

### 3 SPECIFIC REPORTING GUIDELINES

#### 3.1 General Requirements

##### 3.1.1 Immediate Notifications

##### § 50.72(a) General Requirements<sup>1</sup>

. . . . .

#### Discussion

Appendix E to 10 CFR Part 50, Section IV (C), "Activation of Emergency Organization," establishes four emergency classes for nuclear power plants: Notification of Unusual Event, Alert, Site Area Emergency, and General Emergency. NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants" NUMARC/NESP-007, Revision 2, "Methodology for Development of Emergency Action Levels" (January 1992), and NEI 99-01, "Methodology for Development of Emergency Action Levels", provide the basis for these emergency classes and numerous examples of the events and conditions typical of each emergency class. Licensees use this guidance in preparing their emergency plans. Use of these four emergency classification terms in the ENS notification help the NRC recognize the significance of an emergency. Time frames specified for notification in § 50.72(a) use the words "immediately" and "not later than one hour" to ensure the Commission can fulfill its responsibilities during and following the most serious events.

Occasionally, a licensee discovers that a condition existed which met the emergency plan criteria but no emergency was declared and the basis for the emergency class no longer exists at the time of this discovery. This may be due to a rapidly concluded event or an oversight in the emergency classification made during the event or it may be determined during a post-event review. Frequently, in cases of this nature, which were discovered after the fact when the plant conditions that would have initiated the classification and notifications are no longer present, licensees have declared the emergency class, immediately terminated the emergency class and then made the appropriate notifications.

However, the NRC staff does not consider actual declaration of the emergency class to be necessary in these circumstances. If the licensee does not declare an emergency under these circumstances, an ENS notification (or an ENS update if the event was previously reported but mis-classified) within one hour of the discovery of the undeclared (or mis-classified) event provides an acceptable alternative<sup>2</sup> for events occurring within three years of discovery. Nonetheless, if the licensee does declare an emergency then all notifications required by 10 CFR 50.47(b)(5), 10 CFR 50.72, and Part 50 Appendix E §IV.D.3) are to be made.

**Comment [CBC1]:** Note – NRC provided a markup of the recommended changes to the existing Loss of Emergency Preparedness Capability at the October 14, 2010 public meeting. For ease of understanding the industry comments, the NRC draft changes were incorporated and the industry comments are shown on the clean version using track changes with comments inserted.

**Comment [CBC2]:** Three years is a reasonable time limit for discovery of past events consistent with the rule requirements.

<sup>1</sup> Other requirements for immediate notification of the NRC by licensed operating nuclear power reactors are contained elsewhere in this chapter, in particular, §§ 20.1906, 20.2202, 50.36, 72.216 and 73.71.

<sup>2</sup> The licensee should inform State and local emergency response organizations of such events in accordance with the arrangements made between the licensee and offsite organizations.

### 3.2.13 Loss of Emergency Preparedness Capabilities

If not reported under § 50.72(a), (b)(1), or (b)(2), an ENS notification is required under (b)(3) for a major loss of emergency assessment, offsite response, or offsite communications capability.

Comment [CBC3]: Editorial

Deleted: their

#### Discussion

This reporting requirement pertains to events that result in a major loss of emergency assessment capability, offsite response capability, or offsite communications capabilities. The loss of these capabilities could substantially impair a licensee's, or offsite officials', ability to respond to an emergency if one were to occur, or has occurred. The focus of this reporting requirement is in the loss of capabilities to perform functions identified in the respective emergency plan. Failures of individual systems or facilities that comprise these capabilities are reportable only to the extent that these failures meet the above threshold.

Comment [CBC4]: Editorial

Deleted: would

Notifying the NRC of these events permits the NRC to consider implementing compensatory measures and to more completely assess the consequences of such a loss should it occur during an accident or emergency. The following are examples of equipment or facilities that may be encompassed by this reporting requirement:

#### Emergency Assessment Capabilities

- Safety parameter display system (SPDS)
- Primary emergency response facilities (ERFs) [accident assessment capability](#)
- Plant monitors necessary for [offsite radiological consequence \(dose\) assessment](#)

Comment [BSF5]: Change made due to concerns that alternate facilities could be inappropriately included.

Deleted: E

#### Offsite Response Capabilities

- Public prompt notification system(s) including sirens (primary system)

#### Offsite Communication Capabilities

- Emergency notification system (ENS)
- Other emergency communications facilities and equipment used between the licensee's onsite and offsite ERFs, and between the licensee and offsite officials.

Comment [CBC6]: Replace "accident" with "offsite radiological consequence (dose)", for clarity.

