



Public Meeting to Discuss the Proposed Implementation Dates of the Draft Emergency Preparedness Final Rule

November 15, 2010

Hilton Rockville

Rockville, MD

HOUSEKEEPING ITEMS

- Safety First
 - Emergency egress from the room
- Restrooms
- Please Put Cell Phones and Pagers on Vibrate
- One Break in the Agenda
- Meeting is Being Transcribed

TODAY'S AGENDA

- Opening Remarks – NRC
- Presentation of Draft EP Final Rule
Implementation Dates – NRC and FEMA
- Discussion – All
- **BREAK**
- Continued Discussion – All
- Closing Remarks – NRC

OPTIONS FOR PARTICIPATION

- Multiple ways to participate today
 - In person
 - “Viewing” using the Internet
 - “Listening” using the toll-free 800#

Please
Use the Microphone When Speaking

FOR PARTICIPATION REMOTELY

- Out of respect for other listeners:
 - Please mute your phone (*6)
 - Don't forget to un-mute (*6) to ask your question

For everyone who asks a question...

- Please state your name, organization, and your comment or question for the panel

OPENING REMARKS

Chris Miller, NRC Deputy Director for Emergency Preparedness

FEEDBACK ON IMPLEMENTATION DATES

- Feedback provided today will be recorded in the meeting transcript
- Written feedback will also be included as an attachment to the meeting minutes, which will be posted on www.regulations.gov
- Deadline for submitting written feedback is 11:59 PM Eastern Standard Time today
- Feedback can be submitted to emergencypreparedness.resource@nrc.gov

EP RULE IMPLEMENTATION MATRIX

| # | EP RULE TOPIC | FINAL RULE CITATION | PROPOSED RULE IMPLEMENTATION PERIOD | REQUESTED IMPLEMENTATION PERIOD | DRAFT FINAL RULE IMPLEMENTATION PERIOD ¹ | IMPLEMENTATION PERIOD CHANGE (Final vs. Proposed) |
|---|---|--|--|---------------------------------|--|---|
| 1 | Amended Emergency Plan Change Process | 10 CFR 50.54(q) | 30 days after date of final rule publication in <i>Federal Register</i> | 12 months | 30 days after date of final rule publication in <i>Federal Register</i> | No change |
| 2 | Evacuation Time Estimate Updating | 10 CFR Part 50, Appendix E, Section IV.3 | 6 months after date of final rule publication in <i>Federal Register</i> | 12 months | Within 365 days of the later of the date of availability of decennial census data from the U.S. Census Bureau or effective date* of final rule | +6 months |
| 3 | Licensee Coordination with Offsite Response Organizations | 10 CFR Part 50, Appendix E, Section IV.A.7 | 6 months after date of final rule publication in <i>Federal Register</i> | 24 months | 365 days after date of final rule publication in <i>Federal Register</i> | +6 months |
| 4 | On-Shift Multiple Responsibilities | 10 CFR Part 50, Appendix E, Section IV.A.9 | 6 months after date of final rule publication in <i>Federal Register</i> | 36 months | 180 days ² after date of final rule publication in <i>Federal Register</i> | No net change |
| 5 | Emergency Action Levels for Hostile Action | 10 CFR Part 50, Appendix E, Section IV.B.1 | 6 months after date of final rule publication in <i>Federal Register</i> | 36 months | 180 days after date of final rule publication in <i>Federal Register</i> | No net change |
| 6 | Emergency Declaration Timeliness | 10 CFR Part 50, Appendix E, Section IV.C.2 | 6 months after date of final rule publication in <i>Federal Register</i> | 12 months | 180 days after date of final rule publication in <i>Federal Register</i> | No net change |
| 7 | Alert and Notification System Backup Means | 10 CFR Part 50, Appendix E, Section IV.D.3 | 1 st biennial exercise more than 1 year after effective date* of final rule | 36 months | 1 st biennial exercise more than 395 days after date of final rule publication in <i>Federal Register</i> | No net change |

EP RULE IMPLEMENTATION MATRIX

| # | EP RULE TOPIC | FINAL RULE CITATION | PROPOSED RULE IMPLEMENTATION PERIOD | REQUESTED IMPLEMENTATION PERIOD | DRAFT FINAL RULE IMPLEMENTATION PERIOD ¹ | IMPLEMENTATION PERIOD CHANGE (Final vs. Proposed) |
|----|--|--|--|---------------------------------|--|---|
| 8 | Emergency Operations Facility – Performance-Based Approach | 10 CFR Part 50, Appendix E, Section IV.E.8.a-c | 6 months after date of final rule publication in <i>Federal Register</i> | No comment | 180 days after date of final rule publication in <i>Federal Register</i> | No net change |
| 9 | Emergency Response Organization Augmentation at Alternative Facility | 10 CFR Part 50, Appendix E, Section IV.E.8.d | 6 months after date of final rule publication in <i>Federal Register</i> | 36 months | 180 days after date of final rule publication in <i>Federal Register</i> | No net change |
| 10 | Challenging Drills and Exercises | 10 CFR Part 50, Appendix E, Section IV.F.2 | 1 st biennial exercise more than 1 year after effective date* of final rule | 6 months | 1 st biennial exercise more than 395 days after date of final rule publication in <i>Federal Register</i> for hostile action-based exercise | No net change |
| 11 | Protective Actions for Onsite Personnel | 10 CFR Part 50, Appendix E, Section IV.I | 6 months after date of final rule publication in <i>Federal Register</i> | 90 days | 180 days after date of final rule publication in <i>Federal Register</i> | No net change |

* The effective date is 30 days after the date that the EP final rule is published in the *Federal Register*.

