

**Resistant
Federal**

Wednesday
May 8, 1996

Part III

**Federal Emergency
Management Agency**

Federal Radiological Emergency
Response Plan (FRERP); Operational
Plan; Notice

FEDERAL EMERGENCY MANAGEMENT AGENCY

Federal Radiological Emergency Response Plan (FRERP); Operational Plan

AGENCY: Federal Emergency
Management Agency (FEMA).

ACTION: Notice.

SUMMARY: The Federal Emergency Management Agency gives notice of and publishes the Federal Radiological Emergency Response Plan (FRERP) as the operational plan for Federal agencies to discharge their responsibilities during peacetime radiological emergencies. The FRERP establishes an organized, integrated capability for participating Federal agencies to respond to a wide range of peacetime radiological emergencies. The Plan provides a concept of operations, outlines Federal policies and planning considerations, and specifies authorities and responsibilities of each Federal agency that has a significant role in such emergencies. The FRERP is now fully operational for use in the Federal response to radiological emergencies.

EFFECTIVE DATE: May 8, 1996.

FOR FURTHER INFORMATION CONTACT: Thomas M. Antush, Operations Division, Response and Recovery Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, telephone (202) 646-3617.

SUPPLEMENTARY INFORMATION: On September 6, 1994, FEMA published the proposed Federal Radiological Emergency Response Plan in the Federal Register (59 FR 46086-46107). Referred to interchangeably as the FRERP, or the Plan, the Federal Radiological Emergency Response Plan was developed by FEMA and 16 other Federal agencies. It was published in interim but operational form pending formal agency concurrences by each of the 17 agencies that cooperated in the development of this Plan.

Federal agencies respond to radiological emergencies using the FRERP, each agency in accordance with its existing statutory authorities and funding resources. The Lead Federal Agency is responsible for coordination of the overall Federal response to the emergency. FEMA is responsible for coordinating non-radiological support using the structure of the Federal Response Plan. The relationship between the FRERP and the Federal Response Plan is discussed in the FRERP, and will be further described in a Radiological Emergencies Annex to the Federal Response Plan.

Section 304 of Pub. L. 96-295 requires that the President prepare and publish a plan to provide for expeditious, efficient, and coordinated Federal response to accidents at nuclear power facilities. Executive Order (E.O.) 12241 of September 29, 1980, as amended by E.O. 12657, delegated this responsibility to the Director of FEMA. FEMA published the first FRERP on November 8, 1985, 50 FR 46542. The FRERP published today updates and supersedes the Plan published in 1985.

After the September 6, 1994 publication, FEMA presented the interim proposed Plan to the management of the other 16 Federal agencies. Each of these agencies has provided its written concurrence with the Plan. Several of the agencies offered proposed changes to the interim Plan. FEMA and other members of the Federal Response Subcommittee reviewed those proposed changes and determined that they are minor, clarify Federal agency roles and responsibilities, and that they do not affect the basic organization or responsiveness of the Plan.

The 1994 notice requested public comments on the proposed plan. Over 70 comments were received from approximately 20 organizations representing Federal and State Government agencies and private industry that will be affected by changes in the FRERP. The remainder of the Preamble provides the Federal Response Subcommittee's ("the Committee") response to the comments received during the comment period. The comments, and the Committee's responses, are listed in the order of appearance in the FRERP. The page numbers cited in the comment summary refer to the page numbers in the September 6, 1994, Federal Register notice of the proposed plan. The organization that provided the comment is identified in the brackets following the comment.

Responses to Comments

Comment 1. The word "domestic" in II.B.3. of the Table of Contents on page 46086 should be stricken and changed to read "NASA/DOD Satellites* * *" In addition, this change should be made everywhere in the plan where the word "domestic" appears (e.g., pages 46088-46089), including all such references in the tables. [NASA]

Response: Based on subsequent discussions with NASA, the word "domestic" is stricken from the title in II.B.3 of the Table of Contents, in II.B.3 of the text and in Table II-1, so the category now reads "Satellites Containing Radioactive Materials".

Comment 2. The phrase "that could require a response by several Federal agencies" found in I. Introduction and Background, C. Scope on page 46087 is vague and doesn't explain who will make the decision based on what criteria. Any Federal response should be tied to a structured classification system, statutory authority, or the request for assistance from a State or other appropriate jurisdiction. This is more clearly stated in Section D.3 on the same page. [Department of Nuclear Safety (Illinois)]

*Response—*This phrase was purposely worded to provide Federal agencies maximum flexibility to respond to State and local requests for assistance in the event of a radiological emergency. The Committee believes that the use of a structured classification system would adversely impact the ability of the Federal Government to configure their response to meet the specific needs that would be associated with a particular emergency. As the comment recognizes, information contained in various paragraphs of II. Concept of Operations, provides greater details on how Federal support can be requested.

Comment 3. Page 46087, I. Introduction and Background, C. Scope, last sentence. The U.S. Code citations to the referenced statutory authorities should be included (e.g., Subsection 274.b of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2021(b)). [NASA]

*Response—*The appropriate citations have been added to the referenced authorities in Appendix C, Federal Agency Response Missions, Capabilities and Resources, References, and Authorities.

Comment 4. On page 46087, the last sentence of the first paragraph of I.D.2. Coordination by Federal Agencies, states "The degree to which the Federal response is merged or to which activities are adjusted will be based upon the requirements and priorities set by the State." This is the way the State would hope the Federal Government will work with them. However, after reading the rest of the plan, this is not the policy the Federal Government is planning on pursuing. [Office of Emergency Management—Department of Motor Vehicles and Public Safety (Nevada)]

*Response—*The Committee made a determined effort to assure that the Plan describes a Federal response in support of the State response. As stated in Section II.A., "The concept of operations recognizes the preeminent role of State and local governments for determining and implementing any measures to protect life, property, and the environment in areas not under the

control of a Federal agency.” Accordingly, the Federal agencies that are signatories to this plan recognize that State and local governments are their “customers” and that the off-site Federal role is one of providing support and assistance as requested. This applies to all aspects of a radiological emergency response in the affected off-site area (e.g., environmental monitoring and assessment, implementation of protective actions, release of public information, and determination of restoration priorities). For example, on page 46089 Section II.D.3. Radiological Monitoring and Assessment states that the Federal radiological monitoring and assessment response activity will “support the monitoring and assessment programs of the States.” Also, on page 46091 Section II.D.4. Protective Action Recommendations states “The LFA will assist State and local authorities, if requested, by advising them on protective actions for the public.”

Comment 5. On page 46087 the second paragraph in I.D.2. Coordination by Federal Agencies states, “Appropriate independent emergency actions may be taken by the participating Federal agencies within the limits of their own statutory authority to protect the public, minimize immediate hazards, and gather information about the emergency that might be lost by delay.” This was the philosophy used by DOE and EPA in an exercise in which the town of Rachel, NV, was evacuated without State and local officials being notified. DOE and EPA took it upon themselves to go door to door and issue an evacuation order which is not within their statutory authority. They can assist but they do not issue an evacuation order. In an emergency, the locals may not be able to respond quickly enough to participate in an evacuation order, but Federal agencies must inform the State and local officials of their plans before they take any action and not after the fact. In the State of Nevada, the Governor is the only one who can issue an evacuation order. A paragraph stressing the importance of Federal agencies informing the State and local officials before the response is taken and not after should be inserted into the plan. [*Office of Emergency Management Department of Motor Vehicles and Public Safety (Nevada)*]

Response—While the Committee agrees that State and local officials should be notified and kept informed of all Federal activities in the affected off-site areas, the Committee believes that this issue is adequately addressed in the plan as written. As stated in Section II.A., “The concept of operations

recognizes the preeminent role of State and local governments for determining and implementing any measures to protect life, property, and the environment in areas not under the control of a Federal agency.” The adherence of the Federal agencies to this principle has been clearly demonstrated by their actions in the FRMAC-93, Hanford, and DIAGRAM JUMP exercises that have been conducted with the states of Nebraska, Iowa, and Washington over the past 2 years.

Comment 6. On page 46087, the first paragraph of Section I.D.3. Federal Agency Authorities states, “Some Federal agencies have authority to respond to certain situations affecting public health and safety with or without a State request.” It is not clear under what circumstances the Federal agencies will respond. The authority is vague. I think that if it is in time of emergency that has already been addressed, this sentence should be removed. [*Office of Emergency Management—Department of Motor Vehicles and Public Safety (Nevada)*]

Response—The purpose of this sentence was to indicate that under a few very unlikely situations some Federal agencies have the authority to initiate actions to protect public health and safety without being requested to do so by either State or local officials. However, because the signatories to the FRERP do not believe that these situations will occur during a radiological emergency the plan does not go into any level of detail about these specific situations. It is the intention of all Federal agencies to work closely with State and local officials in the development and implementation of actions to protect public health and safety. Federal agencies will make every attempt to get approval from State and local officials before taking any actions involving the general public.

Comment 7. The Commenter recommended that the following be added to I.E. Training and Exercises on page 46087: “Reimbursement for training and exercises shall be in accordance with Section D.6.” [*Yankee Atomic Electric Company*]

Response—Paragraph I.D.6. clearly states that each Agency will pay its own way in a response to an emergency. Also, each Agency will fund its own preparedness and planning activities, including participation in drills and exercises. However, there may be situations in which special funding may be available for either response or exercise participation and Agencies are free to seek reimbursement as appropriate. The reimbursement of State and local expenses for their

participation in training and exercises will be handled in accordance with pre-existing agreements between the appropriate Federal agency. The Committee made no changes to the plan.

Comment 8. Paragraph I.F.1. Relationship to the Federal Response Plan (FRP) on page 46087 should include explanatory remarks and include appropriate U.S. Code citations to the Stafford Act and the provisions or section pertinent to a declaration. [NASA]

Response—The Committee believes that the existing wording adequately describes the relationship between the FRERP and the FRP and that the intended audience for this plan is sufficiently familiar with the Stafford Act that additional clarification is not needed. The Radiological Emergencies Annex to the FRP, which is currently under development, will provide additional clarification of the FRERP/FRP relationship.

Comment 9. Sections I.F.1. Without a Stafford Act Declaration on page 46087 and I.F.2. With a Stafford Act Declaration on page 46088 state (Section F.1) that in the absence of a Stafford Act declaration, FEMA “is responsible for coordinating non-radiological support using the structure of the Federal Response Plan (FRP),” but then goes on to state (Section F.2), “When a Stafford Act Declaration has activated the FRP* * *” The two statements appear contradictory on their face, although perhaps some editing would resolve the apparent contradiction. [*FEMA—Region II*]

Response—Because the FEMA responsibility for coordination of non-radiological support would be the same for emergencies whether or not there is a Stafford Act declaration, it seems more efficient to use procedures and resources that already exist, and are used during emergencies throughout the year. The phrase, “activate the Federal Response Plan,” has come to mean that a Stafford Act declaration has been made. In order to make clear that a Stafford Act declaration has not been made, but the same familiar emergency response procedures should be followed, the phrase, “using the structure of the Federal Response Plan,” was devised. It indicates that Federal agencies should respond using whatever statutory authorities and funding they already possess—not Stafford Act authorities or funding. If there is a subsequent Stafford Act declaration, Stafford Act authorities and funding would then apply. The Radiological Emergencies Annex to the FRP, which is under development, will explain the

relationship between the FRERP and the FRP in more detail.

Comment 10. Section I.F. Relationship to the Federal Response Plan (FRP) on pages 46087 and 46088, refers to a "Stafford Act Declaration." The FRERP does not define or explain what a "Stafford Act Declaration" is. Although this terminology may be familiar to FEMA personnel and local officials dealing with a variety of natural and man-made disasters, it is not necessarily familiar to NRC licensees who may potentially be involved in some aspects of implementation of the FRERP. Accordingly, a very brief notation that a Stafford Act declaration is a formal declaration of a major disaster by the President would be appropriate. [NRC—Office of General Counsel]

Response—The Committee believes that the intended audience for this plan is sufficiently familiar with the terminology that additional clarifying language is not needed. The Radiological Emergencies Annex to the FRP, which is under development, will clearly explain the relationship between the FRERP and the FRP.

Comment 11. Section I.F.1. Without a Stafford Act Declaration at the top of the first column on page 46088 says FEMA coordinates non-radiological support. This appears to be a shift from the old concept that FEMA would be the clearinghouse for all requests for Federal assistance. [Department of Nuclear Safety (Illinois)]

Response—The Commenter is correct. Without a Presidential disaster declaration, the LFA coordinates the radiological response to the emergency while FEMA coordinates the non-radiological response. Accordingly, the Federal Government must identify the appropriate persons for State and local officials to interact with. The LFA and the Senior FEMA Official must work closely together to ensure that all the needs of the affected State and local governments are addressed. The Radiological Emergencies Annex to the FRP, which is under development, will clearly explain the relationship between the FRERP and the FRP.

Comment 12. Revise the last sentence of I.F.1. Without a Stafford Act Declaration on page 46088 to read, "FEMA, which has the responsibility for coordinating non-radiological support, will use the structures of the FRP to accomplish this activity." [USDA]

Response—This change was incorporated into the plan.

Comment 13. The information in Section I.G. Authorities on page 46088 should be updated with the appropriate citations to the statutory authority and

the updated information about any amendments to Executive Order 12241 should be included. [NASA]

Response—This information has been incorporated into the plan as appropriate.

Comment 14. In Section II. Concept of Operations on page 46088 some reference to radioactive wastes should be addressed. This is and will be a major portion of potential emergencies for planning of all agencies. This could be addressed in 5 (Other Types of Emergencies). [DOE]

Response—The disposition of radioactive wastes is a component of any radiological emergency, not a separate type of emergency. The protection of the public from exposure to radioactive waste is included in the Protective Action Recommendations section, specifically,

"Recommendations regarding the disposition of contaminated livestock and poultry" and "Recommendations for recovery, return and cleanup issues." Advice to the State will be provided by the LFA supported by the Advisory Team for Environment, Food and Health.

Comment 15. The second paragraph of Section II.A. Introduction on page 46088 states, "The concept of operations recognizes the preeminent role of State and local governments for determining and implementing any measures to protect life, property, and the environment in areas not under the control of a Federal agency." Recognizing the State and local government roles is fine but it is not enough. The plan needs to say that the Federal agencies will work with the State and local governments to accomplish their responsibilities. The States need to know that the Federal agencies plan to work in conjunction with the State and local governments to protect life, property, and the environment. It needs to be stated. Otherwise, the impression is—well, we recognize your responsibilities, but we don't have to support or work with you. [Office of Emergency Management—Department of Motor Vehicles and Public Safety (Nevada)]

Response—The Federal agencies that are signatories to this plan recognize that State and local governments are their "customers" and that the off-site Federal role is one of providing support and assistance as requested. This applies to all aspects of a radiological emergency response in the affected off-site area (e.g., environmental monitoring and assessment, implementation of protective actions, release of public information, and determination of restoration priorities). For example, on

page 46089 Section II.D.3. Radiological Monitoring and Assessment states that the Federal radiological monitoring and assessment response activity will "support the monitoring and assessment programs of the States." Also, on page 46091 Section II.D.4. Protective Action Recommendations states, "The LFA will assist State and local authorities, if requested, by advising them on protective actions for the public." The Committee cannot emphasize enough the preeminent role of the State and local governments; therefore, it has recommended, and the Federal Radiological Preparedness Coordinating Committee has agreed to develop a program to disseminate the details of the revised FRERP to Federal agency responders and the State emergency services organizations.

Comment 16. The language in Section II.B.1. Nuclear Facility on page 46088 should clearly state that State and local requests for Federal assistance during a nuclear plant accident should be made directly to the NRC. Likewise, Federal assistance for emergencies involving DOD, DOE, non-licensed materials, transportation accidents, and unknown sources (B.1, 2, 3, 4, & 5) have new LFA designations, and presumably these LFAs should handle assistance requests directly. Current guidance requires making such requests through FEMA or directly to a Federal supporting agency. [Department of Nuclear Safety (Illinois)]

Response—Paragraph I.D.5. Requests for Federal Assistance on page 46087 clearly states that State and local governments as well as the owners and operators of radiological facilities or activities may make requests directly to any of the Federal agencies listed in Table II-1 on page 46089, FEMA, or other Federal agencies with whom they may have preexisting arrangements or relationships. While the preferred means of notification and requesting support is through the designated LFA, the signatory Agencies will automatically notify the appropriate Federal agency if they are notified of a radiological emergency for which they are not the LFA. For example, if the emergency involved a commercial nuclear power plant the NRC is the LFA and any requests, either initial or follow-up, should be made to the NRC. However, if EPA is requested to provide support by an affected State, the EPA will notify the NRC of the situation and then support the NRC response to assist the State as appropriate. If the emergency involved unlicensed radioactive material that is not owned by DOD or DOE the designated LFA is EPA and should receive State and local requests for assistance. If DOE were

notified of this situation they would automatically call EPA. It should be noted that with the publication of this plan previous guidance is now superseded.

Comment 17. Section II.B.1. Nuclear Facility on page 46088 designates DOD or DOE as the Lead Federal Agency for responding to emergencies at facilities that they own. Section II.B.1.(a) provides that NRC is the Lead Federal Agency for facilities that it licenses. Although the listing for types of facilities that NRC is responsible for includes gaseous diffusion facilities, there is ambiguity with respect to who is responsible for the gaseous diffusion facilities operated by USEC. DOE actually owns the gaseous diffusion plants that are leased to U.S. Energy Corporation (USEC). The NRC will be issuing certificates of compliance but will not be licensing the USEC operated gaseous diffusion plants. If the intent is that NRC should have the lead responsibility for these facilities then the phrase "regarding an activity licensed by NRC" in Section II.B.1.(a) should be revised to read "regarding an activity licensed or regulated by NRC." [NRC—Office of General Counsel]

Response—It was determined by the Committee that the present FRERP language clearly states that the NRC is the designated LFA and that no changes in the wording are necessary.

Comment 18. In Section II.B.3. Domestic Satellites Containing Radioactive Materials on page 46088 the word "domestic" should be deleted from the title to read as "NASA/DOD Satellites Containing Radioactive Materials." In addition, it is suggested that wording be added to allow NASA and DOD to determine on their own who will be the LFA for missions that involve a NASA payload on a DOD launch vehicle or visa versa. [NASA]

Response—The Committee agreed to strike the word "domestic" from the title. With regard to joint NASA/DOD satellite missions, it is the intent of the Committee to allow NASA and DOD to determine between themselves who will be the LFA in the event of an accident. Satellites that are not domestic are discussed in II.B.4, "Impact from Foreign or Unknown Source."

Comment 19. Section II.B.4. Impact from Foreign or Unknown Source on page 46088 needs to be revised to clarify what is intended to be covered. The text of that paragraph is inconsistent with its title, which title suggests no direct involvement by the United States. Further, an explanation of "an ongoing interest" and "intimately involved in mission operations" in defining "joint" and "venture" is needed. Such a

definition may include cooperative missions, for example, between the U.S. and Russia, and, if so, then the appropriate policy decisions need to be made at the appropriate levels of the Executive and Legislative Branches to mandate this responsibility on our government agencies. Coordination or discussions with Executive Branch high-level policy officials who are responsible for such "ventures" are needed prior to the finalization of this policy. Also, this text and the definitions should be cleared by such officials. If not, it is recommended that such coordination take place prior to finalizing this FRERP, and that a better understanding be attained as to what U.S./foreign governments involvements are contemplated here. [NASA]

Response—Per discussion with NASA, the second paragraph in II.B.4. was moved to II.B.3 to be more consistent.

