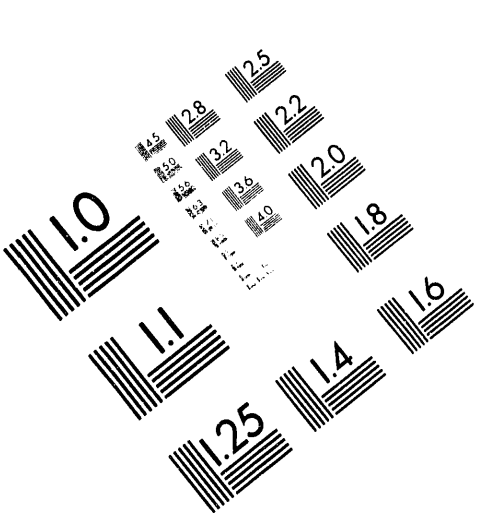

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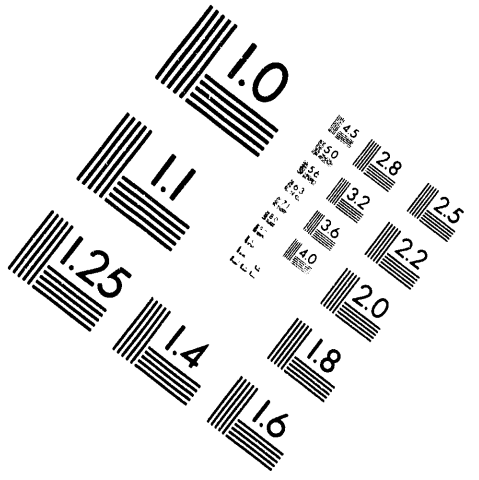

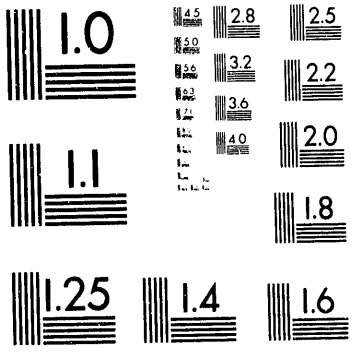

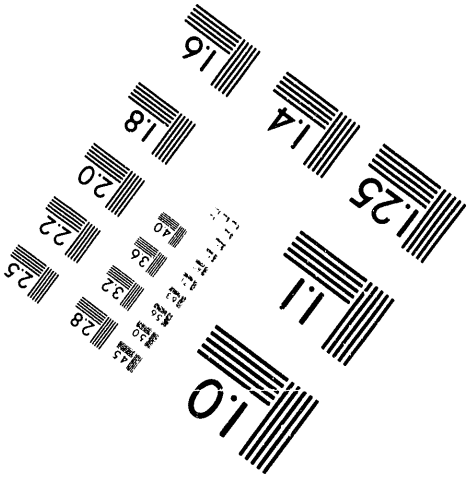

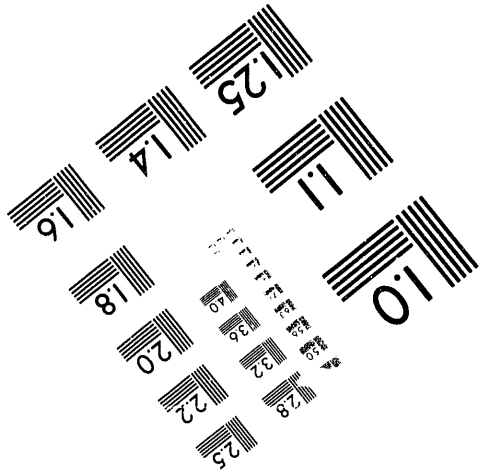

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Radiological Transportation Emergency Response Training Course Funding and Timing in the Southern States

Southern States Energy Board

October 1991

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Introduction

The following is a review of the enabling statutes of 16 southern states regarding training for personnel preparing for or responding to a transportation-related emergency involving highway route-controlled quantities of spent fuel and high-level radioactive waste. This report outlines the funding sources and procedures for administering funds for programs attended by state and local officials. Additionally, the report outlines the views of emergency response officials in the southern states concerning the timing and administration of future federal assistance to be provided under §180(c) of the Nuclear Waste Policy Amendments Act. Under §180(c) of the Nuclear Waste Policy Amendments Act of 1987, the U.S. Department of Energy (DOE) is required to provide technical assistance and funds to states for training public safety officials of appropriate units of local government and Indian tribes when spent nuclear fuel or high-level radioactive waste is transported through their jurisdictions.

Several federal agencies provide training for radiological emergency response activities. Courses are offered by the Federal Emergency Management Agency (FEMA), the U.S. Nuclear Regulatory Commission (NRC), the Department of Transportation (DOT) and DOE. Some courses offered by these agencies are available at national or regional training centers, while others are taught locally by state emergency response instructors with federal agency support. While few, if any, of these courses are dedicated to transportation-specific issues, transportation-specific training is sometimes included in the curricula.

The Comprehensive Cooperative Agreement (CCA) is the primary funding mechanism for federal assistance to states for the development of their overall emergency management capabilities. FEMA supports 12 separate emergency management programs including the Emergency Management Training program (EMT). This program provides funds for emergency management training and technical assistance to states for unique state training needs. Funds may be used for instructors, students and other related costs.

In addition to direct funding from FEMA for state training activities, states may send participants to FEMA-sponsored and -conducted courses outside the state. The state is required to provide funds for travel and meals for participants during these sessions.

This report reviews the enabling statutes and also contains pertinent information on the routine funding and timing of state emergency response training programs. Through the use of telephone interviews, specific information was obtained from each of the 16 southern states as to the normal operating procedures involved in the implementation of emergency response training programs. The individual states have provided information concerning planning, budget submittal and local implementation procedures for radiological emergency training programs.

Implementation of Section 180(c) of the Nuclear Waste Policy Amendments Act

Section 180(c) of the Nuclear Waste Policy Amendments Act of 1987 requires that technical assistance and funds for training be provided to states serving as corridors for spent fuel and high-level radioactive waste transportation. To determine state views on regional implementation of §180(c), telephone interviews were conducted with selected officials from 16 southern states. These officials represent state agencies directly involved in activities concerning the safe transportation of radioactive materials such as emergency management and radiation control.

Some state officials felt that the development of training standards by DOE or other responsible agencies of the federal government is a necessary first step in this process. These officials indicated that it would be wasteful and counter-productive for states to begin the planning process when the training parameters or criteria have not been established.

Several respondents commented that other federal programs have required states to develop plans and programs and subsequently established or modified the criteria resulting in a substantial duplication of effort. Generally, respondents indicated a desire to begin the state planning process after federal standards or guidelines for training have been established.

States expressed considerable concern that transportation-specific training not be provided too soon before the actual shipping campaign begins. One respondent commented that training should be provided no sooner that one year prior to the first shipments of high-level waste to ensure that participants did not forget a substantial portion of their instruction before shipments even start. Another respondent stated that training should not be started so soon that the value of the instruction is lost.

