operating power reactors. Furthermore, ISFSIs, in view of the relatively passive nature of the facility and the potential consequence of a release as compared to operating power reactors, do not warrant this frequency. Drills should be held biennially.

Response. See the Commission's Response to Issue 12. Additionally, the frequency of these drills have been changed from semiannual to annual.

Issue 12. It is recommended that the existing wording, ''* * * Radiological/ Health Physics, Medical, and Fire Drills should be conducted semiannually * * *,'' be reworded in a manner similar to 10 CFR 50.47(b)(14) as follows: ''Periodic drills shall be conducted to develop and maintain key skills.''

Response. The Commission disagrees because it believes that it is beneficial to specify the types of drills necessary.

Issue 13. 10 CFR 72.32(a)(12)(i), Exercises: Semiannual fire drills may not be appropriate for an ISFSI because there are no flammable materials associated with the facility.

Response. The frequency of these drills has been changed and will be required annually.

Issue 14. 10 CFR 72.32(a)(8), Notification and Coordination: The means to promptly notify offsite response organizations should be limited to using commercial telephones. Ring-down systems should not be necessary to meet this requirement.

Response. Ring-down systems are not mentioned in the proposed or final regulations.

Issue 15. 10 CFR 72.32(a)(6), Assessment of Releases: Extensive dose assessment methodology is not necessary to implement the emergency plans.

Response. The proposed rule did not suggest requiring and the final regulation does not require ''Extensive'' dose assessment.

Issue 16. 10 CFR 72.32(a)(8), Notification and Coordination: The Emergency Response Data System (ERDS) provides for the automated transmission of a limited data set of selected onsite parameters (e.g., system pressure, temperature, radiation monitoring). The activation of the ERDS does not apply to nuclear power facilities that are shut down permanently or indefinitely. The activation of ERDS should not apply to ISFSI incidents even located at operating plant sites.

Response. The proposed rule did not suggest requiring and the final regulation does not require the use of ERDS.

Issue 17. 10 CFR 72.32(a)(3), Classification Requirements: The implementation guidance for the rule should provide for the simplest and easiest understood classification, notification, and reporting system for non-emergency events. NUREG–1140 ''A Regulatory Analysis on Emergency Preparedness for Fuel Cycle and Other Radioactive Material Licenses,'' August 1991 Section 2.27 (Spent Fuel Storage) supports the discussion that EPA's protective action guides would not be exceeded during an accident. Therefore, both classifications for a site and general emergency should not be considered. Redundant classifications, notifications and reports for non-emergency events, such as Notifications of Unusual Events (NOUEs), 1-hour non-emergency event reports, and four-hour non-emergency event reports used for operating reactors, should not apply to ISFSIs and MRSs. These conclusions are based on the magnitude, duration, and energy involved in an incident involving spent fuel storage facilities. These analyses have been docketed as part of submittals to the NRC to license individual ISFSIs. For actual ISFSI and MRS emergencies, the emergency classification, ''Alert,'' should be sufficient. A ''NOUE'' classification for ISFSI and MRS emergency planning should not be necessary.

Response. The proposed rule did not suggest requiring and the final regulation does not require the use of notification of unusual events ''NOUE'' or ''general'' emergency classification.

Issue 18. EEI/WASTE supports adoption of proposed § 72.32(a) that would establish emergency planning requirements for ISFSI. EEI/WASTE recommends that NRC defer proposed § 72.32(b) that would establish emergency planning requirements for MRSs. Because no final design for MRS facilities has been selected, there is no rational basis to determine the level of radiological hazards for which emergency planning requirements are designed. It is therefore premature for the NRC to establish emergency planning requirements for MRS facilities.

Response. The Commission disagrees. The proposed emergency planning licensing requirements for an MRS as published in the **Federal Register** on May 24, 1993 (58 FR 29795), have provided to the public some insight as to what the Commission now feels would be appropriate and reasonable emergency planning licensing requirements for an MRS. One comment stated that, ''We have concluded that minimum requirements, such as those currently proposed by the NRC rulemaking process, should serve as guidance for the starting point from which Emergency Planning and Licensing Requirements can be fully developed.'' Also, the Department of Energy stated that it ''* * * intends to work closely with the host community to develop a comprehensive emergency response plan with offsite components that will not only encompass the requirements contained in 10 CFR 72.32(b)(15), but likely will exceed them.''

Issue 19. The proposed rule does not require MRS operators to notify local residents of any increased exposure, nor does it require MRS operators to develop a plan for evacuation. This rule is an unfair burden on local emergency responders with little or no training for these type of emergencies. There is specialized training and equipment for radiation accidents and exposure; therefore, the proposed rules should provide for the training and obtaining equipment for the local responders.

Response. The Commission disagrees. The emergency planning regulations specifically require in 10 CFR 72.32(b)(8), ''Notification and coordination. A commitment to and a brief description of the means to promptly notify offsite response organizations * * *'' In 10 CFR 72.32(b)(9), (10), and (12), the licensee is required to provide:

Information to be communicated: A brief description of the types of information on facility status; radioactive releases; and recommended protective actions, if necessary, to be given to offsite response organizations and to the NRC. ''Training. A brief description of the training the licensee will provide workers on how to respond to an emergency and any special instructions and orientation tours the licensee would offer to fire, police, medical and other emergency personnel.'' * * * The licensee shall invite offsite response organizations to participate in the annual exercises.

Additionally, in 10 CFR 72.32(b)(15) and (b)(16) the licensee is required to identify:

(ii) Provisions that exist for prompt communications among principal response organizations to offsite emergency personnel who would be responding onsite.

(iii) Adequate emergency facilities and equipment to support the emergency response onsite are provided and maintained.

(iv) Adequate methods, systems, and equipment for assessing and monitoring actual or potential consequences of a radiological emergency condition are available.

(v) Arrangements are made for medical services for contaminated and injured onsite individuals.

(vi) Radiological Emergency Response Training has been made available to those off site who may be called to assist in an emergency on site.