sufficiently designed to drive the medical support activities and thus allow an opportunity to demonstrate these procedures."

The FEMA report of the April 15, 1986 partial participation Perry Nuclear Power Plant exercise, Page 38, as quoted below, revealed that the items not demonstrated during the November 28, 1984 exercise are now available.

"The demonstration of adequacy of hospital facilities and procedures for handling contaminated individuals consisted of a tour of the Ashtabula County Medical Center (ACMC). The walk-through of the hospital revealed that the hospital has the necessary equipment to adequately treat contaminated patients. The equipment observed included equipment mentioned as deficient during the 1984 exercise. This included waste water collection containers, faucet hoses, and a whole-body wash tray. Other improvements to the facilities since the last exercise include non-absorbent paint in the treatment room, grounded faucets, grounded electrical outlets in the room, and increased lighting in the hallway leading to the treatment room."

Given the above, FEMA concluded that the ACMC is capable of treating victims of a radiological accident. The ambulance crew from the Saybrook Fire Department demonstrated adequate care and transportation of the injured contaminated individual to the ACMC.

Since the ACMC is outside the Perry 10-mile EPZ it is not necessary to make preparations for ambulance transport of contamination victims from the Medical Center to other hospitals in the event of a severe radioactive release from the Perry Plant in the direction of Ashtabula.

I hope that this information is useful. If you have any questions, please feel free to contact me at 646-2871 or Robert S. Wilkerson at 646-2861.

Attachments

As Stated

STATE OF OHIO
ADJUTANT GENERAL'S DEPARTMENT
1675 WEST GRANVILLE ROAD
COLUMBUS, OHIO 43061-2712
DISASTER SERVICES AGENCY

AGOH-DS-RERP

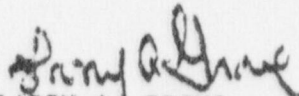
March 9, 1987

Mr. Dan Esment
FEMA, Region V
600 South Wacker Street
Chicago, IL 60606

Dear Dan:

In response to questions concerning bus driver training conducted around the Perry Nuclear Power Plant, I am enclosing a summary of training conducted in 1986-87. All training that was administered after November 13, 1986 has used the guidelines developed by the RPS Corporation for ODSA's use in the Davis-Besse area. However, due to ODSA manpower constraints, these courses are currently being conducted by personnel from CEI.

If you require additional information, feel free to contact me.


LARRY A. GROVE
Nuclear Response Supervisor

LAG:sjs
encl

TO: Larry Davis 3/2/87
FROM: D D Hulbert TEC Ext: 3219
SUBJECT: School Bus Driver Training

This is a summary of the School Bus Driver training conducted around Perry for the 1986-87 school year. There were also sessions conducted in previous years.

DISTRICT	DATE	DRIVERS
FAIRPORT HARBOR	11-21-86	1
KIRTLAND	12-4-86	13
MADISON	11-11-86	12
	12-1-86	10
KENTON	1-12-87	41
PAINEVILLE CITY	11-21-86	13
PAINEVILLE TWP	11-14-86	25
PERRY	11-25-86	29
WICKLIFFE	12-8-86	24
WILLOUGHBY-EASTLAKE	12-3-86	23
	12-4-86	27
EAST SHORE	8-13-86	62
LAKE COUNTY MAKE-UP	1-21-87	6
	1-28-87	1
LEDGEMONT	10-8-86	4
	10-10-86	10

FUTURE TRAINING DATES CURRENTLY SCHEDULED

CHARDON 4-3-87

These are driver training sessions only. There were many other sessions conducted for Superintendents, Transportation Supervisors, Building Principals, Teachers, and in some cases, custodians and PTAs. The depth of training within the individual district was and is determined by the Superintendent.