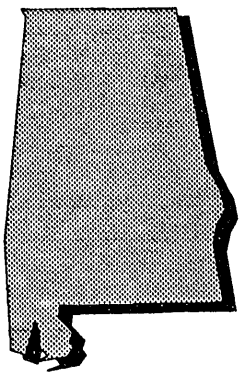
At the same time, some respondents indicated the need for a far longer planning phase. One state official indicated that funding should be made available

to the states after clearly articulated training standards have been established and at least three years prior to the first shipment of radioactive waste in this campaign.

The majority of state respondents indicated that in terms of planning and implementation of new training programs, an allocation of 12 months prepartory time would be required to maximize the potential benefits of the programs. This preparatory period would encompass initial planning, budget submittal and local implementation procedures.

Several respondents felt that the existing training programs within their respective states were sufficient to meet the demands of a transportation accident involving nuclear wastes. These respondents felt that the §180(c) training would supplement their existing programs and therefore could be implemented within 6 to 8 months.

State officials contacted stressed that their responses were approximations and are subject to change under certain circumstances. The respondents indicated that external factors such as funding approval, congressional actions and the complexity of the program itself could lengthen or shorten the time necessary to implement a training mechanism. It is the intent of each of the 16 southern state respondents and the Southern States Energy Board that the information herein will aid the Department of Energy in fulfilling its obligations under §180(c) of the NWPAA.



Alabama

The Alabama Emergency Management Agency was created pursuant to the Alabama Emergency Management Act of 1955 Ala. Code §31-9-2. Each political subdivision is directed to establish a local organization for emergency management and appoint a director responsible for administration and operations. The state is authorized to make grants for the personnel and administrative costs of emergency management activities. Each local organization is empowered to appropriate and expend funds for emergency management purposes. Under Ala. Code §31-9-24 (b), only those local emergency management programs eligible for federal matching funds may receive state grants. Although training is not mentioned in this enabling legislation, the general authorization for personnel and administrative expenses could be construed to include the cost of training personnel. This interpretation is bolstered by the language in Ala. Code §31-9-23, which declares that the "act is to be liberally construed to effectuate its purposes."

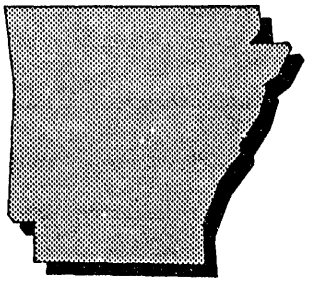
In addition to funds provided by the legislature in the general appropriation act for the state emergency management agency, the act provides for the appropriation of $250,000 for expenses incident to operation and enforcement of the act during an emergency.

Under Ala. Code §31-9-24, funds appropriated for state grants to political subdivisions are distributed by warrant of the comptroller, authorized by the director of the emergency management agency and approved by the governor.

The state, through the office of emergency management, may provide grants to political subdivisions, using the standards, criteria and measures of eligibility for matching funds used in the administration of Federal Civil Defense Act of 1950. State grant funds may not be provided to a political subdivisions with programs ineligible for federal matching funds.

Funds provided to the state through the FEMA Comprehensive Cooperative Agreement (CCA) mechanism are submitted directly to the state emergency management agency. As with similar agreements in other states, one-third of these funds are used by the agency, with the remaining two-thirds going to the local emergency services organizations. Funds are allocated among the local organizations based on the cost of the local program's activities in the preceding year. Funds are also provided by utilities operating nuclear facilities in the state.

The official contacted at the state Emergency Management Agency responded to several questions concerning the funding and timing of radiological emergency response training in Alabama. He estimated that a total of 6 months would be required to incorporate a §180(c) training program into Alabama's current training curriculum. Although a new training program normally could be implemented within 3 months, the respondent stressed with the importance and critical nature of §180(c) training that more time may be needed to insure a thorough and successful training program. The contact explained that Alabama could achieve this implementation within a relatively short amount of time because of the efficiency and advanced status of Alabama's current training programs. Under the current training program, the average local responder in Alabama attends an emergency response training program every year.[1]



Arkansas

The Arkansas Emergency Services Act of 1973, Ark. Stat. Ann. §12-75-101, establishes the Office of Emergency Services as the lead agency in charge of emergency response. The office is authorized to direct the creation of comparable local organizations within the various political subdivisions of the state. In addition, the office is required to establish, operate or assist the disaster agencies of such political subdivisions in the development of training programs (Ark. Stat. Ann. 12-75-111[6]). The political subdivisions of the state are empowered to make appropriations for local emergency service organizations and may accept federal funds by way of gift, grant or loan.

The Arkansas Nuclear Planning and Response Program office, established under Ark. Stat. Ann. §20-21-401, is responsible for implementing the nuclear planning and response program for the state. The office is a function of the Division of Radiation Control and Emergency Management, Department of Health. Funding for the program is provided by the Arkansas Nuclear Planning and Response Fund. The chief fiscal officer of the state determines the cost of the program and assesses each utility operating a nuclear power facility a proportionate share of the cost of the program. (Ark. Stat. Ann. §20-21-403). Funds collected in this manner are deposited in the Arkansas Nuclear Planning and Response Fund. Sec: Ark. Ann. Stat. §20-21-405; Ark. Stat. Ann. 19-6-30(60). Grants are provided to counties to prepare procedures for nuclear disaster response.

The State Radiation Control Agency may institute training programs and make personnel available for participation in programs conducted by the federal government, other states or interstate agencies (Ark. Stat. Ann. §20-21-220).

There are 77 local jurisdictions participating in the program. Two of these are the municipalities of Little Rock and North Little Rock. All emergency response training for the local organizations is done on the state level. Arkansas maintains a comprehensive cooperative agreement with FEMA. Funds provided under this agreement are received by the Office of Emergency Services. One-third is maintained by the agency and the remaining two-thirds are distributed to local organizations. If the state agency retains a greater percentage, justification must be provided to FEMA. Allocation of these funds is based on an evaluation of the plans formulated by the local emergency management organization.

The official contacted at the Division of Radiation Control and Emergency Management of the Arkansas Department of Health stated that planning for the training year normally takes place between 3 and 6 months before the start of the training year, about the same amount of time it takes to submit a proposed budget. Budget approval normally occurs 2 to 3 months later. State and local responder training courses are offered on an as-needed basis. The contact estimated that a new radiological emergency response training program could be brought from the planning stage to the training stage in as little as 6 months if necessary.[2]

Florida

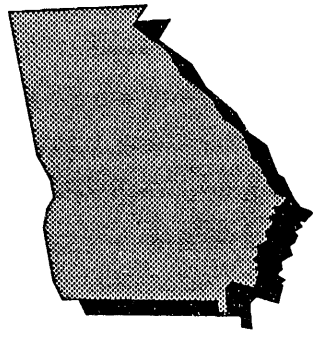
The Division of Emergency Management, Department of Community Affairs, is responsible for implementing the state's radiological emergency response plan. Funding for the state's plan is provided by operators of nuclear power plants. The department is authorized under Fla. Stat. Ann. §404.071 to institute training state programs and make personnel available for participation in federal training programs.

