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DISASTER SERVICES AGENCY

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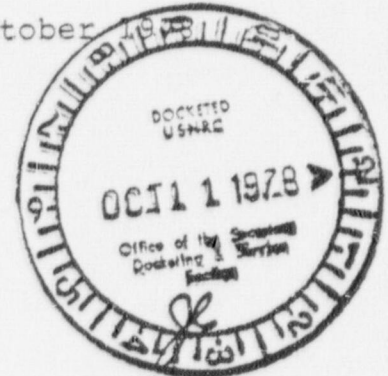
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DOCKET NUMBER

RECEIVED RULE

PR-50(43FR 37473)

6 October 1978



Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

ATTENTION: Docketing and Service Branch

Dear Sirs:

The Ohio Disaster Services Agency in response to the Federal Register entry August 23, 1978 would like to comment on the proposed rule change to 10 CFR 50, Appendix E.

As you well know, Ohio is now heavily involved in nuclear power with one operating reactor, three units under construction and four more in various stages of application. With this data in mind, our concern for emergency planning is significant with respect to our position as the lead emergency planning agency for the State. Our comments to the rule proposal are based on experiences with reactor operations both in Ohio and contiguous states and with emergency plan development both at the reactor site and with off-site governmental agencies.

We agree that decision making information should be provided to Local and State government officials at times when emergencies occur at nuclear power plants. Further, we recommend that specific language be included in the rule to direct liaison with government officials in each type of emergency at the plant, regardless of the seriousness of the emergency.

Procedures for liaison and information should be spelled out in sufficient detail so as to resolve any complaint from the local government officials that they would not be kept fully informed early in the emergency.

We disagree with the direct involvement of the nuclear facility operator in the evacuation of the public unless written agreements and procedures are shown between the facility operator and local government officials who have the responsibility for public safety of off-site residents.

A further explanation is needed of the exact wording of the text of the new paragraph of Appendix E, 10 CFR 50 regarding the "emergency protective action criteria developed by appropriate Federal authorities and by appropriate State and Local government authorities in cooperation with the Commission." The underlined portion

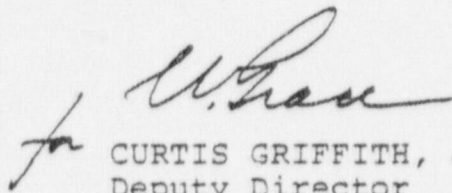
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of the text is not clear as to what cooperative actions these officials must take with the Commission and under what authority the Commission is acting to assume the cooperation role. Evacuation is a legally sensitive topic and is a function of local government. Ohio interprets the evacuation of citizens to be an individual rights action based upon the advice of legal authority. It is our request that a more detailed explanation of the Commission's role be provided.

Thank you for the opportunity to comment on the proposed rule. If there are any questions relating to our comments or opportunities for our additional input of information, the Ohio Disaster Services Agency will be pleased to respond.

FOR THE DIRECTOR

  
CURTIS GRIFFITH, JR.  
Deputy Director

JRW/ckt