

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, D.C. 20555-0001

June 6, 2005

**NRC REGULATORY ISSUE SUMMARY 2005-08
ENDORSEMENT OF NUCLEAR ENERGY INSTITUTE (NEI) GUIDANCE
“RANGE OF PROTECTIVE ACTIONS FOR NUCLEAR POWER PLANT
INCIDENTS”**

ADDRESSEES

All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

INTENT

The U.S. Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to endorse the Nuclear Energy Institute (NEI) guidance titled “Range of Protective Actions for Nuclear Power Plant Incidents, April 2005,” as an acceptable range of early-phase protective actions that licensees may use in the event of a nuclear power plant incident. This RIS requires no action or written response on the part of addressees.

BACKGROUND INFORMATION

Title 10 of the Code of Federal Regulations (CFR), Section 50.47(b)(10), requires, in part, that licensees develop a range of protective actions for the public in the plume exposure pathway emergency planning zone (EPZ). Also, 10 CFR 50.47(b)(10) requires that guidelines for the choice of protective actions during an emergency, consistent with Federal guidance, be developed and in place.

Section III, “The Final Safety Analysis Report,” of Appendix E to 10 CFR Part 50 requires that plans for coping with emergencies contain information to provide assurance of coordination among the supporting groups and with the licensee. Therefore, changes to a licensee’s emergency plan related to protective actions should be coordinated with the offsite response organizations. In this context, “coordinated” means that the licensee has contacted offsite response organizations and informed them of the proposed change.

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Due to the varied options in existing Federal guidance related to protective actions that may be taken in the event of a nuclear power plant accident, NEI developed the attached guidance to summarize a range of early-phase protective actions that may be used for nuclear power plant incidents. NEI requested NRC endorsement of the guidance in a letter dated April 27, 2005.

SUMMARY OF ISSUE

The NRC is endorsing the NEI guidance titled "Range of Protective Actions for Nuclear Power Plant Incidents, April 2005." The NEI guidance summarizes some of the published Federal guidance on the implementation of protective actions, but it does not replace the Federal guidance.

The flowchart attached to the NEI guidance is identified as a summary of the industry positions described in the NEI guidance. If a licensee chooses to use the flowchart, the licensee should determine the applicability of the flowchart to the licensee's emergency plan, along with consideration of site-specific plant, meteorological, and radiological conditions.

As ongoing studies related to the development of protective action recommendations are completed, new information may warrant the revision of existing NRC guidance or the development of additional Federal guidance.

A licensee may use the NEI guidance to change its emergency plan; however, the licensee should assure the plan is coordinated with offsite response organizations. While the endorsed NEI guidance provides an acceptable range of early-phase protective actions, a licensee may continue to use existing Federal guidance for the licensee's range of protective actions.

BACKFIT DISCUSSION

This RIS endorses NEI guidance titled "Range of Protective Actions for Nuclear Power Plant Incidents, April 2005," as an adequate description of a range of early-phase protective actions for the plume exposure pathway EPZ. The NEI guidance examines the protective actions detailed in current Federal guidance. Any action on the part of addressees to use the guidance endorsed by this RIS is strictly voluntary. This RIS does not impose new or modified staff requirements, or uniquely prescribe a way to comply with the regulations, or require any action or written response. Therefore, this RIS does not constitute a backfit under 10 CFR 50.109, and the staff did not perform a backfit analysis.

CONGRESSIONAL REVIEW ACT

This RIS is not a "rule" under the Congressional Review Act (5 U.S.C. sections 801-808) and, therefore, is not subject to the act.

FEDERAL REGISTER NOTIFICATION

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because it is informational and does not represent a departure from current regulatory practice.

PAPERWORK REDUCTION ACT STATEMENT

This RIS does not contain information collection requirements that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Existing collection requirements under 10 CFR Part 50 were approved by the Office of Management and Budget (OMB), approval number 3150-0011.

The NRC may not conduct or sponsor, and a person is not required to respond to, an information collection unless the requested document displays a currently valid OMB control number.

CONTACT

Please direct any questions about this matter to the technical contact(s) or the Lead Project Manager listed below.

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Attachment: NEI Guidance, "Range of Protective Actions for Nuclear Power Plant Incidents, April 2005"

Note: NRC generic communications may be found on the NRC public Web site, <http://www.nrc.gov>, under Electronic Reading Room/Document Collections.

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