The State Emergency Management Act, Fla. Stat. Ann. §252.31, governs transportation accidents involving nuclear materials. Political subdivisions of the state are authorized to establish an emergency management agency and two or more counties may establish an interjurisdictional agency. Funding is provided by the state government. The Division of Emergency Management and county emergency management agencies may accept gifts, grants or loans from the federal government. Under Fla. Admin. Code 9G-6, each county emergency management agency is required to prepare a local emergency management plan including provisions addressing radiological emergencies occurring in or around nuclear power plants.

Florida receives funds under a FEMA comprehensive cooperative agreement. These funds are submitted to the Division of Emergency Management; the Division retains 28 percent. The remaining 72 percent is made available to the 67 local emergency management organizations.

The amount of funding provided to each county is determined by a formula set forth in State Rule 9 G-H. This rule establishes seven criteria for the allocation of funds, e.g., county population, host/risk values, emergency response plans and proximity of the county to the coast, to name a few. Points are awarded based on the county's standing relative to these criteria. A county's eligibility for a share of FEMA funds is based on completion of a detailed scope of work, employment of a director of emergency services that spends at least 20 hours per month on emergency service activities and whether the county has provided matching funds. Historically, eight to ten counties elect not to participate in the program. Funds originally allocated for counties that elect not to participate are distributed among the other local organizations. The Division of Emergency Management also receives funds for emergency management activities including training from the Nuclear Power Plant Fund and from the state's general revenue fund.

The official contacted at the Florida Division of Emergency Management stated that planning for the training year normally begins 6 months before the start of training exercises. A budget submitted at about the same time receives approval 4 to 5 months later. Course attendance for local responders is not monitored after initial training is given. The contact estimated that implementing a new radiological emergency response training course could happen in as little as 6 months.[3]



Georgia

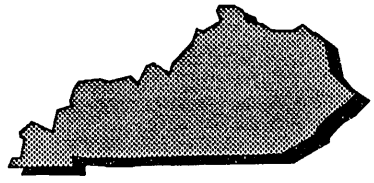
The Georgia Radiation Control Act, Ga. Code Ann. §31-13-1, establishes the Department of Human Resources as the agency responsible for administering the state's radiation control program. The department is authorized to conduct training programs for the purpose of qualifying personnel and may make personnel available for participation in training programs conducted by the federal government, other states or interstate agencies. Ga. Code Ann. §31-13-5(12)(d). The state or its political subdivisions may accept services, grants or loans from the federal government.

According to the Georgia Emergency Management Act of 1981, Ga. Code Ann. §38-3-1, each city with a population of 1,000 or more and each county of the state is authorized to establish a local organization for emergency management activities. The director of emergency management is authorized to provide funds to such localities. State funds may be provided only if the program has met all of the requirements to receive federal funds.

FEMA comprehensive cooperative agreement funds are made available to the state and subsequently to the local emergency management organizations based on the prior year's expenditure. Local programs are required to provide matching funds.

The state contact at the Radiological Health Section of the Georgia Department of Human Resources reported that planning for the training year starts about a year before the programs commence. Budgets that are submitted 11 months before training starts receive approval 7 to 10 months later. State and

local responders attend emergency response courses once every 2 years. The contacted official estimated that 2 years would be required to bring a new radiological emergency response training program on line from the planning stage to the start of training.[4]



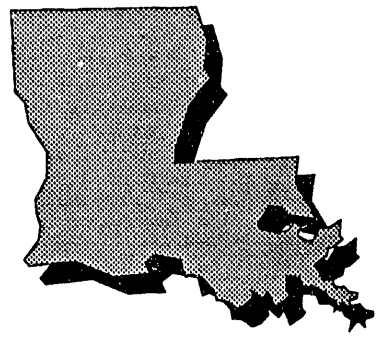
Kentucky

The Kentucky Radiation Control Act of 1978, Ky. Rev. Stat. §39.400, establishes the Cabinet for Human Resources as the radiation control agency for the state of Kentucky.

State administrative regulations authorize establishment of a fund to develop and maintain a local emergency preparedness organization and provide affected personnel with enhanced training. The applicable regulations provide that funds are to be made available to one emergency management agency per county with reimbursement of 50 percent of the local organization's annual expenditures. Local emergency service organizations are eligible to receive funding if they have a qualified director/coordinator or deputy director/coordinator available to participate in federal and state training programs.

Kentucky receives FEMA comprehensive cooperative agreement funds. One-third of these funds go to the state Disaster and Emergency Services office and two-thirds to the county emergency management organizations. Funds are funneled through the finance and treasury departments and subsequently to the Department of Emergency Services. Funds are them distributed to the fiscal officers for each county.

The official contacted at the Kentucky Cabinet for Human Resources related that planning for the training year begins between 6 months and a year before training starts. A budget is normally submitted about 6 months before the anticipated training, and approval comes 3 to 4 months later. After initial training, local responders attend courses on an as-needed basis. The respondent estimated that a new radiological emergency response training program could be implemented in 12 months if necessary.[5]



Louisiana

Pursuant to the Louisiana Nuclear Energy and Radiation Control Law, La. Rev. Stat. Ann. §30.2101, the Office of Air Quality and Nuclear Energy of the Department of Environmental Quality is vested with authority to plan for or respond to any emergency involving a possible release of radioactive material. The act requires nuclear power facilities to pay an annual fee to cover the costs of developing, maintaining and implementing state emergency response plans.

Under the Louisiana Disaster Act of 1974, La. Rev. Stat. Ann. §29.701, the Office of Civil Defense and Emergency Preparedness is granted authority to develop an overall state disaster plan. Funding for the office is provided by state appropriations. In addition, the statute provides for the creation of a disaster emergency funding board. The Board is empowered to use its funds to implement the Environmental Response Training Program. The office is further authorized to assist political subdivisions, their agencies and interjurisdictional disaster agencies in establishing and operating training programs and public information activities.

FEMA provides funds through its Emergency Management Assistance Program to the state under a comprehensive cooperative agreement. This mechanism provides funds for the county emergency management organizations on a system of joint reimbursement. Monies are allocated among the various local organizations based on criteria such as compliance with state merit system regulations, certification of matching funds and development of an operations plan. Funds are made available through a letter of credit from the state.

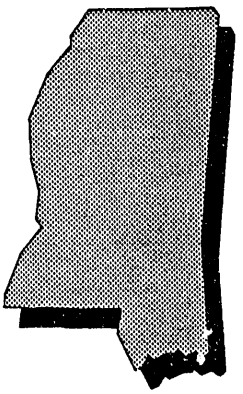
The official contacted at the Nuclear Energy Division of the Department of Environmental Quality reported that planning for the training year begins between 6 months and a year before training starts, and that a budget is submitted approximately 6 months before training as well. Funding approval normally follows 1 to 2 months after training begins. The frequency with which state and local responders attend emergency response training depends upon where they are located; annual training exercises are typical. The respondent estimated that at least a year would be required to implement a new radiological emergency response program statewide.[6]

Maryland

The state Emergency Management Act, Md. Ann. Code Art. 16A 31, provides for the creation of the Maryland Emergency Management Agency. Established as part of the Department of Public Safety and Corrections, it is the lead agency for emergency response activities during a declared emergency. The act also provides for creation of local emergency response organizations by each political subdivision of the state. Both the state and local emergency response agencies are authorized to accept services, equipment, materials and funds by way of gift, grant or loan from the federal government or private industry. The governor is authorized under the act to institute training programs and other preparatory steps in advance of an emergency. Md. Ann. Code 16A 16(b)(3).