NOTE 1: Each applicant for a combined license or early site permit under 10 CFR Part 52 whose application is docketed before the effective date* of the EP final rule may defer compliance with any change to the EP regulations under the final rule until after receipt of the license or permit. If that applicant chooses to defer compliance, it shall subsequently amend the combined license or early site permit to comply with those changes no later than December 31, 2013. (Reference 10 CFR Part 50, Appendix E, Section I.5.)

NOTE 2: The draft EP final rule will be revised to allow 365 days for implementation of the new requirements per 10 CFR Part 50, Appendix E, Section IV.A.9. The NRC agrees that 180 days may not be sufficient time for licensees to perform a detailed staffing analysis, but disagrees that 36 months should be allowed to perform a staffing analysis and then address any on-shift staffing shortfalls. The staffing analyses can be completed within 365 days to allow time for reviewing implementing procedures, developing task lists, and performing a job/task or similar analysis. Any staffing shortfalls should be addressed as soon as the results of the staffing analysis are available to ensure that the emergency plan can be implemented as designed.

EP FINAL RULE TOPIC #1

- Amended Emergency Plan Change Process
 - Licensee Actions
 - Update emergency plan and administrative procedures as needed
 - Implement new change submittal requirements
 - Implementation Period
 - Implementation must occur by 1st plan change after final rule effective date
 - Resolution of public comments received in 2009

EP FINAL RULE TOPIC #2

- **Evacuation Time Estimate (ETE) Updating**
 - **Licensee Actions**
 - Obtain population data
 - Update ETE study
 - Submit updated ETE study
 - **Implementation Period**
 - Updated ETE study submittal within 365 days of later of availability of 2010 decennial census data or effective date of final rule
 - Resolution of public comments received in 2009

EP FINAL RULE TOPIC #3

- Licensee Coordination with Offsite Response Organizations
 - Licensee Actions
 - Review offsite resource needs for hostile action
 - Obtain/update letters of agreement
 - Update emergency plan to describe assistance
 - Implementation Period
 - 365 days after publication of final rule
 - Resolution of public comments received in 2009

EP FINAL RULE TOPIC #4

- **On-Shift Multiple Responsibilities**
 - **Licensee Actions**
 - Perform on-shift staffing analysis
 - Procedure review
 - Time/task analysis
 - Walkthroughs/drills
 - Address any staffing gaps
 - **Implementation Period**
 - 365 days after publication of final rule
 - Resolution of public comments received in 2009

EP FINAL RULE TOPIC #5

- **Emergency Action Levels (EALs) for Hostile Action**
 - Licensee Action
 - Update EAL scheme as needed
 - Implementation Period
 - 180 days after publication of final rule
 - Resolution of public comments received in 2009

EP FINAL RULE TOPIC #6

- **Emergency Declaration Timeliness**
 - Licensee Action
 - Update emergency plan and implementing procedures as needed
 - Implementation Period
 - 180 days after publication of final rule
 - Resolution of public comments received in 2009

BREAK

EP FINAL RULE TOPIC #7

- **Backup Means for Alert and Notification System (ANS)**
 - Licensee Actions (As Needed or Requested)
 - Assist in backup means selection or review
 - Assist in backup means design and installation
 - Support update of ANS design report
 - Implementation Period
 - 1st biennial exercise more than 395 days after publication of final rule
 - Resolution of public comments received in 2009

EP FINAL RULE TOPIC #8

- **Emergency Operations Facility (EOF) – Performance-Based Approach**
 - Licensee Action
 - Upgrade EOF capabilities as needed
 - Implementation Period
 - 180 days after publication of final rule
 - Resolution of public comments received in 2009

EP FINAL RULE TOPIC #9

- **Emergency Response Organization (ERO)
Augmentation at Alternative Facility**
 - **Licensee Actions**
 - Establish alternative facility (or facilities)
 - Update emergency plan and implementing procedures
 - **Implementation Period**
 - 180 days after publication of final rule
 - Resolution of public comments received in 2009

EP FINAL RULE TOPIC #10

- **Challenging Drills and Exercises**
 - Licensee Actions
 - Update emergency plan and drill/exercise-related procedures
 - Prepare and submit hostile action-based scenario
 - Conduct hostile action-based exercise
 - Implementation Period
 - 1st biennial exercise more than 395 days after publication of final rule
 - Consideration for States with multiple sites
 - Resolution of public comments received in 2009

EP FINAL RULE TOPIC #11

- Protection for Onsite Personnel
 - Licensee Actions
 - Update emergency plan and implementing procedures as needed
 - Update site security event response procedures as needed
 - Implementation Period
 - 180 days after publication of final rule
 - Resolution of public comments received in 2009

COMBINED LICENSE/ EARLY SITE PERMIT APPLICANTS

- Applicant/Licensee Actions
 - Comply with all current (prior to final rule) EP regulations
 - Amend license or permit to comply with EP final rule requirements
 - Operate facility only after license amendment is approved
- Compliance by December 31, 2013

CLOSING REMARKS