

June 21, 2012

MEMORANDUM TO: Mark Thaggard, Deputy Director for Emergency Preparedness
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

FROM: Joseph D. Anderson, Chief */RA/*
Operating Reactor Licensing and Outreach Branch
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

SUBJECT: SUMMARY OF JUNE 14, 1012, CATEGORY 2 PUBLIC MEETING
WITH THE STATE OF ILLINOIS, LASALLE COUNTY, EXELON,
NUCLEAR ENERGY INSTITUTE, AND THE FEDERAL EMERGENCY
MANAGEMENT AGENCY TO DISCUSS ISSUES ASSOCIATED
WITH THE IMPLEMENTATION OF HOSTILE ACTION-BASED
EXERCISE SCENARIOS

On June 14, 2012, a public meeting was held by the U.S. Nuclear Regulatory Commission (NRC), in coordination with the Federal Emergency Management Agency (FEMA), with the representatives from the State of Illinois, LaSalle County (Illinois), Exelon Corporation, and the Nuclear Energy Institute (NEI), at the NRC Region III Offices, 2443 Warrenville Road, Suite 210, Lisle, IL. The purpose of the meeting was to discuss the lessons-learned identified from the recent deferral of the hostile action-based (HAB) scenario for the August 2012 LaSalle County Station's Biennial Emergency Preparedness Exercise.

Based on dialog between parties with the NRC and FEMA staff, the following issues contributing to the decision to reschedule the HAB scenario for LaSalle County Station were identified:

1. While criteria for the incorporation of HAB event aspects into State and local emergency plans was provided in the latest revision to FEMA's Radiological Emergency Preparedness (REP) Program Manual, the State of Illinois voiced a concern that evaluation criteria was vague in regards to referencing of other plans and specific implementation guidance to offsite response organizations (OROs). However, the State of Illinois emphasized that they did not imply the need for overly detailed guidance.

The State of Illinois, Exelon, and NEI emphasized the need for FEMA to promptly issue their proposed Plan Review Checklist in a final form.

FEMA also noted that the State of Minnesota had already done extensive work to implementation guidance into their respective plans.

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2. In regards to exercise planning, the State of Illinois highlighted that the current 90-day submittal timeline did not realistically take into account variables in developing exercise scenarios for a new regulatory initiative and its impact on OROs, specifically county-level agencies. In addition, both the State of Illinois and Exelon indicated the need to clarify the “gray areas,” involving overlapping NRC and FEMA oversight, on what needs to be demonstrated during an HAB exercise.
3. While NRC-endorsed HAB Exercise Objectives are provided for licensee use in Appendix A to NEI 06-04, Revision 2, FEMA previously decided not to pursue a similar endorsement of this industry document for use by OROs. The State of Illinois identified their desire for more specific, as well as consistent, offsite exercise evaluation expectations.
4. Representatives from the State of Illinois, Exelon, and NEI voiced concern over the amount of work still required to support the conduct of an HAB exercise scenario at all nuclear power plant (NPP) sites by the end of December 2015. This issue may be of concern for other States and counties with multiple NPP Emergency Planning Zones (EPZs) located within their borders. As such, the participants felt efforts by the NRC and FEMA to clarify identified issues must be accomplished in an expeditious manner, since further delays in implementation would jeopardize meeting the December 2015 deadline.

NRC and FEMA discussed that an implementation date of December 2015 was chosen after soliciting feedback from licensees and OROs, with the understanding that the majority of licensees and OROs would use Calendar Year 2012 to revise their plans and exercise processes. However, both agencies clearly indicated their understanding of the need to move promptly to provide the proposed FEMA Plan Review Checklist and to resolve NRC/FEMA overlapping issues, as identified.

5. Exelon identified the need to clarify “full” versus “partial” participation by States with multiple NPPs, and indicated that this should also apply to counties with multiple NPP EPZs. Since the State of Illinois had not yet completed the revision of their programs in support of implementation of the revised REP Program Manual, questions arose during the scenario planning process for the August 2012 LaSalle County Station exercise regarding the level of actual demonstration versus simulation of ORO activities allowed.