Although there is no statutory reference to funds for training, the state and its local emergency management organizations are authorized to accept services and material funds from the federal government. The FEMA Region III office provides funding to the state through the comprehensive cooperative agreement mechanism to 23 counties and 2 municipal organizations.

The individual contacted at the Maryland Emergency Management Agency stated that planning for the training year starts approximately 18 months before exercises begin. A budget is typically submitted about 3 months before the anticipated start of training, and approval for expenditures can come as late as 3 months after the beginning of the training year. State and local responders attend an emergency response course every 2 years. The respondent estimated that a new radiological emergency response training course would take 2 years to implement statewide.[7]



Mississippi

The Mississippi Emergency Management Law, Miss. Code Ann. §33-15-1, authorizes the Mississippi Emergency Management Agency to administer the state's emergency management program. The enumerated powers of the governor include the authority to accept gifts, grants or loans from the federal government or private industry.

Under Miss Code Ann. §33-15-23, county boards or supervisors or other governing bodies are authorized to expend funds for local emergency services programs. Additionally, the state and any local organization is empowered to enter into agreements with the federal government for the purpose of acquiring federal funds in the form of gifts, grants or loans that may be available for emergency response activities. (Miss. Code Ann. §33-15-25).

The Mississippi Radioactive Waste Transportation Act, Miss. Code Ann. §45-14-51, requires the Emergency Management Agency, in conjunction with the state Board of Health, to develop training programs for public safety officials, including instruction on emergency response for transportation accidents involving radioactive materials.

In Mississippi, FEMA cooperative agreement funds are received by the state and allocated to the local emergency services organizations. The local agency must meet certain eligibility requirements such as the ability to provide matching funds and past program performance.

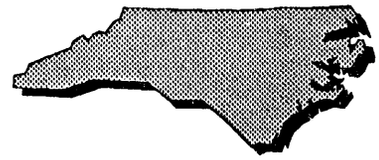
The individual contacted at the Mississippi Emergency Management Agency indicated that approximately 12 months would be required to implement a §180(c) training program. Radiological programs are normally integrated into Mississippi's emergency response training curriculum within 6 months. The respondent noted that in the case of §180(c) training, more time would be required to insure that local responders are adequately trained to respond to an accident involving high-level waste. Mississippi normally submits a budget for new training programs 3 to 4 months before the new training year. Funding for the new programs is generally approved within 3 or 4 months after the start of the new training year. Under the existing Mississippi training program, the average local responder attends emergency response refresher courses based on an assessment made at the local level.[8]

Missouri

The Civil Defense Act, Mo. Ann. Stat. §44.010, created the Disaster Planning and Operations Office, subsequently named the State Emergency Management Agency by executive order of the governor. Under this act, the state is authorized to accept grants, gifts or loans for civil defense purposes. Mo. Ann. Stat. §44.028. Local political subdivisions are required to establish local emergency management organizations. Pursuant to Mo. Ann. Stat. §44.032(12), the governor is authorized to ensure the training of individuals or government agencies for the purpose of perfecting the performance of emergency assistance duties.

FEMA comprehensive cooperative agreement funds are provided to the state Emergency Management Agency. Two-thirds of these funds are used to reimburse the local emergency services organizations for activities outlined under an approved scope of work.

The official contacted at the Missouri Emergency Management Agency indicated that 12 months would be necessary to integrate a §180(c) training course into Missouri's emergency response program. Although new emergency response programs are normally integrated into Missouri's curriculum within 5 months, the respondent indicated that more time would be required to create a §180(c) program. Under the existing program, a budget for new emergency response training courses is normally submitted 4 months prior to the start of the new training year. Funding approval occurs within 2 to 3 months following the start of the new training year. The need for additional or refresher emergency training courses is currently determined by the local responders.[9]



North Carolina

The North Carolina Emergency Management Act of 1977, N.C. Gen. Stat. §166A-1, provides that the secretary of Crime Control and Public Safety shall be responsible for state emergency activities. Among the functions of the state emergency management program is the development and presentation of training programs to ensure that adequately trained personnel are available to respond to an emergency. A fee of at least $30,000 is assessed for each fixed nuclear facility in the state or any facility with a Plume Exposure Pathway Emergency Planning Zone or any part thereof located within the state. This fee is submitted to the state for use by the Department of Crime Control and is used to defray the cost of planning and implementing emergency response activities in conjunction with FEMA.

The act provides for the establishment of local emergency management organizations. In addition to the right to accept gifts, grants or loans from the federal government, (N.C. Gen. Stat. §166A-9), local organizations may appropriate funds for emergency management purposes and receive financial assistance from the state. (N.C. Gen. Stat. §166A-1).

FEMA comprehensive cooperative agreement funds are administered by the Division of Emergency Management. One-third of the Emergency Management Assistance program funds are retained by the division and two-thirds are distributed among the local emergency management agencies. Approximately 100 counties, the city of High Point and the Eastern Band of Cherokee Indians participate in the program.

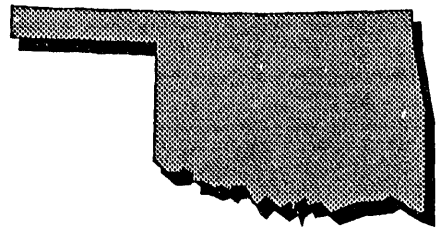
The Radiation Protection Section of the Department of Human Resources is also involved in training activities applicable to the transportation of radioactive waste. The section serves as technical advisor to the Division of Emergency Management. Section personnel participate in and conduct workshops at

hospitals in the general vicinity of nuclear power plants. The section also conducts internal training sessions for staff personnel concerning health physics issues. While the section receives no direct FEMA funds, staff personnel are allowed to attend FEMA courses and the state pays a subsistence allowance for each participant.

Funds are provided to the Department of Human Resources for use by the Radiation Control Section through fees assessed on operators of nuclear power plants in the state. These funds are initially collected by the Division of Emergency Management and subsequently transferred to the Department of Human Resources. Funds are also made available through state revenue appropriations.

The Division of Emergency Management receives funds through a FEMA comprehensive cooperative agreement. The division distributes the funds through six area offices that train representatives from the local organizations in their respective areas. The division also receives funds directly from the utilities operating power plants in the state. At present there are 14 counties within the exposure zone affected by nuclear power plant operations.