Comment 20. Table II-1, Identification of Lead Federal Agency for Radiological Emergencies on page 46089 should be changed to read "NASA/DOD" satellites instead of "Domestic" satellites. It is further recommended that DOE be listed as an LFA. [NASA]

Response—Per discussion with NASA, the wording has been changed to read "Satellites Containing * * *" with NASA or DOD as the potential LFA.

Comment 21. Section II.C. Radiological Sabotage and Terrorism on page 46089 states that, "Sabotage and terrorism are not treated as separate types of emergencies; rather, they are considered a complicating dimension of the types listed in Table II-1." Sabotage and terrorism in our State is a real possibility. There are miles and miles of roads that transport nuclear weapons for dismantling at our Hawthorne Facility. I think that the threat is not a routine radiological incident that becomes complicated. It is planned and carried out with due care. It cannot be treated as a complicating dimension. These incidents are not widely occurring, however, with the situation overseas nothing is for sure. I think you should reconsider the Federal stand on this. [Office of Emergency Management—Department of Motor Vehicles and Public Safety (Nevada)]

Response—The comment is correct in that radiological sabotage and terrorism are not routine radiological incidents that become complicated. The intent of the discussion was to indicate that the emergency can involve any of the types of emergencies listed and the response is complicated because the LFA must coordinate radiological response activities with the FBI's law

enforcement response activities. The additional coordination results in a more complicated response, which the Committee feels is adequately discussed.

Comment 22. The second paragraph of Section II.C. Radiological Sabotage and Terrorism should be clarified to state that although the duties of the FBI are to investigate and/or handle the immediate threat they are not relieved from the responsibility to protect additional facilities or material not immediately affected by an act of sabotage or terrorism. [DOE]

Response—The purpose of the FRERP is to describe overall coordination mechanisms. It need not describe all of the duties of each agency. The FBI is satisfied that the FRERP discussion is appropriate. Additional information on distribution of response duties can be found in MOUs between the FBI and each LFA.

Comment 23. Section II.D. Response Functions and Responsibilities on page 46089 does not identify which Federal resources have a capability to mitigate a release, only monitor and assess. A section should address the agency's responsibility to mitigate a release to prevent further loss of life or severe effects to the public. [DOE]

Response—The Committee disagreed with the need to make mitigating statements in that all Federal and civil agencies responsible for radiological events take every step to mitigate a release.

Comment 24. Section II.D.1. Onscene Coordination on page 46089 states that the LFA will coordinate with "onscene" actions and oversee "onsite" response, but that DOE has the initial responsibility for coordinating Federal monitoring and assessment activities. Again, does a request for DOE assistance have to be made through NRC for a power plant accident? [Department of Nuclear Safety (Illinois)]

Response—The answer is No. However, as stated in the response to Comment 16 the preferred route for requesting assistance is through the designated LFA identified in Section II.B. Determination of Lead Federal Agency (LFA) on page 46088. Although a call to any of the Federal agencies that participate in this plan will result in obtaining the necessary assistance, a call to the LFA first will get quicker results because, for the situation described in the comment, the NRC will probably already be in contact with DOE and have it standing by to provide assistance.

Comment 25. The third paragraph of Section II.D.1. Onscene Coordination should be revised to read "* * * (DOI)

will provide liaison between the LFA and Indian tribal governments except in cases where existing agreements permit direct communication * * *." [NRC—Office of Nuclear Materials Safety and Safeguards]

Response—The Committee agrees and has revised the first sentence to read, "In the absence of existing agreements for radiological emergencies occurring on or with possible consequences to Indian tribal land, DOI will provide liaison between Federally recognized Indian tribal governments and LFA, State, and local agencies for coordination of response and protective action efforts."

Comment 26. The last sentence in the second paragraph of Section II.D.3. Radiological Monitoring and Assessment on page 46090 implies that the affected State does not have the lead response role in the event of the activation of additional Federal resources. It is recommended that the last sentence be revised to read, "States should be encouraged to allow the FRMAC to collocate with their radiological assessment activities." [Virginia Power]

Response—The second paragraph of Section II.A. Introduction on page 46088 states, "The concept of operations recognizes the preeminent role of State and local governments for determining and implementing any measures to protect life, property, and the environment in areas not under the control of a Federal agency." As stated in the response to Comment 15 this applies to all aspects of a Federal response to State and local requests for assistance in responding to a radiological emergency. The purpose of the last sentence in the second paragraph of Section II.D.3. Radiological Monitoring and Assessment on page 46090 was to recommend that Federal and State/local assets be collocated in order to maximize the efficiency of the response and to better protect public health and safety and environmental quality. It may be overwhelming for a FRMAC with a working environment for 200 people to collocate with State radiological assessment activities. However, in order to address the comment the sentence has been reworded to read, "Federal Government and States are encouraged to collocate their radiological assessment activities at this center."

Comment 27. Section II.D.3.a.(1) Initial Response Coordination Responsibility on page 46090 states DOE will "maintain a common set of all offsite radiological monitoring data * * * and ensure the technical integrity of the data." The language should be

clarified to indicate the responsibility refers to all offsite data gathered by DOE and other Federal agencies. There is no practical way DOE can ensure the technical integrity of data gathered by States or utilities unless DOE sets the standards for all radiological monitoring prior to implementation of the FRERP. Such would not be a workable situation. Likewise, the following section (d) should clarify that DOE will provide interpretations, etc., based on its own data or that of other Federal agencies.

[Department of Nuclear Safety (Illinois)]
Response—The Committee agrees with the recommendation to reword this sentence to indicate that this requirement applies only to data gathered by the FRMAC and this change has been made to the plan. However, the Committee disagrees with the recommendation to limit the interpretation of monitoring data by the FRMAC only to the data obtained by Federal agencies. FRMAC staff will be used to evaluate any available monitoring data that becomes available to them during the course of the emergency. Likewise, State and local staff should be free to use any and all data that they have available regardless of whether it comes from State or Federal sources.

Comment 28. Section II.D.3.a.(2) Transition of Response Coordination Responsibility on page 46090 implies that EPA will assume responsibility for coordination only if the other Federal agencies will provide resources, personnel, and money for the long-term duration. EPA should identify a mechanism for controlling the costs associated with these resources. If EPA does not have the equipment, personnel, and money to follow up and coordinate the response, then why would any agency commit to an open checkbook with the past record that has been demonstrated. These agencies should be able to track and have input to the costs incurred. [DOE]

Response—As Section I.D.6. Reimbursement on page 46087 states, "The cost of each Federal agency's participation in support of the FRERP is the responsibility of that agency, * * *." The Committee feels that this issue was clearly stated as written and that the mechanisms for tracking response costs is an internal process specific to each agency and therefore is best handled on an agency-specific basis.

Comment 29. Section II.D.3.c. Role of the Lead Federal Agency (LFA) on page 46090 should allow for the release of official information to the local governments also impacted or involved in the event and not just to the State agency, particularly if the local agency

asked for the assistance. It should provide a mechanism to allow for official release of information to the local governments in an expedient manner. [DOE]

Response—The Committee agrees with this recommendation and reworded the sentence to read "Approve the release of official Federal offsite monitoring data and assessments." This will allow the release of approved material to all affected parties as quickly as possible.

Comment 30. Section II.D.3.c. Role of the Lead Federal Agency (LFA) on page 46090 states, "Approve the release of official Federal offsite monitoring data and assessments to the State." In our DOE exercise, this approval was so long in the making that the exercise came to a complete standstill and information flow was not generated until after the exercise. Again, you practice what you will do in an actual emergency. Why does the Lead Federal Agency need to approve information released to the State? Once something is released into the environment it is no longer classified. In order for the State to respond to the incident, we must have information to assist us in the necessary response. Any delay in that information flow could be lethal to the general public as well as to the environment. Information for the general public may have to be screened so as not to panic the private citizens, but information for the responders needs to be timely and complete. If the Lead Federal Agency is screening information for security purposes, they must remember to forward this confirmed information immediately to the states. [Nevada]

Response—The Committee agrees that the timely release of accurate information is very important. The Lead Federal Agency is responsible for clearing information to ensure that the State and local responders receive accurate and timely information. It is the intent of the FRMAC and other Federal response centers to release information as soon as the correctness of the information is verified.

Comment 31. Section II.D.3.d.(1) USDA on page 46090 should clarify that in each case USDA will assist the affected States, in monitoring, collecting samples, etc. These activities should not be carried out independently by Federal agencies. [Department of Nuclear Safety (Illinois)]

Response—As stated in the response to Comment 15, the role of the Federal agencies is to support the State and local governments response to the emergency. Section II.D.3 states that Federal offsite monitoring and assessment activities will be

coordinated with those of the State and that Federal procedures for implementing this monitoring are designed to be compatible with the requirements of the State.

Comment 32. The second sentence in Section II.D.4. Protective Action Recommendations on page 46091 should be changed to read as follows: "This includes emergency actions such as sheltering, evacuation, and guidance on the use of radioactive substances (e.g., thyroid blocking agents)." The reason for this change is that iodine, itself, is not given as a prophylactic agent; typically, it is administered as potassium iodide. [Westinghouse Electric Corporation]

Response—The Committee agrees with this recommendation and reworded the sentence to address this comment by inserting the word "stable" before "iodine."

Comment 33. The third sentence in Section II.D.4.b. Role of the Advisory Team for Environment, Food, and Health on page 46091 states, "The Advisory Team will not release information to the public * * *" should make clear that the Team releases no information to the public without authorization from the LFA after consultation with the affected States. As currently worded, it could be interpreted that the Team could be authorized to release information by some agency other than the LFA. [Department of Nuclear Safety (Illinois)]

Response—The Committee believes that the wording is appropriate as written. The Advisory Team is prohibited from releasing any information to the public without the express permission of the LFA. Even if the Advisory Team receives permission to release information/recommendations from a Federal agency that has jurisdiction in a specific area it cannot release the information/recommendations until the LFA has also approved its release.

Comment 34. Section II.D.4.b. Role of the Advisory Team for Environment, Food, and Health on page 46091 should be modified to reflect that re-entry is part of the mitigation efforts as determined by the incident commander and command staff, which is comprised of the agencies directly involved. Non-emergency re-entry is part of the recovery planning process and should be addressed under that planning. Please clarify this section to state this is for emergency re-entry or non-emergency re-entry. [DOE]

Response—The LFA will assist the State and local authorities (including the incident commander), if requested, by advising them on such issues as

reentry to perform mitigation activities. The Advisory Team agencies have expertise and experience to assist the LFA in developing the advice. The paragraph was intended to list the areas of expertise of the Advisory Team. It does not imply that the Advisory Team will perform those functions.

Comment 35. Section II.D.4.b. Role of the Advisory Team for Environment, Food, and Health on page 46091 states that the Advisory Team will select a "chairman." This should be changed to read "chair or chairperson or team leader" in accordance with Government guidelines. [NASA]

Response—The Committee agrees and replaced "chairman" with "chair."

Comment 36. The first sentence in Section II.D.4.b. Role of the Advisory Team for Environment, Food, and Health on page 46091 should be changed to read as follows: "The Advisory Team is established by representatives from EPA, HHS, USDA, and other Federal agencies as needed for the provision of interagency coordinated advice to the LFA concerning environmental, food and health matters." The deletion of LFA from the list of representatives makes the wording consistent with Section II.D.4.b. and Appendix B—Definitions. [Westinghouse Electric Corporation]

Response—The FRRERP establishes the concept of the Advisory Team. The current wording was carefully written to assure that the Advisory Team is available to the LFA when the LFA needs advice. The Advisory Team is not established by EPA, HHS, and USDA, but is always available to support the LFA.

Comment 37. In Section II.D.4.b. Role of the Advisory Team for Environment, Food, and Health on page 46091 the wording of (6) should be changed to read as follows: "(6) Recommendations for minimizing losses of agricultural resources from the effects of radioactive contamination." The effects of the accident on agricultural resources will be from the radioactive contamination on or in the food that could result in unacceptable internal exposure from eating the food. The health effects would not result from the exposure of the food to radiation, which would have no effect. [Westinghouse Electric Corporation]

Response—The Committee felt the present wording was appropriate and no change was necessary.

Comment 38. Section II.D.5.b. Role of Other Federal Agencies on page 46091 should be revised by adding a statement that the types of available support listed here supplements the roles/responsibilities of these agencies which

are outlined in the Federal Response Plan. [FEMA—Region VII]

Response—The types of available support listed in this section are intended to describe the many non-radiological activities that FEMA will coordinate. In fact, there may be other activities not listed here that FEMA will also coordinate. FEMA will provide guidance on how it will accomplish that coordination in supporting documents.

Comment 39. The lead paragraph in II.D.5.b. Role of Other Federal Agencies on page 46091 contains the statement, "The following types of assistance not related to radiological monitoring and assessment that may be provided by Federal agencies as needed or requested." However, under the departmental listing are the following direct references related to radiological monitoring and assessment activities:

- (1) USDA, item (e),
- (2) DOC, "loaning radiation shielding materials" for what purpose?
- (3) DOD, advice on proper medical treatment of personnel exposed to or contaminated by radioactive materials,
- (4) DOE, advice on medical treatment of personnel exposed to or contaminated by radioactive materials,
- (5) HHS, (c) study of exposed populations, (d) medical advice, (e) assessing health impacts.

These are all areas of legitimate Federal activity, but they should be listed among the direct radiological monitoring and assessment responsibilities of these agencies, not under the non-technical support roles. [Department of Nuclear Safety (Illinois)]

Response—The Committee understands the confusion and reworded the sentence to read, "The following indicates other types of assistance that may be provided by Federal agencies as needed or requested."

Comment 40. Sections II.D.5.b.(1) Department of Agriculture on page 46091 and paragraph A.2.(14) in Appendix C on page 46101 state temporary housing is a responsibility of the Department of Agriculture (USDA). Is that true? [FEMA—Region VII]

Response—USDA is a potential source of temporary housing resources. Through its farm loan programs the USDA typically has a number of repossessed properties that may be available for use as temporary housing in emergency situations. Although housing is not the primary responsibility of USDA, it does have resources that could be beneficial and should be factored into Federal response assets.

Comment 41. Section II.D.5.b.(7) Department of Interior (DOI) on page

46092 should include DOI's responsibility concerning Indian lands. [FEMA-Region VII]

Response—The Committee revised this section to include Indian tribal lands.

Comment 42. The second paragraph of Section II.D.6. Public Information Coordination on page 46092 should clarify that if it is deemed necessary to release Federal information regarding public health and safety prior to establishment of a Federal presence at the JIC, any such release must be coordinated through the LFA and the States before it is made. States, in compliance with NUREG-0654 for fixed nuclear facilities, already have in place a mechanism for coordinated dissemination of public information during an emergency. Any attempt by the Federal Government to release information outside of this mechanism has the potential for causing confusion for State authorities and the public. [Department of Nuclear Safety (Illinois)]

Response—The Committee agrees with the comment and has revised the sentence in that paragraph to read, "In these instances, Federal agencies will coordinate with the LFA and the State in advance or as soon as possible after the information has been released."

Comment 43. Section II.D.7.b. White House Coordination on page 46093 states that FEMA submits information concerning the non-technical response to the Lead Federal Agency for inclusion in the reports to the White House. Does this eliminate the requirement for FEMA SITREP reporting (from the DFO and/or Regional Operations Centers) under the FRERP? [FEMA—Region VII]

Response—No, this section does not apply to the generation of reports under other response plans. In those situations in which the FRP and FRERP are both being used the Radiological Emergencies Annex to the FRP, which is under development, should be consulted to determine the appropriate mechanism for developing White House reports and briefings.

Comment 44. The wording in II.E.1.a.(3) and on page 46093 is duplicated in E.2.a. (1) and (2). Delete E.1.a. (3) and (4). [Yankee Atomic Electric Company]

Response—The Committee recognizes that this was indeed a duplication, but that it was appropriate to keep as written.

Comment 45. Step (4) of Section II.E.1.a. Role of the Lead Federal Agency on page 46094 under requires the LFA to "Verify that the State has been notified." That verification step by the LFA is not reflected in Figure II-1.

Notification Process. The figure indicates that only FEMA is required to verify State and local notification.

[Department of Nuclear Safety (Illinois)]

Response—The Committee agrees and Figure II-1 has been changed as appropriate.

Comment 46. Figure II-1, Notification Process, on page 46095 should not reflect that the Lead Federal Agency must notify the State and local response organizations. The State and local response organizations are notified by the onsite organization, which may be the Lead Federal Agency. The verification is specified to be performed by FEMA. This diagram indicates duplication of activities that could be resolved by the clarification recommended above. [Yankee Atomic Electric Company]

Response—It is true that for fixed facilities, the onsite organization notifies the State and local response organizations. The FRERP also covers transportation accidents and unknown source emergencies. In these cases, the LFA may be the first to receive direct notification from local police or a member of the public. Anyone at any level of government or private industry or any member of the general public may call and request Federal assistance under the FRERP. In fact, there have been numerous situations in which the EPA, as the LFA, has received notification from private individuals and organizations about potential radiological emergency situations. In each of these cases, EPA's first action is to inform the individual or organization to call the appropriate State or local agency. EPA then also calls the State or local agency to ensure that they are notified of the situation. The current wording assures that the State and local organizations are notified under all potential emergencies.

Comment 47. Section II.E.2. Activation and Deployment on page 46096 has FEMA, as well as the LFA, and other Federal agencies initially coordinating response actions from "their headquarters locations, usually from their respective headquarters EOCs." Under the Regional Response Plan, coordination would be from the Regional Operations Center, which would be activated by the Regional Director, and staffed with ESF Departments and Agencies at the Regional level. [FEMA—Region II]

Response—The FRERP statement is true for many of the LFAs in the early phase of a Federal response even if this response is little more than to receive the first notification and notify the affected region. In fact, one LFA does not have regions. No changes were made

because the majority of LFAs respond this way even for a short time.

Comment 48. Section II.E.2.a. Role of Lead Federal Agency (LFA) on page 46096 should be revised by adding words that indicate that the Federal Onscene Commander will be the Senior Agency Official for this mishap/accident. [NASA]

Response—The use of the term Federal Onscene Commander was chosen to indicate that the FRERP is consistent with the Incident Command System that is used by most State and local organizations. The concept and duties of an OSC are understood by State and local organizations. It is the intent of the FRERP that agencies adopt the FRERP terminology as much as possible in order to standardize the Federal response.

Comment 49. Section II.E.2.b. Role of the Federal Emergency Management Agency (FEMA) on page 46096 has FEMA deploying ERT-A, although there is still no mention of the Regional Office, and establishing a DFO, although there is no mention of a Stafford Act Declaration in this regard. [FEMA—Region II]

Response—The Committee understands the concerns expressed by the comment and is deleting the deployment of the ERT-A and establishment of the DFO from this section.

Comment 50. Section II.E.3. Response Operations on page 46096 should be revised by adding a statement to indicate that, during the initial stages of response (i.e., first 48 to 72 hours), FEMA and other appropriate non-technical Federal agencies will coordinate their response from the Joint Operations Center. This will contribute to more effective coordination, between the Lead Federal Agency and FEMA, of on-site and off-site activities, including public information concerns during the critical stages of an incident. [FEMA—Region VII]

Response—The FRERP was written to take advantage of systems already in place. Although the Joint Operations Center is a new term in the FRERP, these facilities have long been identified for LFA emergency response. They cannot always accommodate all response activities. Some are not owned by or under the control of the LFA. Some are located on protected property that could pose logistical problems for access and use. FEMA also has a system in place to fulfill its non-radiological functions. It was determined that it would be efficient to maintain those systems and share information with the extensive use of liaisons. Participating

agencies should exercise with liaisons to develop those coordination skills.

Comment 51. Section II.E.3. Response Operations on page 46096 has FEMA and OFA liaison and support of response operations coming out of their headquarters offices, with exchange of liaisons at EOCs to support onscene operations. They may "also activate a regional or field office EOC in support of the emergency." This may be entirely appropriate for the FRERP, but has little to do with the FRP. [*FEMA—Region II*]

Response—Section II.E.3 was written in broad terms so that existing agency plans could be used without major changes. The terms "will generally" and "may also activate" allow flexibility to adopt the FRERP as each agency deems appropriate.

Comment 52. Section II.E.3. Response Operations on page 46096 should use correct outline form. [*USDA*]

- a.
- (1)
- (a)
- etc.

Response—The Committee agrees that the correct format should be used and the plan was reviewed to ensure that the appropriate format was followed.

Comment 53. Section II.E.3. Response Operations, b. Disaster Field Office (DFO) on page 46098 states that a Disaster Field Office will be established by FEMA, "in coordination with the State and local authorities and other Federal Agencies." Again, there is no mention of a declaration in regard to establishing a DFO. Furthermore, the description of the DFO's coordinating function does not mention the ESF-based operation envisaged under the FRP. Is it the intention of this plan to establish a DFO for the FRERP in the absence of a declaration? How does this provision relate to the activation "of a regional or field office EOC in support of the emergency" described on above? [*FEMA—Region II*]

Response—FEMA will use the structures of the FRP to provide the appropriate level and type of resources needed to support its role under the FRERP and to meet the requirements of the situation. Initially, FEMA will implement its monitoring and coordination functions from a ROC, State EOC or other facility. A DFO will be established in conjunction with an emergency or disaster declared and the appointment of a Federal Coordinating Officer.

Comment 54. Section II.E.3.b. Disaster Field Office (DFO) on page 46098 states that the Senior FEMA Official (SFO) is the official in charge of the DFO without a Stafford Act Declaration. However, with a Stafford Act Declaration, the

Federal Coordinating Officer (FCO) is the designated authority. This paragraph should be clarified accordingly.

[*FEMA—Region VII*]

Response—The comment is correct. The Senior FEMA Official is in charge of the coordination function without a Stafford Act declaration and the FCO is in charge of this function from a DFO with a Stafford Act declaration.

Comment 55. The section heading II.E.3.d. Advisory Team on Environment, Food, and Health on page 46098 should be Change to: "d. Advisory Team for Environment, Food, and Health." [*USDA*]

Response—The Committee accepted the recommendation and made necessary changes.

Comment 56. The first sentence in Section II.E.3. Response Operations, d. Advisory Team on Environment, Food, and Health on page 46098 should be revised by deleting the term "LFA" (not on the team, supported by the team). [*USDA*]

Response—The Committee accepted this recommendation and made the change.

Comment 57. The first paragraph of Section II.E.4. Response Deactivation on page 46098 states, "Each agency will discontinue emergency response operations when advised that Federal assistance is no longer required or when its statutory responsibilities have been fulfilled." The language is vague and subjective. It should be clarified to state who makes the determination and on what basis. It is suggested that agencies discontinue emergency response operation after determining in consultation with the State(s) that initially requested support, that Federal assistance is no longer required. Sections b., c., d., and e. all provide criteria for discontinuance of specific functions and facilities, while Section a. does not. [*Department of Nuclear Safety (Illinois)*]

Response—The Committee believes that the criteria in paragraphs b. through e. provide adequate discussion of the criteria for the termination of Federal responses at those facilities. Paragraph a. is applicable to paragraphs b. through e.

Comment 58. In Section II.E.5. Recovery on page 46098 should EPA be listed along with the State as being responsible for planning the recovery of the affected area? [*USDA*]

Response—No, the EPA's philosophy is that they will support State and local governments, if and when requested, during environmental restoration activities.

Comment 59. Appendix A—Acronyms on page 46099 should

contain all the acronyms used in the plan (e.g., GIS). [*NASA*]

Response—The Committee agrees with this comment and will review the plan to ensure that all acronyms are listed in Appendix A.

Comment 60. In Appendix B—Definitions the definition for "onsite" on page 46100 may not be adequate. The definition of "onsite" given in the FRERP, which is based on jurisdiction, is somewhat different than the definition typically used when considering packaging of radioactive waste for the Department of Energy, which is based on "access control." An example of where a jurisdiction-based definition may not be adequate: If a site does not have Access Control Boundaries (e.g., physical barriers or security guards), then the area does not qualify as "onsite" relative to being exempt from DOE packaging regulations. [*Westinghouse Electric Corporation*]

Response—The Committee believes the current definition of "onsite" in the FRERP is appropriate for its intended use under this plan and that no change was necessary.

Comment 61. In Appendix B—Definitions the definition of Protective Action Guide (PAG) on page 46100 should cite applicable EPA and FDA references for PAGs. [*FEMA—Region VII*]

Response—The definition of Protective Action Guide (PAG) is not limited to EPA and FDA PAGs but acknowledges State PAGs may exist.

Comment 62. The second sentence in Section A.1. Summary of Response Mission in Appendix C on page 46100 should be changed to read: "USDA will actively participate with EPA and HHS on the Advisory Team * * *, when convened." [*USDA*]

Response—The Committee agrees with this recommendation and made the change.

Comment 63. The fourth reference listed in Section D.3. DOE References of Appendix C on page 46102 should be changed to read as follows: "(4) DOE Order 5500.4A, Public Affairs Policy and Planning Requirements for Emergencies, June 1992 which supersedes the cited reference." [*Westinghouse Electric Corporation*]

Response—The Committee agreed with this recommendation and made the change.

Comment 64. The first sentence of Section J.2. Capabilities and Resources in Appendix C on page 46104 should be revised to read: "DOT is responsible for working with the International Atomic Energy Agency * * *" [*USDA*]

Response—The Committee agreed with this recommendation and made the change.

Comment 65. Revise reference 1 in Section O.3. NASA References in Appendix C on page 46106 to read “(1) KHB 1860.1B.” [NASA]

Response—The Committee agreed with this recommendation and made the change.

Comment 66. Revise the second authority in Section O.4. NASA Specific Authorities in Appendix C on page 46106 read: “(2) NHB 1700.1(V1-B) NASA Safety Policy and Requirements Document.” [NASA]

Response—The Committee agreed with this recommendation and made the change.

Comment 67. Pursuant to 44 CFR Part 350, State and local jurisdictions that fall within the emergency planning zones of commercial nuclear facilities are required to develop and maintain comprehensive radiological emergency response capabilities. These capabilities are required to be demonstrated during Federally evaluated exercises to provide continued reasonable assurance of the health and safety of the public.

Typically, this capability is demonstrated without full regard to the Federal resources that would be provided by the activation of the FRERP. To assist in the prevention of potential coordination difficulties at the State level, it is recommended that FEMA be given the responsibility to provide personnel to simulate the involvement of the various Federal agencies. Another alternative would be to establish measures for supporting a smooth integration of Federal resources. This could include the evaluation and demonstration of the interactions between FRERP, State, local, and other involved agencies.

It is recommended that the FRERP be revised to address the issuance of emergency public information related to an emergency at a fixed nuclear site. Emergency public information provided by any Federal agency should be either limited to the coordinated issuance of information through the Joint Information Center or restricted to information not associated with response actions, emergency conditions at the facility, or pertaining to protective action recommendations, or their bases, in any way. Without this control of emergency information, the flow of coordinated and consistent information to the public could be easily compromised. [Virginia Power]

Response—Federal agencies are encouraged to participate in exercises to the extent they are able in order to test coordination functions. It would not be

helpful to an agency if FEMA acted for them in exercises. State and Federal agencies should cooperate in planning exercises that test coordination activities.

The Committee understands the concern about the uncoordinated release of public information during a radiological emergency. It also believes that the Section II.D.6. Public Information Coordination on page 46092 adequately states how the Federal agencies will address this issue. Moreover, LFAs are expected to develop supporting documents that provide details on how they intend to implement their public information coordination responsibilities described in the FRERP.

Comment 68. Section II.E.3. Response Operations, which begins on page 46096 should be revised to clarify how data will be transferred between the FRMAC, JIC, DFO, and EOF and whether or not these facilities will be collocated or located in different areas. [Department of Health—Nebraska]

Response—The FRERP is a plan that is designed to provide the basic framework for coordinating the Federal response to a radiological emergency. It is not a detailed operating procedure. The location of these facilities is dependent upon many factors—the nature of accident, the geographical location of affected areas, the type and amount of radionuclide(s) released, the availability of appropriate facilities, etc. Because of this large number of factors it is impossible to tell beforehand how these facilities will be positioned. FRMAC operations documents provide details for transferring data among emergency response facilities when authorized by the State and the LFA.

Comment 69. Only the Governor or Director of Radiological Health can activate the FRERP on behalf of the State of Mississippi. This limit on activation authority should be retained. The ability of a newly elected Civil Defense Director to activate the FRERP could create unnecessary confusion. [Department of Health—Mississippi]

Response—It is not the intent of the FRERP to restrict who may request Federal assistance in responding to a radiological emergency. If the State of Mississippi wishes to place a limitation on who among its professional staff can request Federal assistance that is their prerogative. However, the signatory agencies to the FRERP will always respond to requests for assistance from any level of State or local government or private industry.

The FRERP is not a plan that is activated by some specific action, request, or criteria having been met. The

FRERP is intended to be used whenever any signatory Federal agency responds to a radiological emergency no matter what size. This assures that notification, coordination, sharing information, and reporting activities are not overlooked in any response.

Comment 70. The NRC contributes very little to the offsite management of an accident at a commercial nuclear power plant. Although they have given themselves the lead role as spokesperson in the JIC, they do not drill with the State. Therefore they should not come in during an actual event and take over the management of the media. [Department of Health—Mississippi]

Response—It is not the intent of the FRERP to have the NRC or any other LFA to manage the JIC or the media. Rather, the LFA is expected to coordinate the Federal public information at the JIC. This activity is coordinated with the State representatives to ensure that the public has the latest and most accurate information.

Comment 71. Who takes over the radiological monitoring and assessment activities under the FRERP if DOE is dissolved? Will this activity go away or will the functions be transferred to another agency? [Department of Health—Mississippi]

Response—The FRERP was written based on the current structures and functions of the various agencies and departments that are signatories to the plan. If any of these agencies should be dissolved the remaining agencies will review the situation and address any deficiencies that may result. If the changes are severe enough the plan may be revised.

Comment 72. Recent experiences with radiological incidents in Michigan have led to confusion and problematic jurisdictional issues arising from implementation of the revised FRERP. For example, the Michigan Department of Public Health was forced to make a determination on the radiological consequences of a contaminated rail car because the EPA and NRC regional offices felt they had no authority to make a determination based on their understanding of the FRERP. Also, during a bomb-scare incident involving radioactive material (thorium) the NRC claimed they had no responsibility pursuant to the FRERP and that EPA was the Lead Federal Agency. It is unclear whether EPA is properly prepared to provide such assistance, both from a resource perspective and a regulatory jurisdiction perspective for emergencies involving AEA materials for which no licensee has been

identified. Although Michigan supports the FRERP concept and welcomes the availability of Federal resources for responding to radiological emergencies, we are very concerned that implementation of the current FRERP may be premature, resulting in unnecessary confusion and inefficient management of actions necessary for adequate public health protection.

[*Department of Public Health—Michigan*]

Response—The Committee understands the concerns expressed. However, we believe that most of these concerns represent “growing pains” as the various Federal agencies adapt to their new roles and responsibilities. The Committee strongly believes that the revised FRERP will result in providing improved Federal support to State and local governments.

Comment 73. The definition of emergency in the FRERP appears to include any situation that may result in substantial damage to or loss of property. The key qualifier in the definition being the word “substantial” which is extremely subjective and imparts a vague context to the entire FRERP. It is now unclear whether the FRERP is, or is intended to be, a new Federal mechanism to address radiologically contaminated sites vis à vis the NRC’s Site Decommissioning Management Plan, DOE’s Formerly Utilized Sites Remedial Action Program, or EPA’s National Priorities List under Superfund. [*Department of Health—Michigan*]

Response—The definition of emergency was written to be vague in order to provide flexibility to the Federal Government in responding to State and local requests for assistance. Because the level of expertise and available resources varies significantly from one State to another, what might be substantial to one State might not be substantial to another. Also, who would determine what is substantial—the State or the Federal Government. By leaving the definition vague the affected State and local governments and the Federal Government can work together to develop the appropriate level of response based on the specific characteristics of the emergency at hand. With regard to using the FRERP to address radiologically contaminated sites—that is not its purpose. Generally speaking these sites do not present an imminent danger to the health and safety of the general public and therefore do not qualify as emergencies, even though the cost to clean them up may be significant. Therefore, the cleanup of contaminated land should be

accomplished in accordance with other mechanisms.

Comment 74. The comments received by FEMA on the proposed revisions to the FRERP should be shared with all parties that may be directly affected by the implementation of the FRERP.

[*Department of Public Health—Michigan*]

Response—The Committee agrees with this comment. All of the significant comments received by FEMA, along with the Federal response, will be published with the final FRERP as soon as it is approved.

Dated: May 1, 1996.

James L. Witt,
Director.

Accordingly, the Federal Emergency Management Agency gives notice that the Federal Radiological Emergency Response Plan is operational. The text of the Plan reads as follows.

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I. Introduction and Background

A. Introduction

The objective of the Federal Radiological Emergency Response Plan (FRERP) is to establish an organized and integrated capability for timely, coordinated response by Federal agencies to peacetime radiological emergencies.

The FRERP:

1. Provides the Federal Government’s concept of operations based on specific authorities for responding to radiological emergencies;
2. Outlines Federal policies and planning considerations on which the

concept of operations of this Plan and Federal agency specific response plans are based; and

3. Specifies authorities and responsibilities of each Federal agency that may have a significant role in such emergencies.

There are two Sections in this Plan. Section I contains background, considerations, and scope. Section II describes the concept of operations for response.

B. Participating Federal Agencies

Each participating agency has responsibilities and/or capabilities that pertain to various types of radiological emergencies. The following Federal agencies participate in the FRERP:

1. Department of Agriculture (USDA);
2. Department of Commerce (DOC);
3. Department of Defense (DOD);
4. Department of Energy (DOE);
5. Department of Health and Human Services (HHS);
6. Department of Housing and Urban Development (HUD);
7. Department of the Interior (DOI);
8. Department of Justice (DOJ);
9. Department of State (DOS);
10. Department of Transportation (DOT);
11. Department of Veterans Affairs (VA);
12. Environmental Protection Agency (EPA);
13. Federal Emergency Management Agency (FEMA);
14. General Services Administration (GSA);
15. National Aeronautics and Space Administration (NASA);
16. National Communications System (NCS); and
17. Nuclear Regulatory Commission (NRC).

C. Scope

The FRERP covers any peacetime radiological emergency that has actual, potential, or perceived radiological consequences within the United States, its Territories, possessions, or territorial waters and that could require a response by the Federal Government. The level of the Federal response to a specific emergency will be based on the type and/or amount of radioactive material involved, the location of the emergency, the impact on or the potential for impact on the public and environment, and the size of the affected area. Emergencies occurring at fixed nuclear facilities or during the transportation of radioactive materials, including nuclear weapons, fall within the scope of the Plan regardless of whether the facility or radioactive materials are publicly or privately owned, Federally regulated, regulated by an Agreement State, or not

regulated at all. (Under the Atomic Energy Act of 1954 [Subsection 274.b.], the NRC has relinquished to certain States its regulatory authority for licensing the use of source, byproduct, and small quantities of special nuclear material.)

D. Plan Considerations

1. **Public and Private Sector Response.** For an emergency at a fixed nuclear facility or a facility not under the control of a Federal agency, State and local governments have primary responsibility for determining and implementing measures to protect life, property, and the environment in areas outside the facility boundaries. The owner or operator of a nuclear facility has primary responsibility for actions within the boundaries of that facility, for providing notification and advice to offsite officials, and for minimizing the radiological hazard to the public.

For emergencies involving an area under Federal control, the responsibility for onsite actions belongs to a Federal agency, while offsite actions are the responsibility of the State or local government.

For all other emergencies, the State or local government has the responsibility for taking emergency actions both onsite and offsite, with support provided, upon request, by Federal agencies as designated in Section II of this plan.

2. **Coordination by Federal Agencies.** This Plan describes how the Federal response to a radiological emergency will be organized. It includes guidelines for notification of Federal agencies and States, coordination and leadership of Federal response activities onscene, and coordination of Federal public information activities and Congressional relations by Federal agencies. The Plan suggests ways in which the State, local, and Federal agencies can most effectively integrate their actions. The degree to which the Federal response is merged or to which activities are adjusted will be based upon the requirements and priorities set by the State.

Appropriate independent emergency actions may be taken by the participating Federal agencies within the limits of their own statutory authority to protect the public, minimize immediate hazards, and gather information about the emergency that might be lost by delay.

3. **Federal Agency Authorities.** Some Federal agencies have authority to respond to certain situations affecting public health and safety with or without a State request. Appendix C of this Plan cites relevant legislative and executive authorities. This Plan does not create

any new authorities nor change any existing ones.

A response to radiological emergencies on or affecting Federal lands not occupied by a government agency should be coordinated with the agency responsible for managing that land to ensure that response activities are consistent with Federal statutes governing the use and occupancy of these lands. This coordination is necessary in the case of Indian tribal lands because Federally recognized Indian tribes have a special relationship with the U.S. Government, and the State and local governments may have limited or no authority on their reservations.

In the event of an offsite radiological accident involving a nuclear weapon, special nuclear material, classified components, or all three, the owner (either DOD, DOE, or NASA) will declare a National Defense Area (NDA) or National Security Area (NSA), respectively, and this area will become "onsite" for the purposes of this plan. NDAs and NSAs are established to safeguard classified information, and/or restricted data, or equipment and material. Establishment of these areas places non-Federal lands under Federal control and results only from an emergency event. It is possible that radioactive contamination would extend beyond the boundaries of these areas.

