

January 08, 2010

MEMORANDUM TO: Melvyn N. Leach, Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

FROM: James R. Anderson, EP Specialist */RA/*
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SUBJECT: SUMMARY OF DECEMBER 17, 2009, MEETING TO DISCUSS
THE PROPOSED CONTINUATION OF HOSTILE ACTION-
BASED INITIATIVE DURING FUTURE BIENNIAL EXERCISES

On December 17, 2009, a Category 2 public meeting was held between the Nuclear Regulatory Commission (NRC), the Federal Emergency Management Agency (FEMA), and representatives from the Nuclear Energy Institute (NEI) and industry at Bethesda North Marriott Hotel and Conference Center in Rockville, MD. State and local government organizations and interested members of the public also had the opportunity to participate and comment via web-based technology. A listing of meeting attendees is enclosed.

In December 2009, the industry completed a voluntary initiative during which each nuclear power plant site conducted a Hostile Action-Based (HAB) Emergency Preparedness (EP) Drill over a 3-year period in response to Bulletin 2005-02, "Emergency Preparedness and Response Actions for Security-Based Events." The proposed NRC EP Rulemaking would incorporate the periodic demonstration of hostile action scenarios during scheduled biennial exercises. To continue the learning process from the HAB EP Drill Initiative, and in response to an industry request, the NRC and FEMA proposed the continued demonstration of hostile action elements. The proposed activities would be conducted on a voluntary basis as part of scheduled biennial exercises during the transition period prior to the implementation of new drill and exercise requirements under the proposed EP Rulemaking. The meeting provided an opportunity for public discussion on this proposal.

Chris Miller (NRC Deputy Director, Division of Preparedness and Response) provided a brief background of the HAB EP Drill Initiative and outlined the onsite (licensee) aspects for the proposed ground rules. James Kish (FEMA Director, Technological Hazards Division) followed by discussing how the proposed ground rules would be implemented by offsite response organizations (OROs) and highlighting how scenario development would need to be a collaborative process among licensees, OROs, and the respective FEMA Region.

Sue Perkins-Grew, representing NEI, provided the industry's response to the proposed ground rules put forth by the NRC and FEMA. The industry presented the perspective that the continued demonstration of hostile action scenarios during the anticipated transition

period (2010-2012) is in the best interest of the industry and ORO stakeholders. Industry further agreed with NRC and FEMA that this transition period provides a valuable opportunity to practice, prepare, and validate draft procedures and proposed NEI guidelines (Revision 2 to NEI 06-04) in advance of the final rule. However, the industry position is that the value of HAB functional demonstrations can be maximized during the transition period in a non-evaluated setting. NEI offered an alternate approach in which NEI would:

- Reach out to licensees to ascertain how they will maintain performance and proficiency during the transition period;
- Reach out to licensees who performed their HAB EP drill early in the pilot period to determine how they will prepare for implementation of proposed EP Rulemaking requiring periodic demonstration of hostile action scenarios; and
- Identify which licensees will be conducting drills with OROs using the draft revision of the NEI guidelines to: (1) ensure opportunities for observation by industry, FEMA, and NRC; (2) to introduce a radiological release of reasonable magnitude; and (3) generate additional operating experience summaries.

After the NEI presentation, the floor was opened for comments from interested stakeholders, which primarily consisted of clarifying questions on proposed ground rules and suggestions for NRC and FEMA consideration. Responses were provided by the panel of NRC and FEMA staff members and by representatives of NEI and industry.

The following documents from this meeting: Presentation (ML093500161), NEI Talking Points (ML100060873), Meeting Transcript (ML100060889), as well as the Meeting Notice and Proposed Groundrules (ML093240210) can be found in the Agencywide Documents Access and Management System (ADAMS).

Enclosure: As stated

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