

August 8, 2006

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

FROM: Ronald V. Schmitt, EP Specialist **/RA/**  
Division of Preparedness and Response  
Office of Nuclear Security and Incident Response

SUBJECT: SUMMARY OF FOLLOW UP MEETING WITH THE NUCLEAR ENERGY  
INSTITUTE (NEI) AND INDUSTRY REGARDING THE REVIEW OF  
EMERGENCY PREPAREDNESS REGULATIONS AND GUIDANCE FOR  
COMMERCIAL NUCLEAR POWER PLANTS

On July 19, 2006, the Division of Emergency Preparedness and Response (DPR) held a Category 2 public meeting with NEI and industry representatives. The meeting involved follow up discussions on selected topics from the Review of EP Regulations and Guidance. Specific topics discussed included Security-based Emergency Action Levels, Security-based Drills/Exercises, Protective Action Recommendations (PARs), and the Alert and Notification System. The meeting served as an information exchange to solicit input from NEI and industry for incorporation into the Commission paper that will provide the results of the Review of EP Regulations and Guidance. The meeting attendees are listed in the enclosure.

The NEI and industry's key points are summarized below:

- Outreach efforts should inform State and local emergency agencies that NEI-99-01 is an acceptable methodology for EAL classifications.
- The 30-minute EAL criteria, associated with airplanes identified as potential threats to power plants, is consistent with other governmental agencies threat criteria.
- NRC and DHS regulation changes should be performed in parallel and these activities should be coordinated.
- The NRC should recognize that the EAL schemes are based on utilization of a basic template. Subsequently, they should be applied only after considering site specific aspects.
- Licensees should be given Drill and Exercise Performance Indicator (PI) credit for conducting security-based drills even if no release and no protective action recommendation occurs.

- Implications of the recent Presidential Executive Order for a national alert warning system on the current alert and notification system (ANS).
- Back-up power to off-site sirens may not be the best answer to public notification issues.
- Evacuation may not be the optimum protective action recommendation.
- In order to develop protective actions to ensure the public's health, NEI/Industry is looking at margins of safety that can be explored to optimize protective actions (i.e., to identify the areas where there is the highest level of risk).
- Changes to the regulations should have sound technical basis for protective strategies.
- Any changes to public protection strategies should be conveyed to States and locals.

In addition, NEI discussed the need for the NRC to clarify 10 CFR 50.54(q) and better define "reasonable assurance." The meeting was very productive and accomplished the stated objective of engaging the NEI and the nuclear industry on various EP regulatory issues.

The NRC meeting announcement and agenda can be found in ADAMS Accession Number: ML061720153.

Enclosure:  
As stated

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SUNSI Review Complete by: Ronald V. Schmitt

**ADAMS ACCESSION NUMBER: ML062090202**

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OFFICE	NSIR/EPD	NSIR/EPD	NSIR/EPD	NSIR/EPD
NAME	RSchmitt	KWilliams	EWeiss *Dan Barss for	RSchmitt
DATE	07/26/06	08/04/06	08/04/06	08/08/06

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**ATTENDEES LIST****FOLLOW UP MEETING WITH NEI AND INDUSTRY ON THE REVIEW OF EMERGENCY  
PREPAREDNESS REGULATIONS AND GUIDANCE**

July 19, 2006

	<b>NAME</b>	<b>ORGANIZATION</b>	<b>TITLE/POSITION</b>
1.	Martin Vonk	NMC	Sr. EP Specialist
2.	Peter Lefkins	Duke Energy	EP Specialist
3.	Kathryn Brock	NRC	Sr. EP Specialist
4.	Kevin Williams	NRC	Team Leader, EP Communications
5.	Ronald V. Schmitt	NRC	EP Specialist
6.	Eric Weiss	NRC	Branch Chief, Licensing and Regulatory Improvement Branch
7.	Keith Kemper	EXELON	EP Director
8.	Scott McCain	EXELON	EP Manager
9.	Timothy East	WCNOC	Supt. EP
10.	Kevin Bruckerhoff	Calloway	Supv. EP/Fire Marshal
11.	Tina Kuhr	Duke Energy	Nuc. EP Coordinator
12.	Giannell Steen	South. Cal. Ed	EP Specialist
13.	Paul Gunter	NIRS	Project Director, Reactor Watchdog
14.	Daniel Wilcox	DHS	Dep Branch Chief Radiological EP
15.	Falk Kantor	NRC	EP Consultant
16.	Jenny Weil	McGraw Hill	Managing Editor
17.	Alan Nelson	NEI	Director, EP
18.	Thomas Fitzpatrick	ENTERGY	EP
19.	Tony McMurtray	NRC	Branch Chief, Inspection and Communications Branch
20.	Tony Feltman	TVA	EP Manager
21.	Alan Grosjean	ENTERGY	Sr. Project Manager
22.	Brian McBride	Dominion	EP Manager
23.	Vernon Higaki	FENOC	EP Manager
24.	R.G. Collings	FENOC	Sr. Consultant
25.	W.H. Lee	SNC	EP Supervisor
26.	Deann Raleigh	LIS Scientech	LIS Client Manager
27.	Nader Mamish	NRC	Deputy Director EP, Division of Preparedness and Response
28.	Martin Hug	NEI	Project Manager
29.	Dan Barss	NRC	Team Leader, EP Licensing

Enclosure