



# North Carolina Department of Public Safety

## Emergency Management

179

Beverly Eaves Perdue, Governor  
Reuben F. Young, Secretary

H. Douglas Hoell, Jr., Director

DOCKETED  
USNRC

July 16, 2012

July 17, 2012 (1:35 pm)

Secretary, U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
ATTN: Rulemakings and Adjudications Staff.

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

### REFERENCE:

U.S. Nuclear Regulatory Commission: Notice of Public Comment on Petition for Rulemaking (PRM), dated February 15, 2012; In Response to Petitioner's Request that NRC amend its regulations to expand the Emergency Planning Zones (EPZs) for nuclear power plants.

### CITATIONS:

Document Citation: 77 FR 25375

Docket Number: NRC-2012-0046

Docket Name: Petition for Rulemaking Submitted by Nuclear Information and Resource Service and Multiple Co-Petitioners - Expansion of Emergency Planning Zone

The State of North Carolina welcomes the opportunity to comment on the petition by Mr. Michael Mariette to amend 10 CFR 50.47(c)(2) and 10 CFR 50.47(b)(14), Appendix E. Following a review of the petition documentation and the Nuclear Energy Institute (NEI) technical response by the North Carolina Division of Emergency Management (NCEM) Technical staff, the State of North Carolina does not support the petitioner's conclusions/request and fully support the NEI position paper submitted to the NRC recommending denial of the Petition. NCEM is responsible for coordinating state-wide emergency response to natural and technological events that threaten public health and safety.

Specifically, the Petition should be denied because:

- (1) Existing NRC Emergency Planning Zones (EPZs) are based on a conservative analysis of a wide range of severe accident consequences and continues to provide assurance that adequate protective measures can and will be taken in the event of an emergency.
- (2) Existing EPZs are large enough to facilitate protective actions, and provide plans and procedures for zone expansion if necessary.
- (3) The Petition has provided no new information that refutes the current planning basis or warrants a change to the size of the existing Emergency Planning Zones.

The State of North Carolina has experienced a 37 year history of successful nuclear power generation by the four nuclear power facilities—Brunswick Nuclear Power Plant and Harris Nuclear Plant owned and operated by Progress Energy; McGuire Nuclear Power Station and Catawba Nuclear Power Station owned and operated by Duke Energy. As commendable as that history is, we fully appreciate the public's concern and perception regarding life safety issues.

We work diligently on a continuing basis to ensure that appropriate response systems are put in place and may be implemented should there ever be a threat to public health and safety of the citizens of this State. In that regard, the emergency response agencies of the State of North Carolina will continue to support

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Washington, DC 20555-0001  
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the affected local governments and the utilities. We constantly seek opportunities to improve the safety and well-being of individuals who might be at risk to a radiological emergency caused by a nuclear power station emergency or incident.

We thank the Commission for the opportunity to comment on the petitioner's request. Clearly, the State of North Carolina is ready and deeply committed to work with the NRC, the US Department of Homeland Security, and the Federal Emergency Management Agency, in particular to implement any necessary changes based on credible findings.

Please address any questions to Stephen G. Payne, NC REP Program Manager at (919) 825-2287 or via e-mail at [steve.payne@ncdps.gov](mailto:steve.payne@ncdps.gov).



H. Douglas Hoell, Jr.  
Director, NCEM

Cc:

Elaine Wathen, Assistant Director for Plans & Homeland Security, NCEM  
Stephen G. Payne, Technical Hazards Supervisor / REP Senior Planner, NCEM  
Michel Dolder, Senior North Carolina REP Program Specialist, DHS/FEMA Region IV  
John Pelchat, Senior Regional Governmental Liaison, NRC Region II

## Rulemaking Comments

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**From:** Payne, Steve [Steve.Payne@ncdps.gov]  
**Sent:** Monday, July 16, 2012 1:04 PM  
**To:** Rulemaking Comments; Hoell, Doug  
**Cc:** Wathen, Elaine; Daniska, Mike; Wynne, Zack  
**Subject:** NC response to FR Notice - PRM-50-104; NRC-2012-0046  
**Attachments:** image001.jpg; NC Response to Petition to Expand EPZ.pdf

**Importance:** High

Ms. Carol Gallagher:

Please find the State of North Carolina response to NRC request for Public Comment on the Petition for Rulemaking PRM-50-104; NRC-2012-0046.

If you have any questions or need clarifications, please contact me via return e-mail or phone listed below.

*Stephen Payne*

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"The only thing harder than getting your organization to prepare for a disaster, is explaining afterward why you didn't."

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