

December 5, 2007

Martin Vyeniello, Chief  
Emergency Response Section  
Pennsylvania Department of Environmental Protection  
Bureau of Radiation Protection  
P.O. Box 8469  
Harrisburg, PA 17105

SUBJECT: PUBLIC MEETING COMMENTS ON THE SECURITY THREAT-BASED  
EMERGENCY PREPAREDNESS DRILL AND EXERCISE INITIATIVE

Dear Mr. Vyeniello:

I would like to extend my appreciation for your formal comments provided at the November 9, 2007, public meeting (Enclosure 1). These comments will be attached to the formal public meeting minutes and have been provided to Vanessa Quinn (FEMA Acting Director, Technological Hazards Division).

The following provides a response to your specific comments based on on-going interfaces with the Nuclear Energy Institute (NEI), regarding the conduct of "off-year" hostile action-based emergency preparedness (EP) drills, and the Federal Emergency Management Agency (FEMA), regarding incorporation into biennial exercises:

1. Comments on the status and lessons-learned from the "off-year" hostile action-based EP drills, including scenario development
  - a. [Pilot Program – Learning Experience] The comment emphasizes that these drills serve as learning experiences for both the licensee and offsite response organizations. The use of these drills by the licensee to satisfy The Nuclear Regulatory Commission (NRC) performance indicators may inadvertently limit offsite response organization participation in scenario development activities. A comment was also highlighted that the use of the same scenario for both the tabletop discussion and drill provided a valuable learning experience.

Response: The NRC staff agrees that these drills are intended to be a learning experience for all participants and has encouraged licensees to fully engage State and local response agencies in scenario development activities. While the staff has emphasized that "off-year" hostile action-based EP drills should be used to their fullest as no fault opportunities to validate threat-based EP enhancements, the use of these drills to satisfy performance indicators remains a licensee option. However, the NRC staff believes that this can be accomplished while providing for continued offsite response organization involvement in scenario development activities, and will further consider this comment in our review of Revision 1 to NEI 06-04, "Conducting a Hostile Action-Based Emergency response Drill", dated October 31, 2007, The NRC staff also agrees that the

use of the proposed drill scenario in the tabletop can provide valuable lessons leading to the drill itself.

- b. [Exercise Timeline] The comment emphasizes that the use of the “time jump” option, provided for in Revision 0 to NEI 06-04, can result in confusion of the part of participants and recommends that this option be eliminated.

Response: This concern has been captured in industry lessons-learned and NRC staff observations of the initial drills conducted during Calendar Year 2007. As a result, Revision 1 to NEI 06-04 encourages that the use of a “time jump” be eliminated to ensure a seamless transition between drill elements. The NRC staff will be considering this further as part of our current review of Revision 1 to NEI 06-04.

- c. [Radiological Release] The comment emphasizes that scenarios used for hostile action-based EP drills should continue to allow for the possibility of a radiological release due to the fundamental hazard that exists related to a nuclear power plant.

Response: The NRC staff has recommended that “off-year” hostile action-based EP drills, conducted through Calendar Year 2009, should focus primarily on the unique challenges terrorist events pose to existing EP programs, rather than radiological elements currently demonstrated during biennial exercises. However, as reflected in Revision 1 to NEI 06-04, the NRC staff believes that the event should escalate to a General Emergency classification to allow for the demonstration of protective action decision-making. The NRC and FEMA are working to develop a range of radiological release options for future biennial exercises, including hostile action-based initiating event scenarios, to address measures to avoid the preconditioning of exercise participants. While the NRC staff is recommending in discussions with FEMA that a “no release” option should be provided, we are not recommending that its use exclusively for hostile action-based events is appropriate. Rather radiological release options should vary based on initiating events between exercise cycles.

- d. [Development of Standard Guidance for Nuclear Power Plants] The comment highlights the need for the development of standardized guidance in several areas, including command and control (under the Incident Command Structure), staging areas for offsite responders, communications interoperability, credentialing of offsite responders, etc.

Response: The NRC staff agrees with the importance of the development of standard guidance for offsite responders to a hostile action-based event at a nuclear power plant, and is working with FEMA and NEI/industry, as part of the “off-year” hostile action-based EP drills, to help further define possible standard guidance in these areas.

- e. [Input from Offsite Response Organizations] The comment states that in March 2007, the Pennsylvania Bureau of radiation Protection submitted extensive comments on Revision 0 to NEI 06-04, but had no indication that its comments were accepted. Involvement by offsite response organizations in an active and substantial way in the process was recommended.

Response: To facilitate comments by offsite response organizations on Revision 1 to NEI 06-04, the document has been added to the following NRC Public Website established for the purpose of communicating aspects of the hostile action-based EP drill/exercise initiative:

<http://www.nrc.gov/about-nrc/emerg-preparedness/respond-to-emerg/hostile-action.html>.

Comments may be provided on Revision 1 to NEI 06-04, and on the initiative in general, using the “[contact us](#)” prompt at the bottom of the web page. The NRC staff has also shared your comments provided at the November 9, 2007, public meeting with FEMA for consideration as part of proposed changes to the exercise evaluation methodology being considered.

2. Comments on proposed changes to the FEMA’s Radiological Emergency Preparedness Program Manual

- a. [Stakeholder Involvement] The comment emphasizes the need to include broad stakeholder involvement, including NEI/industry, State and local response organizations, and law enforcement, into developing specific changes to FEMA’s exercise evaluation methodology that address the unique challenges posed by hostile action-based initiating events.

Response: The NRC staff agrees with the importance in obtaining stakeholder involvement in developing these criteria. The NRC staff is working with FEMA to identify and support options for increase stakeholder participation. The NRC staff will also continue to seek venues for outreach with stakeholders as we work with FEMA toward incorporating hostile action-based initiating events into biennial exercises.

I look forward to our continued interaction with State and local agencies on nuclear security and EP issues related to NRC Bulletin 2005-02. Please call Anthony McMurtry at (301) 415-2746 or Joseph Anderson at (301) 415-4114 if you have any questions regarding NRC efforts under this initiative.

Sincerely,

*/RA/*

Christopher G. Miller, Deputy Director  
Emergency Preparedness  
Division of Preparedness and Response  
Office of Nuclear Security and Incident Response

Enclosure:  
As stated

cc: R. Easton (Pennsylvania DEP/BRP)  
D. Wilcox (FEMA)  
M. McLaughlin (NRC Region I)

V. Quinn (FEMA)  
N. McNamara (NRC Region I)  
James Trapp (NRC Region I)

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3. Comments on proposed changes to the FEMA’s Radiological Emergency Preparedness Program Manual

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M. McLaughlin (NRC Region I)            James Trapp (NRC Region I)

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