Deleted: accident

Losses of the above equipment and other situations should be evaluated for reportability as discussed below.

#### Loss of Emergency Assessment Capability

A major loss of emergency assessment capability includes those events that would significantly impair the licensee's emergency assessment capability if an emergency were to occur. Some engineering judgment is needed to determine the significance of the loss of particular equipment.

For example, the loss of the SPDS alone may not need not be reported, but loss of SPDS concurrent with other plant indicators or annunciators being unavailable [is reportable](#), if the licensee would be unable to assess, or monitor, an accident or transient in progress. Examples of events that should be evaluated against this threshold for reportability include, but are not limited to:

Comment [BSF7]: Editorial Change

Deleted: should be reported

- A loss of a significant portion of control room indication including annunciators or monitors, or the loss of all plant vent stack radiation monitors. In evaluating the reportability of such events, only those display systems, indicators, and annunciators that are relied upon in the emergency plan implementing procedures addressing classification, assessment, or protective actions; need to be considered. The indication remaining available should be considered to determine if a major loss of emergency assessment capability has occurred which would significantly impair the emergency assessment capability if an emergency were to occur.

**Comment [BSF8]:** Deleted redundant wording.

**Deleted:** should be evaluated for reportability

**Comment [BSF9]:** Reporting requirement is for loss of emergency assessment capability. If the condition does not impact the ability to implement the emergency plan then it does not affect the capability.

**Deleted:** abnormal operating procedures; emergency operating procedures; and in

**Comment [BSF10]:** Change made due to concerns that alternate facilities could be inappropriately included.

**Deleted:** is

**Comment [BSF11]:** Clarification providing examples of events which are not a major loss.

**Deleted:** However, a p

- A significant degradation in the licensee's ability to perform accident assessment functions assigned to a licensee primary ERF by the emergency plan. Typically, these functions, would be performed in the Technical Support Center (TSC), but may include the Emergency Operations Facility (EOF). Degradations would not be reportable if the ERF's assessment capabilities could be restored to service within the activation time in the event of an accident, the condition exists for only a short period of time (within 8 hours), or if the degradation does not prevent the function from being performed under most conditions (e.g., degradation in heating, cooling, or ventilation systems) and preplanned alternate measures are available. Planned maintenance which impacts accident assessment functions, need not be reported if the licensee has implemented proceduralized compensatory actions, which provide the required function in a reasonably comparable manner and is established prior to the maintenance (e.g., performance of the function at an alternate ERF).

**Deleted:** outage of the ERF, or its supporting systems

**Deleted:** (1) the ERF's assessment capabilities could be restored to service promptly in the event of an accident or

**Deleted:** d

**Comment [BSF12]:** Editorial moved information from the footnote into the discussion

**Deleted:** viable

**Deleted:** <sup>3</sup>

**Comment [BSF13]:** If the ability to perform the function is always maintained then there is no major loss no matter the time period that the condition exists.

**Deleted:** , and (2) the planned outage is not expected to, and subsequently did not, exceed 72 hours

**Comment [BSF14]:** Clarification to reflect that the licensee may not ... [1]

**Comment [BSF15]:** Change made due to concerns that alternate ... [2]

**Deleted:** <sup>3</sup>, 'Promptly' means within the licensee's emergency plan ... [3]

**Deleted:** ERFs

**Deleted:** Routine t

Loss of Offsite Response Capability

A major loss of offsite response capability includes those events that would significantly impair the ability of the licensee or offsite officials, to implement the functions of their respective emergency plans if an emergency were to occur. Examples of events that should be evaluated against this threshold for reportability include, but are not limited to:

- The occurrence of a significant natural hazard (e.g., earthquake, hurricane, tornado, flood, major winter storms, etc.) or other event causes that would:
  - Prevent State and local jurisdictions from maintaining evacuation routes passable, or from maintaining other parts of the response infrastructure available, to the extent that these jurisdictions would be unable to implement the public protective measures called for in their emergency plan, if known by the licensee, which, and/or,
  - Restrict access to the licensee's site, or its offsite primary EOF, such that the licensee would not be able to augment its onshift staff or activate its ERFs as required by the emergency plan. Offsite response support relied upon in the emergency plan such as fire departments, local law enforcement, and ambulance services would not be able to access the site.

**Comment [BSF16]:** Editorial. Terminology change because i ... [4]

**Deleted:** provide a compensatory action

Traffic impediments, such as fog, snow and ice, should generally not be reported if they are within the respective capabilities of the licensee, State, or local officials to resolve or mitigate. Rather, the reporting requirement is intended to apply to more significant

cases such as the conditions around the Turkey Point plant after Hurricane Andrew struck in 1992 or the conditions around the Cooper station during the Midwest floods of 1993.

