

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
OFFICE OF NUCLEAR REACTOR REGULATION
OFFICE OF FEDERAL AND STATE MATERIALS AND
ENVIRONMENTAL MANAGEMENT PROGRAMS
WASHINGTON, DC 20555-0001

January 22, 2009

NRC INFORMATION NOTICE 2009-01: NATIONAL RESPONSE FRAMEWORK

ADDRESSEES

All holders of operating licenses or certificates for nuclear power plants, research and test reactors, independent spent fuel storage installations, fuel cycle facilities, and radioactive materials. All holders of operating licenses for uranium recovery facilities and all holders of licenses or certificates for the following types of facilities undergoing decommissioning: nuclear power plants, research and test reactors, fuel cycle facilities, and uranium recovery facilities.

PURPOSE

The U.S. Nuclear Regulatory Commission (NRC) is issuing this Information Notice (IN) to inform licensees and certificate holders of the National Response Framework (NRF), which replaced the National Response Plan (NRP) in 2008. This IN describes how Federal departments and agencies will use the NRF in their response planning so that licensees understand and are better prepared for a coordinated Federal response to an event at their facility. The NRC expects that recipients will review the information for applicability to their facilities and consider actions, as appropriate. Suggestions contained in this IN are not NRC requirements; therefore, no specific action or written response is required.

DESCRIPTION OF CIRCUMSTANCES

On January 08, 2008, the Department of Homeland Security (DHS) released the NRF. The NRF is a guide to how the Nation conducts all-hazards response. It is built upon scalable, flexible, and adaptable coordinating structures to align key roles and responsibilities across the Nation. It also describes specific authorities and best practices for managing incidents that range from the serious but purely local, to large-scale terrorist attacks or catastrophic natural disasters.

The NRF establishes a national, all-hazards approach to domestic incident response. The NRF identifies the key response principles, as well as the roles and structures that organize national response. The NRF describes how communities, States, the Federal Government, the private-sector, and nongovernmental partners apply these principles for a coordinated, effective national response. In addition, it describes special circumstances where the Federal government exercises a larger role, including incidents where Federal interests are involved and catastrophic incidents where a State would require significant support. The NRF lays the

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groundwork for first responders, decision makers, and supporting entities to provide a unified national response.

The NRF is supported by annexes, including the Emergency Support Functions Annex, Support Annexes, and Incident Annexes for specific types of incidents. The annexes provide concepts of operations, procedures, and structures to assist partners with their respective response directives in fulfilling their roles under the NRF.

One change to the NRF is the elimination of the term Incident of National Significance (INS). The term was eliminated in order to focus on a more agile coordinated response from the entire incident management community. In accordance with Homeland Security Presidential Directive-5 (HSPD-5), DHS will engage and manage the overall Federal response when; (a) a Federal department or agency acting under its own authority has requested DHS's assistance, (b) resources of State and local authorities are overwhelmed and Federal assistance has been requested, (c) more than one Federal department or agency has become substantially involved in responding to an incident, or (d) the Secretary of the DHS has been directed by the President to assume incident management command responsibilities. In addition, during outreach activities associated with the NRF, DHS has stated that they will coordinate with the appropriate departments or agencies to ensure that they are ready to manage the overall Federal response during an incident, should the HSPD-5 criteria be met.

As with the NRP, the NRF does not alter the NRC's independent authority or impede its ability to respond to events involving NRC-licensed facilities or materials. As outlined in the Nuclear/Radiological Incident Annex, the NRC is responsible to: (a) independently assess facility conditions and monitor licensee response activities; (b) ensure that appropriate protective action recommendations are communicated to the State and local officials; (c) keep the public informed of the NRC's understanding of the event; and, (d) if necessary, the Chairman may invoke his authority to intervene and issue orders that may direct the licensee's response activities on-site.

Most important to the NRC and its licensees is the Nuclear/Radiological Incident Annex, which outlines the roles and responsibilities of the various Federal agencies involved in radiological accidents/incidents.¹ A change to the Nuclear/Radiological Incident Annex (June 2008) removed the requirement for the NRC to be the Coordinating Agency for events involving Radiological Dispersal Devices or Improvised Nuclear Devices. The Nuclear/Radiological Incident Annex does not create any new authorities, nor change any existing ones, regarding the NRC's independent authority to respond to events involving NRC-licensed facilities or materials.

The Nuclear/Radiological Incident Annex to the NRF states that the NRC is the Coordinating Agency for events occurring at NRC-licensed facilities and for radioactive materials licensed either by the NRC or under the NRC's Agreement States Program. As Coordinating Agency, NRC has technical leadership for the Federal government's response to the event. As the

¹ In addition to releasing the NRF base document, the Emergency Support Function Annexes and Support Annexes are available on-line at the NRF Resource Center (www.fema.gov/nrf).

severity of an event worsens, DHS will proactively engage in the coordination of the overall Federal response to the event in accordance with the criteria outlined in HSPD-5.

When called upon to act as the Coordinating Agency, the NRC is responsible for providing timely status updates to DHS and the White House. This includes: (a) participating in senior-level telephone conference calls with licensee, State, local, and Federal entities; (b) participating in press briefings by the Secretary of the Department of Homeland Security or other senior Federal officials, as necessary; (c) dispatching liaisons to the DHS and/or Federal Emergency Management Agency (FEMA) Operations Centers; (d) providing input to DHS Situation Reports, as requested; and, (e) dispatching NRC representatives to the Joint Field Office.

DISCUSSION

In January 2008, DHS released the NRF that establishes a national, all-hazards approach to domestic incident response for events that include nuclear/radiological events. This IN informs licensees that Federal departments and agencies will use the NRF in their response planning so that licensees understand and are better prepared for a coordinated Federal response to an event at their facility. Additional information on the NRF and its supporting documents can be found on the FEMA website at <http://www.fema.gov/emergency/nrf>.

While the NRF provides for a unified national response to events, specific roles and responsibilities of the NRC and its licensees remain unchanged.

- The licensee has the primary responsibility for operation of the equipment or facility, to bring it to a safe condition, and to mitigate the consequences of an event. The licensee is also responsible for making timely emergency notifications and protective action recommendations to the State and local authorities, as applicable.
- The NRC has the primary responsibility to provide an independent assessment of the event, communicate information to the State, and coordinate with Federal agencies, consistent with the roles stated in the NRF.

CONTACT

This IN requires no specific action or written response. Please direct any questions about this matter to the technical contact listed below.

Timothy J. McGinty, Director
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Daniel H. Dorman, Director
Division of Fuel Cycle Safety and Safeguards
Office of Nuclear Material Safety and Safeguards

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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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