

Section 9

DRAFT SUPPORTING STATEMENT  
FOR  
EMERGENCY PLANNING

10 CFR 50.47, 50.54 (q, t)  
AND PART 50, APPENDIX E\*

DESCRIPTION OF THE INFORMATION COLLECTION

The Nuclear Regulatory Commission requires that all production and utilization facility licensees shall, as a condition of their license, submit emergency plans for NRC review and approval, and maintain the emergency plans up to date until the Commission terminates the license. Emergency plans are required to be submitted as part of the Preliminary Safety Analysis Report (PSAR) [10 CFR 50.34(a)(10)] and the Final Safety Analysis Report (FSAR) or final license application [10 CFR 50.34(b)(6)(v)] to address the elements of 10 CFR 50.47 and Appendix E to 10 CFR Part 50. In addition, copies of the detailed implementing procedures should be submitted pursuant to 10 CFR 50, Appendix E, Part V. Copies of State and local government radiological emergency response plans are also required to be submitted [10 CFR 50.33(g)].

Section 50.54(q) authorizes licensees to make changes to their emergency plans if such changes do not decrease the effectiveness of the plans and the plans, as changed, continue to meet the requirements of 10 CFR Part 50. A report of these changes must be submitted to the NRC within 30 days after the change is made. Records of these changes must be retained for a period of 3 years from the date of the change. Proposed changes that decrease the effectiveness of the emergency plans are to be submitted to and approved by the Commission prior to implementation.

Section 50.54(t) requires each licensee to provide for the development, revision, implementation, and maintenance of its emergency preparedness program. The licensee shall conduct program reviews and audits at intervals not to exceed 12 months as is currently required or as necessary, based on an assessment by the licensee against performance indicators, and as soon as reasonably practicable after a change occurs in personnel, equipment or facilities that potentially could adversely affect EP or security, but no longer than 12 months after the change. In any case, each element of the EP program must be reviewed at least every 24 months. The results of this review, along with recommendations for improvements, shall be documented, reported to the licensee's corporate and plant management, and retained for a period of 5 years.

Part 50, Appendix E, Section IV.D.(2) requires licensees to annually disseminate to the public within the plume exposure pathway EPZ basic emergency planning information that would be helpful if an accident occurs.

Part 50, Appendix E, Section V requires each licensee to submit any changes to the emergency

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\* See Supporting Statement for 50.72(a), Section 29, for Emergency Response System Data.

plan implementing procedures to the NRC within 30 days of such changes.

As required by 10 CFR 50.4(b)(5), the signed original of documents submitted to NRC must be submitted to the NRC Document Control Desk, two copies to the appropriate Regional Office, and one copy to the appropriate Resident Inspector.

A. JUSTIFICATION

1. Need for and Practical Utility of the Collection of Information

Emergency plans are needed to provide reasonable assurance that appropriate measures can and will be taken to protect public health and safety in the event of a radiological emergency.

Changes to the emergency plans must be submitted within 30 days in order to permit the NRC to review such changes as quickly as possible. Without a quick review, the NRC would be unaware for extended periods of time, whether the revised plans for emergencies are still adequate to assure the health and safety of the public.

Documentation of the annual review and recommendations required by 50.54(t) provides information on the adequacy of emergency planning programs, including the adequacy of interfaces with state and local governments, and of licensee drills, exercises, capabilities, and procedures. This information is used by licensees to make adjustments to site programs.

2. Agency Use of Information

The NRC must find that the emergency plans conform to the requirements of 10 CFR Part 50 and that the plans provide reasonable assurance that in the event of an emergency appropriate measures can and will be taken to protect the public health and safety.

3. Reduction of Burden Through Information Technology

There is no legal obstacle to the use of information technology. Moreover, NRC encourages its use; however, at the current time, no responses are submitted electronically.

4. Effort to Identify Duplication and Use Similar Information

The provisions of these regulations are not duplicated in other Federal regulations. The information is only available from NRC licensees. The Information Requirements Control Automated System (IRCAS) was searched, and no duplication was found.

5. Effort to Reduce Small Business Burden

The provisions of these regulations affect power reactors and non-power reactors

(research, test and critical facilities) operated by colleges and universities. Regulatory Guide 2.6, Rev. 1, and NUREG-0849 provide information that lessens the emergency planning burden on the educational institutions.

6. Consequences to Federal Program or Policy Activities if the Collection is Not Conducted or is Conducted Less Frequently

If the information were not collected or collected less frequently, the NRC would be unaware, for extended periods of time, whether the revised plans for emergencies are still adequate to assure the health and safety of the public.

7. Circumstances Which Justify Variations from OMB Guidelines

Pursuant to 50.54(q), the licensees must retain the updated emergency plan until termination of the license to ensure the plans are maintained to protect the health and safety of the public in case of an emergency. The records required by 50.54(t) are retained for 5 years to provide documentation on the adequacy of licensee emergency preparedness programs.

8. Consultations Outside the NRC

Efforts pertaining to emergency plans are coordinated between local, State, and Federal agencies.

Opportunity for public comment on this information collection has been published in the Federal Register.

9. Payment or Gift to Respondents

Not applicable.

10. Confidentiality of Information

Proprietary, confidential, or private information is handled in accordance with 10 CFR 2.790 and 10 CFR 9 of the NRC's regulations.

11. Justification for Sensitive Questions

Personal telephone numbers are needed in the event of a nuclear emergency. This information is protected in accordance with the provisions of the Privacy Act and 10 CFR 2.790.

12. Estimated Industry Burden and Burden Hour Cost

Based on staff's best estimate, the burden for maintaining the emergency preparedness program, including annual dissemination of emergency planning information and annual program review, is estimated to be 11,725 hours per year for each of the 65 operating power reactor sites (762,125 hours) and 30 hours for each of 37 operating non-power reactor licensees (1,110 hours). For each of 13 permanently shutdown power reactor sites, the burden is estimated to be 3,000 hours per year (39,000 hours), and for each of 15 permanently shutdown non-power reactors, the burden is estimated to be 7.5 hours per year (112.5 hours). Thus, the total annual burden is 802,348 hours, and the cost to licensees for the maintenance of their emergency preparedness program is \$113,131,068 (802,348 x \$141).

13. Estimate of Other Additional Costs

None.

14. Estimated Annualized Cost to the Federal Government

NRC estimates 80 hours per year for each of the 65 operating nuclear power reactor sites (5200 hrs) and 20 hours for 13 permanently shutdown power reactor sites (260 hrs) for review of revised emergency plans and procedures. Therefore, the burden estimated for this effort is 5,460 hours. Approximately 8 hours of effort is involved for reviewing revised plans for 37 operating non-power reactors (296 hrs) and 2 hours for 15 permanently shutdown non-power reactors (30 hrs), and results in 326 hours of Federal burden. Thus, the total annual Federal burden is expected to be 5,786 hours, at a cost of \$815,826 (5,786 hours x \$141).

The cost is fully recovered by fee assessments to NRC licensees pursuant to 10 CFR 170 and/or 171.

15. Reasons for Changes in Burden or Cost

Although the estimated burden hours have decreased because some operating power reactors and non-power reactors shifted from operating to shutdown status, the total industry and Federal cost has increased due to the use of a higher value for hourly costs (\$141 per hour).

16. Publication for Statistical Use

The collected information is not published for statistical purposes.

17. Reason for Not Displaying the Expiration Date

The requirement is contained in a regulation. Amending the Code of Federal Regulations to display information that, in an annual publication, could become obsolete would be unduly burdensome and too difficult to keep current.

18. Exceptions to the Certification Statement

None.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable.