



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005

August 4, 2006

Randall K. Edington, Vice
President-Nuclear and CNO
Nebraska Public Power District
P.O. Box 98
Brownville, NE 68321

SUBJECT: OFFSITE PLANNING DEFICIENCY IDENTIFIED DURING THE JULY 19, 2006,
EXERCISE

Dear Mr. Edington:

Enclosed is a copy of a letter from the US Department of Homeland Security, Chemical and Nuclear Preparedness and Protection Division, Kansas City Area Field Office to the Missouri State Emergency Management Agency dated July 27, 2006. This letter discusses a planning deficiency identified during evaluation of the July 19, 2006, emergency preparedness exercise at Cooper Nuclear Station. The US Department of Homeland Security defines a deficiency as "an observed or identified inadequacy of organizational performance in an exercise that could cause a finding that offsite emergency preparedness is not adequate to provide reasonable assurance that appropriate measures can be taken in the event of a radiological emergency to protect the health and safety of the public living in the vicinity of a nuclear power plant." Specifically, the deficiency was conflicting information in the Atchison County Radiological Emergency Response Plan and its implementing procedures about protective actions to be taken for the Pleasant View Nursing Home and the Atchinson County Jail when the decision is made to evacuate the general public from Sub-area 3 in the Cooper Nuclear Station emergency planning zone.

The purpose of this letter is to communicate the US Department of Homeland Security's official notification of the deficiency in accordance with the NRC-Federal Emergency Management Agency (FEMA) Memorandum of Understanding (the radiological preparedness elements of FEMA having been transferred to the US Department of Homeland Security, Chemical and Nuclear Preparedness and Protection Division). No response to the NRC is required.

The NRC encourages Cooper Nuclear Station to work with the appropriate offsite governmental agencies to ensure a timely resolution of this issue. The NRC will continue to monitor the status of this issue. In accordance with the Memorandum of Understanding, the NRC and the US Department of Homeland Security, Kansas City Area Field Office will assess the progress made toward resolution of this issue by approximately November 17, 2006, and will decide at that time if additional measures are necessary.

Randall K. Edington

-2-

If this issue is not resolved by November 17, 2006, the US Department of Homeland Security may withdraw the finding of reasonable assurance according to the requirements of 44 CFR 350.13(a). At that time the NRC would take appropriate action according to the requirements of 10 CFR 50.54(s)(2) and 50.54(s)(3).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If you have any further questions, please contact Paul J. Elkmann at (817) 276-6539.

Sincerely,

/RA/

Anthony T. Gody, Chief
Operations Branch
Division of Reactor Safety

Docket: 50-298
License: DPR-46

Enclosure:

Letter from the US Department of Homeland Security, Kansas City Area Field Office to the Missouri, State Emergency Management Agency dated July 27, 2006

cc w/attachment:

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-3-

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-4-

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-5-

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SUNSI Review Completed: ATG ADAMS: ☒ Yes ☐ No Initials: ATG

☒ Publicly Available ☐ Non-Publicly Available ☐ Sensitive ☒ Non-Sensitive

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Homeland Security

July 27, 2006

Mr. Ronald M. Reynolds, Director
State Emergency Management Agency (SEMA)
2302 Militia Drive
Jefferson City, MO 65102

Re: Planning Deficiency Observed at the July 19, 2006, Cooper Nuclear Station Full Scale Exercise for Missouri; **Response Due: November 17, 2006**

Dear Mr. Reynolds:

The purpose of this letter is to officially inform your office of the Planning Deficiency identified during the July 19, 2006, full-scale exercise of the state and local radiological emergency response plans for the Cooper Nuclear Station. This issue was discussed at the post exercise participants briefing on July 21, 2006. The Deficiency was assessed against the State of Missouri.

State of Missouri

Deficiency: During the evaluation of Radiological Emergency Preparedness Exercise Criterion 3.c.1, it was determined that the planning associated with the implementation of protective actions for special populations was not adequate, resulting in a Deficiency. The following specific concerns were identified:

The existing plans and procedures, including the Atchison County Radiological Emergency Response Plan, contain conflicting information concerning what protective actions should be implemented for the Pleasant View Nursing Home when a decision is made to evacuate the general population from sub-area 3 of the Cooper emergency planning zone.

