

June 30, 2004

MEMORANDUM TO: Nader L. Mamish, Director
Emergency Preparedness Directorate
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

FROM: Kevin Williams, Emergency Preparedness Specialist */RA/*
Licensing and Regulatory Improvements
Emergency Preparedness Directorate
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SUBJECT: SUMMARY OF MEETING WITH THE NUCLEAR ENERGY INSTITUTE
REGARDING CHANGES TO EMERGENCY PLAN GUIDANCE
FOR NUCLEAR POWER PLANTS

On June 3, 2004, the Emergency Preparedness Directorate (EPD) held a public meeting with the Nuclear Energy Institute (NEI) and industry personnel to discuss 10 CFR 50.54(q). The purpose of the meeting was to exchange information in order to inform the Regulatory Information Summary (RIS) and to provide industry with comments regarding their guidance document. The meeting attendees are listed in Attachment 1.

The NRC meeting format and opening remarks can be found in ADAMS, Accession number ML041730325.

The industry provided the following opening remarks:

- A desire to understand the timeline for the issuance of the Regulatory Information Summary (RIS)
- They may provide written comments after the meeting
- Industry looked at 50.54(q) with regard to the 50.59 process
- The main goal is to reduce the burden on both sides of the process
- Industry is contemplating proposing a 50.54(q) workshop

NEI gave a presentation of a Draft NEI "Decrease in Effectiveness 10CFR 50.54(q) Guidance" (see ADAMS Accession number ML041730320). In addition, NEI distributed its 50.54(q) draft guidance document(see ADAMS Accession number ML041190247)

The NRC staff handouts consisted of a 50.54(q) discussion, (see ADAMS Accession number ML041410539) and a flowchart of the 50.54(q) process,(see ADAMS Accession number ML041410009).

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The following items were discussed:

- Emergency Preparedness (EP) commitment - the difference between an EP Commitment and a Regulatory commitment.
- Over-commitments - the definition needs to be more detailed.
- Obligations - consider reviewing NEI 99-04 to determine if the emergency plan is an obligation.
- Overall effectiveness - the use of this term is subjective.
- Lower tier EP documents - the connection to the emergency plan should exist and be clearly defined.
- Use of examples in the draft RIS - determine if example are needed in the RIS.
- The difference between the Commission and the NRC - the Commission is not the staff, hence the Commission must approve a decrease in effectiveness (DIE).

Meeting Summary:

- The NRC staff will discuss with management the need to have a 50.54(q) workshop for industry representatives, NRC staff, and inspectors.
- July 1, 2004, Industry will provide by letter, an update of the NEI draft guidance document and comments on the NRC draft RIS.
- The NRC to inform the RIS based on the above discussion and Regional comments.
- The NRC staff plans to issue a RIS regarding Emergency Plan Changes in July/August.

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ADAMS ACCESSION NUMBER: Package ML041810587 Memo ML041810547
 Attachment ML041760306

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