In accordance with appropriate national security classification directives, information may be classified concerning nuclear weapons, special nuclear materials at reactors, and certain fuel cycle facilities producing military fuel.

4. **Federal Agency Resource Commitments.** Agencies committing resources under this Plan do so with the understanding that the duration of the commitment will depend on the nature and extent of the emergency and the State and local resources available. Should another emergency occur that is more serious or of higher priority (such as one that may jeopardize national security), Federal agencies will reassess resources committed under this Plan.

5. **Requests for Federal Assistance.** State and local government requests for assistance, as well as those from owners and operators of radiological facilities or activities, may be made directly to the Federal agencies listed in Table II-1, FEMA, or to other Federal agencies with whom they have preexisting arrangements or relationships.

6. **Reimbursement.** The cost of each Federal agency's participation in support of the FRERP is the responsibility of that agency, unless other agreements or reimbursement mechanisms exist. GSA will be

reimbursed for supplies and services provided under this Plan in accordance with prior interagency agreements.

E. Training and Exercises

Federal agencies, in conjunction with State and local governments, will periodically exercise the FRERP. Each agency will coordinate its exercises with the Federal Radiological Preparedness Coordinating Committee's (FRPCC's) Subcommittee on Federal Response to avoid duplication and to invite participation by other Federal agencies.

Federal agencies will assist other Federal agencies and State and local governments with planning and training activities designed to improve response capabilities. Each agency should coordinate its training programs with the FRPCC's Subcommittee on Training to avoid duplication and to make its training available to other agencies.

F. Relationship to the Federal Response Plan (FRP)

1. Without a Stafford Act Declaration. Federal agencies will respond to radiological emergencies using the FRERP, each agency in accordance with existing statutory authorities and funding resources. The LFA has responsibility for coordination of the overall Federal response to the emergency. FEMA is responsible for coordinating non-radiological support using the structure of the Federal Response Plan (FRP).

2. With a Stafford Act Declaration. When a major disaster or emergency is declared under the Stafford Act and an associated radiological emergency exists, the functions and responsibilities of the FRERP remain the same. The LFA coordinates the management of the radiological response with the Federal Coordinating Officer (FCO). Although the direction of the radiological response remains the same with the LFA, the FCO has the overall responsibility for the coordination of Federal assistance in support of State and local governments using the FRP.

G. Authorities

The following authorities are the basis for the development of this Plan:

1. Nuclear Regulatory Commission Authorization, Public Law 96-295, June 30, 1980, Section 304. This authorization requires the President to prepare and publish a "National Contingency Plan" (subsequently renamed the FRERP) to provide for expeditious, efficient, and coordinated action by appropriate Federal agencies to protect the public health and safety in case of accidents at commercial nuclear power plants.

2. Executive Order (E.O.) 12241, National Contingency Plan, September 29, 1980. This E.O. delegates to the Director of FEMA the responsibility for publishing the National Contingency Plan (i.e., the FRERP) for accidents at nuclear power facilities and requires that it be published from time to time in the Federal Register. Executive Order 12241 has been amended by Executive Order 12657, FEMA Assistance in Emergency Preparedness Planning at Commercial Nuclear Power Plants.

Authorities for the activities of individual Federal agencies appear in Appendix C.

II. Concept of Operations

A. Introduction

The concept of operations for a response provides for the designation of one agency as the Lead Federal Agency (LFA) and for the establishment of onscene, interagency response centers. The FRERP describes both the responsibilities of the LFA and other Federal agencies that may be involved and the functions of each of the onscene centers.

The concept of operations recognizes the preeminent role of State and local governments for determining and implementing any measures to protect life, property, and the environment in areas not under the control of a Federal agency.

B. Determination of Lead Federal Agency (LFA)

The agency that is responsible for leading and coordinating all aspects of the Federal response is referred to as the LFA and is determined by the type of emergency. In situations where a Federal agency owns, authorizes, regulates, or is otherwise deemed responsible for the facility or radiological activity causing the emergency and has authority to conduct and manage Federal actions onsite, that agency normally will be the LFA.

The following identifies the LFA for each specified type of radiological emergency.

1. Nuclear Facility—a. Licensed by Nuclear Regulatory Commission (NRC) or an Agreement State. The NRC is the LFA for an emergency that occurs at a fixed facility or regarding an activity licensed by the NRC or an Agreement State. These include, but are not limited to, commercial nuclear power reactors, fuel cycle facilities, DOE-owned gaseous diffusion facilities that are operating under NRC regulatory oversight, and radiopharmaceutical manufacturers.

b. Owned or Operated by DOD or DOE. The LFA is either DOD or DOE,

depending on which agency owns or authorizes operation of the facility. These emergencies may involve reactor operations, nuclear material and weapons production, radioactive material from nuclear weapons, or other radiological activities.

c. Not Licensed, Owned, or Operated by a Federal Agency or an Agreement State. The EPA is the LFA for an emergency that occurs at a facility not licensed, owned, or operated by a Federal agency or an Agreement State. These include facilities that possess, handle, store, or process radium or accelerator-produced radioactive materials.

2. Transportation of Radioactive Materials—a. Shipment of Materials Licensed by NRC or an Agreement State. The NRC is the LFA for an emergency that involves radiological material licensed by the NRC or an Agreement State.

b. Materials Shipped by or for DOD or DOE. The LFA is either DOD or DOE depending on which of these agencies has custody of the material at the time of the accident.

c. Shipment of Materials Not Licensed or Owned by a Federal Agency or an Agreement State. The EPA is the LFA for an emergency that involves radiological material not licensed or owned by a Federal agency or an Agreement State.

3. Satellites Containing Radioactive Materials. NASA is the LFA for NASA spacecraft missions. DOD is the LFA for DOD spacecraft missions. DOE and EPA provide technical assistance to DOD and NASA.

In the event of an emergency involving a joint U.S. Government and foreign government spacecraft venture containing radioactive sources and/or classified components, the LFA will be DOD or NASA, as appropriate. A joint U.S./foreign venture is defined as an activity in which the U.S. Government has an ongoing interest in the successful completion of the mission and is intimately involved in mission operations. A joint venture is not created by simply selling or supplying material to a foreign country for use in their spacecraft. DOE and EPA will provide technical support and assistance to the LFA.

4. Impact from Foreign or Unknown Source. The EPA is the LFA for an emergency that involves radioactive material from a foreign or unknown source that has actual, potential, or perceived radiological consequences in the United States, its Territories, possessions, or territorial waters. The foreign or unknown source may be a reactor (e.g., Chernobyl), a spacecraft

containing radioactive material, radioactive fallout from atmospheric testing of nuclear devices, imported radioactively contaminated material, or a shipment of foreign-owned radioactive material. Unknown sources of radioactive material refers to that material whose origin and/or radiological nature is not yet established. These types of sources include contaminated scrap metal or abandoned radioactive material. DOD, DOE, NASA, and NRC provide technical assistance to EPA.

5. Other Types of Emergencies. In the event of an unforeseen type of emergency not specifically described in this Plan or a situation where conditions exist involving overlapping responsibility that could cause confusion regarding LFA role and responsibilities, DOD, DOE, EPA, NASA, and NRC will confer upon receipt of notification of the emergency to determine which agency is the LFA.

TABLE II-1.—IDENTIFICATION OF LEAD FEDERAL AGENCY FOR RADIOLOGICAL EMERGENCIES

Type of emergency	Lead Federal agency
1. Nuclear Facility: a. Licensed by NRC or an Agreement State. b. Owned or Operated by DOD or DOE. c. Not Licensed, Owned, or Operated by a Federal Agency or an Agreement State.	NRC. DOD or DOE. EPA.
2. Transportation of Radioactive Materials: a. Shipment of Materials Licensed by NRC or an Agreement State. b. Materials Shipped by or for DOD or DOE. c. Shipment of Materials Not Licensed or Owned by a Federal Agency or an Agreement State.	NRC. DOD or DOE. EPA.
3. Satellites Containing Radioactive Materials.	NASA or DOD.
4. Impact from Foreign or Unknown Source.	EPA.
5. Other Types of Emergencies.	LFAs confer.

C. Radiological Sabotage and Terrorism

For fixed facilities and materials in transit, responses to radiological emergencies generally do not depend on the initiating event. The coordinated response to contain or mitigate a threatened or actual release of radioactive material would be essentially the same whether it resulted from an accidental or deliberate act. For malevolent acts involving improvised

nuclear or radiation dispersal devices, the response is further complicated by the magnitude of the threat and the need for specialized technical expertise/ actions. Therefore, sabotage and terrorism are not treated as separate types of emergencies; rather, they are considered a complicating dimension of the types listed in Table II-1.

The Atomic Energy Act directs the Federal Bureau of Investigation (FBI) to investigate all alleged or suspected criminal violations of the Act. Additionally, the FBI is legally responsible for locating any nuclear weapon, device, or material and for restoring nuclear facilities to their rightful custodians. In view of its unique responsibilities under the Atomic Energy Act (amended by the Energy Reorganization Act), the FBI has concluded formal agreements with the LFAs that provide for interface, coordination, and technical assistance in support of the FBI's mission.

Generally, for fixed facilities and materials in transit, the designated LFA and supporting agencies will perform the functions delineated in this plan and provide technical support and assistance to the FBI in the performance of its mission. It would be difficult to outline all the possible scenarios arising from criminal or terrorist activity. As a result, the Federal response will be tailored to the specific circumstances of the event at hand. For those emergencies where an LFA is not specifically designated (e.g., improvised nuclear device), the Federal response will be guided by the established interagency agreements and contingency plans. In accordance with these agreements and plans, the signatory agency(ies) supporting the FBI will coordinate and manage the technical portion of the response and activate/request assistance under the FRERP for measures to protect the public health and safety. In all cases, the FBI will manage and direct the law enforcement and intelligence aspects of the response; coordinating activities with appropriate Federal, State, and local agencies within the framework of the FRERP and/or as provided for in established interagency agreements or plans.

D. Response Functions and Responsibilities

1. Onscene Coordination. The LFA will lead and coordinate all Federal onscene actions and assist State and local governments in determining measures to protect life, property, and the environment. The LFA will ensure that FEMA and other Federal agencies assist the State and local government agencies in implementing protective

actions, if requested by the State and local government agencies.

The LFA will coordinate Federal response activities from an onscene location, referred to as the Joint Operations Center (JOC). Until the LFA has established its base of operations in a JOC, the LFA will accomplish that coordination from another LFA facility, usually a Headquarters operations center.

In the absence of existing agreements for radiological emergencies occurring on or with possible consequences to Indian tribal lands, DOI will provide liaison between federally recognized Indian tribal governments and LFA, State, and local agencies for coordination of response and protective action efforts. Additionally, DOI will advise and assist the LFA on economic, social, and political matters in the United States insular areas should a radiological emergency occur.

2. Onsite Management. The LFA will oversee the onsite response; monitor and support owner or operator activities (when there is an owner or operator); provide technical support to the owner or operator, if requested; and serve as the principal Federal source of information about onsite conditions. The LFA will provide a hazard assessment of onsite conditions that might have significant offsite impact and ensure onsite measures are taken to mitigate offsite consequences.

3. Radiological Monitoring and Assessment. DOE has the initial responsibility for coordinating the offsite Federal radiological monitoring and assessment assistance during the response to a radiological emergency. In a prolonged response, EPA will assume the responsibility for coordinating the assistance at some mutually agreeable time, usually after the emergency phase.

Some of the participating Federal agencies may have radiological planning and emergency responsibilities as part of their statutory authority, as well as established working relationships with State counterpart agencies. The monitoring and assessment activity, coordinated by DOE, does not alter those responsibilities but complements them by providing for coordination of the initial Federal radiological monitoring and assessment response activity.

Activities will:

- Support the monitoring and assessment programs of the States;
- Respond to the assessment needs of the LFA; and
- Meet statutory responsibilities of participating Federal agencies.

Federal offsite monitoring and assessment activities will be

coordinated with those of the State. Federal agency plans and procedures for implementing this monitoring and assessment activity are designed to be compatible with the radiological emergency planning requirements for State, local governments, specific facilities, and existing memoranda of understanding and interagency agreements.

DOE may respond to a State or LFA request for assistance by dispatching a Radiological Assistance Program (RAP) team. If the situation requires more assistance than a RAP team can provide, DOE will alert or activate additional resources. These resources may include the establishment of a Federal Radiological Monitoring and Assessment Center (FRMAC) to be used as an onscene coordination center for Federal radiological assessment activities. Federal and State agencies are encouraged to collocate their radiological assessment activities.

Federal radiological monitoring and assessment activities will be activated as a component of an FRERP response or pursuant to a direct request from State or local governments, other Federal agencies, licensees for radiological materials, industries, or the general public after evaluating the magnitude of the problem and coordinating with the State(s) involved.

DOE and other participating Federal agencies may learn of an emergency when they are alerted to a possible problem or receive a request for radiological assistance. DOE will maintain national and regional coordination offices as points of access to Federal radiological emergency assistance. Requests for Federal radiological monitoring and assessment assistance will generally be directed to the appropriate DOE radiological assistance Regional Coordinating Office. Requests also can go directly to DOE's Emergency Operations Center (EOC) in Washington, DC. When other agencies receive requests for Federal radiological monitoring and assessment assistance, they will promptly notify the DOE EOC.

a. Role of Department of Energy (DOE)—(1) Initial Response Coordination Responsibility. DOE, as coordinator, has the following responsibilities:

(a) Coordinate Federal offsite radiological environmental monitoring and assessment activities;

(b) Maintain technical liaison with State and local agencies with monitoring and assessment responsibilities;

(c) Maintain a common set of all offsite radiological monitoring data, in an accountable, secure, and retrievable

form, and ensure the technical integrity of the FRMAC data;

(d) Provide monitoring data and interpretations, including exposure rate contours, dose projections, and any other requested radiological assessments, to the LFA, and to the States;

(e) Provide, in cooperation with other Federal agencies, the personnel and equipment needed to perform radiological monitoring and assessment activities;

(f) Request supplemental assistance and technical support from other Federal agencies as needed; and

(g) Arrange consultation and support services through appropriate Federal agencies to all other entities (e.g., private contractors) with radiological monitoring functions and capabilities, and technical and medical advice on handling radiological contamination and population monitoring.

(2) Transition of Response Coordination Responsibility. The DOE FRMAC Director will work closely with the Senior EPA representative to facilitate a smooth transition of the Federal radiological monitoring and assessment coordination responsibility to EPA at a mutually agreeable time and after consultation with the States and LFA. The following conditions are intended to be met prior to this transfer:

(a) The immediate emergency condition has been stabilized;

(b) Offsite releases of radioactive material have ceased, and there is little or no potential for further unintentional offsite releases;

(c) The offsite radiological conditions have been characterized and the immediate consequences have been assessed;

(d) An initial long-range monitoring plan has been developed in conjunction with the affected States and appropriate Federal agencies; and

(e) EPA has received adequate assurances from the other Federal agencies that they will commit the required resources, personnel, and funds for the duration of the Federal response.

b. Role of the Environmental Protection Agency (EPA)—Prior to assuming responsibility for the FRMAC, EPA will:

(1) Provide resources, including personnel, equipment, and laboratory support (including mobile laboratories), to assist DOE in monitoring radioactivity levels in the environment;

(2) Assume coordination of Federal radiological monitoring and assessment responsibilities from DOE after the transition;

(3) Assist in the development and implementation of a long-term monitoring plan; and

(4) Provide nationwide environmental monitoring data from the Environmental Radiation Ambient Monitoring Systems for assessing the national impact of the accident.

c. Role of the Lead Federal Agency (LFA)—(1) Ensure that State's needs are addressed.

(2) Approve the release of official Federal offsite monitoring data and assessments.

(3) Provide other available radiological monitoring data to the State and to the FRMAC.

d. Role of Other Federal Agencies—Agencies carrying out responsibilities related to radiological monitoring and assessment during a Federal response also will coordinate their activities with FRMAC. This coordination will not limit the normal working relationship between a Federal agency and its State counterparts nor restrict the flow of information from that agency to the States. The radiological monitoring and assessment responsibilities of the other Federal agencies include:

(1) *Department of Agriculture (USDA)*

(a) Inspect meat and meat products, poultry and poultry products, and egg products identified for interstate and foreign commerce to assure that they are safe for human consumption.

(b) Assist, in conjunction with HHS, in monitoring the production, processing, storage, and distribution of food through the wholesale level to eliminate contaminated product or to reduce the contamination in the product to a safe level.

(c) Collect agricultural samples within the Ingestion Exposure Pathway Emergency Planning Zone. Assist in the evaluation and assessment of data to determine the impact of the emergency on agriculture.

(2) *Department of Commerce (DOC)*

(a) Prepare operational weather forecasts tailored to support emergency response activities.

(b) Prepare and disseminate predictions of plume trajectories, dispersion, and deposition.

(c) Archive, as a special collection, the meteorological data from national observing systems applicable to the monitoring and assessment of the response.

(d) Ensure that marine fishery products available to the public are not contaminated.

(e) Provide assistance and reference material for calibrating radiological instruments.

(3) *Department of Defense (DOD)*

(a) Provide radiological resources to include trained response personnel,

specialized radiation instruments, mobile instrument calibration, repair capabilities, and expertise in site restoration.

(b) Perform special sampling of airborne contamination on request.

(4) *Department of Health and Human Services (HHS)*

(a) In conjunction with USDA, inspect production, processing, storage, and distribution facilities for human food and animal feeds, which may be used in interstate commerce, to assure protection of the public health.

(b) Collect samples of agricultural products to monitor and assess the extent of contamination as a basis for recommending or implementing protective actions.

(5) *Department of the Interior (DOI)*

(a) Provide hydrologic advice and assistance, including monitoring personnel, equipment, and laboratory support.

(b) Advise and assist in evaluating processes affecting radioisotopes in soils, including personnel, equipment, and laboratory support.

(c) Advise and assist in the development of geographical information systems (GIS) databases to be used in the analysis and assessment of contaminated areas including personnel, equipment, and databases.

(6) *Nuclear Regulatory Commission (NRC)*

(a) Provide assistance in Federal radiological monitoring and assessment activities during incidents.

(b) Provide, where available, continuous measurement of ambient radiation levels around NRC licensed facilities, primarily power reactors using thermoluminescent dosimeters (TLD).