- Failures in the primary public alerting systems (e.g., sirens, tone alert radios, etc.) that result in the loss of the capability to alert a large segment (greater than 25%) of the population in the EPZ for more than one hour. The licensee should take reasonable measures to remain informed of the status of the primary public alerting system, regardless who maintains the system. A planned outage of the primary public alerting system need not be reported if (1) the licensee had arranged for the implementation of FEMA approved backup alerting methods should public alerting become necessary, and, (2) the planned outage does not exceed 24 hours.

### Loss of Offsite Communications Capability

A major loss of communications capability includes those events that would significantly impair the ability of the licensee to implement the functions of its emergency plans if an emergency were to occur. With the exception of the ENS, failures of individual communications systems are not normally reportable. Unless the Operations Center notifies the licensee of the loss, a loss of the ENS shall be reported as a major loss of communication capability, since the NRC relies upon this capability to alert licensees of threat-related information as well as means to receive notifications. For the remaining systems, the failure of a single communication system need not be reported if there are alternative methods, which function in a reasonably comparable manner, of communicating information regarding the emergency.

This reporting requirement only addresses those communication systems that enables a licensee to make notifications and provide follow up information to Federal, State, and local officials located offsite. Examples of communication systems whose failures should be evaluated against the above threshold for reportability include, but are not limited to:

- Emergency response data system (ERDS)
- Emergency notification system (ENS)
- Health physics network (HPN), and,
- Other offsite communication systems, including,
  - dedicated telephone communication link to State or local officials.
  - commercial telephone lines that are relied upon for use in emergency response.

Each site's communications system will be different, and the significance of the loss of any one communication system may differ from site to site. This reporting requirement is intended to apply to serious conditions during which the telecommunications system can no longer fulfill the communications requirements of the emergency plan.

Although an ENS notification may not be required under 10 CFR 50.72(b)(3)(xiii) in the event of a loss of the HPN or ERDS, because of the availability of viable alternative communication means, the licensee should inform the NRC Operations Center of any failure of these systems so that the NRC may arrange for repair of NRC-supplied communications equipment. When informing the NRC Operations Center, licensees should use the following phone numbers xxx-xxx-xxxx....

Deleted: , for whatever reason,

Comment [BSF17]: An established threshold would greatly assist in consistent reporting under this requirement. Twenty five percent of the population was chosen as a reasonable break point for a major impact.

Deleted: , and must notify the NRC if the established thresholds are exceeded

Deleted: only to the extent that these failures meet this threshold

Comment [BSF18]: Moved from later in the document for clarity.

Deleted: A

Comment [BSF19]: Moved from later in the document for clarity.

Deleted: .

Comment [CBC20]: Deleted "proceduralized". Alternative methods includes procedures and other processes such as work orders.

Comment [BSF21]: Moved from footnote.

Deleted: proceduralized

Deleted: viable

Deleted: '

Deleted:

Comment [BSF22]: Items were removed which were not offsite communication capabilities.

Deleted: • dedicated voice and data links between the site and emergency offsite response facilities,¶  
• radio system for communicating with offsite field monitoring teams, and,¶

Comment [BSF23]: Earlier text says that you have to still have the capability for it not to be reportable. If you still have the capability, planned maintenance not be considered a major loss.

Deleted: ¶  
Excluding ENS, a planned maintenance outage of a communication system need not ... [5]

Comment [BSF24]: Moved to earlier in the document for clarity.

Comment [CBC25]: Replace references with actual phone ... [6]

Deleted: the backup commercial telephone numbers provided in ... [7]

Deleted: If the Operations Center notifies the licensee that an EN ... [8]

## Examples

### (1) Loss of Primary Public Prompt Notification System

The NRC has not established a numerical threshold (e.g., number or percentage) of failed sirens for this reporting requirement because the thresholds need to be specific to the particular EPZ. The NRC expects its licensees to establish thresholds that reflect the EPZ-specific population density and distribution, the locations of the sirens or other alerting devices, and the overlap in coverage of adjacent sirens. For example, a loss of 10% of the sirens in a high density population area may have greater impact than 50% of the sirens lost in a low-density area. Similarly, a loss of 10% of the sirens dispersed across the entire EPZ may not be as significant as losing the same number of sirens in a single area. As such, notifications of the loss of the primary public prompt notification system will vary but should be made if more than 25% of the applicable population is affected. Previous notifications have included:

↓ 12 of 40 county alert sirens disabled because of loss of power as a result of severe weather.

