



## Conference of Radiation Control Program Directors, Inc.

Office of Executive Director ❖ 1030 Burlington Lane, Suite 4B ❖ Frankfort, KY 40601

Phone: 502/227-4543 ❖ Fax: 502/227-7862 ❖ Web Site: [www.crcpd.org](http://www.crcpd.org)

April 20, 2020

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[jeffrey.semancik@ct.gov](mailto:jeffrey.semancik@ct.gov)  
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Ruth E. McBurney, CHP  
[rmcburney@](mailto:rmcburney@crcpd.org)  
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To Hampton Hart  
Acting Director  
Technological Hazards Division (THD)|DHS/FEMA/RSL/NPD

Subject: One-year Exercise Demonstration Extension due to COVID-19

There is currently an outbreak of respiratory disease caused by a novel coronavirus, “Coronavirus Disease 2019” (COVID-19). On January 31, 2020, HHS issued a declaration of a public health emergency related to COVID-19 and mobilized the Operating Divisions of HHS. On March 13, 2020, President Trump declared a national emergency in response to COVID-19 and major disaster declarations have been declared in all states.

COVID-19 has demonstrated the capability to spread rapidly. In order to respond effectively to the COVID-19 outbreak, appropriate infection control in conjunction with implementation of community mitigation efforts are critical. The Conference of Radiation Control Program Directors (CRCPD) is concerned that the conduct of routine Radiological Emergency Preparedness (REP) exercises in 2020 and 2021 present significant infectious disease risk to both responders and the public due to the aggregation of personnel and evaluators. In addition, these exercises place significant resource and administrative burdens on the state, tribal, county, and local Offsite Response Organizations (OROs), many of whom are actively engaged in the COVID-19 public health response.

In order to avoid further overwhelming organizations at the frontlines of this pandemic attack, CRCPD is recommending that in these unprecedented times, the requirements to conduct specific REP exercises be extended for a period of one year. This recommendation has not been arrived at lightly but, rather, after a careful review of the current exercise requirements, existing response capabilities, the risks associated with conducting exercises, and an ongoing analysis of the OROs’ responses to the COVID-19 virus by our Committee on Emergency Response Planning (HS/ER-5). This also included an analysis of the current regulations governing REP exercises and how they are currently being partially met in the response to the COVID-19 virus.

CRCPD believes reasonable assurance exists that OROs remain capable of responding to potential emergencies involving fixed nuclear facilities based upon ongoing preparedness activities and training as demonstrated by their performance in recent exercises. REP exercises are required to be conducted biennially in accordance with 10 CFR 50, Appendix E and 44 CFR 350. In specific NUREG-0654, Rev. 2 states in criterion N.2.a that “Plume Exposure Exercises are conducted biennially”. CRCPD’s recommendation to extend the periodicity to conduct evaluated exercises by one-year results in a one-time exercise cycle of three years. This three-year exercise cycle limits the time between exercises and is necessary to ensure that the scheduling of exercises will return to the normal two-year exercise cycle in an orderly fashion. It should be recognized that the REP Program has reached the level of maturity where the nation’s nuclear plants and associated OROs have demonstrated by their past performance a high-level of preparedness. In other words, this one-time extension of the two-year exercise cycle in no way detracts from the overall state of emergency preparedness.

The 2019 FEMA REP Program Manual in Part III, “REP Program Assessment Policies and Guidance” provides guidance for determining reasonable assurance using a number of factors including biennial exercises. As pointed out in this part the Biennial Preparedness Report captures not only exercise evaluations but actual incidents. In fact, on page 166 of the REP Program Manual under the heading, “Alternative REP Demonstrations”, it states, “FEMA will consider the demonstration and assessment of REP program objectives /capability targets during drills and exercises outside of the REP Program.” This language in Part III would suggest that the current response to the COVID-19 emergency could be used for REP credit.

The magnitude and impact the response to the COVID-19 emergency was not anticipated when the schedule was developed. While this pandemic represents a biological rather than radiological emergency, the hazard is orders of magnitude beyond anything postulated from any fixed nuclear facility incident. The death and economic losses from COVID-19 dwarfs those from Chernobyl and Fukushima combined. Actual protective measures for the public have been implemented throughout the 50 states. OROs have faced an ongoing challenge of effectively communicating the extent of the emergency as the situation evolved requiring modification of the protective measures and effective communications with the public. All OROs and members of the public in the EPZs have been impacted by this emergency. Even the largest Federal exercise (Southern Exposure in 2015) had a small number of participants compared to today’s COVID-19 response. Therefore, the challenges and response to COVID-19 are beyond anything that have ever be designed in any exercise. Looking at the five objectives that make up the “REP Objectives/Capability Targets”, it can be seen that two of the objectives, “Emergency Operations Management” and “Alert and Notification” are satisfactorily demonstrated in this current emergency. That leaves three objectives that are more specific to REP and are not necessarily fully demonstrated in all hazards exercises. Of these three remaining objectives, “Number 5: Operate” has the most components that are being demonstrated during this current emergency. This is because some of the same techniques used for radiological monitoring at locations such as reception centers are currently being employed for the biological hazard of the virus. The remaining capability targets of objective 5 as well as the remaining objectives may be assessed by FEMA if needed through alternative demonstrations. States with multiple fixed nuclear sites have more than one opportunity to demonstrate these capability targets in a typical biennial exercise cycle. As stated numerous times throughout the 2019 FEMA REP Manual, there are numerous techniques and alternative methods that may be used to demonstrate reasonable assurance.

Also as mentioned previously NRC licensees for fixed nuclear facilities must also conduct exercises in accordance with 10 CFR 50, Appendix E. These licensees have currently implemented safety measures to ensure the number of personnel onsite is restricted to essential personnel. In addition, several licensees have requested regulatory relief for several surveillances and inspections that have low safety significance. CRCPD does not oppose licensee exemptions from exercise requirements of 10 CFR 50, Appendix E for a period of one year. Given the performance record of the nuclear industry in both operations and graded emergency response exercises, such exemptions represent a low risk when compared to the current acute risk associated with the ongoing COVID-19 emergency.

In summary, CRCPD is recommending that FEMA consider a one-year extension to the current REP exercise cycle starting on May 1<sup>st</sup>, 2020 and ending on April 30<sup>th</sup>, 2021. While exercises are one tool that FEMA uses to assess reasonable assurance during a biennial period it is not the only tool. With the current nationwide emergency close to its peak and the expectation that it may continue for an extended period of time, all ORO resources are already at maximum capacity and should not be diverted for exercise activities. Aggregation of critical radiological expertise during exercises represents a significant risk to infectious spread as well as to sustaining response capabilities for the duration of the current public health emergency.

Page Three  
April 20, 2020  
Hampton Hart

CRCPD believes that the requested extension is consistent with established social distancing strategies being implemented to limit transmission of COVID-19. In addition, this national emergency has increased emergency preparedness beyond what any exercise could in that partnerships among state, local and Federal organizations are now well established and practiced. Therefore, for any REP related emergencies CRCPD has a high degree of confidence that OROs remain fully capable of protecting the environment and public health and safety.

Sincerely,



Jeff Semancik  
Chairperson

cc: Kim Steves, CRCPD Chair-Elect