4. Protective Action

Recommendations. Federal protective action recommendations provide advice to State and local governments on measures that they should take to avoid or reduce exposure of the public to radiation from a release of radioactive material. This includes advice on emergency actions such as sheltering, evacuation, and prophylactic use of stable iodine. It also includes longer term measures to avoid or minimize exposure to residual radiation or exposure through the ingestion pathway such as restriction of food, temporary relocation, and permanent resettlement.

a. *Role of the Lead Federal Agency (LFA)*. The LFA will assist State and local authorities, if requested, by advising them on protective actions for the public. The development or evaluation of protective action recommendations will be based upon the Protective Action Guides (PAGs) issued by EPA and HHS. In providing

such advice, the LFA will use advice from other Federal agencies with technical expertise on those matters whenever possible. The LFA's responsibilities for the development, evaluation, and presentation of protective action recommendations are to:

(1) Respond to requests from State and local governments for technical information and assistance;

(2) Consult with representatives from EPA, HHS, USDA, and other Federal agencies as needed to provide advice to the LFA on protective actions;

(3) Review all recommendations made by other Federal agencies exercising statutory authorities related to protective actions to ensure consistency;

(4) Prepare a coordinated Federal position on protective action recommendations whenever time permits; and

(5) Present the Federal assessment of protective action recommendations, in conjunction with FEMA and other Federal agencies when practical, to State or other offsite authorities.

b. *Role of the Advisory Team for Environment, Food, and Health*. Advice on environment, food, and health matters will be provided to the LFA through the Advisory Team for Environment, Food, and Health (Advisory Team) consisting of representatives of EPA, HHS, and USDA supported by other Federal agencies, as warranted by the circumstances of the emergency. The Advisory Team provides direct support to the LFA and has no independent authority. The Advisory Team will not release information or make recommendations to the public unless authorized to do so by the LFA. The Advisory Team will select a chair for the Team. The Advisory Team will normally collocate with the FRMAC.

For emergencies with potential for causing widespread radiological contamination where no onscene FRMAC is established, the functions of the Advisory Team may be accomplished in the LFA response facility in Washington, DC.

The primary role of the Advisory Team is to provide a mechanism for timely, interagency coordination of advice to the LFA, States, and other Federal agencies concerning matters related to the following areas:

(1) Environmental assessments (field monitoring) required for developing recommendations;

(2) PAGs and their application to the emergency;

(3) Protective action recommendations using data and assessment from the FRMAC;

(4) Protective actions to prevent or minimize contamination of milk, food, and water and to prevent or minimize exposure through ingestion;

(5) Recommendations regarding the disposition of contaminated livestock and poultry;

(6) Recommendations for minimizing losses of agricultural resources from radiation effects;

(7) Availability of food, animal feed, and water supply inspection programs to assure wholesomeness;

(8) Relocation, reentry, and other radiation protection measures prior to recovery;

(9) Recommendations for recovery, return, and cleanup issues;

(10) Health and safety advice or information for the public and for workers;

(11) Estimate effects of radioactive releases on human health and environment;

(12) Guidance on the use of radioprotective substances (e.g., thyroid blocking agents), including dosage and projected radiation doses that warrant the use of such drugs; and

(13) Other matters, as requested by the LFA.

5. *Other Federal Resource Support*. FEMA will coordinate the provision of non-radiological (i.e., not related to radiological monitoring and assessment) Federal resources and assistance to affected State and local governments. The Federal non-radiological resource and assistance coordination function will be performed at the Disaster Field Office (DFO) (or other appropriate location established by FEMA).

a. *Role of the Federal Emergency Management Agency (FEMA)*—(1) Monitor the status of the Federal response to requests for non-radiological assistance from the affected States and provide this information to the States.

(2) Keep the LFA informed of requests for assistance from the State and the status of the Federal response.

(3) Identify and inform Federal agencies of actual or apparent omissions, redundancies, or conflicts in response activity.

(4) Establish and maintain a source of integrated, coordinated information about the status of all non-radiological resource support activities.

(5) Provide other non-radiological support to Federal agencies responding to the emergency.

b. *Role of Other Federal Agencies*. In order to properly coordinate activities, Federal agencies responding to requests for non-radiological support or directly providing such support under statutory authorities will provide liaison personnel to the DFO. The following

indicates types of assistance that may be provided by Federal agencies as needed or requested:

- (1) *Department of Agriculture (USDA)*—(a) Provide emergency food coupon assistance in officially designated disaster areas, if a need is determined by officials and if the commercial food system is sufficient to accommodate the use of food coupons. (b) Provide for placement of USDA donated food supplies from warehouses, local schools, and other outlets to emergency care centers. These are foods donated to various outlets through USDA food programs. (c) Provide lists that identify locations of alternate sources of food and livestock feed. (d) Assist in providing temporary housing for evacuees. (e) Assess damage to crops, soil, livestock, poultry, and processing facilities; and incorporate findings in a damage assessment report. (f) Provide emergency communications assistance to the agricultural community through the State Research, Education, and Extension Services' electronic mail system.
- (2) *Department of Commerce (DOC)*—Provide radiation shielding materials.
- (3) *Department of Defense (DOD)*—DOD may provide assistance in the form of personnel, logistics and telecommunications, advice on proper medical treatment of personnel exposed to or contaminated by radioactive materials, and assistance, including airlift services, when available, upon the request of the LFA or FEMA. Requests for assistance must be directed to the National Military Command Center or through channels established by prior agreements.
- (4) *Department of Energy (DOE)*—Provide advice on proper medical treatment of personnel exposed to or contaminated by radioactive materials.
- (5) *Department of Health and Human Services (HHS)*—(a) Ensure the availability of health and medical care and other human services (especially for the aged, poor, infirm, blind, and others most in need). (b) Assist in providing crisis counseling to victims in affected geographic areas. (c) Provide guidance to State and local health officials on disease control measures and epidemiological surveillance and study of exposed populations. (d) Provide advice on proper medical treatment of personnel exposed to or contaminated by radioactive materials. (e) Provide advice and guidance in assessing the impact of the effects of

radiological incidents on the health of persons in the affected area.

- (6) *Department of Housing and Urban Development (HUD)*—(a) Review and report on available housing for disaster victims and displaced persons. (b) Assist in planning for and placing homeless victims in available housing. (c) Provide staff to support emergency housing within available resources. (d) Provide housing assistance and advisory personnel.
- (7) *Department of the Interior (DOI)*—Advise and assist in assessing impacts to economic, social, and political issues relating to natural resources, including fish and wildlife, subsistence uses, public lands, Indian Tribal lands, land reclamation, mining, minerals, and water resources.
- (8) *Department of Transportation (DOT)*—(a) Support State and local governments by identifying sources of civil transportation on request and when consistent with statutory responsibilities. (b) Coordinate the Federal civil transportation response in support of emergency transportation plans and actions with State and local governments. (This may include provision of Federally controlled transportation assets and the controlling of airspace or transportation routes to protect commercial transportation and to facilitate the movement of response resources to the scene.) (c) Provide Regional Emergency Transportation Coordinators and staff to assist State and local authorities in planning and response. (d) Provide technical advice and assistance on the transportation of radiological materials and the impact of the incident on the transportation system.
- (9) *Department of Veterans Affairs (VA)*—(a) Provide medical assistance using Medical Emergency Radiological Response Teams (MERRTs). (b) Provide temporary housing.
- (10) *General Services Administration (GSA)*—(a) Provide acquisition and procurement of floor space, telecommunications and automated data processing services, supplies, services, transportation, computers, contracting, equipment, and material; as well as specified logistical services that exceed the capabilities of other Federal agencies. (b) Activate the Regional Emergency Communications Planner (RECP) and a Federal Emergency Communications Coordinator (FECC). RECP will provide technical support and accept guidance from the FEMA Regional Director during the pre-deployment phase of a telecommunications emergency.

(c) Upon request, will dispatch the FECC to the scene to expedite the provision of the telecommunications services.

(11) *National Communications System (NCS)*—Acting through its operational element, the National Coordinating Center for Telecommunications (NCC), the NCS will ensure the provision of adequate telecommunications support to Federal FRERP operations.

6. **Public Information Coordination.** Public information coordination is most effective when the owner/operator, Federal, State, local, and other relevant information sources participate jointly. The primary location for linking these sources is the Joint Information Center (JIC).

Prior to the establishment of Federal operations at the JIC, it may be necessary to release Federal information regarding public health and safety. In these instances, Federal agencies will coordinate with the LFA and the State in advance or as soon as possible after the information has been released.

This coordination will accomplish the following: compile information about the status of the emergency, response actions, and instructions for the affected population; coordinate all information from various sources with the other Federal, State, local, and non-governmental response organizations; allow various sources to work cooperatively, yet maintain their independence in disseminating information; disseminate timely, consistent, and accurate information to the public and the news media; and establish coordinated arrangements for dealing with citizen inquiries.

a. **Role of the Lead Federal Agency (LFA).** The LFA is responsible for information on the status of the overall Federal response, specific LFA response activities, and the status of onsite conditions.

The LFA will:

- (1) Develop joint information procedures for providing Federal information to and for obtaining information from all Federal agencies participating in the response;
- (2) Work with the owner/operator and State and local government information officers to develop timely coordinated public information releases;
- (3) Inform the media that the JIC is the primary source of onscene public information and news from facility, local, State, and Federal spokespersons;
- (4) Establish and manage Federal public information operations at the JIC; and

(5) Coordinate Federal public information among the various media centers.

b. Role of the Federal Emergency Management Agency (FEMA). FEMA will assist the LFA in coordinating non-radiological information among Federal agencies and with the State. When mutually agreeable, FEMA may assume responsibility from the LFA for coordinating Federal public information. Should this occur, it will usually be after the onsite situation has been stabilized and recovery efforts have begun.

c. Role of Other Participating Agencies. All Federal agencies with an operational response role under the FRERP will coordinate public information activities at the JIC. Each Federal agency will provide information on the status of its response and on technical information.

7. Congressional and White House Coordination. a. Congressional Coordination. Federal agencies will coordinate their responses to Congressional requests for information with the LFA. Points of contact for this function are the Congressional Liaison Officers. All Federal agency Congressional Liaison Officers and Congressional staffs seeking site-specific

information about the emergency should contact the LFA headquarters Congressional Affairs Office. Congress may request information directly from any Federal agency. Any agency responding to such requests should inform the LFA as soon as feasible.

b. White House Coordination. The LFA will report to the President and keep the White House informed on all aspects of the emergency. The White House may request information directly from any Federal agency. Any agency responding to such requests should inform the LFA as soon as feasible. The LFA will submit reports to the White House. The initial report should cover, if possible, the nature of and prognosis for the radiological situation causing the emergency and the actual or potential offsite radiological impact. Subsequent reports by the LFA should cover the status of mitigation, corrective actions, protective measures, and overall Federal response to the emergency. Federal agencies should provide information related to the technical and radiological aspects of the response directly to the LFA. FEMA will compile information related to the non-radiological resource support aspects of the response and submit to the LFA for inclusion in the report(s).

8. International Coordination. In the event of an environmental impact or potential impact upon the United States, its possessions, Territories, or territorial waters from a radiological emergency originating on foreign soil or, conversely, a domestic incident with an actual or potential foreign impact, the LFA will immediately inform DOS (which has responsibility for official interactions with foreign governments). The LFA will keep DOS informed of all Federal response activities. The DOS will coordinate notification and information gathering activities with foreign governments, except in cases where existing bilateral agreements permit direct communication. Where the LFA has existing bilateral agreements that permit direct exchange of information, those agencies should keep DOS informed of consultations with their foreign counterparts. Agency officials should take care that consultations do not exceed the scope of the relevant agreement(s). The LFA will ensure that any offers of assistance to or requests from foreign governments are coordinated with DOS.

9. Response Function Overview. Table II-2 provides an overview of the responsible Federal agencies for major response functions.

TABLE II-2.—RESPONSE FUNCTION OVERVIEW

Response action	Responsible agency
(1) Maintain cognizance of the Federal response; conduct and manage Federal onsite actions	LFA.
(2) Coordinate Federal offsite radiological monitoring and assessment:	
—Initial Response	DOE.
—Intermediate and Long-Term Response	EPA.
(3) Develop and evaluate recommendations for offsite protective actions for the public	LFA, in coordination with other agencies.
(4) Present recommendations for offsite protective actions to the appropriate State and/or local officials	LFA, in conjunction with FEMA and other Federal agencies when practical.
(5) Coordinate Federal offsite non-radiological resource support	FEMA.
(6) Coordinate release of Federal information to the public	LFA; FEMA after mutual agreement.
(7) Coordinate release of Federal information to Congress	LFA.
(8) Provide reports to the President and keep the White House informed on all aspects of the emergency	LFA.
(9) Coordinate international aspects and make required international notifications	DOS; LFA as appropriate.
(10) Coordinate the law enforcement aspects of a criminal act involving radioactive material	DOJ/FBI.

E. Stages of the Federal Response

The Federal response is divided into five stages: Notification, Activation and Deployment, Response Operations, Response Deactivation, and Recovery.

1. Notification. The owner or operator of the facility or radiological activity is generally the first to become aware of a radiological emergency and is responsible for notifying the State and local authorities and the LFA. The notification should include:

- Location and nature of the accident,

- An assessment of the severity of the problem,
- Potential and actual offsite consequences, and
- Initial response actions.

If any Federal agency receives notification from any source other than FEMA or the LFA, the agency will notify the LFA. See Figure II-1 for the notification process.

a. Role of the Lead Federal Agency (LFA)—(1) Verify accuracy of notification;

- (2) Notify FEMA and advisory team agencies and provide information;
- (3) Verify that other Federal agencies have been notified; and
- (4) Verify that the State has been notified.

b. Role of Federal Emergency Management Agency (FEMA)—(1) Verify that the State has been notified of the emergency; and

(2) Notify other Federal agencies as appropriate.

2. Activation and Deployment. Once notified, each agency will respond

according to its plan. The LFA will assess the technical response requirements and cause the activation and deployment of response components. FEMA, in conjunction with the LFA, will coordinate the non-radiological assistance in support of State and local governments. Initially, the LFA, FEMA, and other Federal agencies will coordinate response actions from their headquarters locations, usually from their respective headquarters EOCs.

a. Role of the Lead Federal Agency (LFA)—(1) Deploy LFA response personnel to the scene and provide liaison to the State and local authorities as appropriate;

(2) Designate a Federal Onscene Commander (OSC) at the scene of the emergency to manage onsite activities and coordinate the overall Federal response to the emergency;

(3) Establish bases of Federal operation, such as the JOC and the JIC;

(4) Coordinate the Federal response with the owner/operator; and

(5) Provide advice on the radiological hazard to the Federal responders.

b. Role of Federal Emergency Management Agency (FEMA)—(1) Activate a Regional Operations Center (ROC) to monitor the situation;

(2) Establish contact with the LFA and the affected State to determine the status of non-radiological response requirements;

(3) Designate a Senior FEMA Official (SFO) to coordinate activities with the LFA; and

(4) Coordinate the provision of non-radiological Federal resources and assistance.

c. Role of Other Federal Agencies. (1) Designate an onscene Senior Agency Official;

(2) Activate agency emergency response personnel and deploy them to the scene;

(3) Deploy FRMAC assets;

(4) Deploy Advisory Team representatives;

(5) Keep the LFA and FEMA informed of status of response activities; and

(6) Coordinate all State requests and offsite activities with the LFA and FEMA, as appropriate.

3. Response Operations. The following describes the general operational structure for meeting Federal agency roles and responsibilities in response to a radiological emergency. At the headquarters level, the LFA, FEMA, and other Federal agencies (OFAs) will generally exchange liaison personnel and maintain staffs at their EOCs to support their respective onscene operations. Federal agencies may also

activate a regional or field office EOC in support of the emergency. Figure II-2 provides a graphic depiction of the onscene structure.

a. Joint Operations Center (JOC). The JOC¹ is established by the LFA under the operational control of the Federal OSC as the focal point for management and direction of onsite activities, establishment of State requirements and priorities, and coordination of the overall Federal response. The JOC may be established in a separate onscene location or collocated with an existing emergency operations facility. The following elements may be represented in the JOC:

(1) LFA staff and onsite liaison;

(2) FEMA/DFO liaison;

(3) FRMAC liaison;

(4) Advisory Team liaison;

(5) Other Federal agency liaison, as needed;

(6) LFA Public information liaison;

(7) LFA Congressional liaison; and

(8) State and local liaison.

b. Disaster Field Office (DFO). The DFO is established by FEMA as the focal point for the coordination and provision of non-radiological resource support based on coordinated State requirements/priorities. The DFO is established at an onscene location in coordination with State and local authorities and other Federal agencies. The following elements may be represented in the DFO:

(1) LFA liaison;

(2) Other appropriate Federal agency personnel;

(3) State and local liaison;

(4) Public information liaison; and

(5) Congressional liaison.

c. Federal Radiological Monitoring and Assessment Center (FRMAC). The FRMAC is established by DOE (with subsequent transfer to EPA for intermediate and long-term actions) for the coordination of Federal radiological monitoring and assessment activities with that of State and local agencies. The FRMAC is established at an onscene location in coordination with State and local authorities and other Federal agencies. The following elements may be represented in the FRMAC:

(1) DOE/DOE contractor technical staff and capabilities;

(2) EPA/EPA contractor technical staff and capabilities;

(3) DOC technical staff and capabilities;

(4) LFA technical liaison;

(5) DOE public information liaison; (6) Other Federal agency liaisons, as needed;

(7) State and local liaison; and

(8) DFO liaison.

d. Advisory Team for Environment, Food, and Health. The Advisory Team is established by representatives from EPA, USDA, HHS, and other Federal agencies as needed for the provision of interagency coordinated advice and recommendations to the State and LFA concerning environmental, food, and health matters. For the ease of transfer of radiological monitoring and assessment data and coordination with Federal, State, and local representatives, the Advisory Team is normally collocated with the FRMAC.

e. Joint Information Center (JIC). The JIC² is established by the LFA, under the operational control of the LFA-designated Public Information Officer, as a focal point for the coordination and provision of information to the public and media concerning the Federal response to the emergency. The JIC is established at an onscene location in coordination with State and local agencies and other Federal agencies. The following elements should be represented at the JIC:

(1) LFA Public Information Officer and staff;

(2) FEMA Public Information Officer and staff;

(3) Other Federal agency Public Information, as needed;

(4) State and local Public Information Officers; and

(5) Owner/Operator Public Information Officers and staff.

4. Response Deactivation. a. Each agency will discontinue emergency response operations when advised that Federal assistance is no longer required from their agency or when its statutory responsibilities have been fulfilled. Prior to discontinuing its response operation, each agency should discuss its intent to do so with the LFA, FEMA, and the State.

b. The LFA will consult with participating Federal agencies and the State and local government to determine when the Federal information coordination operations at the JIC should be terminated. This will occur normally at a time when the rate of information generated and coordinated by the LFA has decreased to the point where it can be handled through the normal day-to-day coordination process. The LFA will inform the other participants of their intention to deactivate Federal information

¹ For NRC reactor licensees, the JOC is within the Emergency Operations Facility (EOF). The EOF would be staffed in accordance with the owner/operator's site-specific Emergency Plan.

² For NRC licensees, the Federal JIC is within the JIC established by the owner/operator.

coordination operations at the JIC and advise them of the procedures for continued coordination of information pertinent to recovery from the radiological emergency.

c. FEMA will consult with the LFA, other Federal agencies, and the State(s) as to when the onscene coordination of non-radiological assistance is no longer required. Prior to ending operations at the DFO, FEMA will inform all participating organizations of the schedule for doing so.

d. The LFA will terminate JOC operations and the Federal response after consulting with FEMA, other participating Federal agencies, and State and local officials, and after determining that onscene Federal assistance is no longer required.

e. The agency managing the FRMAC will consult with the LFA, FEMA, other participating Federal agencies, and State and local officials to determine when a formal FRMAC structure and organization is no longer required. Normally, this will occur when operations move into the recovery phase and extensive Federal multi-agency resources are no longer required to augment State and local radiological monitoring and assessment activities.

