

ADDITIONAL INFORMATION
OBTAINED FROM NEW YORK STATE
ON NYPIRG'S PETITION
WHICH SUPPLEMENTS THE FEMA
REPORT TO NRC DATED JUNE 8, 1984

Prepared by
Federal Emergency Management Agency
REGION II
New York, New York

JULY 26, 1984



Federal Emergency Management Agency

Region II

26 Federal Plaza

New York, New York 10278

June 11, 1984

Mr. Donald B. Davidoff, Director
Radiological Emergency Preparedness Group
New York State Department of Health
Tower Building
Empire State Plaza
Albany, New York 12237

Dear Mr. Davidoff:

RE: NYPIRG Petition for Indian Point
FEMA-REP-2-NY-2

Please find enclosed a copy of the NYPIRG petition for suspension of operation of Indian Point Units (2) and (3), dated April 6, 1984 (Attachment 1).

On May 25, 1984, Mr. Edward Jordan of the NRC requested FEMA to evaluate the NYPIRG petition for factual bases on allegations of inadequacy of emergency planning for Indian Point. FEMA has identified thirteen issues raised in the NYPIRG petition and has provided responses for twelve of these issues.

Also, please find enclosed a copy of FEMA's response to the NRC dated June 8, 1984 (Attachment 2). This report provides responses to the following issues identified by FEMA in the NYPIRG petition:

- I. Residents lack confidence that school children will be protected.
- II. School protective response actions cannot be selected and initiated before the local Emergency Operations Centers (EOC) are fully activated.
- III. Early dismissal of schools will impact the notification and mobilization of emergency workers.
- IV. Parents may not follow emergency instructions to stay away from the schools and attempt to evacuate their children if sheltering is advised.
- V. There are not enough school buses to evacuate school children.

- VI. Early dismissal (i.e., "go-home") procedures that may be used by school districts have not been evaluated by FEMA.
- VII. Letters of agreement for transportation resources (i.e., buses and drivers) are lacking.
- VIII. Governmental guidance to help school districts in radiological emergency planning is limited.
- IX. Data to enable radiological emergency planning by schools is lacking.
- X. Public education and information programs for parents are inadequate.
- XI. Sheltering guidelines for school buildings are not available.
- XII. Lists of non-public schools, pre-schools and day care centers are not maintained.

Many of the issues raised by NYPIRG are beyond the scope of FEMA's responsibilities to evaluate State and local radiological emergency planning and preparedness based on the acceptance criteria defined in NUREG-0654/FEMA-REP-1, Rev. 1, Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants. This guidance document does not provide specific acceptance criteria for evaluating the plans and procedures for protecting school children. The responses contained in this report are based on FEMA's experience and the efforts of New York State and the counties surrounding Indian Point to develop acceptable plans to protect the health and safety of the public. In developing this response, FEMA has specifically relied on the following:

- o Regional Assistance Committee (RAC) reviews of the plans based on NUREG-0654 acceptance criteria;
- o exercise and drill evaluations;
- o testimony before the Atomic Safety and Licensing Board; and
- o correspondence with New York State concerning the status of radiological emergency planning for schools.

FEMA has made every effort to analyze and respond to each of these issues. However, FEMA has not been able to prepare a response to questions that are raised with respect to the legal and financial responsibilities that schools and school districts have to participate in radiological emergency planning in New York State. NYPIRG has raised the following questions regarding this issue:

- o To what extent are school districts required by New York State Executive Law 2-B to participate in radiological emergency planning and preparedness exercises and drills, and actual emergency response activities?
- o What other State and Federal laws affect the schools districts' obligations?
- o To what extent can school districts require staff participation and under what statute, rule, regulations, or contract provisions?
- o Who will reimburse the school districts for the extra staff time and materials involved in preparing to respond to a radiological emergency?
- o What State agency will monitor the adequacy of local school district preparedness?

In addition to answers to the specific questions regarding the legal and financial responsibilities of school districts, FEMA has indicated that further clarification and additional information is being solicited from New York State to complement the information contained in its June 8th report to NRC. New York State's responses to the following questions will also be transmitted to the NRC in an addendum to the enclosed FEMA report.