- 28 of 54 alert sirens were reported out of service as a result of a local ice storm.
- All offsite emergency sirens were:
  - found out of service during a monthly test.
  - taken out of service for repair.
  - out of service because control panel power was lost.
  - out of service because the county radio transmitter failed.

Failures in the primary public alerting systems (e.g., sirens, tone alert radios, etc.), for whatever reason, that result in the loss of the capability to alert a large segment of the population in the EPZ (greater than 25%) for more than one hour should be reported as a major loss of offsite response capability. However, a planned outage need not be reported if (1) the licensee had arranged for the implementation of a FEMA-approved backup alerting methods should public alerting become necessary, and, (2) the planned outage is not expected to, and subsequently did not, exceed 24 hours.

### (2) Loss of Direct Communication Line to Police

The licensee determined that the direct telephone line to the State Police had been out of service. In this example, no ENS notification is required since commercial telephone lines to the State Police were available. An ENS notification would be required if the loss of the direct telephone line(s) to various police, local, or State emergency or regulatory agencies is not compensated for by other readily available offsite communications systems. No LER is required because there are no corresponding 10 CFR 50.73 requirements.

### (3) Loss of ERDS

The licensee determined that the ERDS was out of service due to a failure of licensee owned and maintained equipment. However, ENS was available. Since ERDS is identified as a supplement to ENS in Appendix E, the failure of the ERDS does not constitute a major loss of offsite communication capability provided that the ENS is available and, as a result, no report under this reporting criterion is required. If, however,

Deleted: ,

Deleted: or area

Deleted: )

Comment [BSF26]: An established threshold would greatly assist in consistent reporting under this requirement. Twenty five percent of the population was chosen as a reasonable break point for a major impact

Deleted: according to the licensee's "major loss" threshold

Comment [BSF27]: Redundant discussion removed.

Deleted: 7 "Promptly" means within the licensee's emergency plan requirements for facility activation time. A "viable" compensatory action is one that (1) can restore the required function in a reasonably comparable manner, and (2) is proceduralized prior to an event

Deleted: .f

Comment [CBC28]: Editorial

Deleted: need

Comment [BSF29]: Unneeded discussion removed. No change in requirements.

Deleted: No LER is required because there are no corresponding 10 CFR 50.73 requirements

Deleted: .

Comment [BSF30]: Rewording for clarity

the failure is determined to be in NRC maintained equipment, the licensee should inform the ERDS help desk of the outage so that the NRC can arrange for repair.

**Comment [BSF31]:** Unneeded discussion removed. No change in requirements

**Deleted:** No LER is required because there are no corresponding 10 CFR 50.73 requirements

**Deleted:** .

**Page 3: [1] Comment [BSF14] Bryan Ford 10/29/2010 2:09:00 AM**  
Clarification to reflect that the licensee may not know about events and that the reporting requirements are not trying to add additional monitoring responsibilities.

**Page 3: [2] Comment [BSF15] Bryan Ford 10/29/2010 2:09:00 AM**  
Change made due to concerns that alternate facilities could be inappropriately included and make the discussion more specific.

**Page 3: [3] Deleted Bryan Ford 10/27/2010 11:42:00 AM**  
<sup>3</sup>, 'Promptly' means within the licensee's emergency plan requirements for facility activation time. A "viable" compensatory action is one that (1) can restore the required function in a reasonably comparable manner, and (2) is proceduralized prior to an event.

**Page 3: [4] Comment [BSF16] Bryan Ford 10/29/2010 2:09:00 AM**  
Editorial. Terminology change because in other cases compensatory actions have required procedures to be credited and that is not needed in this case.

**Page 4: [5] Deleted Bryan Ford 10/27/2010 12:39:00 PM**

Excluding ENS, a planned maintenance outage of a communication system need not be reported if (1) the communication system could be restored to service promptly in the event of an accident or the licensee had implemented viable compensatory actions', and (2) the planned outage is not expected to, and subsequently did not, exceed 72 hours.

**Page 4: [6] Comment [CBC25] Carl Corbin 10/29/2010 2:09:00 AM**  
Replace references with actual phone numbers.

**Page 4: [7] Deleted Carl Corbin 10/29/2010 2:06:00 AM**  
the backup commercial telephone numbers provided in Information Notices 85-44 "Emergency Communication System Monthly Test," dated May 30, 1985 and 86-97 "Emergency Communications System," dated November 28, 1986<sup>[BSF1]</sup>

**Page 4: [8] Deleted Bryan Ford 10/27/2010 12:41:00 PM**  
If the Operations Center notifies the licensee that an ENS line is out of service, there is no need for a subsequent licensee ENS notification. No LER is required because there are no corresponding 10 CFR 50.73 requirements.