The respondent contacted at the North Carolina Department of Crime Control and Public Safety estimated that 18 months would be required to fully integrate a §180(c) training course into the North Carolina emergency response training curriculum. This is the amount of time normally required to integrate new emergency response programs into the existing system. A budget is normally submitted 6 to 9 months before the beginning of the new training year. Funding for a new training program is normally approved within 3 months of the start of the new training year. The local responders in North Carolina currently receive emergency response training annually.[10]



Oklahoma

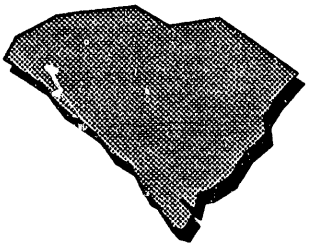
Emergency management activities are governed by the Oklahoma Civil Defense and Emergency Resources Management Act of 1967, Okla. Stat. Ann. 63 §683.1. This act provides for the establishment of the Department of Civil Defense as the lead agency in this area. Each political subdivision is required to establish a local civil defense organization. The governor can institute training programs. Okla Stat. Ann. 63 §683.1. Additionally, the governor or a political subdivision acting with the consent of the governor is empowered to accept services, equipment or funds for civil defense purposes. Okla Stat. Ann. 63 §683.17. Funds appropriated or received by a political subdivision of the state for civil defense are to be placed on deposit with the county treasurer. Expenditures may be made on forms prescribed by the State Auditor and Inspector in accordance with procedures approved by the state Civil Defense Director.

The act also creates within the State Treasury, the Civil Defense Disaster Relief Matching Fund to be comprised of monies appropriated by the legislature. Okla. Stat. Ann. 63 §683.24. The purpose of this fund is to provide the state's share of any matching funds required by federal programs. This constitutes continuing funds, not subject to fiscal year limitations.

Comprehensive cooperative agreement funds are provided through the FEMA Region VI office to the state. From the state level, funds are made available to 43 local civil defense offices based on yearly budget proposals. Local organizations are reimbursed using a letter of credit.

The individual contacted at the Oklahoma Department of Health estimated that 6 to 12 months would be required for implementation of a §180(c) training course. This period is the amount of time normally required to initiate an

emergency response training program in Oklahoma. Oklahoma usually submits a budget for new training programs within 6 to 9 months prior to the start of a new training year. Funding for new programs normally occurs within 1 to 3 months prior to the start of the new training year. Currently local response units in Oklahoma receive update or refresher training based on a local need assessment. The respondent stressed the efficiency of Oklahoma's emergency response training but also noted that radiological accident emergency response is an area in which Oklahoma could use some updated training.[11]

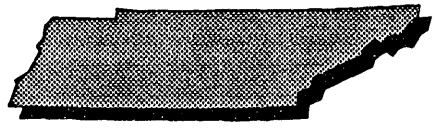


South Carolina

The South Carolina Emergency Preparedness Division is responsible for coordinating state emergency response activities. S.C. Code Ann. §25-1-420. Under the Atomic Energy and Radiation Control Act, the statutory definition of an emergency includes any event concerning the handling or transportation of by-product, source or special atomic material. S.C. Code Ann. §13-7-10. This act empowers the Department of Health and Environmental Control to accept and administer loans, grants and other funds from the federal government and other public or private sources. S.C. Code Ann. §13-7-40(6).

Funds derived from the state's FEMA comprehensive cooperative agreement are paid to the local emergency services organizations through the state's Emergency Preparedness Division. Funds are distributed by a system of monthly reimbursements of an amount budgeted for each county. The state emergency preparedness division retains one-third of the total amount of FEMA funds.

The official contacted at the South Carolina Emergency Preparedness Division stated that planning for the training year starts approximately 18 months before training exercises actually commence. Budgets are typically submitted a year before exercises start, and approval comes 11 to 13 months later. The frequency of training courses offered to state and local emergency responders varies according to location and material. The respondent estimated that 2 years would be needed to fully implement a new radiological emergency response training course statewide.[12]



Tennessee

The Tennessee Emergency Management Agency is authorized to respond to any emergency situation occurring within the state. Tenn. Code Ann. §58-2-101. The agency is under the statutory control and direction of the governor. This legislation authorizes the governor to institute training programs in advance of an actual disaster. Tenn. Code Ann. §58-2-108. The act provides for the establishment of local emergency management organizations. The state and its political subdivisions acting through the state are authorized to accept federal funds subject to the rule of the grantor agency. Tenn. Code Ann. §58-2-124.

Additionally, the state is authorized to make grants to its political subdivisions for the personnel and administrative costs of local emergency management organizations. Tenn. Code Ann. § 58-2-132. This provision establishes the state Emergency Management Agency as the responsible organization for administration of the grant program. State grant funds can be allocated to only local programs that are not eligible for federal matching funds.

Funds are provided to the state through the FEMA comprehensive cooperative agreement mechanism. The state administers these funds through three regional offices. These offices allocate funds to the county organizations based on budgets or program papers that outline the spending proposal of the county.

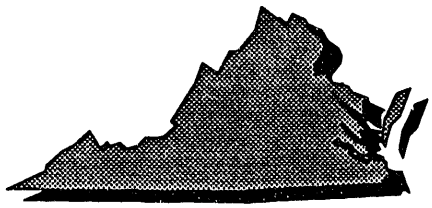
The official contacted at the Tennessee Emergency Management Agency stated that planning for the training year starts approximately 12 months before training exercises commence. Budgets that are submitted 6 to 8 months before the initiation of training receive approval 5 to 6 months later. The state monitors initial training to state and local responders and conducts refresher courses as local needs warrant. The respondent estimated that 12 months would be needed to implement a new radiological emergency response training program.[13]

Texas

The Texas Disaster Act of 1975 created the Division of Emergency Management. Tex. Gov't. Code Ann. §418.001. The act also requires each county to have local emergency management agencies. The act authorizes local emergency management organizations to accept funds from the federal government as a gift, grant or loan. Similar authority to accept federal funds is granted under Tex. Admin. Code tit. 37 §7.1.

Funds are provided to the state through a comprehensive cooperative agreement. The Region IV FEMA office acts as liaison to the state. The State Division of Emergency Management distributes funds to 136 participating cities and counties. To receive their allocated funding, participating local organizations submit claims for reimbursement to the division. The Division of Emergency Management retains 29 percent of the state's allocation with 71 percent going to the various local programs.

The official contacted at the Division of Emergency Management of the Texas Department of Public Safety stated that planning for the training year starts a year before training begins. A budget submitted 9 to 12 months before the scheduled start of training normally receives approval 9 to 12 months later. After initial training, local and state responders attend emergency response courses on an as-needed basis. When asked to estimate how long it would take to implement a new radiological emergency response training program, the contact responded that a year would be necessary.



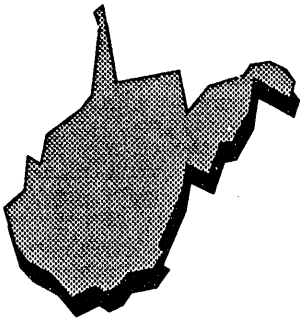
Virginia

The Emergency Services and Disaster Law established the Department of Emergency Services as the lead agency for emergency response activities in the event of a natural or man-made disaster including an accident involving the transportation of nuclear materials. Va. Code §44-146.13.

The state has established two statutory mechanisms for funding emergency response activities. The Radiological Emergency Preparedness Fund was established to support state and local agencies in developing plans to respond to nuclear accidents as required under NRC and FEMA regulations. Funding is provided by the utilities operating nuclear facilities in the state. Va. Code §44-146.31. The Virginia Disaster Fund is a non-lapsing revolving fund established for use in coordinating the development of hazardous materials training programs. The fund is administered by the Department of Emergency Services with funds appropriated by the legislature.

