



FEMA

SEP 29 2010

Mr. Brian J. McDermott, Director  
Division of Preparedness and Response  
Office of Nuclear Security and Incident Response  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-001

Mr. James R. Kish, Director  
Technological Hazards Division  
National Preparedness Directorate  
Federal Emergency Management Agency  
Washington, DC 20598-3025

Dear Messrs McDermott and Kish:

This letter serves to document the termination of the Hostile Action-Based (HAB) Emergency Preparedness (EP) Drill Working Group, based upon completion of designated activities as outlined in the enclosed April 7, 2008 charter (ADAMS Accession Number ML080950199). The charter defined the purpose, activities, and membership for the Hostile Action-Based EP Drill Working Group to support HAB EP (Phase 3) drills conducted in response to Bulletin 2005-02, "Emergency Preparedness and Response Actions for Security-Based Events," dated July 18, 2005 (ADAMS Accession Number ML051740058). Since these drills were conducted as part of a voluntary industry initiative, and not as part of a required (evaluated) drill or exercise, working group membership included representation from the Nuclear Energy institute (NEI).

To avoid any perception of a conflict of interest, and to ensure that required protocols for open public engagement and comment are adhered to, further activities involving the incorporation of hostile action scenarios into routine biennial EP exercises under proposed EP rulemaking will be coordinated by a separate FEMA/NRC Rulemaking Working Group. However, it is recommended that former FEMA/NRC representatives from the HAB EP Drill Working Group be consulted during the formal resolution and adjudication of public comments as part of the FEMA/NRC Rulemaking Working Group as determined appropriate by FEMA and NRC management.

In addition, a separate FEMA/NRC HAB Transition Working Group has been chartered, (ADAMS Accession Number ML092240286), to provide recommendations to FEMA and NRC management on the potential for further "no fault" demonstrations of HAB elements as part of formal biennial exercises prior to the formal implementation of final EP rulemaking.

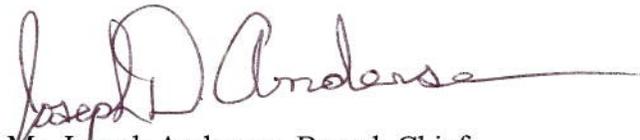
Prior to final termination of HAB EP Drill Working Group activities, the primary representatives of member organizations (FEMA, NRC, and NEI) will ensure that:

- NEI lessons-learned from the initiative are appropriately captured and posted to the NEI members' website to support proposed future demonstration of HAB scenarios and will be incorporated into Revision 2 of NEI 06-04, "Guideline for the Development of Emergency Preparedness Drill and Exercise Threat-Based Scenarios".

- Significant lessons-learned appropriate to offsite response organizations are captured and posted to the Department of Homeland Security (DHS) Lessons-Learned Information Sharing website (LLIS.gov); and
- Significant licensee good practices and lessons-learned, identified based on NRC observations, are captured in and promulgated by a publicly available generic communication.

This letter also serves to document licensees' fulfillment of NRC expectations as outlined in Attachment 6 to NRC Bulletin 2005-02. With the conduct of the December 10, 2009 Palo Verde Station drill, each commercial nuclear power plant site will have conducted a HAB EP drill or tabletop as part of a voluntary industry initiative.

Sincerely,



Mr. Joseph Anderson, Branch Chief  
Division of Preparedness and Response  
Office of Nuclear Security and Incident Response  
U.S. Nuclear Regulatory Commission



Ms. Vanessa E. Quinn, Branch Chief  
Radiological Emergency Preparedness  
Technological Hazards Division  
National Preparedness Directorate  
Federal Emergency Management Agency

Enclosure: As stated

cc: Mr. Chris Miller, NRC  
Mr. Craig Fiore, FEMA