

NSIR SAFETY EVALUATION
NEI 06-04, REVISION 2, "CONDUCTING A HOSTILE ACTION-BASED EMERGENCY
RESPONSE DRILL," APRIL 2010,
REVISION TO APPENDIX A, JULY 25, 2011

1.0 INTRODUCTION

By letter dated July 25, 2011 the Nuclear Energy Institute (NEI) requested the Nuclear Regulatory Commission (NRC) to review, and consider for endorsement, a revised Appendix A to NEI 06-04, Revision 2, "Conducting a Hostile Action-Based Emergency Response Drill, dated April 2010. This appendix to the NEI guidance document provides a standard set of recommended objectives and associated performance attributes for use in conducting a Hostile Action-Based (HAB) emergency response exercise. NEI chose to resubmit Appendix A of NEI 06-04 for NRC review and endorsement following discussions on the previous submittal of the entire guidance document at a public meeting held on July 13, 2011. This Safety Evaluation addresses endorsement of Appendix A only.

2.0 REGULATORY EVALUATION

Current regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 10 CFR 50.47 (b) and Appendix E to 10 CFR Part 50 require licensees to conduct a hostile action-based scenario as part of an evaluated biennial emergency response exercise during an eight-year exercise cycle.

REFERENCES

Code of Federal Regulations

10 CFR 50.47(a)(1), "Except as provided in paragraph (d) of this section, no initial operating license for a nuclear power reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency.

10 CFR 50.47(b)(14), "Periodic exercises are (will be) conducted to evaluate major portions of emergency response capabilities, periodic drills are (will be) conducted to develop and maintain key skills, and deficiencies identified as a result of exercises or drills are (will be) corrected."

10 CFR 50, Appendix E, Section IV.F.2, "The plan shall describe provisions for the conduct of emergency preparedness exercises as follows: Exercises shall test the adequacy of timing and content of implementing procedures and methods, test emergency equipment and communications networks, test the public notification system, and ensure that emergency organization personnel are familiar with their duties."

10 CFR 50, Appendix E, Section IV.F.2.a, "A full participation exercise which tests as much of the licensee, State, and local emergency plans as is reasonably achievable without mandatory public participation shall be conducted for each site at which a power reactor is located."

10 CFR 50, Appendix E, Section IV.F.2.i, requires all nuclear power reactor licensees to include hostile action scenarios in a biennial evaluated exercise during the exercise cycle.

NRC Documents

NRC Bulletin 2005-02, "Emergency Preparedness and Response Actions for Security-Based Events," dated July 18, 2005 (ADAMS Ascension No. ML051740058).

NRC Regulatory Issue Summary 2006-12, Endorsement of Nuclear Energy Institute Guidance "Enhancements to Emergency Preparedness Programs for Hostile Action," dated July 19, 2006 (ADAMS Ascension No. ML061530290).

NRC Regulatory Issue Summary 2008-08, Endorsement of Revision 1 to Nuclear Energy institute Guidance Document NEI 06-04, "Conducting a Hostile Action-Based Emergency Response Drill," dated March 19, 2008 (ADAMS Ascension No. ML080110116).

Regulatory Guide 1.214, "Response Procedures for Potential or Actual Aircraft Attacks," dated July 2009 (ADAMS Ascension No. ML091740646).

NRC Information Notice 2009-19, "Hostile Action-Based Emergency Preparedness Drills," dated November 24, 2009 (ADAMS Ascension No. ML092250360).

NUREG 0654 /FEMA REP 1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," dated November 1980 (ADAMS Ascension No. ML040420012).

NSIR / DPR - ISG – 01, Interim Staff Guidance, Emergency Planning for Nuclear Power Plants, dated 04/13/2011 (ADAMS Ascension No. ML110910335)

Other Documents

NEI 06-04, Revision 1, "Conducting a Hostile Action-Based Emergency Response Drill," dated October 30, 2007 (ADAMS Ascension No. ML073100460).

3.0 STAFF EVALUATION

The NRC staff reviewed the revised Appendix A, dated July 25, 2011 to NEI 06-04, Revision 2, "Conducting a Hostile Action-Based Emergency Response Drill," dated April 2010 against the previously referenced documents. NRC staff also observed the performance of two training drills at two power reactor sites in coordination with NEI and the Federal Emergency Management Agency (FEMA) where NEI 06-04 Rev.2, was used for scenario development. This document is intended to provide guidance to licensees by the use of a recommended set of objectives and the performance attributes for each objective for use in conducting hostile action-based emergency response exercises to evaluate security – based EP capabilities as an integral part of the licensee's emergency response capabilities. The NRC staff finds that the revised Appendix A to NEI 06-04 Rev. 2 is consistent with the intent of previously issued NRC bulletins and current regulations.

CONCLUSION

The NRC staff finds that the revised Appendix A to NEI 06-04, Rev. 2 is consistent with the intent of NRC Bulletin 2005-02, the requirements of 10 CFR 50.47 (b), 10 CFR Part 50, Appendix E for the conduct of emergency response exercises, and NSIR DPR-ISG-01. As such, NRC staff endorses Appendix A, dated July 25, 2011, to NEI 06-04, Rev. 2.