The FEMA Region III office acts as liaison to the state Department of Emergency Services for administration of the state's comprehensive cooperative agreement. Funds are provided to 74 participating cities and counties out of 138 political subdivisions potentially eligible for funding.

The official contacted at the Virginia Department of Emergency Services stated that planning for the training year starts 18 months before training begins. Budgets are submitted between 12 and 18 months before the start of the training year and gain approval 3 months before training starts. After initial training, the frequency of local emergency response training followup is normally left to the discretion of affected localities. The respondent estimated that 18 months would be needed to implement a new radiological emergency response training course.[15]



West Virginia

The Office of Emergency Services was established to prepare for and respond to both natural and man-made disasters including accidents involving nuclear materials. W.Va. Code §15-5-1. State law requires each political subdivision to establish and maintain a local emergency services organization. The state and its political subdivisions are empowered to accept federal funds by way of gifts, grants or loans.

The FEMA Region III office provides funding to the state Office of Emergency Services in connection with the FEMA comprehensive cooperative agreement. The state provides funding to 24 participating jurisdictions (23 counties and 1 municipality). Local organizations are required to provide matching funds on a 50/50 basis.

The official contacted at the West Virginia Office of Emergency Services stated that planning for the training year starts approximately 8 months before the anticipated start of courses. Budgets submitted 6 months in advance receive approval 3 to 4 months later. After initial training for local responders, requirements for refresher courses vary according to need. The responder estimated that a new radiological emergency training course could be put in place in a year's time.[16]

Appendix A

State Statutory Authority and Funding Matrix

State	Primary Statutory Authority	Statutory Authority For Training	Statutory Authority for Acceptance of Funding	Funding Sources
AL	Alabama Emergency Management Act of 1955, Ala. Code §1-9-2		Ala. Code §31-9-24	State FEMA
AR	Arkansas Emergency Services Act of 1973, Ark. Stat. Ann. §12-75-101 Nuclear Planning and Response Program, Ark. Stat. Ann. §20-21-401	Ark. Stat. Ann. §20-21-220	Ark. Stat. Ann. §12-75-123	State Utilities FEMA
FL	State Emergency Management Act, Fla. Stat. Ann. §252.31	Fla. Stat. Ann. §404.071	Fla. Stat. Ann. §252.37(4)(b)	State Utilities FEMA
GA	Georgia Emergency Management Act of 1981, Ga. Code Ann. §38-3-1 Georgia Radiation Control Act, Ga. Code Ann. §31-13-1	Ga. Code Ann. §31-13-5(12)(d)	Ga. Code Ann. §38-3-31	State FEMA

Appendix A (continued)

State Statutory Authority and Funding Matrix

State	Primary Statutory Authority	Statutory Authority For Training	Statutory Authority for Acceptance of Funding	Funding Sources
KY	Kentucky Disaster and Emergency Services Act, Ky. Rev. Stat. §39.400 Kentucky Radiation Control Act of 1978, Ky. Rev. Stat. §211.840	Ky. Rev. Stat. 39:483(10)(b) Ky. Rev. Stat. 39:730(8)	Ky. Rev. Stat. 39:855(3)	N/A
LA	Louisiana Disaster Act of 1974, La. Rev. Stat. Ann. §29:701 Louisiana Nuclear Energy and Radiation Control Law, La. Rev. Stat. Ann. §30:2101	La. Rev. Stat. §30:2110 La. Rev. Stat. §29:707(6)		State FEMA
MD	State Emergency Management Agency, Md. Ann. Code Art. 16A§1 Maryland Radiation Control Act, Md. Env. Code Ann. §8-101	Md. Ann. Code 16A §6(3)	Md. Ann. Code 16A §9(a)	State FEMA

Appendix A (continued)

State Statutory Authority and Funding Matrix

State	Primary Statutory Authority	Statutory Authority For Training	Statutory Authority for Acceptance of Funding	Funding Sources
MS	Mississippi Emergency Management Law, Miss. Code Ann. §33-15-1	Miss. Code Ann. §45-14-11(c) Miss. Code Ann. §45-14-15(2) Miss. Code Ann. §45-14-65	Miss. Code Ann. §33-15-27 Miss. Code Ann. §33-15-11(b)(12)	Permit Fees State FEMA
MO	Mo. Ann. Stat. §44.010	Mo. Ann. Stat. §44.032(12)	Mo. Ann. Stat. §44.028	State FEMA
NC	North Carolina Emergency Management Act of 1977, N.C. Gen. Stat. §166A-1 North Carolina Radiation Protection Act, N.C. Gen. Stat. §§104E-1	N.C. Gen. Stat. §166A-5(3)(d)	N.C. Gen. Stat. §166A-9 N.C. Gen. Stat. §104E-9(2)	State FEMA Utilities
OK	Oklahoma Civil Defense and Emergency Resources Management Act of 1967, Okla. Stat. Ann. 63§683.1	Okla. Stat. Ann. 63 §683.8(d)(3)	Okla. Stat. Ann. §63 §683.17	State FEMA

Appendix A (continued)

State Statutory Authority and Funding Matrix

State	Primary Statutory Authority	Statutory Authority For Training	Statutory Authority for Acceptance of Funding	Funding Sources
SC	South Carolina Emergency Preparedness Division, S.C. Code Ann. §25-1-420 Atomic Energy and Radiation Control Act, S.C. Code Ann. §13-7-10	S.C. Code Ann. §13-7-40(7)	S.C. Code Ann. §25-1	State FEMA
TN	Tennessee Civil Defense Law, Tenn. Code Ann. §58-2-101	Tenn. Code Ann. §58-2-108	Tenn. Code Ann. §58-2-124 Tenn. Code Ann. §58-2-132	State FEMA
TX	Texas Disaster Act of 1975	Tex. Health & Safety Code Ann. §401.062	Tex. Health & Safety Code Ann. §401.304	State FEMA
VA	Virginia Emergency Services and Disaster Law, Va. Code §44-146.13	Va. Code §44-146.17(3)	Va. Code §44-146.27 Va. Code §44-146.35(1)	State Utilities FEMA
WV	West Virginia Emergency Service, W.Va. Code §15-5-1	W.Va. Code §15-5-5(3)	W.Va. Code §15-5-13	State FEMA

