

October 12, 2010

Susan Perkins-Grew  
Director, Emergency Preparedness  
Nuclear Energy Institute  
1776 I Street, NW  
Suite 400  
Washington, DC 20006-3708

SUBJECT: PROPOSED CHANGES FOR CONSIDERATION TO THE NUCLEAR ENERGY INSTITUTE (NEI) REPORT, NEI 99-01, "METHODOLOGY FOR THE DEVELOPMENT OF EMERGENCY ACTION LEVELS"

Dear Ms. Perkins-Grew:

Based on the review of recent emergency action level (EAL) scheme change submittals adopting Revision 5 to NEI 99-01, the staff has identified below proposed enhancements to NEI 99-01 EAL Methodology (for consideration by the NEI EAL Task Force.

1. Revise EAL Basis format (Sections 5.5 through 5.11) to separate Developer Notes from Technical Basis Information.
2. Revise EAL Basis (under proposed Developer Notes) to clarify on how specific instrumentation, alarms or readings should be developed, where.
3. Clarify where site-specific definitions are required (e.g., CONTAINMENT CLOSURE).
4. Clarify or propose alternatives on the seismic and fire EALs for licensees may do not have adequate instrumentation to ensure timely classification from within the Control Room.
5. Revise to include a section for development of EALs applicable to new 'non-passive' designs (digital Instrument & Controls, etc.).
6. Clarify meaning of terms: "freshly loaded fuel" (HG1) and "non-routine pathways" (Abnormal Rad levels / Radiological Effluent EALs).
7. Revise the front sections of document to eliminate redundancy and inconsistency, and clearly differentiate between information that is useful for understanding how the document was put together and information that is expected to be carried over into a licensee's technical basis document.

8. Conduct a review of all Unusual Events to determine if they should be revised/eliminated or added to, include in this review a discussion of any revision proposals for the corresponding Alerts. (Note: this is primarily for events that are based upon situations where emergency response organization activation is the goal rather than a precursor to escalated EALs.)

These proposed enhancements are being provided at this time only to facilitate discussion at the Category 2 public meeting on October 14, 2010 (ADAMS Accession No.: ML102510699), where industry is planning to discuss the scope of EAL changes being considered as part of a proposed Revision 6 to NEI 99-01. As such, this letter does not infer staff endorsement of any changes to the NEI 99-01 EAL Methodology.

Any questions pertaining to the enclosure may be directed to either Michael Norris (301) 415-4098 or Don Johnson (301) 415-4040.

Sincerely,

*/RA/*

Joseph D. Anderson, Chief  
Operating Reactor Licensing Branch  
Division of Preparedness and Response  
Office of Nuclear Security and Incident Response

Enclosure 1: As stated

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Enclosure 1: As stated

DISTRIBUTION:

C. Miller, NSIR      M. Norris, NSIR      D. Johnson, NSIR

**ADAMS ACCESSION NUMBER: ML102810405**

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Date	10/06/2010	10/08/2010	10/12/2010

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