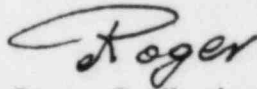
- (1) What are the specific efforts made by the NYS Public Education Management Group, including methods and means by which the group is proposing to provide information to the general public on sheltering, evacuation, early dismissal and over-all public awareness of radiological emergency? (Schedule of presentations, if known)
- (2) What assistance and planning guidance has been offered to local school districts and school administrators to assure they are aware of emergency response plans and understand their roles under emergency conditions?
- (3) What is the status of the training schedule to educate the school faculty members and administrations?
- (4) What specific new public information programs will support public education to local school systems?
- (5) What is the current status of school emergency planning including: sheltering, dismissal plans, parental information programs, and school emergency drills for each of the four counties?

- (6) What is the status of all letters of agreement with local response organizations in each of the four counties?
Available letters of agreement should be provided to FEMA.
- (7) What agency has been designated to monitor the adequacy of local school emergency response plans?

We encourage New York State to review the NYPIRG petition and evaluate each of the issues raised. We are especially interested in receiving detailed information specific to each of the four counties so that responses to the issues listed above can be better defined to NRC.

Your prompt response will be greatly appreciated.

Sincerely,



Roger B. Kowieski, P.E.
Chairman
Regional Assistance Committee

Enclosures

State Replies to FEMA's June 11, 1984 Letter
Regarding NYPIRG Petition, April 6, 1984

Page 2-3:

- A. To what extent are school districts required by New York State Executive Law 2-B to participate in radiological emergency planning and preparedness exercises and drills, and actual emergency response activities?

Executive Law Article 2-B does not require school districts, or any other units of local government, to participate in radiological emergency matters.

- B. What other State and Federal laws affect the school districts' obligations?

We are unaware of any Federal laws on this subject. There are generic provisions in the State Education Law which deal with emergencies.

- C. To what extent can school districts require staff participation and under what statute, rule, regulations, or contract provisions?

Required staff participation during school hours follows their respective union contract. School staff is also asked to volunteer for emergency situations.

- D. Who will reimburse the school districts for the extra staff time and materials involved in preparing to respond to a radiological emergency?

We are unaware of any specific reimbursement provisions. Emergency preparedness is a "cost of doing business."

- E. What State agency will monitor the adequacy of local school district preparedness?

Without State laws to require the existence of school plans, no State agency can monitor the adequacy except as an advisory body. Under Article 2-B the State Disaster Preparedness Commission is mandated to provide assistance and advice in the development of all disaster preparedness plans.

As stated in a letter of December 7, 1983 (Attachment E, NYPIRG Petition); the State Education Department is developing a school emergency planning handbook for school planning guidance.

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1. What are the specific efforts made by the NYS Public Education Management Group, including methods and means by which the group is proposing to provide information to the general public on sheltering, evacuation, early dismissal and over-all public awareness of radiological emergencies? (Schedule of presentations, if known)

The Public Education Group is exploring such methods as: Speakers Bureau, film strips, Public Service announcements, press conferences, school visits, exhibits at fairs and similar gatherings, joint programs with other interested groups and similar efforts. No schedule has yet been prepared.

2. What assistance and planning guidance has been offered to local school districts and school administrators to assure they are aware of emergency response plans and understand their roles under emergency conditions?

The State Department of Education is developing a school emergency planning handbook and an emergency preparedness film for training.

Meetings and training sessions are available to all school districts by local and State planners. Many sessions have already been presented.

3. What is the status of the training schedule to educate the school faculty members and administrations?

See Answer 2 above.

4. What specific new public information programs will support public education to local school systems?

See Answer 2 above.

5. What is the current status of school emergency planning including: sheltering, dismissal plans, parental information, programs, and school emergency drills for each of the four counties?

School emergency planning is ongoing under the overall REP program within each county. The slide shows will be used to provide information to parental groups. School emergency drills have brought varying opinions from Superintendents and their Boards of Education. Some schools have agreed to drill their go home plans but by far the majority find that to practice a function that they do daily would disrupt the education process and subject students to a potential accident scenario.

Westchester -- Some schools have volunteered to drill although the last poll taken reflected the above point of view for the majority of school administrators.

Rockland -- All school superintendents and respective Boards share the forementioned point of view against drilling.

Putnam -- Poll is being taken now.

Orange -- Poll is being taken now.

6. What is the status of all letters of agreement with local response organizations in each of the four counties? Available letters of agreement should be provided to FEMA.

Letters of agreement with some local response organizations are still being negotiated. All available letters will be collected and provided to FEMA in accordance with agreed upon procedures.

7. What agency has been designated to monitor the adequacy of local school emergency response plans?

See Answer E above.