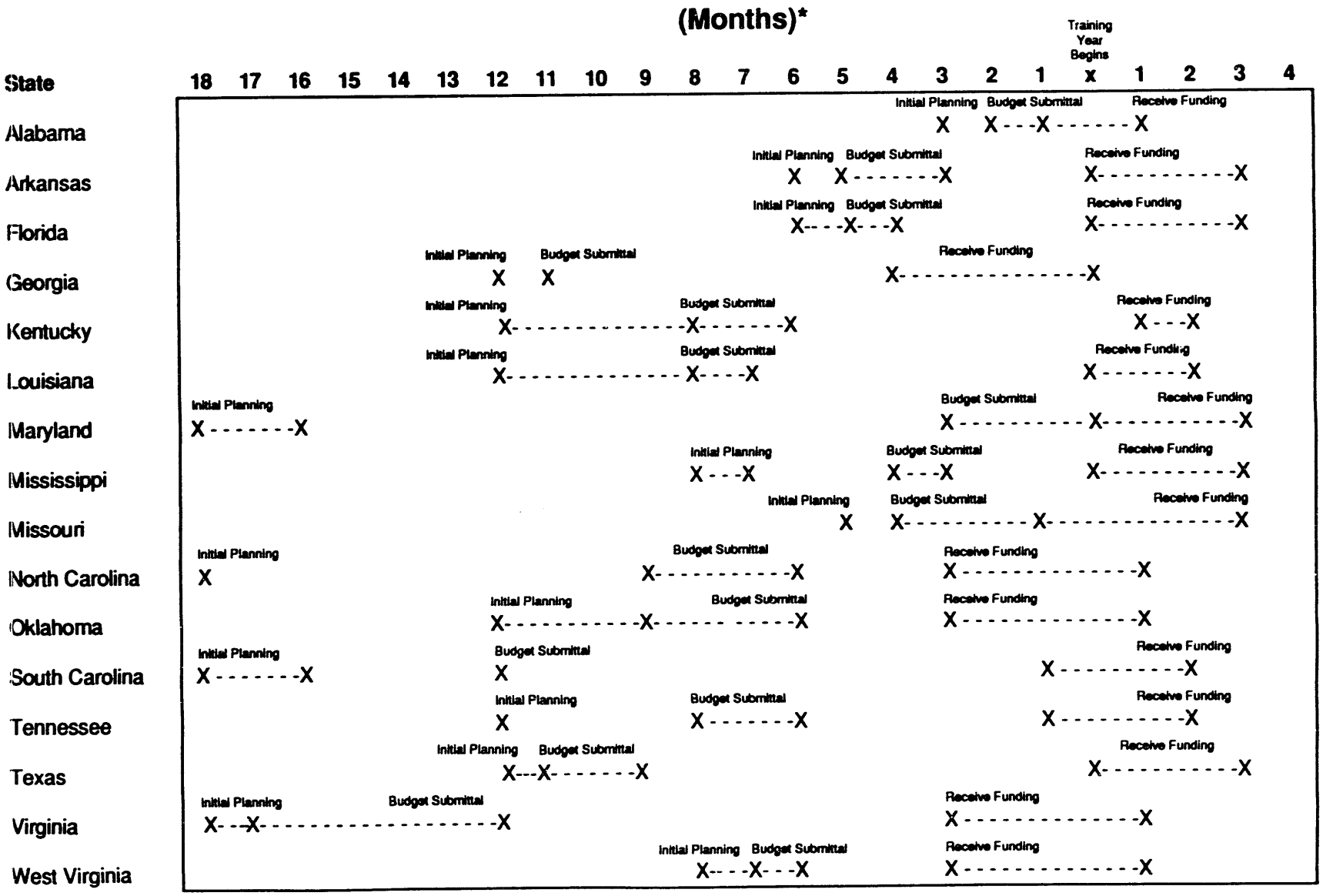
Appendix B

State Funding and Timing Matrix

Explanation of Section 180 Chart:

The chart on page 34 is an illustration of the existing funding and timing requirements of each of the 16 southern states. An official from each state responded to telephone inquiries concerning the funding and timing procedures within each of the state's existing emergency response training programs. The chart is structured to represent normal time requirements for initial planning, budget submittal and approval of funding. Months were used as the unit of time from which the state officials would estimate the requirements for each phase in the implementation process. An (x) on the chart represents the beginning of a particular phase in the process, i.e., budget submittal. A dotted line drawn between two (x's) indicates a variable time estimation.

State Funding and Timing Schedule for Existing Emergency Response Training Programs



* The numerals represent months prior to and following the start of any given training year.

Appendix B (continued)

State Funding and Timing Survey Questions

1. How far ahead of time do you begin planning the training year?

2. How far in advance of the beginning of the training year do you submit a proposed budget, and to whom is it submitted?

3. How far in advance of the beginning of the training year do you receive funding approval?

4. How often does the average state or local responder attend emergency response training courses?

5. If your state were to incorporate a new radiological emergency response training program, how much time do you estimate would be required to implement the program from the planning stage until the start of training?

Appendix B (continued)

State Officials Interviewed

[1]Telephone intergview with Mr. Bill Brock, Director, Alabama Emergency Management Agency, 3:31 p.m., December 5, 1990.

[2]Telephone interview with Ms. Greta Dicus, Director, Division of Radiation Control and Emergency Management of the Arkansas Department of Health, 10:45 a.m., December 27, 1990.

[3]Telephone interview with Ms. Denise Johnston, Florida Division of Emergency Management, 1:55 p.m., December 5, 1990.

[4]Telephone interview with Mr. Bill Slocum, Radiological Health Division, Georgia Department of Human Resources, 2:00 p.m., December 5, 1990.

[5]Telephone interview with Mr. Ron Padgett, Assistant Director of the Kentucky Emergency Response Commission, Disaster and Emergency Services, 3:20 p.m., December 7, 1990.

[6]Telephone interview with Dr. Hall Bohlinger, Program Manager, Nuclear Energy Division, Louisiana Department of Environmental Quality, 4:00 p.m., December 7, 1990.

[7]Interview by facsimile with Mr. David McMillion, Director, Maryland Emergency Management Agency. Responses received December 9, 1990.

[8]Telephone interview with Mr. Jim Maher, Director of the Mississippi Emergency Management Agency, 10:20 a.m., December 28, 1990.

[9]Telephone interview with Mr. R.D. Ross and Mr. William Johnson, Missouri Emergency Management Agency, 2:15 p.m., December 26, 1990.

[10]Telephone interview with Mr. Joseph Myers, Director, Department of Crime Control and Public Safety, 3:00 p.m., December 3, 1990.

[11]Telephone interview with Mr. Dale McHard, Chief Environmental Engineer, Oklahoma Department of Health, 2:31 p.m., January 2, 1990.

[12]Telephone conversation with Mr. Paul Lunsford, South Carolina Emergency Preparedness Division, 2:10 p.m., December 7, 1990.

[13]Telephone interview with Mr. Matthew McKnight, Tennessee Emergency Management Agency, 3:30 p.m., December 7, 1990.

[14]Telephone interview with Mr. David Haun of the Division of Emergency Management, Texas Department of Public Safety, 10:40 p.m., January 2, 1991.

[15]Telephone interview with Mr. Steve Gainer, Training Division, Virginia Department of Emergency Services, 2:25 p.m., December 5, 1990.

[16]Telephone interview with Mr. Carl Bradford, Director, West Virginia office of Emergency Services, 3:10 p.m., December 5, 1990.