During the exercise, the Atchison County staff indicated that the Pleasant View Nursing Home would shelter-in-place in accordance with a draft plan for the nursing home. This draft Pleasant View Nursing Home plan had been discussed and coordinated between the State Emergency Management Agency (SEMA) and Atchison County. However, the plan had not been submitted to our office for approval or provided to us for informational purposes. The existing approved plans do not contain any reference to sheltering-in-place for

the nursing home with the exception of Special Facility News Broadcast Message #SPEC labeled "Special Facility Actions". Further, there is no discussion in the approved plans concerning the provision of potassium iodide (KI) for the staff and residents of the nursing home. During the exercise, there was no discussion concerning KI for this facility. In addition, there was no consideration as to what conditions might eventually require the nursing home to evacuate, such as prolonged extreme hot or cold temperatures.

The approved plans are also confusing and incomplete concerning protective actions to be taken for the Atchison County Jail. The jail is also located within sub area 3.

Proposed Remedial Plan Corrections: The Missouri Nuclear Accident Plan and the Atchison County Radiological Emergency Response Plan must be updated to reflect the following changes:


1. A Plan\Procedure for the Pleasant View Care Center that includes, but is not limited to:
 - Instructions for shelter-in-place of residents.
 - Discussion of what conditions would necessitate the evacuation/relocation of this facility.
 - Instructions for the Evacuation of residents, should it become necessary.
 - Dosimeters and Potassium Iodide (KI) for staff (Emergency Workers).
 - Instructions for the administration of KI to residents.
 - Instructions on the use of HVAC systems during shelter-in-place implementation, including precautions and potential impacts in the event of extreme temperature conditions.
 - Identification of available transportation resources for evacuation of the facility.
 - Identification of where residents and staff would be monitored and, if necessary, decontaminated.
 - Pre-scripted special news broadcast messages that clearly identify appropriate protective actions implemented for the special facilities including Pleasant View Care Center.
2. A Plan\Procedure for the Atchison County Jail that includes but is not limited to:
 - Instructions for the Evacuation of residents and staff.
 - Identification of available transportation resources for evacuation of the facility.
 - Identification of where residents and staff would be monitored and, if necessary, decontaminated.
 - Pre-scripted information for either special news broadcast messages or news releases that clearly identify appropriate protective actions implemented for the jail. If appropriate for security purposes, this information can be released following completion of the jail relocation.

3. The Missouri Nuclear Accident Plan should be updated with the planned shelter-in-place option in the following sections and possibly elsewhere in the plan as appropriate:
 - Add a paragraph in the Basic Plan, pages 12-15 on shelter-in-place philosophy.
 - Add paragraphs concerning protective action philosophy for daycares, nursing homes, and jails.
 - Review Annex B-State PAGs, for any updates that may affect shelter-in-place decisions.
4. The Atchison County Radiological Emergency Response Plan should be updated with the planned shelter-in-place option for the Pleasant View Nursing Home and intended protective actions for the jail in the following sections and possibly elsewhere in the plan as appropriate:
 - Annex I, pages I-5, I-2.1, and I-3.2.
 - Annex O should be updated to include new Plans/procedures for Pleasant View Nursing Home and the Atchison County Jail.

In accordance with 44 CFR 350.9(d), we have thoroughly reviewed and discussed these issues with DHS/CNPPD Headquarters, the U.S. Nuclear Regulatory Commission, and appropriate Regional Assistance Committee members. The above referenced CFR paragraph indicates that "if the exercise discloses any deficiencies in the State and local plans..., the FEMA (now DHS/CNPPD) representatives shall make them known promptly in writing to appropriate State officials. To the extent necessary, the State shall amend the plan to incorporate recommended changes or improvements or take other corrective measures..., to demonstrate to the Regional Director (now DHS/CNPPD Director) that identified weaknesses have been corrected." Because of the potential impact of a Deficiency, whether performance or plan-related, on the public health and safety, they are required to be corrected within 120 days after the exercise through appropriate remedial actions, including remedial exercises, drills, plan changes or other actions.

Please provide a response to the proposed remedial actions listed above by November 17, 2006. My Radiological Emergency Preparedness staff is available to provide assistance in achieving resolution to this issue. Should you have any questions, please contact Mr. Audie Canida at 816-283-7074

Sincerely,

A handwritten signature in black ink that reads "Ronald L. McCabe". The signature is written in a cursive style with a large, stylized "R" and "M".

Ronald L. McCabe, Chief
Radiological Emergency Preparedness Section

cc: Vanessa Quinn, CNPPD
John Dixon, CNPPD
Bill Maier, NRC IV
Joe Bednar, NPPD
Ed Gray, SEMA