5. Recovery. a. The State or local governments have the primary responsibility for planning the recovery of the affected area. (The term recovery as used here encompasses any action dedicated to the continued protection of the public and resumption of normal activities in the affected area.) Recovery planning will be initiated at the request of the States, but it will generally not take place until after the initiating conditions of the emergency have stabilized and immediate actions to protect public health and safety and property have been accomplished. The Federal Government will, on request, assist the State and local governments in developing offsite recovery plans, prior to the deactivation of the Federal response. The LFA will coordinate the overall activity of Federal agencies involved in the recovery process.

b. The radiological monitoring and assessment activities will be terminated when the EPA, after consultation with the LFA and other participating Federal agencies, and State and local officials, determines that:

(1) There is no longer a threat to the public health and safety or to the environment,

(2) State and local resources are adequate for the situation, and

(3) There is mutual agreement of the agencies involved to terminate the response.

Appendix A—Acronyms

CFR	Code of Federal Regulations
DFO	Disaster Field Office
DOC	Department of Commerce
DOD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
DOJ	Department of Justice
DOS	Department of State
DOT	Department of Transportation
EICC	Emergency Information and Coordination Center
EO	Executive Order
EOC	Emergency Operations Center
EPA	Environmental Protection Agency
ERT	Emergency Response Team
ERT-A	Emergency Response Team—Advance Element
FBI	Federal Bureau of Investigation
FCO	Federal Coordinating Officer
FECC	Federal Emergency Communications Coordinator
FEMA	Federal Emergency Management Agency
FRERP	Federal Radiological Emergency Response Plan
FRMAC	Federal Radiological Monitoring and Assessment Center
FRP	Federal Response Plan
FRPCC	Federal Radiological Preparedness Coordinating Committee
GIS	Geographical Information Systems
GSA	General Services Administration
HHS	Department of Health and Human Services
HUD	Department of Housing and Urban Development
JIC	Joint Information Center
JOC	Joint Operations Center
LFA	Lead Federal Agency
MERRT	Medical Emergency Radiological Response Team
NASA	National Aeronautics and Space Administration
NCC	National Coordinating Center for Telecommunications
NCS	National Communications System
NDA	National Defense Area
NOAA	National Oceanic and Atmospheric Administration (DOC)
NRC	Nuclear Regulatory Commission
NSA	National Security Area
OSC	Onscene Commander
PAG	Protective Action Guide
PIO	Public Information Officer
RAP	Radiological Assistance Program (DOE)
RECP	Regional Emergency Communications Planner
SCO	State Coordinating Officer
SFO	Senior FEMA Official
TLD	Thermoluminescent dosimeter
USDA	United States Department of Agriculture
VA	Department of Veterans Affairs

Appendix B—Definitions

Advisory Team for Environment, Food, and Health—An interagency team, consisting of representatives from EPA, HHS, USDA, and representatives from other Federal agencies as necessary, that provides advice to the LFA and States, as requested on matters associated with environment, food, and

health issues during a radiological emergency.

Agreement State—A State that has entered into an Agreement under the Atomic Energy Act of 1954, as amended, in which NRC has relinquished to such States the majority of its regulatory authority over source, byproduct, and special nuclear material in quantities not sufficient to form a critical mass.

Assessment—The evaluation and interpretation of radiological measurements and other information to provide a basis for decision-making. Assessment can include projections of offsite radiological impact.

Coordinate—To advance systematically an exchange of information among principals who have or may have a need to know certain information in order to carry out their role in a response.

Disaster Field Office (DFO)—A center established in or near the designated area from which the Federal Coordinating Officer (FCO) and representatives of Federal response agencies will interact with State and local government representatives to coordinate non-technical resource support.

Emergency—Any natural or man-caused situation that results in or may result in substantial injury or harm to the population or substantial damage to or loss of property.

Emergency Response Team (ERT)—A team of Federal interagency personnel headed by FEMA and deployed to the site of an emergency to serve as the FCO's key staff and assist with accomplishing FEMA responsibilities at the DFO.

Federal Coordinating Officer (FCO)—The Federal official appointed in accordance with the provisions of P.L. 93-288, as amended, to coordinate the overall response and recovery activities under a major disaster or emergency declaration. The FCO represents the President as provided by Section 302 of P.L. 93-288, as amended, for the purpose of coordinating the administration of Federal relief activities in the designated area. Additionally, the FCO is delegated responsibilities and performs those for the FEMA Director as outlined in Executive Order 12148, and those responsibilities delegated to the FEMA Regional Director in Title 44 Code of Federal Regulations, Part 206.

Federal Radiological Monitoring and Assessment Center (FRMAC)—An operations center usually established near the scene of a radiological emergency from which the Federal field monitoring and assessment assistance is directed and coordinated.

Federal Radiological Preparedness Coordinating Committee (FRPCC)—An interagency committee, created under 44 CFR Part 351, to coordinate Federal radiological planning and training.

Federal Response Plan (FRP)—The plan designed to address the consequences of any disaster or emergency situation in which there is a need for Federal assistance under the authorities of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq.

FRMAC Director—The person designated by DOE or EPA to manage operations in the FRMAC.

Joint Information Center (JIC)—A center established to coordinate the Federal public

information activities onscene. It is the central point of contact for all news media at the scene of the incident. Public information officials from all participating Federal agencies should collocate at the JIC. Public information officials from participating State and local agencies also may collocate at the JIC.

Joint Operations Center (JOC)—Established by the LFA under the operational control of the OSC, as the focal point for management and direction of onsite activities, coordination/establishment of State requirements/priorities, and coordination of the overall Federal response.

Joint U.S. Government/Foreign Government Space Venture—Any space venture conducted jointly by the U.S. Government (DOD or NASA) with a foreign government or foreign governmental entity that is characterized by an ongoing U.S. Government interest in the successful completion of the mission, active involvement in mission operations, and uses radioactive sources and/or classified components, regardless of which country owns or provides said sources or components, within the space vehicle. For the purposes of this plan, in a situation whereby the U.S. Government simply sells or supplies radioactive material to a foreign country for use in a space vehicle and otherwise has no active mission involvement, it shall not be considered a joint venture.

Lead Federal Agency (LFA)—The agency that is responsible for leading and coordinating all aspects of the Federal response is referred to as the LFA and is determined by the type of emergency. In situations where a Federal agency owns, authorizes, regulates, or is otherwise deemed responsible for the facility or radiological activity causing the emergency and has authority to conduct and manage Federal actions onsite, that agency normally will be the LFA.

License—An authorization issued to a facility owner or operator by the NRC pursuant to the conditions of the Atomic Energy Act of 1954, as amended, or issued by an Agreement State pursuant to appropriate State laws. NRC licenses certain activities under section 170(a) of that Act.

Local Government—Any county, city, village, town, district, or political subdivision of any State, and Indian tribe or authorized tribal organization, or Alaska Native village or organization, including any rural community or unincorporated town or village or any other public entity.

Monitoring—The use of sampling and radiation detection equipment to determine the levels of radiation.

National Defense Area (NDA)—An area established on non-Federal lands located within the United States, its possessions or its territories, for safeguarding classified defense information or protecting DOD equipment and/or material. Establishment of a National Defense Area temporarily places such non-Federal lands under the effective control of the Department of Defense and results only from an emergency event. The senior DOD representative at the scene shall define the boundary, mark it with a physical barrier, and post warning signs. The

landowner's consent and cooperation shall be obtained whenever possible; however, military necessity shall dictate the final location, shape, and size of the NDA.

National Security Area (NSA)—An area established on non-Federal lands located within the United States, its possessions or territories, for safeguarding classified information, and/or restricted data or equipment and material belonging to DOE or NASA. Establishment of a National Security Area temporarily places such non-Federal lands under the effective control of DOE or NASA and results only from an emergency event. The senior DOE or NASA representative having custody of the material at the scene shall define the boundary, mark it with a physical barrier, and post warning signs. The landowner's consent and cooperation shall be obtained whenever possible; however, operational necessity shall dictate the final location, shape, and size of the NSA.

Nuclear Facilities—Nuclear installations that use or produce radioactive materials in their normal operations.

Offsite—The area outside the boundary of the onsite area. For emergencies occurring at fixed nuclear facilities, "offsite" generally refers to the area beyond the facility boundary. For emergencies that do not occur at fixed nuclear facilities and for which no physical boundary exists, the circumstances of the emergency will dictate the boundary of the offsite area. Unless a Federal agency has the authority to define and control a restricted area, the State or local government will define an area as "onsite" at the time of the emergency, based on required response activities.

Offsite Federal Support—Federal assistance in mitigating the offsite consequences of an emergency and protecting the public health and safety, including assistance with determining and implementing public protective action measures.

Onscene—The area directly affected by radiological contamination and environs. Onscene includes onsite and offsite areas.

Onscene Commander (OSC)—The lead official designated at the scene of the emergency to manage onsite activities and coordinate the overall Federal response to the emergency.

Onsite—The area within (a) the boundary established by the owner or operator of a fixed nuclear facility, or (b) the area established by the LFA as a National Defense Area or National Security Area, or (c) the area established around a downed/ditched U.S. spacecraft, or (d) the boundary established at the time of the emergency by the State or local government with jurisdiction for a transportation accident not occurring at a fixed nuclear facility and not involving nuclear weapons.

Onsite Federal Support—Federal assistance that is the primary responsibility of the Federal agency that owns, authorizes, regulates, or is otherwise deemed responsible for the radiological facility or material being transported, i.e., the LFA. This response supports State and local efforts by supporting the owner or operator's efforts to bring the incident under control and thereby prevent or minimize offsite consequences.

Owner or Operator—The organization that owns or operates the nuclear facility or carrier or cargo that causes the radiological emergency. The owner or operator may be a Federal agency, a State or local government, or a private business.

Protective Action Guide (PAG)—A radiation exposure or contamination level or range established by appropriate Federal or State agencies at which protective actions should be considered.

Protective Action Recommendation (Federal)—Federal advice to State and local governments on measures that they should take to avoid or reduce exposure of the public to radiation from an accidental release of radioactive material. This includes emergency actions such as sheltering, evacuation, and prophylactic use of stable iodine. It also includes longer term measures to avoid or minimize exposure to residual radiation or exposure through the ingestion pathway such as restriction of food, temporary relocation, and permanent resettlement.

Public Information Officer (PIO)—Official at headquarters or in the field responsible for preparing and coordinating the dissemination of public information in cooperation with other responding Federal, State, and local agencies.

Radiological Assistance Program (RAP) Team—A response team dispatched to the site of a radiological incident by the U.S. Department of Energy (DOE) regional coordinating office responding to a radiological incident. RAP Teams are located at DOE operations offices and national laboratories and some area offices.

Radiological Emergency—A radiological incident that poses an actual, potential, or perceived hazard to public health or safety or loss of property.

Recovery—Recovery, in this document, includes all types of emergency actions dedicated to the continued protection of the public or to promoting the resumption of normal activities in the affected area.

Recovery Plan—A plan developed by each State, with assistance from the responding Federal agencies, to restore the affected area.

Regional Operations Center (ROC)—The temporary operations facility for the coordination of Federal response and recovery activities, located at the FEMA Regional Office (or at the Federal Regional Center) and led by the FEMA Regional Director or Deputy Regional Director until the DFO becomes operational.

Senior FEMA Official (SFO)—Official appointed by the Director of FEMA, or his representative, to initially direct the FEMA response at the scene of a radiological emergency. Also, acts as the Team Leader for the Advance Element of the Emergency Response Team (ERT-A).

State Coordinating Officer (SCO)—An official designated by the Governor of the affected State to work with the LFA's Onscene Commander and Senior FEMA Official or Federal Coordinating Officer in coordinating the response efforts of Federal, State, local, volunteer, and private agencies.

Subcommittee on Federal Response—A subcommittee of the Federal Radiological Preparedness Coordinating Committee

formed to develop and test the Federal Radiological Emergency Response Plan. Most agencies that will participate in the Federal radiological emergency response are represented on this subcommittee.

Transportation Emergency—For the purposes of this plan, any emergency that involves a transportation vehicle or shipment containing radioactive materials outside the boundaries of a facility.

Transportation of Radioactive Materials—The loading, unloading, movement, or temporary storage en route of radioactive materials.

Appendix C—Federal Agency Response Missions, Capabilities and Resources, References, and Authorities

Each Federal agency develops and maintains a plan that describes a detailed concept of operations for implementing this Plan. This section contains summary information about the following Federal agencies:

Department of Agriculture (USDA)
 Department of Commerce (DOC)
 Department of Defense (DOD)
 Department of Energy (DOE)
 Department of Health and Human Services (HHS)
 Department of Housing and Urban Development (HUD)
 Department of the Interior (DOI)
 Department of Justice (DOJ)
 Department of State (DOS)
 Department of Transportation (DOT)
 Department of Veterans Affairs (VA)
 Environmental Protection Agency (EPA)
 Federal Emergency Management Agency (FEMA)
 General Services Administration (GSA)
 National Aeronautics and Space Administration (NASA)
 National Communications System (NCS)
 National Regulatory Commission (NRC)

Summary information for each agency contains: (1) a response mission statement, (2) a description of the agency's response capabilities and resources, (3) agency response plan and procedures references, and (4) sources of agency authority.

A. Department of Agriculture

1. Summary of Response Mission. The United States Department of Agriculture (USDA) provides assistance to State and local governments in developing agricultural protective action recommendations and in providing agricultural damage assessments. USDA will actively participate with EPA and HHS on the Advisory Team for Environment, Food, and Health when convened. USDA regulatory responsibilities for the inspection of meat, meat products, poultry, poultry products, and egg products are essential uninterrupted functions that would continue during an emergency.

2. Capabilities and Resources. USDA can provide assistance to State and local governments through emergency response personnel located at its Washington, DC, headquarters and from USDA State and County Emergency Board representatives located throughout the country. USDA Emergency Board representatives have

knowledge of local agriculture and can provide specific advice to the local agricultural community. In addition, USDA State and County Emergency Boards can assist in the collection of agricultural samples during a radiological emergency. USDA actively participates with EPA and HHS on the Advisory Team when convened.

The functions and capabilities of the USDA to provide assistance in the event of a radiological emergency include the following:

a. Provide assistance through regular USDA programs, if legally adaptable to radiological emergencies;

b. Provide emergency food coupon assistance in officially designated disaster areas, if a need is determined by officials and if the commercial food system is sufficient to accommodate the use of food coupons;

c. Assist in reallocation of USDA-donated food supplies from warehouses, local schools, and other outlets to emergency care centers. These are foods donated to various outlets through USDA food programs;

d. Provide lists that identify locations of alternate sources of food and livestock feed and arrange for transportation of the food and feed if requested;

e. Provide advice to State and local officials regarding the disposition of livestock and poultry contaminated by radiation;

f. Inspect meat and meat products, poultry and poultry products, and egg products identified for interstate and foreign commerce to assure that they are safe for human consumption;

g. Assist State and local officials, in coordination with HHS and EPA, in the recommendation and implementation of protective actions to limit or prevent the ingestion of contaminated food;

h. Assist, in conjunction with HHS, in monitoring the production, processing, storage, and distribution of food through the wholesale level to eliminate contaminated product or to reduce the contamination in the product to a safe level;

i. Assess damage to crops, soil, livestock, poultry, and processing facilities; and incorporate findings into a damage assessment report;

j. Provide advice to State and local officials on minimizing losses to agricultural resources from radiation effects;

k. Provide information and assistance to farmers, food processors, and distributors to aid them in returning to normal after a radiological emergency;

l. Provide a liaison to State agricultural agencies if requested;

m. Assist DOE at the FRMAC in collecting agricultural samples within the Ingestion Exposure Pathway Emergency Planning Zone. Assist in the evaluation and assessment of data to determine the impact of the emergency on agriculture;

n. Assist in providing temporary housing for evacuees who have been displaced from their homes due to a radiological emergency; and

o. Provide emergency communications assistance to the agricultural community through the Cooperative Extension System, an electronic mail system.

3. USDA References. USDA Radiological Emergency Response Plan, January 1988.

4. USDA Specific Authorities.

a. Title 7, U.S.C. § 241–273.

b. Title 7, U.S.C. § 341–349.

c. Title 7, U.S.C. § 612 C.

d. Title 7, U.S.C. § 612 C Note.

e. Title 7, U.S.C. § 1431.

f. Title 7, U.S.C. § 1622.

g. Title 7, U.S.C. § 2014(h).

h. Title 7, U.S.C. § 2204.

i. Title 16, U.S.C. § 590 a-f.

j. Title 21, U.S.C. § 451 et seq.

k. Title 21, U.S.C. § 601 et seq.

l. Title 21, U.S.C. § 1031–1056.

m. Title 42, U.S.C. § 1480.

n. Title 42, U.S.C. §§ 3271–3274.

o. Title 50, U.S.C. Appendix § 2251 et seq.

p. Title 7, CFR 2.51 (a)(30).

q. E.O. 12656, November 18, 1988.

r. DR 1800–1, March 5, 1993.

B. Department of Commerce

1. Summary of Response Mission. The National Oceanic and Atmospheric Administration (NOAA) is the primary agency within the Department of Commerce (DOC) responsible for providing assistance to the Federal, State, and local organizations responding to a radiological emergency. Other assistance may be provided by the National Institute of Standards and Technology. DOC's responsibilities include:

a. Acquiring and disseminating weather data and providing weather forecasts in direct support of the emergency response operation;

b. Preparing and disseminating predictions of plume trajectories, dispersion, and deposition of radiological material released into the atmosphere;

c. Providing local meteorological support as needed to assure the quality of these predictions;

d. Organizing and maintaining a special data archive for meteorological information related to the emergency and its assessment;

e. Ensuring that marine fishery products available to the public are not contaminated;

f. Providing assistance and reference material for calibrating radiological instruments; and

g. Providing radiation shielding materials.

2. Capabilities and Resources. NOAA is the principal DOC participant in the response to a radiation accident. NOAA prepares both routine and special weather forecasts, and makes use of these forecasts to predict atmospheric transport and dispersion. NOAA's forecasts may be the basis for all public announcements on the movement of contamination from accidents occurring outside U.S. territory or during domestic accidents when any released radioactive material is expected to be carried offsite. NOAA has capabilities to do the following:

a. Provide current and forecast meteorological information as needed to guide aerial monitoring and sampling, and to predict the transport and dispersion of radioactive materials (gases, liquids, and particles).

b. Routinely forecast the atmospheric transport, dispersion, and deposition of the radioactive materials, and disseminate the results of these computations via automatic facsimile to all relevant parties, twice per day.

c. Produce (and archive) special high-resolution meteorological data sets for providing an improved capability to predict atmospheric transport and dispersion of radioactive materials in the atmosphere.

d. Augment routine and special upper atmosphere and surface meteorological observation systems, as required to improve the quality of these predictions.

e. Evaluate NOAA's transport and dispersion forecast products in conjunction with those of other nations' weather services responding to the emergency, to provide a more internationally consistent product.