Appendix C

Other Contributing State Officials

1. Walter Bruke, Chief of Fiscal Division
   Alabama Emergency Management Agency
   520 South Court Street
   Montgomery, Alabama 36130
   (205) 834-1375, Ext. 227
2. Aubrey Godwin, Director
   Division of Radiation Control
   Department of Public Health
   434 Monroe Street, Room 510
   Montgomery, Alabama 36130
   (205) 242-5315
3. Greta J. Dicus, Director
   Division of Radiation Control and Emergency Management
   Arkansas Department of Health
   4815 West Markham Street
   Little Rock, Arkansas 72205
   (501) 661-2301
4. Ted Keith
   Operations & Consultant Management
   Division of Emergency Management
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   Tallahassee, Florida 32399-2100
   (904) 448-8472

5. George Wilbanks
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Atlanta, Georgia 30316-0055
(404) 624-6046

6. Beth Holbrook
Department of Defense
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Atlanta, Georgia 30316-0055
(404) 624-6046

7. Linda Hawkins, Administrative Officer
Military Affairs
Disaster & Emergency Services
Boone National Guard Center
EOC Building
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Frankfort, Kentucky 40601
(502) 564-8620

8. Debbie Conrad
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Baton Rouge, Louisiana 70896
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9. Henri Alleman
Office of Emergency Preparedness
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Baton Rouge, Louisiana 70896
(504) 342-1583

10. Lou Morrissey, Assistant Director for Administration
Maryland Emergency Management Agency
2 Sudbrook Lane, East
Pikesville, Maryland 21208
(301) 486-4422

11. Eddie S. Fuente, Director
Division of Radiological Health
P.O. Box 1700
Jackson, Mississippi 39205-1700
(601) 354-6657

12. Cecil Thomas, Grant Coordinator
Mississippi Emergency Management Agency
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Jackson, Mississippi 39296-4501
(601) 352-9100

13. Kenneth Miller, Chief
Bureau of Radiological Health
Department of Health
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P.O. Box 570
Jefferson City, Missouri 65102
(314) 751-6083

14. Mary Lou Wekenborg, Administrative Fiscal Assistant
State Emergency Management Agency
Department of Public Safety
Jefferson City, Missouri 65102
(314) 751-9515

15. Dayne H. Brown, Director
Division of Radiation Protection
Department of Human Resources
701 Barbour Drive
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(919) 733-4283

16. Joe Meyers, Director
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Raleigh, North Carolina 27603-1335
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17. Robert Buchanan, Assistant Chief
Division of Emergency Services
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116 West Jones Street
Raleigh, North Carolina 27611
(919) 733-3867

18. Dale McHard, Chief Environmental Engineer
Consumer Protection Service
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(405) 271-5221

19. William Audghtry, Business Manager
Oklahoma Civil Defense Agency
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Oklahoma City, Oklahoma 73152
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20. Carol Wessinger, Business Manager
Emergency Preparedness
1429 Senate Street
Columbia, South Carolina 29201
(803) 734-8020

21. Kay Karkoska, Administrative Assistant
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P.O. Box 4087
Auston, Texas 78773-0001
(512) 465-2000

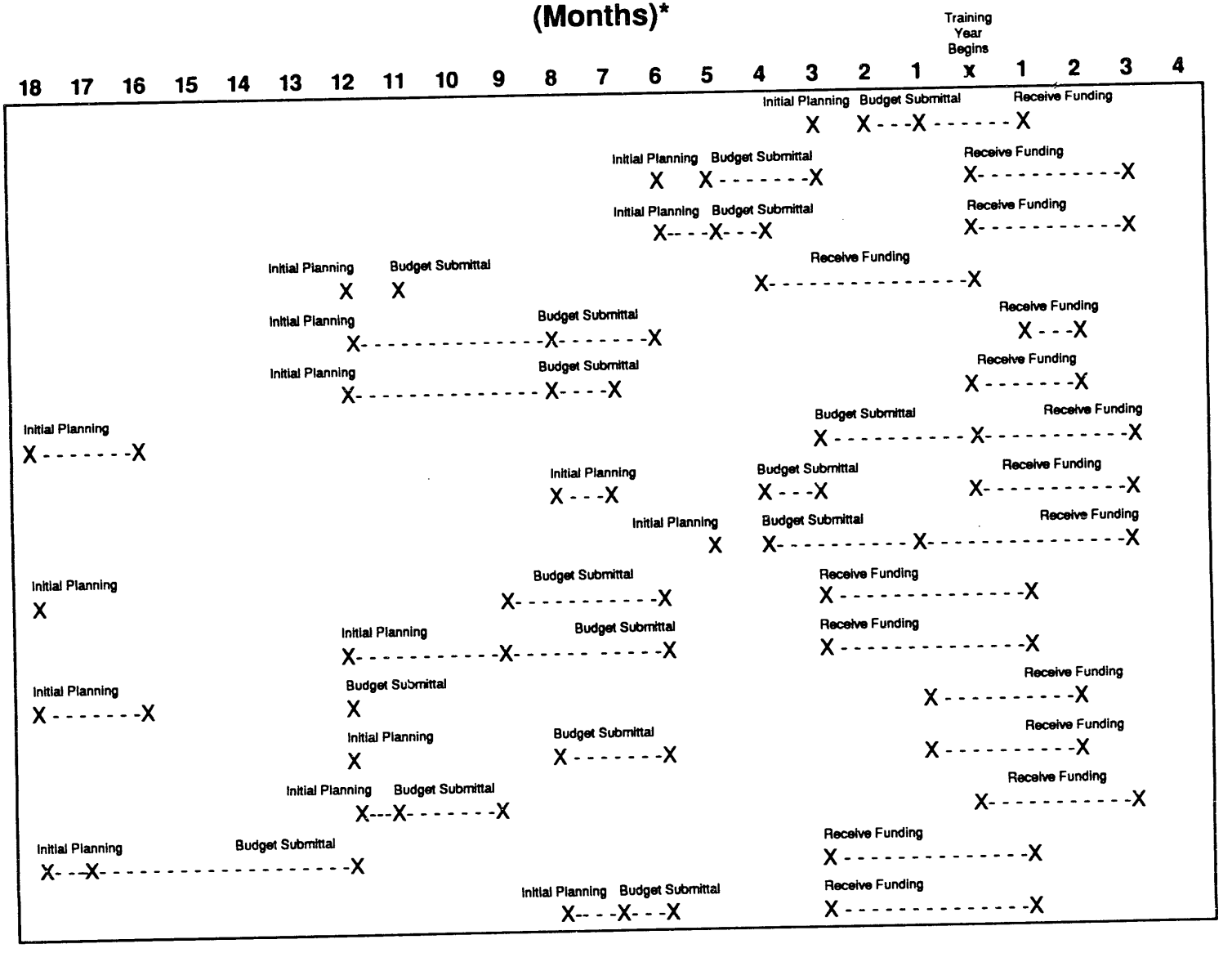
22. Chris Bell, Emergency Management Specialist
Office of Disaster Response
Bureau of Emergency Management
1100 West 49th Street
Austin, Texas 78756
(512) 458-7550

23. Douglas Haynes, Fiscal Director
Department of Emergency Services
310 Turner Road
Richmond, Virginia 23225
(804) 674-2497

24. Jim DeKraft
Bureau of Radiological Health
109 Governors Street, Room 915
Richmond, Virginia 23219
(804) 786-5932

25. Bill Jopling, Deputy Director
Office of Emergency Services
State Capitol, Room EB-80
Charleston, West Virginia 25305
(304) 348-5380

State Funding and Timing Schedule for Existing Emergency Response Training Programs



* The numerals represent months prior to and following the start of any given training year.

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