



NUCLEAR ENERGY INSTITUTE

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May 25, 2005

Mr. Nader Mamish
Director, Emergency Preparedness Directorate
Office of Nuclear Security and Incident Response
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: Industry White Paper – “Enhancements to Emergency Preparedness Programs for Hostile Action Related Events,” May 2005

Dear Mr. Mamish:

The industry supports the Commission’s directive to pursue emergency preparedness post-9/11 enhancements through a bulletin. These enhancements require the integration of preparedness, operations and security efforts. However, NRC’s implementation schedules for interim compensatory measures, a security advisory, and the proposed emergency preparedness bulletin have not been coordinated to support effective industry training and implementation of preparedness, operations and security requirements. We request that the NRC make every effort to synchronize implementation schedules associated with safeguards advisory 05-02 (imminent threat procedure exercises) and the proposed emergency preparedness bulletin schedules.

Attached is a May 2005 white paper, “Enhancements to Emergency Preparedness Programs Hostile Action Related Events,” intended to support the proposed emergency preparedness bulletin. The white paper provides in detail the following enhancement activities:

- Emergency classification schemes for hostile action-related events
- Accelerated NRC call
- Protective measures for onsite personnel
- Emergency response organization augmentation
- Integrated emergency preparedness/security drill program

This paper does not address changes in offsite actions, as we believe our top priority for the licensee is public safety. As such, the paper focuses on post-9/11 onsite enhancements. The NRC has recommended that the first accelerated call from the

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plant should go to the NRC incident response center rather than to state/local agencies, even though these entities support the affected site and act to protect the nearby public. In view of this role, local stakeholders may claim they should receive the first call from the licensee. To address this concern, we recommend the NRC review this issue thoroughly with these agencies before invoking a unilateral mandate that the agency get the first call. The industry should not support such a change without NRC's outreach and consultation. At a broader level, the industry supports the concept that intelligence assessment and warning are within the proper sphere of Department of Homeland Security (DHS). While DHS may elect to exercise warning via the NRC, jurisdiction over threat assessment is a major policy issue that should be decided within DHS rather than by NRC alone. In addition, prior to its implementation, the impact of an enhanced emergency preparedness bulletin should be coordinated with the offsite agencies.

Implementation of concepts from this white paper will maintain program effectiveness. They can be applied under 10 CFR 50.54(q) without prior NRC approval. Coordination with state and local offsite response organizations should proceed in accordance with the current regulatory process.

In an effort to assure consistent implementation and review, a process for addressing frequently asked questions related to post-9/11 emergency preparedness enhancements should provide an organized forum for licensees and the NRC. This process will resolve questions in a collaborative and open context. By using this process, licensees can get timely, complete answers, and the NRC can exercise its regulatory responsibility efficiently and directly.

The white paper implementation schedule takes into account coordination among key areas, including security, operations and emergency preparedness, plan revisions, procedural development, facility review, training of shift complements and emergency response organization members, and off-site interactions. Notably, operator training will take a minimum of six weeks because of crew rotation. However, most operator re-qualification programs will be negatively impacted by this "emergent" training requirement, as the operator program of instruction is typically approved several months in advance of a session. The industry recommends the following schedules for implementation:

A. Emergency Classification Schemes for Hostile Action-Related Events

Emergency classification schemes for hostile action related events should be implemented by the industry within **180 days** of NRC endorsement of this white paper.

B. Accelerated NRC Call

The accelerated NRC call should be implemented by the industry within **90 days** of outreach and discussion with offsite response organizations to assure appropriate accelerated notification calls are made.

C. Protective Measures for Onsite Personnel

Additional protective measures for onsite personnel should be implemented by the industry within **180 days** of NRC endorsement of this white paper.

D. Emergency Response Organization Augmentation

The additional guidance supporting the emergency response organization directed in this white paper will be implemented by the industry within **180 days** of NRC endorsement of this white paper.

E. Integrated Emergency Preparedness/Security Drill Program

The implementation of the program for the integrated emergency preparedness/security drills will be implemented as described.

The industry requests that the regulatory vehicle endorsing the white paper include industry's recommended implementation schedule. NRC validation of these enhancements should be consistent with this schedule. Please respond with your intentions regarding this initiative by June 27, 2005.

The NEI Emergency Preparedness Working Group offers its full support for industry implementation and training once the white paper has been endorsed. The industry appreciates the efforts that you and your staff have made to develop emergency preparedness enhancements and work with the NEI Task Force. If you or your staff has any questions, please contact me at (202) 739 8110, or apn@nei.org.

Sincerely,



Alan Nelson

Enclosure

c: Roy P. Zimmerman
Eric J. Leeds
Glenn M. Tracy