

# PUBLIC SUBMISSION

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190

**Docket:** NRC-2012-0046

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

**Comment On:** NRC-2012-0046-0003

Emergency Planning Zone; Notice of Receipt and Request for Comment

DOCKETED  
USNRC

July 17, 2012 (1:35 pm)

**Document:** NRC-2012-0046-DRAFT-0174

Comment on FR Doc # 2012-10314

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

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## Submitter Information

**Name:** Michael Griffen

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1800 Washington Blvd  
Baltimore, MD, 21230

**Organization:** State of Maryland, Department of Environment

**Government Agency Type:** State

**Government Agency:** Maryland Department of Environment (MDE)

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## General Comment

See attached file.

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## Attachments

MDE comments on NRC EPZ Petition

Template = SECf-067

DS10

The Maryland Department of Environment [MDE] recommends that the NRC deny Petition PRM-50-104 because the Petitioners have not provided an adequate justification for modifying the Commission's regulations. More specifically, the Petition should be denied because: (1) the NRC's existing Emergency Planning Zones are based on the analysis of a wide range of severe accident consequences and continue to provide assurance that adequate protective measures can and will be taken by licensees and Off-site Response Organizations [OROs] in the event of an emergency; (2) the NRC's existing Emergency Planning Zones are large enough to facilitate protective actions over larger areas, if necessary; and (3) the Petition provides no new information that suggests the need to change the current planning basis, or warrants a change to the size of the existing Emergency Planning Zones.

In the introduction to the joint NRC/EPA report "Planning Basis for the Development of State and Local Government Radiological Emergency Response Plans in Support of Light Water Nuclear Power Plants" [NUREG-0396], the NRC/EPA Joint Task Force (Joint Task Force) stated a fundamental principle after considering a spectrum of accident consequences. The Joint Task Force concluded that "...The EPZ recommended is of sufficient size to provide dose savings to the population in areas where the projected dose from design basis accidents could exceed the applicable Protective Action Guidelines [PAGs] under unfavorable atmospheric conditions. ...Consequences of less severe accidents would not exceed the PAG levels outside the recommended EPZ distance. In addition, the EPZ is of sufficient size to provide for substantial reduction in early severe health effects (injuries and deaths) in the event of the more severe accidents..." So, the Joint Task Force concluded that 10 and 50 mile EPZs were, and Maryland believes still are, appropriate for application to nuclear power reactors.

And while there have been few formal modifications to NRC, FEMA, and EPA Rules and Federal Regulations themselves, there have been numerous written issue papers that the NRC staff submit to the Commission to inform them about policy, rulemaking and adjudicatory matters [SECYs], Management Directives containing the policies and procedures that govern the internal NRC functions necessary for the agency to accomplish its regulatory mission, and Interim Staff Guidance, which are documents issued to clarify or to address issues not discussed in a Standard Review Plan. There are also standing NRC Advisory Committees that meet regularly in open forums to discuss reactor safeguards, nuclear waste and materials handling, as well as the proper medical uses of isotopes.

In addition, the NRC initiated the State-of-the-Art Reactor Consequence Analyses (SOARCA) project to develop best estimates of the offsite radiological health consequences for potential severe reactor accidents. The project, which began in 2007, combined up-to-date information about the plant layouts and operations with local population data and emergency preparedness plans. The draft SOARCA report, including an appendix discussing the 2011 accident at the Fukushima Dai-ichi nuclear plant in Japan, was published in January 2012, and is available on NRC's public website.

## Rulemaking Comments

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**From:** Gallagher, Carol  
**Sent:** Monday, July 16, 2012 1:32 PM  
**To:** Rulemaking Comments  
**Subject:** Comment on PRM-50-104  
**Attachments:** nrc-2012-0046-DRAFT-0174.pdf

Van,

Attached for docketing is a comment from Michael Griffin, MD Department of Environment, on the above noted PRM that I received via the regulations.gov website on July 16, 2012.

Thanks,  
Carol