Under the new Emergency Preparedness (EP) Rule, Appendix E (Section IV.F.2.d) to Title 10, Part 50 of the Code of Federal Regulations (10 CFR 50) states: “Each State with responsibility for nuclear power reactor emergency preparedness should fully participate in a hostile action exercise at least once every cycle and should fully participate in one hostile action exercise by December 31, 2015. States with more than one nuclear power reactor plume exposure pathway EPZ should rotate this participation from site to site.” NRC staff clarified that under the new EP Rule, States would only be required to participate on a “partial” basis during off-years in support of the effective demonstration of licensee and County incident command and other HAB-related plan aspects. NRC staff also indicated that “partial participation” is specifically defined in Footnote 5 to Appendix E (Section IV.F.2.a.iii) to 10 CFR 50.

In response to these issues the following actions were identified:

- NRC and FEMA will meet in the near term to further evaluate potential overlaps (“gray” areas) in NRC and FEMA responsibilities related to incident command aspects. This will

include further discussions to clarify the level of State and local participation needed to support a HAB scenario. In addition, FEMA needs to determine if the OROs that participate partially will do so outside of evaluated space.

- NRC and FEMA will continue to support NEI efforts for the conduct of a HAB Exercise Workshop currently scheduled for September 11-12, 2012.

In addition, FEMA discussed the priorities of their HAB Working Group, consisting of Headquarters and Regional members, which include providing technical expertise and tools to assist OROs in their efforts to address HAB requirements provided in the REP Program Manual. FEMA HAB Working Group efforts will focus on:

- Within 90 days, issue a Plan Review Checklist for use by FEMA and OROs in reviewing plans to ensure that HAB aspects required under the revised REP Program Manual are adequately addressed.
- Joint plan reviews being conducted among State(s), counties, and NPP licensee to identify organizations, staffing, coordination, and communication links and how they interface, as well as potential gaps in addressing HAB criteria required by the revised REP Program Manual. NEI will also evaluate how to address this with industry to ensure appropriate emphasis is given to these joint plan reviews.
- Continue to evaluate the development and implementation of various tools (user aid to OROs):
 - HAB Plan Development Guide
 - Gap analysis seminar
 - Specific training modules (i.e., Integrated Emergency Management)

Please direct any inquiries to Joseph Anderson at 301-415-4114, or Joseph.Anderson@nrc.gov.

Attachments:

1. List of Attendees

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DATE	06/21/12	06/21/12	06/21/12

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June 14, 2012 Public Meeting to Discuss Issues With Implementation of
Hostile Action-Based Evaluated Exercise Scenarios

List of Attendees

Mark Thaggard (NRC HQ)	Timothy Greten (FEMA HQ)
Rick Skokowski (NRC Region III)	Vanessa Quinn (FEMA HQ)
Robert Kahler (NRC HQ)	William King (FEMA Region V)
Joseph Anderson (NRC HQ)	Al Coons (FEMA HQ)
Robert Jickling (NRC Region III)	Don Daniel (FEMA Region V)
Eric Schrader (NRC HQ)	James Purvis (FEMA HQ)
Lisa Wright (NRC HQ) – Facilitator	Ken Evans (State of IL)
Harral Logaras (NRC Region III)	Bill Conway (State of IL)
Sue Perkins-Grew (NEI)	Kay Foster (State of IL)
Art Daniels (Exelon)	Connie Brooks (LaSalle County)*
Jerry DeYoung (Exelon)	Monica Ray (APS Co.)
Howard Benowitz (NRC OGC)*	Marty Westerman (Exelon)
Bethany Cecere (NRC HQ)*	Charles Dixon (State of MN)
Carolyn Kahler (NRC HQ)*	Alexis Gearing (ICF International)
Shannon King (NRC HQ)*	Janet Chambers
Bill Chambers (NEP)	Rob Simmons
Vince Cwietniewicz (Exelon)	

* Via conference bridge