Additionally, DOC may provide support to HHS at its request, through the National Marine Fisheries Service, in order to avoid human consumption of contaminated commercial fishery products (marine area only). The National Institute of Standards and Technology can assist in calibrating radiological instruments by comparison with national standards or by providing standard reference materials for calibration, as well as making extensive data on the physical properties of materials available. The National Institute of Standards and Technology can also supply temporary radiation shielding materials.

3. DOC References. National Plan for Radiological Emergencies at Commercial Nuclear Power Plants. Federal Coordinator for Meteorological Services and Supporting Research, National Oceanic and Atmospheric Administration, November 1982.

4. DOC Specific Authorities. Department of Commerce Organization Order 25-5B, as amended, June 18, 1987.

C. Department of Defense

1. Summary of Response Mission. The Department of Defense (DOD) is charged with the safe handling, storage, maintenance, assembly, and transportation of nuclear weapons and other radioactive materials in DOD custody, and with the safe operation of DOD nuclear facilities. Inherent in this responsibility is the requirement to protect life and property from any health or safety hazards that could ensue from an accident or significant incident associated with these materials or activities.

The DOD role in a Federal response will depend on the circumstances of the emergency. DOD will be the LFA if the emergency involves one of its facilities or a nuclear weapon in its custody. Within DOD, the military service or agency responsible for the facility, ship, or area is responsible for the onsite response. The military service or agency having custody of the material outside an installation boundary is responsible for the onsite response. For emergencies occurring under circumstances for which DOD is not responsible, DOD will not be the LFA, but will support and assist in the Federal response.

2. Capabilities and Resources. Offsite authority and responsibility at a nuclear accident rest with State and local officials. It is important to recognize that for nuclear weapons or weapon component accidents, land may be temporarily placed under effective Federal control by the establishment of a National Defense Area or National Security Area to protect U.S. Government

classified materials. These lands will revert to State control upon disestablishment of the National Defense Area or National Security Area.

DOD has a trained and equipped nuclear response organization to deal with accidents at its facilities or involving materials in its custody. Radiological resources include trained response personnel, specialized radiation instruments, and mobile instrument calibration and repair capabilities. DOD also may perform special sampling of airborne contamination on request. Descriptions of the capabilities and assets of DOD response teams can be found in DOD 5100.52M.

DOD may provide assistance in the form of personnel, logistics and telecommunications, assistance and expertise in site restoration, including airlift services, when available, upon the request of the LFA or FEMA. Requests for assistance must be directed to the National Military Command Center or through channels established by prior agreements.

3. DOD References.

a. DOD Directive 5100.52, DOD Response to an Accident or Significant Incident Involving Radiological Materials.

b. DOD Directive 5230.16, Nuclear Accident and Incident Public Affairs Guidance.

c. DOD Directive 3025.1, Military Support to Civil Authorities.

d. DOD Directive 3025.12, Military Assistance for Civil Disturbances.

e. DOD Directive 3150.5, DOD Response to Improvised Nuclear Device (IND) Incident.

f. DOD 5100.52M, Nuclear Weapon Accident Response Procedures (NARP) Manual.

g. Joint Federal Bureau of Investigation, Department of Energy, and Department of Defense Agreement for Response to Improvised Nuclear Device Incidents.

4. DOD Specific Authorities.

a. The Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011-2284.

b. Public Law 97-351, "Convention on the Physical Protection of Nuclear Material Implementation Act of 1982."

c. Department of Defense, Department of Energy, Federal Emergency Management Agency Memorandum of Agreement on Response to Nuclear Weapon Accidents and Nuclear Weapon Significant Incidents, 1983.

D. Department of Energy

1. Summary of Response Mission. The Department of Energy (DOE) owns and operates a variety of radiological activities throughout the United States. These activities include: fixed nuclear sites; the use, storage, and shipment of a variety of radioactive materials; the shipment of spent reactor fuel; the production, assembly, and shipment of nuclear weapons and special nuclear materials; the production and shipment of radioactive sources for space ventures; and the storage and shipment of radioactive and mixed waste. DOE is responsible for the safe operation of these activities and should an emergency occur at one of its sites or an activity under its control, DOE will be the LFA for the Federal response.

Due to its technical capabilities and resources, the DOE may perform other roles

within the Federal response to a radiological emergency. With extensive, field-based radiological resources throughout the United States available for emergency deployment, the DOE responds to requests for offsite radiological monitoring and assessment assistance and serves as the initial coordinator of all such Federal assistance (to include initial management of the FRMAC) to State and local governments. With other specialized, deployable assets, DOE assists other Federal agencies responding to malevolent nuclear emergencies, accidents involving nuclear weapons not under DOE custody, emergencies caused by satellites containing radioactive sources, and other radiological incidents as appropriate.

2. Capabilities and Resources. DOE has trained personnel, radiological instruments, mobile laboratories, and radioanalytical facilities located at its national laboratories, production, and other facilities throughout the country. Through eight Regional Coordinating Offices, these resources form the basis for the Radiological Assistance Program, which can provide technical assistance in any radiological emergency. DOE can provide specialized radiation detection instruments and support for both its response as LFA and as initial coordinator of Federal radiological monitoring and assessment assistance. Some of the specialized resources and capabilities include:

a. Aerial monitoring capability for tracking dispersion of radioactive material and mapping ground contamination;

b. A computer-based, emergency preparedness and response predictive capability that provides rapid predictions of the transport, diffusion, and deposition of radionuclides released to the atmosphere and dose projections to people and the environment;

c. Specialized equipment and instruments and response teams for locating radioactive materials and handling damaged nuclear weapons;

d. Medical experts on radiation effects and the treatment of exposed or contaminated patients; and

e. Support facilities for DOE response, including command post supplies, communications systems, generators, and portable video and photographic capabilities.

3. DOE References.

a. DOE Order 5500.1B, Emergency Management System, April 1991.

b. DOE Order 5500.2B, Emergency Categories, Classes, and Notification and Reporting Requirements, April 1991.

c. DOE Order 5500.3A, Planning and Preparedness for Operational Emergencies, April 1991.

d. DOE Order 5500.4A, Public Affairs Policy and Planning Requirements for Emergencies, June 1992.

e. DOE Order 5530.1A, Accident Response Group, September 1991.

f. DOE Order 5530.2, Nuclear Emergency Search Team, September 1991.

g. DOE Order 5530.3, Radiological Assistance Program, January 1992.

h. DOE Order 5530.4, Aerial Measuring System, September 1991.

i. DOE Order 5530.5, Federal Radiological Monitoring and Assessment Center, July 1992.

4. DOE Specific Authorities.

a. Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011-2284.

b. Energy Reorganization Act of 1974, 42 U.S.C. 5801 et seq.

c. Department of Energy Organization Act of 1977, 42 U.S.C. 7101 et seq.

d. Nuclear Waste Policy Act of 1982, 42 U.S.C. 10101 et seq.

e. Title 44, Code of Federal Regulations, Part 351, Radiological Emergency Planning and Preparedness, § 351.24, The Department of Energy.

E. Department of Health and Human Services

1. Summary of Response Mission. In a radiological emergency, the Department of Health and Human Services (HHS) assists with the assessment, preservation, and protection of human health and helps ensure the availability of essential health/medical and human services. Overall, the Office of Public Health and Science, Office of Emergency Preparedness, coordinates the HHS emergency response. HHS provides technical and nontechnical assistance in the form of advice, guidance, and resources to Federal, State, and local governments. The principal HHS response comes from the U.S. Public Health Service. HHS actively participates with EPA and USDA on the Advisory Team for Environment, Food, and Health when convened.

2. Capabilities and Resources. HHS has personnel located at headquarters, regional offices, and at laboratories and other facilities who can provide assistance in radiological emergencies. The agency can provide the following kinds of advice, guidance, and assistance:

a. Assist State and local government officials in making evacuation and relocation decisions;

b. Ensure the availability of health and medical care and other human services (especially for the aged, the poor, the infirm, the blind, and others most in need);

c. Provide advice and guidance in assessing the impact of the effects of radiological incidents on the health of persons in the affected area;

d. Assist in providing crisis counseling to victims in affected geographic areas;

e. Provide guidance on the use of radioprotective substances (e.g., thyroid blocking agents), including dosage, and also projected radiation doses that warrant the use of such drugs;

f. In conjunction with DOE and DOD, advise medical personnel on proper medical treatment of people exposed to or contaminated by radioactive materials;

g. Recommend Protective Action Guides for food and animal feed and assist in developing technical recommendations on protective measures for food and animal feed; and

h. Provide guidance to State and local health officials on disease control measures and epidemiological surveillance and study of exposed populations.

3. HHS References.

a. 55 FR 2879, January 29, 1990—Delegations of authority to the Assistant

Secretary for Health for department-wide emergency preparedness functions.

b. 55 FR 2885, January 29, 1990—Statement of organization, functions and delegations of authority to the Office of Emergency Preparedness.

c. Federal Response Plan, Emergency Support Functions #8 (Health and Medical Services), April 1992.

d. Disaster Response Guides, Operating Divisions, Various Dates.

4. HHS Specific Authorities.

a. Public Health Service Act, as amended, 42 U.S.C. 201 et seq.

b. Federal Food, Drug, and Cosmetic Act of 1938, as amended, 21 U.S.C. 301-392.

c. Snyder Act, 25 U.S.C. 13 (1921).

d. Transfer Act, 42 U.S.C. 2004b.

e. Indian Health Care Improvement Act, 25 U.S.C. 1601 et seq.

f. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, Title VI, 42 U.S.C. 5195 et seq.

g. Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (SUPERFUND), 42 U.S.C. 9601 et seq., as amended by the SUPERFUND Amendments and Reauthorization Act of 1986 (Public Law 99-499) (1986).

h. 42 U.S.C. 3030—Section 310 of the Older Americans Act.

i. 42 U.S.C. 601 et seq.—Section 401 et seq. of the Social Security Act.

j. 45 CFR 233.120—Emergency Community Services Homeless Grant Program.

k. 45 CFR 233.120—AFDC Emergency Assistance Program.

l. 45 CFR 233.20(a)(2)(v)—AFDC Special Needs Allowance.

m. Runaway and Homeless Youth Act, as amended, Section 366(0).

n. Omnibus Budget Reconciliation Act of 1981, Title XXVI (as amended by Public Laws 98-558, 99-425, 101-501, 101-517)—Low Income Home Energy Assistance Program.

o. E.O. 12656, National Security Emergency Preparedness—Part 8.

F. Department of Housing and Urban Development

1. Summary of Response Mission. The Department of Housing and Urban Development (HUD) provides information on available housing for disaster victims or displaced persons. HUD assists in planning for and placing homeless victims by providing emergency housing and technical support staff within available resources.

2. Capabilities and Resources. HUD has capabilities to do the following:

a. Review and report on available housing for disaster victims and displaced persons;

b. Assist in planning for and placing homeless victims in available housing;

c. Provide staff to support emergency housing within available resources; and

d. Provide technical housing assistance and advisory personnel.

3. HUD References. HUD Handbook 3200.02, REV-3, "Disaster Response and Assistance."

4. HUD Specific Authorities. HUD housing programs provide the Department some discretion, to the extent permissible by law, in granting waivers of eligibility

requirements to disaster-displaced families. These programs provide rental housing assistance, HUD/FHA-insured loans to repair and rebuild homes, and HUD/FHA-insured loans to purchase new or existing housing, under the following authorities:

a. National Housing Act, as amended, 12 U.S.C. 1701 et seq.

b. United States Housing Act of 1977, as amended, 42 U.S.C. 1437c et seq.

c. Housing and Community Development Act of 1974, as amended, 42 U.S.C. 5301 et seq.

d. National Affordable Housing Act of 1990 (P.L. 101-625), as amended.

G. Department of the Interior

1. Summary of Response Mission. The Department of the Interior (DOI) manages over 500 million acres of Federal lands and thousands of Federal natural resources facilities and is responsible for these lands and facilities, as well as other natural resources such as endangered and threatened species, migratory birds, anadromous fish, and marine mammals, when they are threatened by a radiological emergency. In addition, DOI coordinates emergency response plans for DOI-managed refuges, parks, recreation areas, monuments, public lands, and Indian trust lands with State and local authorities; operates its water resources projects to protect municipal and agricultural water supplies in cases of radiological emergencies; and provides advice and assistance concerning hydrologic and natural resources, including fish and wildlife, to Federal, State, and local governments upon request. DOI also administers the Federal Government's trust responsibility for 512 Federally recognized Indian tribes and villages, and about 50 million acres of Indian lands. The Bureau of Indian Affairs of the Department of the Interior is available to assist other agencies in consulting with these tribes about radiological emergency preparedness and responses to emergencies. DOI also has certain responsibilities for the United States insular areas.

2. Capabilities and Resources. DOI has personnel at headquarters and in regional offices with technical expertise to do the following:

a. Advise and assist in assessing the nature and extent of radioactive releases to water resources including support of monitoring personnel, equipment, and laboratory analytical capabilities.

b. Advise and assist in evaluating processes affecting radioisotopes in soils, including personnel, equipment, and laboratory support.

c. Advise and assist in the development of geographical information systems (GIS) databases to be used in the analysis and assessment of contaminated areas including personnel, equipment, and databases.

d. Provide hydrologic advice and assistance, including monitoring personnel, equipment, and laboratory support.

e. Advise and assist in assessing and minimizing offsite consequences on natural resources, including fish and wildlife, subsistence uses, land reclamation, mining, and mineral expertise.

f. Advise and assist the United States insular areas on economic, social, and political matters.

g. Coordinate and provide liaison between Federal, State, and local agencies and Federally recognized Indian tribal governments on questions of radiological emergency preparedness and responses to incidents.

3. DOI References.

a. 910 DM 5 (Draft)—Interior Emergency Operations, Federal Radiological Emergency Response Plan.

b. 296 DM 3 (Draft)—Interior Emergency Delegations, Radiological Emergencies.

4. DOI Specific Authorities.

a. Organic Act of 1879 providing for "surveys, investigations, and research covering the topography, geology, hydrology, and the mineral and water resources of the United States," 43 U.S.C. 31 (USGS).

b. Appropriations Act of 1894 providing for gaging streams and assessment of water supplies of the U.S., 28 Stat. 398 (USGS).

c. OMB Circular A-67 (1964) giving DOI (USGS) responsibility " * * * for the design and operation of the national network for acquiring data on the quantity and quality of surface ground waters * * * " (USGS).

d. The Reclamation Act of 1902, as amended, 43 U.S.C. 391, and project authorization acts (BuRec).

e. National Park Service Act of 1916, 16 U.S.C. 1 et seq., and park enabling acts (NPS).

f. The Snyder Act of 1921, as amended, 25 U.S.C. 13. DOI shall direct, supervise, and expend such monies appropriated by Congress for the benefit, care, and assistance of Indians throughout the United States for such purposes as the relief of distress, and conservation of health, for improvement of operation and maintenance of existing Indian irrigation and water supply systems * * * etc. (BIA).

g. National Wildlife Refuge System Administration Act of 1966, as amended, 16 U.S.C. 668dd, and refuge enabling acts (FWS).

h. Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 et seq. (BLM).

i. Endangered Species Act (1973), as amended, 16 U.S.C. 1531 et seq. Federal agencies may not jeopardize the continued existence of endangered or threatened species (FWS).

j. Migratory Bird Treaty Act (1918), as amended, 16 U.S.C. 703 et seq. Prohibits the taking of migratory birds without permits (FWS).

k. Anadromous Fish Conservation Act, as amended, 16 U.S.C. 757a et seq. Reestablishes anadromous fish habitat (FWS).

l. Marine Mammal Protection Act (1972), as amended, 16 U.S.C. 1361 et seq. Conserves marine mammals with management of certain species vested in DOI (FWS).

H. Department of Justice

1. Summary of Response Mission. The Department of Justice (DOJ) is the lead agency for coordinating the Federal response to acts of terrorism in the United States and U.S. territories. Within the DOJ, the Federal Bureau of Investigation (FBI) will manage the law enforcement aspect of the Federal response to such incidents. The FBI also is

responsible for investigating all alleged or suspected criminal violations of the Atomic Energy Act of 1954, as amended.

2. Capabilities and Resources. The FBI will coordinate all law enforcement operations including intelligence gathering, hostage negotiations, and tactical operations.

3. DOJ References.

a. Memorandum of Understanding between DOJ, DOD, and DOE for Responding to Domestic Malevolent Nuclear Weapons Emergencies.

b. Federal Bureau of Investigation Nuclear Incident Response Plan.

c. Memorandum of Understanding between DOE and the FBI for Responding to Nuclear Threat Incidents.

d. Memorandum of Understanding between the FBI and the NRC Regarding Nuclear Threat Incidents Involving NRC-Licensed Facilities, Materials, or Activities.

e. Memorandum of Understanding between DOE, FBI, White House Military Office, and the U.S. Secret Service Regarding Nuclear Incidents Concerning the Office of the President and Vice President of the United States.

f. Joint Federal Bureau of Investigation, Department of Energy, and Department of Defense Agreement for Response to Improvised Nuclear Device Incidents.

4. DOJ Specific Authorities.

a. Atomic Energy Act of 1954, 42 U.S.C. 2011-2284.

b. 18 U.S.C. § 831 (Prohibited Transactions Involving Nuclear Materials).

I. Department of State

1. Summary of Response Mission. The Department of State (DOS) is responsible for the conduct of relations between the U.S. Government and other governments and international organizations and for the protection of U.S. interests and citizens abroad.

In a radiological emergency outside the United States, DOS is responsible for coordinating U.S. Government actions concerning the event in the country where it occurs (including evacuation of U.S. citizens, if necessary) and internationally. Should the FRERP be invoked due to the need for domestic action, DOS will continue to hold this role within the FRPCC structure. Specifically, DOS will coordinate foreign information-gathering activities and, in particular, conduct all contacts with foreign governments except in cases where existing bilateral agreements permit direct agency-to-agency cooperation. In the latter situation, the U.S. agency will keep DOS fully informed of all communications.

In a domestic radiological emergency with potential international trans-boundary consequences, DOS will coordinate all contacts with foreign governments and agencies except where existing bilateral agreements provide for direct exchange of information. DOS is responsible for conveying the U.S. Government response to foreign offers of assistance.

2. Capabilities and Resources. The State Department maintains embassies, missions, interest sections (in countries where the United States does not have diplomatic relations), and consulates throughout the

world. The State Department Operations Center is capable of secure, immediate, around-the-clock communications with diplomatic posts. The diplomatic personnel stationed at a post are knowledgeable of local factors important to clear and concise communication, and frequently speak the local language. The Ambassador is the President's personal representative to the host government, and his country team is responsible for coordinating official contacts between the U.S. Government and the host government or international organization.

3. DOS References. Task Force Manual for Crisis Management (rev. 11 January 1990).

4. DOS Specific Authorities.

a. Presidential Directive/NSC-27 (PD-27) of January 19, 1978.

b. 22 U.S.C. 2656.

c. 22 U.S.C. 2671(a)(92)(A).

