



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 20, 2017

ALL AGREEMENT AND NON-AGREEMENT STATES  
STATE LIAISON OFFICERS  
TRIBES WITHIN 50 MILES OF REACTORS

NOTICE OF DRAFT REGULATORY BASIS FOR COMMENT: RULEMAKING FOR  
EMERGENCY PREPAREDNESS FOR SMALL MODULAR REACTORS AND OTHER NEW  
TECHNOLOGIES (STC-17-040)

**Purpose:** To provide notification of (1) the publication of the U.S. Nuclear Regulatory Commission's (NRC) draft regulatory basis for the rulemaking for emergency preparedness for small modular reactors (SMRs) and other new technologies (ONTs), and request for comment in the *Federal Register*, and (2) a public meeting on May 10, 2017.

**Background:** In [SRM-SECY-16-0069](#), the Commission approved the staff's plan and schedule for the rulemaking pertaining to emergency preparedness for SMRs and ONTs (such as non-light-water reactors and medical isotope production facilities). This rulemaking would develop emergency preparedness requirements and associated guidance for these technologies that would be commensurate with their potential consequences to public health and safety.

The potential new regulations and guidance would do the following:

- Adopt a consequence-oriented, performance-based, and technology-inclusive approach, to the extent possible;
- Adopt a scalable plume exposure pathway emergency planning zone (EPZ) approach that will take into account: (1) the dose/distance boundaries to which planning for initiation of predetermined protective actions is warranted, (2) the time-dependent characteristics of potential releases and exposures, and (3) the isotopic characteristics of radioactive materials that can potentially be released off site into the environment;
- Address advanced and new technologies in reactor plant designs;
- Include emergency preparedness for medical isotope production facilities;
- Provide guidance to facilitate the implementation of the rule; and,
- Maintain adequate protection of the health and safety of workers, the public, and the environment.

Emergency planning, preparation, and response for large light-water reactors, fuel cycle facilities, research and test reactors, and other non-power, noncommercial facilities are not within the scope of this regulatory basis document and subsequent rulemaking.

The NRC has issued the draft regulatory basis to obtain input from stakeholders for the development of a final regulatory basis and proposed rule that would support potential changes to the NRC's regulations regarding emergency preparedness for SMRs and ONTs. The NRC is soliciting public comments on the draft regulatory basis through June 27, 2017, and invites stakeholders and interested persons to participate.

**Discussion:** Enclosed with this letter is the *Federal Register* notice (FRN) supporting the draft regulatory basis and a copy of the draft regulatory basis (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16309A332). The FRN supporting the draft regulatory basis (82 FR 17768) was published on April 13, 2017, and posted on the Federal e-rulemaking portal <http://www.regulations.gov> under Docket No. NRC-2015-0225. The FRN can also be accessed at: <https://www.gpo.gov/fdsys/pkg/FR-2017-04-13/pdf/2017-07502.pdf>. Comments on the draft regulatory basis are due by June 27, 2017, and the FRN details how to submit comments.

In addition to accepting written comments, NRC staff will conduct a public meeting on May 10, 2017, to discuss the draft regulatory basis with external stakeholders. The meeting will be held from 9:00 - 11:30 a.m. Eastern Standard Time in the auditorium at the NRC's headquarters, 11555 Rockville Pike, in Rockville, Maryland. Additional information on the meeting, including a telephone bridge line, will be made available in a public meeting notice. The public meeting notice will be posted on the NRC's public meeting schedule Web site at <https://www.nrc.gov/pmns/mtg> at least 10 calendar days before the meeting.

If you have any questions regarding the emergency preparedness for SMRs and ONTs rulemaking or this correspondence, please contact the individuals named below:

POINT OF CONTACT: Andrew Carrera  
TELEPHONE: (301) 415-1078

E-MAIL: [Andrew.Carrera@nrc.gov](mailto:Andrew.Carrera@nrc.gov)

POINT OF CONTACT: Arlon Costa  
TELEPHONE: (301) 415-6402

E-MAIL: [Arlon.Costa@nrc.gov](mailto:Arlon.Costa@nrc.gov)

Sincerely,

**/RA/**

Daniel S. Collins, Director  
Division of Material Safety, State, Tribal  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

Enclosures:  
As stated

SUBJECT: NOTICE OF DRAFT REGULATORY BASIS FOR COMMENT: RULEMAKING FOR EMERGENCY PREPAREDNESS FOR SMALL MODULAR REACTORS AND OTHER NEW TECHNOLOGIES (STC-17-040)

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OFFICE	NRO/DEIA/NRGB	NRO/DEIA/NRGB	NSIR/DPR/POB	NMSS/MSTR/FSTB
NAME	ACarrera	MNotich	RKahler	SLopas
DATE	4/12/2017	4/13/2017	4/14/2017	4/14/2017
OFFICE	NMSS/MSTR/FSTB/B	NMSS/MSTR/ASPB	NMSS/MSTR/D	
NAME	CEinberg	PMichalak	DCollins	
DATE	4/17 /2017	4/ 18 /2017	4/20/17	

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