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ENOC-10-00001
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Department of Homeland Security
Federal Emergency Management Agency
Office of Chief Counsel
Regulation and Policy Team
500 C Street SW
Room 835
Washington, DC 20472-3100

SUBJECT: Federal Register Notice (74 FR 57508 November 6,
2009), Docket Number FEMA-2009-0001,
Telephone Survey related to Alert and Notification Systems

Dear Sir or Madam:

This letter responds to the request for comments in the subject Federal Register Notice. Entergy holds the NRC operating license for the following nuclear power reactors:

- Arkansas Nuclear One, Units 1 and 2, Russellville, AK
- River Bend Station, St Francisville, LA
- Waterford Steam Electric Station—Unit 3, Killona, LA
- Grand Gulf Nuclear Station, Port Gibson, MS
- Indian Point Nuclear Generating Unit Nos. 2 & 3, Buchanan, NY
- James A Fitzpatrick Nuclear Power Plant, Oswego, NY
- Vermont Yankee Nuclear Power Station, Vernon, VT
- Palisades Nuclear Plant, Covert, MI
- Pilgrim Nuclear Power Station, Plymouth, MA

Comments:

The Federal Register Notice (74 FR 57508) describes the objectives in conducting a telephone survey of the general public residing in the vicinity of a nuclear power plant as:

1. Confirm that the siren system achieves an operability standard of greater than or equal to 90% in the twelve month period prior to approval of the system
2. Determination that the alert and notification system testing results have been completed in accordance with approved procedures
3. Siren operability remains at or above 90%

Entergy is concerned that a telephone survey, in and of itself, is not capable of achieving these objectives, and, therefore, telephone survey results taken in isolation can lead to incorrect conclusions regarding the objectives. Entergy also believes that the information required to satisfy the above objectives is readily available by other and more appropriate means. We reach these conclusions based on the following:

The survey questions pertain to a single siren sounding test on a given date. Thus, no conclusion can be made with regard to activities that have taken place in the previous 12 months. The first stated objective of the telephone survey - determining whether or not the siren operability standard of 90% has been achieved by the Alert and Notification System in the previous 12 months - can not be independently ascertained by telephone survey.

Respondents generally have no means to know if alert and notification system testing results have been completed in accordance with approved procedures. Therefore, the second stated objective of the telephone survey - determining if the alert and notification system testing results have been completed in accordance with approved procedures - can not be ascertained by telephone survey. The determination that the testing has been completed in accordance with approved procedures can only be reasonably made through reviews of procedures and records maintained by the licensees and local government agencies responsible for the maintenance and testing of the alert and notification system, and by routine inspections of licensees and off-site activities performed by NRC and FEMA. The telephone survey questions can not satisfy the second objective of the telephone survey stated in FR 74 57508.

It is not possible from the questions asked in the proposed telephone survey to ascertain whether or not the siren operability remains at or above 90%. Siren operability is determined by calculating the ratio of the number of sirens that activated upon demand to the total number of sirens for which activation was demanded. Members of the public will not know whether or not the ratio described was 90% or more or less. If the intent is to attempt to determine the percentage of sirens sounding implicitly, the approach is flawed since nothing in the survey indicates any method to ensure that sufficient numbers of individuals are surveyed, and that their locations are appropriate to ascertain whether or not the operability objective of 90% was achieved for any particular period of time.

For these reasons Entergy maintains that a telephone survey of the public can not provide the information needed to reach any conclusions regarding the three objectives stated in 74 FR 57508.

Entergy also maintains that the information needed to satisfy the objectives relating to alert notification system operability is already available by more appropriate means than a telephone survey. Most modern siren systems provide accurate and reliable data from their Supervisory Control and Data Acquisition (SCADA) devices to satisfy the FEMA objectives rapidly without the need for a one time survey. Moreover, NRC licensees are required to maintain detailed records of system operability. The records document the result of testing performed in accordance with the alert notification system design specifications, and a summary of the test results are publicly available as part of the NRC's performance indicator system for its nuclear power reactor licensees. Thus, all of the objectives can be readily evaluated by reviewing the performance indicator data available on the NRC's internet web site http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/pi_summary.html). There is no need for survey questions to ascertain siren operability, capability or performance history.

Entergy maintains that the cost-benefit evaluation required for the change does not adequately consider either the benefits with respect to the stated objectives or the costs. The notice (74 FR 57508) provides a table of annual hour burden for conduct of the Alert and Notification System survey. The table indicates that the number of respondents is 338. No basis is provided for this particular number, and it is not possible from the number alone to determine whether or not it represents a statistically significant sample size for any particular alert and notification system installation. It may be that the number of 338 respondents was taken from FEMA REP 10, in which there is a discussion regarding the size of the survey population. The value of 338 respondents is applicable only to a small EPZ population and may not be appropriate for many EPZ populations associated with nuclear power plants in the United States. The annual hour burden for conduct of the Alert and Notification System survey may be substantially greater than that indicated in the Federal Register notice. Additionally, even if the number of respondents is as low as 338, it is not clear how FEMA determined that the cost of the survey is zero. Entergy believes that the aggregate telecommunications charges, hourly wages for personnel conducting the survey, staff hours for reviewing and analyzing the results and costs of developing and maintaining the appropriate records could be substantial. Though perhaps not easily quantifiable, there is also some cost in the time spent by members of the public to answer the questions.

Given the concerns described above, Entergy believes that the survey should be reconstructed and/or its entire purpose and benefit should be reconsidered given the readily available sources of information that accomplish the same goals without the need for a telephone survey.

Entergy appreciates this opportunity to comment on the proposed information collection activities.

Sincerely,

A handwritten signature in black ink, appearing to read 'JF McCann', with a horizontal line extending to the right.

John F. McCann