EP RULE IMPLEMENTATION MATRIX

#	EP RULE TOPIC	DRAFT FINAL RULE IMPLEMENTATION PERIOD	REQUESTED IMPLEMENTATION PERIOD	REQUESTED IMPLEMENTATION PERIOD BASIS	PROPOSED FINAL RULE IMPLEMENTATION PERIOD	NRC STAFF POSITION
1	Amended Emergency Plan Change Process	30 days after date of final rule publication in *Federal Register*	90 days (12 months requested during 2009 public comment period)	(By Industry) Allows time for implementing licensee change management processes; also allows flexibility to accommodate outages and other EP staff work assignments.	None. Licensees must comply with new 50.54(q) requirements as of the effective date of final rule (effective date is 30 days after the date that the EP final rule is published in the *Federal Register*).	Request and basis for 90 days are not acceptable. Licensees have flexibility in timing of emergency plan changes such that submittals of emergency plan changes (with or without requests for prior NRC approval) after effective date must follow new 50.54(q) requirements.
2	Evacuation Time Estimate Updating	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	12 months (Same as requested during 2009 public comment period)	(By Industry) Allows time to obtain census data from U.S. Census Bureau and State/local agencies, and to perform ETE analyses by limited number of vendors.	Within 365 days of the later of the date of availability of most recent decennial census data from the U.S. Census Bureau or effective date of final rule	Request and basis for 12 months (365 days) are acceptable. Results in no change to implementation period as stated in draft final rule.
3	Licensee Coordination with Offsite Response Organizations	365 days after date of final rule publication in *Federal Register*	24 months – 36 months (24 months requested during 2009 public comment period)	(By State/Local Agencies) Allows time to identify additional offsite resources and obtain/update agreements for these resources. Longer time (36 months) might be needed if any legal issues involving new agreements arise.	30 months from effective date of final rule	Request and basis for 24 months are acceptable (State/ local agencies agreed that 24 months would be a reasonable time period).

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4	On-Shift Staffing Analysis	180 days after date of final rule publication in *Federal Register*	36 months (Same as requested during 2009 public comment period)	(By Industry) Allows time to perform staffing analysis (within 12 months), then an additional 24 months to hire, train, and qualify additional personnel (or reassign tasks to existing personnel) if any staffing shortfalls are identified.	365 days from effective date of final rule to perform staffing analysis, within 30 days of completing staffing analysis to implement interim compensatory measures, and within 24 months of completing staffing analysis to complete long-term corrective actions	Request and basis for 12 months (365 days) to perform staffing analysis are acceptable. In consideration of cumulative effect of regulations, licensees would be expected to take interim compensatory measures to address any staffing shortfalls identified in staffing analysis, and then implement long-term corrective actions (maximum of 24 months based on industry feedback).
5	Emergency Action Levels for Hostile Action	180 days after date of final rule publication in *Federal Register*	36 months (Same as requested during 2009 public comment period)	(By Industry) Allows time to submit EAL scheme changes to NRC for approval.	180 days from effective date of final rule	Request and basis for 36 months are not acceptable. Rule change will not require licensees to change EAL schemes. Any EAL changes that may be needed can be made by licensees under 50.54(q) provisions within 180 days.

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6	Emergency Declaration Timeliness	180 days after date of final rule publication in *Federal Register*	12 months (Same as requested during 2009 public comment period)	(By Industry) Allows time to revise emergency plans, update procedures, and train responders on declaration timeliness requirements.	180 days from effective date of final rule	Request and basis for 12 months are not acceptable. Declaration timeliness requirement reflects existing NRC expectations and industry practice. Any emergency plan or procedure changes that may be needed can be made by licensees under 50.54(q) provisions within 180 days.
7	Alert and Notification System Backup Means	1st biennial exercise more than 395 days after date of final rule publication in *Federal Register*	36 months (Same as requested during 2009 public comment period)	(By Industry and State/ Local Agencies) For sites with ANS backup means already in approved ANS design reports, but modifications to ANS backup means are needed to ensure compliance with new requirement, allows time to update ANS design reports and obtain FEMA approval. For sites without ANS backup means already in approved ANS design reports, allows time to identify and design ANS	Two implementation periods are proposed: 1) For a site with existing FEMA-approved ANS backup means in ANS design report, 12 months from effective date of final rule to implement ANS backup means 2) For a site at which an updated ANS design report would be submitted for FEMA approval, 18 months from effective date of final rule to submit the updated ANS design report to FEMA for	Sites with existing approved ANS backup means should need minimal time for implementation. Implementation for other sites would be based on two steps: 1) submittal of updated ANS design report for FEMA adequacy review, and 2) completion of ANS backup means installation following FEMA approval. Time period for FEMA

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				backup means, revise ANS design reports, and obtain FEMA approval.	adequacy review, then 365 days to install/implement the ANS backup means following FEMA approval, with total time period to implement FEMA-approved ANS backup means not to exceed 3 years and 6 months from effective date of final rule	approval would not be defined, but the total implementation period would be set at 3 years, 6 months from effective date of final rule.
8	Emergency Operations Facility – Performance-Based Approach	180 days after date of final rule publication in *Federal Register*	No comments (No comments during 2009 public comment period)	N/A	180 days from effective date of final rule	Implementation period would allow time to upgrade an existing EOF if needed.
9	Emergency Response Organization Augmentation at Alternative Facility	180 days after date of final rule publication in *Federal Register*	36 months (Same as requested during 2009 public comment period)	(By Industry) Allows time to locate or construct new facility with full backup capabilities, such as communications and computer links.	Two implementation periods are proposed: 1) 180 days from effective date of final rule to have staging area and communications capability; and 2) 36 months from effective date of final rule to have remaining capabilities	Request and basis for 36 months are acceptable to be in full compliance. However, staging area and comm. capabilities should be in place within 180 days. Reworded rule language to address alternative facility capabilities instead of specifying equipment. Addressed equipment as guidance in ISG.
10	Challenging Drills and Exercises	1st biennial exercise more than 395 days after date of final rule publication in	6 months – 3+ years (6 months requested during 2009 public	(By Industry) 6 months allows time to modify drill/exercise programs to	1) Licensees shall conduct an HAB exercise for each of their sites by 12/31/15.	Request and basis to allow more than one year before initial HAB

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		Federal Register for hostile action-based (HAB) exercise	comment period)	address new scenario variation requirements. (By State/Local Agencies) 3+ years allows time to develop plans and procedures to address hostile action, train responders, and conduct practice drills. Implementation period as stated in draft final rule could be as short as one year to prepare for and conduct initial HAB exercise.	2) States should fully participate in one HAB exercise by 12/31/15. 3) The initial 8-year exercise cycle for a site begins in the year the HAB exercise is conducted. For a site licensed under Part 52, the initial 8-year exercise cycle begins in the year of the initial exercise.	exercise are acceptable. As proposed, all existing sites would be required to conduct an HAB exercise by 2015. Similar to the requirement for State participation in biennial exercises, States would be required to fully participate in one HAB exercise per cycle and, for States with multiple sites, to partially participate in other HAB exercises each cycle to include demonstration of incident command aspects with licensees and State and local response organizations.
11	Protective Actions for Onsite Personnel	180 days after date of final rule publication in *Federal Register*	90 days (Same as requested during 2009 public comment period)	(By Industry) Allows time to revise procedures and train site personnel.	180 days from effective date of final rule	Request and basis for 90 days are acceptable. However, staff considers 180 days to be a more appropriate time period based on the number of site personnel who need to be familiarized with implementing or taking

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						onsite protective actions.

NOTE: 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 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.)