

Rulemaking, NEI Perspective

NRC Public Meeting

July 8th, 2008

Marty Hug - NEI

Proactive Response to the Post 9-11 Environment

“Following the terrorist events of September 11, 2001, the staff evaluated the EP planning basis and concluded that the EP Planning basis remains valid.”

Industry’s Proactive Response Validated by Inspection

- 15 Minute Prompt Notification
- Security Based Emergency Action Levels
- Alternate Mustering Locations
- Protection of On-site Personnel
- Coordination with Local Law Enforcement and Offsite Response Organizations
- Enhancements to Threat Based Notifications

And,

- Hostile Action Based Drills
 - Lessons Learned

Drills and Exercise

- **Cross Cutting NRC onsite – FEMA Offsite**
- **NRC Goal - Rulemaking**
 - **Hostile Action Exercise Program**
 - **Challenging Scenarios Avoiding Pre-Conditioning**
- **NEI Position**
 - **General Emergency (GE)**
 - **One Exercise should NOT Result in General Emergency**
 - **No-Release Option – FEMA Guidance and NRC Rule are not in Agreement**
 - **One Exercise should NOT Result in Release**
 - **EPA-400 Protective Action Guides (PAGs) Beyond Five Miles**
 - **Release Consistent with Source Term and Risk Informed**
 - **Hostile Action Based Exercises**
 - **Remove “No Release Option” for Consecutive Exercise**

3

Security Event-Based Drills and Exercise

- **FEMA Focus Group Feed Back**
 - **Offsite Emergency Response Organization Views**
 - **FEMA Regions: I, II, III, IV, IX and X**
 - **To Date Views Seems to be Consistent with Industry**

4

Collateral Duties

- **On-Shift Staff Emergency Response Actions Should be Consistent with Nuclear Safety Goal**
- **Staffing Should be Not be Based on Unlikely Scenarios**
- **Collateral Duties Acceptable**
 - **Tasks are not Mutually Exclusive**

5

ERO Augmentation and Alternate Facilities

Mustering Point / NOT New EOF

- **Alternate Mustering Point for Emergency Response Organization (ERO)**
 - **Technical Support Center (TSC) and Operational Support Center (OSC)**
 - **Emergency Operations Facility (EOF)**
 - **Communicate with**
 - **Plant Control Room**
 - **Offsite Response Organization (ORO)**

6

Comprehensive Review Issues

- **Alert and Notification System**
 - National Guidance
 - CPG-1-17, “*Outdoor Warning System Guide*”
 - REP 10, “*Guide for the Evaluation of Alert and Notification Systems for Nuclear Plants*”
- **Coordination with Offsite Response Organization**
 - National Incident Management System

7

NOT Post 9-11

- **Proposed Rulemaking NOT Resulting from Post 9-11**
 - Emergency Classification Timeliness

8

Decrease in Effectiveness – 50.54q

▪ NEI Position

- Agree – Staff Approval**
- Reduce the Regulatory Burden**
 - Licensees Should be Allowed to Implement Alternate Methods for Meeting Regulation**
 - Define Minimal**
 - Previously Approved by NRC**
- 10CFR50.90**

9

In Conclusion

New Regulations Must be Developed in a Deliberate Manner with the Benefit of Input from:

- FEMA Focus Groups**
- National Studies**
- Comprehensive Review Process**
- Industry**
- Interested Stakeholders**

Until that Input is Solicited, Understood and Addressed Draft Proposed Rulemaking should not Proceed to the Draft Rule Stage.

There is Risk in Addressing Rulemaking in a Non-Deliberate Manner.

- The EP Planning Basis Remains Valid**
- Industry has Voluntarily made Extensive Improvements to EP Post 9-11 to Protect the Health and Safety of the Plant Staff and General Population in the Event of a Hostile Action**

10