

November 17, 2003

MEMORANDUM TO: Richard Wessman, Director
Division of Incident Response Operations
Office of Nuclear Security and Incident Response

FROM: Timothy J. McGinty, Chief /RA/
Coordination Section
Division of Incident Response Operations
Office of Nuclear Security and Incident Response

SUBJECT: SUMMARY OF PUBLIC MEETING WITH NEI AND INDUSTRY
TO DISCUSS THE NRC'S IMPLEMENTATION OF THE INITIAL
NATIONAL RESPONSE PLAN

On October 28, 2003, the U.S. Nuclear Regulatory Commission (NRC) staff held a Category 2 public meeting with the Nuclear Energy Institute (NEI), industry stakeholders, state representatives, and members of the public at NRC Headquarters. The purpose of this meeting was to discuss NRC's implementation of the Department of Homeland Security (DHS) Initial National Response Plan (INRP) as itemized in the meeting agenda (Attachment 1). Attachment 2 lists the attendees of the meeting.

The NRC's presentation (Attachment 3) covered the issuance of the INRP (Attachment 4 and Attachment 5), the NRC's statutory authorities, existing Federal response plans, an overview of the existing NRC, licensee, Federal, and state response infrastructure, changes induced by the INRP, and future plans.

During the meeting, NRC staff emphasized several key points regarding the INRP and how it will affect both the agency and industry:

- All existing Federal response plans remain in effect
- The INRP does not change any existing statutory authorities
- NRC/licensee relationship remains unchanged and the NRC/licensee relationship is not expected to change even with Full National Response Plan implementation

The NEI and industry representatives from Dominion shared a common view of the concerns with implementation of the INRP, and speculated as to the possible burdens of the full National Response Plan. Several concerns of the NRC regarding the INRP are common with the concerns of stakeholders.

One of the issues raised by Dominion representatives was that the coordination of public information would be a challenge and that the existing structure, before the INRP, is not even clear on its own. With the INRP, the structure of Federal officials responding to an incident gets more complex. Dominion representatives felt that this added complexity could ultimately affect public health and safety. They felt that accurate timely communication of events is more important than increased Federal voice, which was created by the INRP's Principal Federal Official (PFO). They urged the NRC and DHS to not "reinvent the wheel" regarding emergency

response, and that if any additional infrastructure is added, that there must be value added along with it. Dominion reiterated that the States are “customers” of the NRC during emergency response and that anything we do should be closely coordinated with them.

Of particular interest to a representative from the Virginia Department of Emergency Management (VDEM), was the idea of the creation of a Joint Field Office (JFO). This new concept, introduced by the INRP, seeks to consolidate Federal, State, and local officials at one site in the vicinity of an incident. The VDEM representative was concerned that by pulling representatives from various State and local jurisdictions, that it would leave those jurisdictions at a loss for leadership since many small jurisdictions might only have a few decision makers. Dominion representatives agreed and asked NRC to tell DHS now, while the ideas are still on the drawing board, that this idea will not be effective. Dominion representatives spoke about how State and local authorities might feel overwhelmed and be “taken over” when a bevy of Federal responders arrive at an incident site.

NEI also indicated industry interest in pursuing grant money that might become available to assist with emergency response expenses. NRC staff told NEI that they would check into this possibility through contacts at DHS. NEI went on to inform that currently, the nuclear industry pays State and local authorities \$53 million a year for emergency response capabilities. The industry also pays the Federal Emergency Management Agency (FEMA) \$15 million dollars a year. Monetary issues are clearly a concern for industry regarding implementation of any new national response strategies.

Attachments: 1. Meeting Agenda
2. Attendance Sheet
3. Meeting Slides
4. DHS Info Sheet
5. Initial National Response Plan

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Attachment 1 No.: ML033230126

Attachment 2 No.: ML033230182

Attachment 3 No.: ML033230088

Attachment 4 No.: ML033230092

Attachment 5 No.: ML033230093

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