J. Department of Transportation

1. Summary of Response Mission. The Department of Transportation (DOT) Radiological Emergency Response Plan for Non-Defense Emergencies provides assistance to State and local governments when a radiological emergency adversely affects one or more transportation modes and the States or local jurisdictions requesting assistance have inadequate technical and logistical resources to meet the demands created by a radiological emergency.

2. Capabilities and Resources. DOT can assist Federal, State, and local governments with emergency transportation needs and contribute to the response by assisting with the control and protection of transportation near the area of the emergency. DOT has capabilities to do the following:

a. Support State and local governments by identifying sources of civil transportation on request and when consistent with statutory responsibilities.

b. Coordinate the Federal civil transportation response in support of emergency transportation plans and actions with State and local governments. (This may include provision of Federally controlled transportation assets and the controlling of transportation routes to protect commercial transportation and to facilitate the movement of response resources to the scene.)

c. Provide Regional Emergency Transportation Coordinators and staff to assist State and local authorities in planning and response.

d. Provide technical advice and assistance on the transportation of radiological materials and the impact of the incident on the transportation system.

e. Provide exemptions from normal transportation hazardous materials regulations if public interest is best served by allowing shipments to be made in variance with the regulations. Most exemptions are issued following public notice procedures, but if emergency conditions exist, DOT can issue emergency exemptions by telephone.

f. Control airspace, including the imposition of Temporary Flight Restrictions and issuance of Notices to Airmen (NOTAMS), both to give priority to emergency flights and protect aircraft from contaminated airspace.

DOT is responsible for dealing with the International Atomic Energy Agency and

foreign Competent Authorities on issues related to packaging and other standards for the international transport of radioactive materials. If a transport accident involves international shipments of radioactive materials, DOT will be the point of contact for working with the transportation authorities of the foreign country that offered the material for transport in the United States.

3. DOT References.

- a. Department of Transportation Radiological Emergency Response Plan for Non-Defense Emergencies, August 1985.
- b. DOT Order 1900.8, Department of Transportation Civil Emergency Preparedness Policies and Program(s).
- c. DOT Order 1900.7D, Crisis Action Plan.
- d. Transportation Annex (Emergency Support Function #1), Federal Response Plan.
4. DOT Specific Authorities.
 - a. 49 U.S.C. 301.
 - b. 44 CFR 351, Radiological Emergency Planning and Preparedness, § 351.25, The Department of Transportation.

K. Department of Veterans Affairs

1. Summary of Response Mission. The Department of Veterans Affairs (VA) can assist other Federal agencies, State and local governments, and individuals in an emergency by providing immediate and long-term medical care, including management of radiation trauma, as well as first aid, at its facilities or elsewhere. VA can make available repossessed VA mortgaged homes to be used for housing for affected individuals. VA can manage a system of disposing of the deceased. VA can provide medical, biological, radiological, and other technical guidance for response and recovery reactions. Generally, none of these actions will be taken unilaterally but at the request of a responsible senior Federal official and with appropriate external funding.

2. Capabilities and Resources. In addition to the capabilities listed above, VA:

- a. Operates almost 200 full-facility hospitals and outpatient clinics throughout the United States;
- b. Has almost 200,000 employees with broad medical, scientific, engineering and design, fiscal, and logistical capabilities;
- c. Manages the National Cemetery System in 38 States;
- d. May have a large inventory of repossessed homes (this inventory varies according to economic trends);
- e. Is one of the Federal managers of the National Disaster Medical System;
- f. Is a participant in the VA/DOD contingency plan for Medical Backup in times of national emergency;
- g. Has the capability to manage the medical effects of radiation trauma using the VA's Medical Emergency Radiological Response Teams (MERRTs); and
- h. Has a fully equipped emergency center with multi-media communications at the Emergency Medical Preparedness Office (EMPO).

3. VA References. MP-1, Part II, Chapter 13 (Emergency Preparedness Plan), March 20, 1985, as revised.

4. VA Specific Authorities. a. The Robert T. Stafford Disaster Relief and Emergency

Assistance Act, as amended, Title VI, 42 U.S.C. 5195 et seq.

b. National Security Decision Directive Number 47 (NSDD-47), July 22, 1982, Emergency Mobilization Preparedness.

c. National Security Decision Directive Number 97 (NSDD-97), June 13, 1982, National Security Telecommunications Policy.

d. National Plan of Action for Emergency Mobilization Preparedness.

e. Veterans Administration and Department of Defense Health Resources Sharing and Emergency Operations Act, 38 U.S.C. 5001 et seq.

f. E.O. 11490, Assignment of Preparedness Functions to Federal Departments and Agencies, October 28, 1969, as amended, 3 CFR, 1966-1970 Comp., p. 820.

g. E.O. 12656, Assignment of Emergency Preparedness Responsibilities, November 18, 1988, 3 CFR, 1988 Comp., p. 585.

h. E.O. 12657, Federal Emergency Management Agency Assistance, Emergency Preparedness Planning at Commercial Nuclear Power Plants, November 23, 1988, 3 CFR, 1988 Comp., p. 611.

L. Environmental Protection Agency

1. Summary of Response Mission. The Environmental Protection Agency (EPA) assists Federal, State, and local governments during radiological emergencies by providing environmental and water supply monitoring, recommending protective actions, and assessing the consequences of radioactivity releases to the environment. These services may be provided at the request of the Federal or State Government, or EPA may respond to an emergency unilaterally in order to fulfill its statutory responsibility. EPA actively participates with USDA and HHS on the Advisory Team when convened.

2. Capabilities and Resources. EPA can provide personnel, resources, and equipment (including mobile monitoring laboratories) from its facilities in Montgomery, AL, and Las Vegas, NV, and technical support from Headquarters and regional offices. EPA has capability to do the following:

- a. Direct environmental monitoring activities and assess the environmental consequences of radioactivity releases.
- b. Develop Protective Action Guides.
- c. Recommend protective actions and other radiation protection measures.
- d. Recommend acceptable emergency levels of radioactivity and radiation in the environment.
- e. Prepare health and safety advice and information for the public.
- f. Assist in the preparation of long-term monitoring and area restoration plans; and recommend clean-up criteria.
- g. Estimate effects of radioactive releases on human health and environment.
- h. Provide nationwide environmental monitoring data from the Environmental Radiation Ambient Monitoring Systems for assessing the national impact of the emergency.

3. EPA References.

a. U.S. Environmental Protection Agency Radiological Emergency Response Plan, Office of Radiation Programs, December 1986.

b. Letter of Agreement between DOE and EPA for Notification of Accidental Radioactivity Releases into the Environment from DOE Facilities, January 8, 1978.

c. Letter of Agreement between NRC and EPA for Notification of Accidental Radioactivity Releases to the Environment from NRC Licensed Facilities, July 28, 1982.

d. Manual of Protective Action Guides and Protective Actions for Nuclear Incidents, Office of Radiation Programs, January 1990.

e. Memorandum of Understanding Between the Federal Emergency Management Agency and the Environmental Protection Agency Concerning the Use of High Frequency Radio for Radiological Emergency Response 1981, Office of Radiation Programs, EPA.

4. EPA Specific Authorities.

a. Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. (1970), and Reorganization Plan #3 of 1970.

b. Public Health Service Act, as amended, 42 U.S.C. 241 et seq. (1970).

c. Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq. (1974).

d. Clean Air Act, as amended, 42 U.S.C. 7401 et seq. (1977).

e. Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (SUPERFUND), 42 U.S.C. 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) (1986).

f. E.O. 12656, Assignment of Emergency Preparedness Responsibilities, November 18, 1988, 3 CFR, 1988 Comp., p. 585.

M. Federal Emergency Management Agency

1. Summary of Response Mission. The Federal Emergency Management Agency (FEMA) is responsible for coordinating offsite Federal response activities and Federal assistance to State and local governments for functions other than radiological monitoring and assessment. FEMA's coordination role is to promote an effective and efficient response by Federal agencies at both the national level and at the scene of the emergency. FEMA coordinates the activities of Federal, State, and local agencies at the national level through the use of its Emergency Support Team and at the scene of the emergency with its Emergency Response Team.

2. Capabilities and Resources. FEMA will provide personnel who are experienced in disaster assistance to establish and operate the DFO; public information officials to coordinate public information activities; personnel to coordinate reporting to the White House and liaison with the Congress; and personnel experienced in information support for the Federal response. FEMA personnel are familiar with the capabilities of other Federal agencies and can aid the States and other Federal agencies in obtaining the assistance they need. FEMA will:

- a. Coordinate assistance to State and local governments among the Federal agencies;
- b. Coordinate Federal agency response activities, except those pertaining to the FRMAC, and coordinate these with the activities of the LFA;
- c. Work with the LFA to coordinate the dissemination of public information concerning Federal emergency response

activities. Promote the coordination of public information releases with State and local governments, appropriate Federal agencies, and appropriate private sector authorities; and

d. Help obtain logistical support for Federal agencies.

3. FEMA References.

a. Federal Response Plan, April, 1992, and subsequent changes.

b. Emergency Response Team Plans for FEMA Regions I, II, III, IV, V, VI, VII, VIII, IX, and X, various dates.

c. NRC/FEMA Operational Response Procedures for Response to a Commercial Nuclear Reactor Accident (NUREG-0981/FEMA-51), Rev. 1, February 1985.

d. Memorandum of Understanding for Incident Response between the Federal Emergency Management Agency and the Nuclear Regulatory Commission, October 22, 1980.

e. Department of Defense, Department of Energy, Federal Emergency Management Agency Memorandum of Agreement for Response to Nuclear Weapon Accidents and Nuclear Weapon Significant Incidents, 1983.

f. Memorandum of Understanding, GSA and FEMA, February 1989.

4. FEMA Specific Authorities.

a. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, 42 U.S.C. 5121 et seq.

b. E.O. 12148 of July 20, 1979, Federal Emergency Management, 3 CFR, 1979 Comp., p. 412.

c. E.O. 12241 of September 29, 1980, National Contingency Plan, 3 CFR, 1980 Comp., p. 282.

d. E.O. 12472 of April 3, 1984, Assignment of National Security and Emergency Preparedness Telecommunications Functions, 3 CFR, 1984 Comp., p. 193.

e. E.O. 12656 of November 18, 1988, Assignment of Emergency Preparedness Responsibilities, 3 CFR, 1988 Comp., p. 585.

f. E.O. 12657 of November 18, 1988, Federal Emergency Management Agency Assistance in Emergency Preparedness Planning at Commercial Nuclear Power Plants, 3 CFR, 1988 Comp., p. 611.

g. 44 CFR 351, Radiological Emergency Planning and Preparedness.

h. 44 CFR 352, Commercial Nuclear Power Plants: Emergency Preparedness Planning.

N. General Services Administration

1. Summary of Response Mission. The General Services Administration (GSA) is responsible to direct, coordinate, and provide logistical support of other Federal agencies. GSA, in accordance with the National Plan for Telecommunications Support During Non-Wartime Emergencies, manages the provision and operations of telecommunications and automated data processing services. A GSA employee, the Federal Emergency Communications Coordinator (FECC), in accordance with appropriate regulations and plans, is appointed to perform communications management functions.

2. Capabilities and Resources. GSA provides acquisition and procurement of floor space, telecommunications and automated data processing services,

transportation, supplies, equipment, material; it also provides specified logistical services that exceed the capabilities of other Federal agencies. GSA also provides contracted advisory and support services to Federal agencies and provides security services on Federal property leased by or under the control of GSA. GSA will identify a Regional Emergency Communications Planner (RECP) and FECC, when required, for each of the 10 standard Federal regions. GSA will authorize the RECP to provide technical support and to accept guidance from the FEMA Regional Director during the pre-deployment phase of a telecommunications emergency. The GSA Regional Emergency Coordinator will coordinate all the services provided. Upon request of the Senior FEMA Official (SFO) through the Regional Emergency Coordinator, GSA will dispatch the FECC to the disaster site to expedite the provision of the telecommunications services.

3. Funding. GSA is not funded by Congressional appropriations. All requests for support are funded by the requestor in accordance with normal procedures or existing agreements.

4. GSA References.

a. Memorandum of Understanding between GSA and FEMA Pertaining to Disaster Assistance Programs, Superfund Relocation Program, and Federal Radiological Emergency Response Plan Programs, February 2, 1989.

b. GSA Orders in the 2400 Series (Emergency Management).

c. National Communications System Plan for Telecommunications Support to Non-Wartime Emergencies, January 1992.

d. National Telecommunications System Telecommunication Procedures Manuals.

5. GSA Specific Authorities.

a. The Federal Property and Administrative Services Act of 1947, as amended, 40 U.S.C. 471 et seq.

b. The Communications Act of 1934, 47 U.S.C. 390 et seq.

c. The Defense Production Act of 1950, as amended, 50 App. 2061 et seq.

d. E.O. 12472 of April 3, 1984, Assignment of National Security and Emergency Preparedness Telecommunications Functions, 3 CFR, 1984 Comp., p. 193.

e. Federal Acquisition Regulations, 48 CFR 1.

f. The General Services Administration Acquisition Regulations, 41 CFR 5.

g. Federal Property Management Regulations, 41 CFR 101.

h. Federal Travel Regulations, 41 CFR 301-304.

O. National Aeronautics and Space Administration

1. Summary of Response Mission. The role of the National Aeronautics and Space Administration (NASA) in a Federal response will depend on the circumstances of the emergency. NASA will be the LFA and will coordinate the initial response and support of other agencies as agreed to in specific interagency agreements when the launch vehicle or payload carrying the nuclear source is a NASA responsibility.

2. Capabilities and Resources. NASA has launch facilities and the ability to provide

launch vehicle and space craft telemetry data through its tracking and data network. NASA also has the capability to provide limited radiological monitoring and emergency response from its field centers in Florida, Alabama, Maryland, Virginia, Ohio, Texas, and California.

3. NASA References.

a. KHB 1860.1B KSC Ionizing Radiation Protection Program.

b. Memorandum of Understanding between the Department of Energy and the National Aeronautics and Space Administration concerning Radioisotope Power Systems for Space Missions, dated July 26, 1991, as supplemented.

4. NASA Specific Authorities.

a. National Aeronautics and Space Act of 1958, as amended, 42 U.S.C. 2451 et seq.

b. NASA Policy Directives (NPDs), as applicable.

P. National Communications System

1. Summary of Response Mission. Under the National Plan for Telecommunications Support in Non-Wartime Emergencies, the Manager, National Communications System (NCS), is responsible for adequate telecommunications support to the Federal response and recovery operations. The Manager, NCS, will identify, upon the request of the Senior FEMA Official, a Communications Resource Manager from the NCS/National Coordinating Center (NCC) staff when any of the following conditions exist: (1) when local telecommunications vendors are unable to satisfy all telecommunications service requirements; (2) when conflicts between multiple Federal Emergency Communications Coordinators occur; or (3) if the allocation of available resources cannot be fully accomplished at the field level. The Manager, NCC, will monitor all extraordinary situations to determine that adequate national security emergency preparedness telecommunications services are being provided to support the Federal response and recovery operations.

2. Capabilities and Resources. NCS can provide the expertise and authority to coordinate the communications for the Federal response and to assist appropriate State agencies in meeting their communications requirements.

3. NCS References.

a. National Plan for Telecommunications Support in Non-Wartime Emergencies, September 1987.

b. Memorandum of Understanding, GSA and FEMA, February 1989.

c. E.O. 12046 (relates to the transfer of telecommunications functions), the White House, March 27, 1978, 3 CFR, 1978 comp., p. 158.

4. NCS Specific Authorities.

a. E.O. 12472, Assignment of National Security and Emergency Preparedness Telecommunications Functions, April 3, 1984, 3 CFR, 1984 Comp., p. 193.

b. E.O. 11490, October 30, 1969, 3 CFR, 1966-1970 Comp., p. 820.

c. E.O. 12046, March 27, 1978, 3 CFR, 1978 Comp., p. 158.

d. White House Memorandum, National Security and Emergency Preparedness: Telecommunications and Management and Coordination Responsibilities, July 5, 1978.

Q. Nuclear Regulatory Commission

1. Summary of Response Mission. The U.S. Nuclear Regulatory Commission (NRC) regulates the use of byproduct, source, and special nuclear material, including activities at commercial and research nuclear facilities. If an incident involving NRC-regulated activities poses a threat to the public health or safety or environmental quality, the NRC will be the LFA. In such an incident, the NRC is responsible for monitoring the activities of the licensee to ensure that appropriate actions are being taken to mitigate the consequences of the incident and to ensure that appropriate protective action recommendations are being made to offsite authorities in a timely manner. In addition, the NRC will support its licensees and offsite authorities, including confirming the licensee's recommendations to offsite authorities.

Consistent with NRC's agreement to participate in FRMAC, the NRC may also be called upon to assist in Federal radiological monitoring and assessment activities during incidents for which it is not the LFA.

2. Capabilities and Resources.

a. The NRC has trained personnel who can assess the nature and extent of the radiological emergency and its potential offsite effects on public health and safety and

provide advice, when requested, to the State and local agencies with jurisdiction based on this assessment.

b. The NRC can assess the facility operator's recommendations and, if needed, develop Federal recommendations on protective actions for State and local governments with jurisdiction that consider, as required, all substantive views of other Federal agencies.

c. The NRC has a system of thermoluminescent dosimeters (TLD) established around every commercial nuclear power reactor in the country. The NRC can retrieve and exchange these TLDs promptly and obtain immediate readings onscene.

3. NRC References.

a. NRC Incident Response Plan Revision 2 (NUREG-0728), NRC Office for Analysis and Evaluation of Operational Data, June 1987.

b. Regions I through V Supplements to NUREG-0845, 1990.

c. NRC/FEMA Operational Response Procedures for Response to a Commercial Nuclear Reactor Accident, (NUREG-0981; FEMA-51), Rev. 1, February 1985.

d. Operational Response Procedures Developed between NRC, EPA, HHS, DOE, and USDA, January 1991.

e. Memorandum of Understanding for Incident Response between the Federal Emergency Management Agency and the

Nuclear Regulatory Commission, October 22, 1980.

f. Memorandum of Understanding Between the FBI and the NRC Regarding Nuclear Threat Incidents Involving NRC-Licensed Facilities, Materials, and Activities, March 13, 1991.

g. NUREG/BR-0150, "Response Technical Manual," November 1993.

h. NUREG-1442 (Rev. 1)/FEMA-REP-17 (Rev. 1), "Emergency Response Resources Guide," July 1992.

i. NUREG-1467, "Federal Guide for a Radiological Response: Supporting the Nuclear Regulatory Commission During the Initial Hours of a Serious Accident," November 1993.

j. NUREG-1471, "U.S. NRC Concept of Operations," February 1994.

k. NUREG-1210, "Pilot Program; NRC Severe Reactor Accident Incident Response Training Manual," February 1987.

4. NRC Specific Authorities.

a. Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011-2284.

b. Energy Reorganization Act of 1974, 42 U.S.C. 5841 et seq.

c. 10 CFR Parts 0 to 199.

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