



United States Nuclear Regulatory Commission

*Protecting People and the Environment*

**INPO New EP Managers Seminar  
July 9, 2012**

**NRC Emergency  
Preparedness and Response**

**Joseph D. Anderson**

Chief, Operating Reactor Licensing Branch

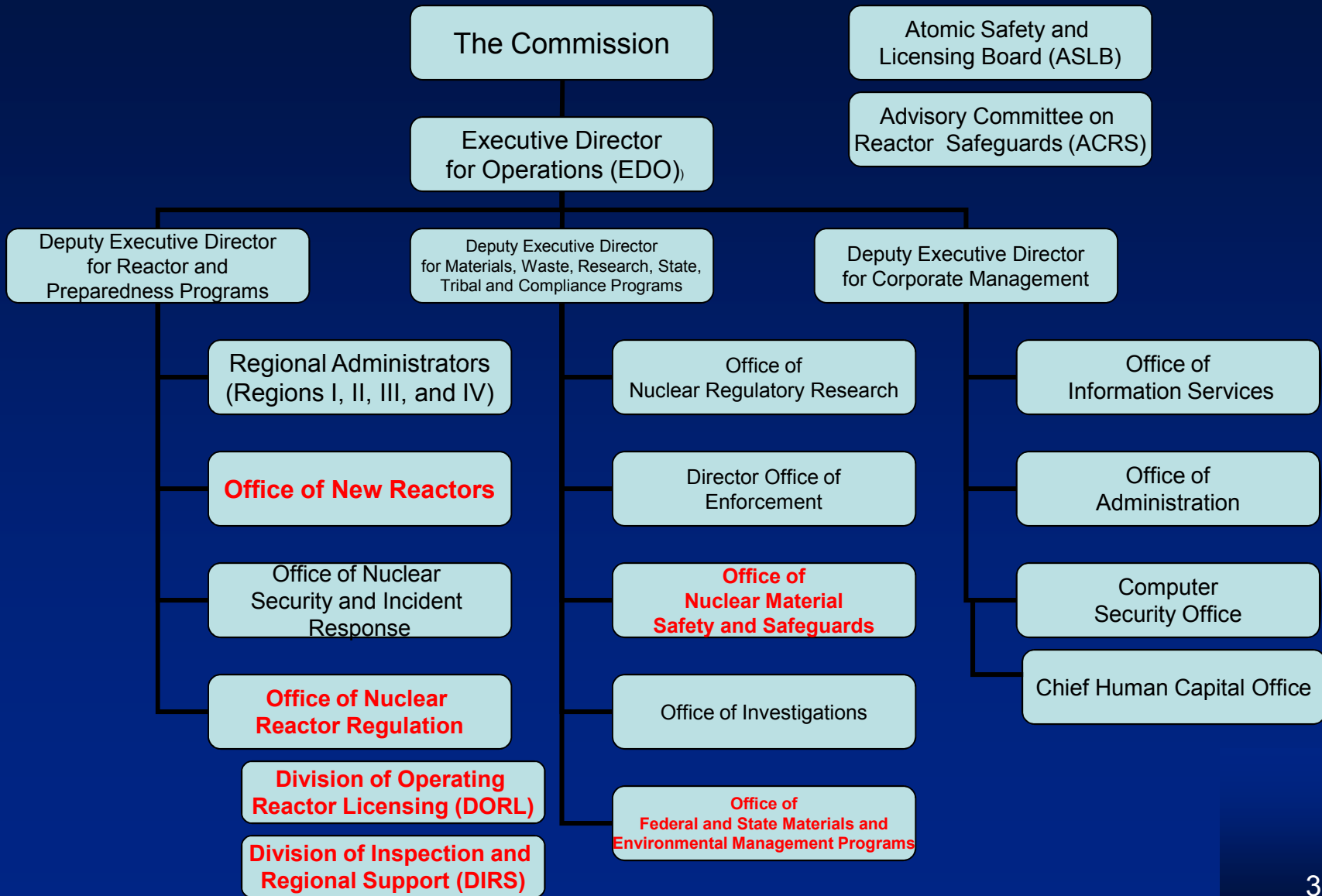
Division of Preparedness and Response

Office of Nuclear Security and Incident Response

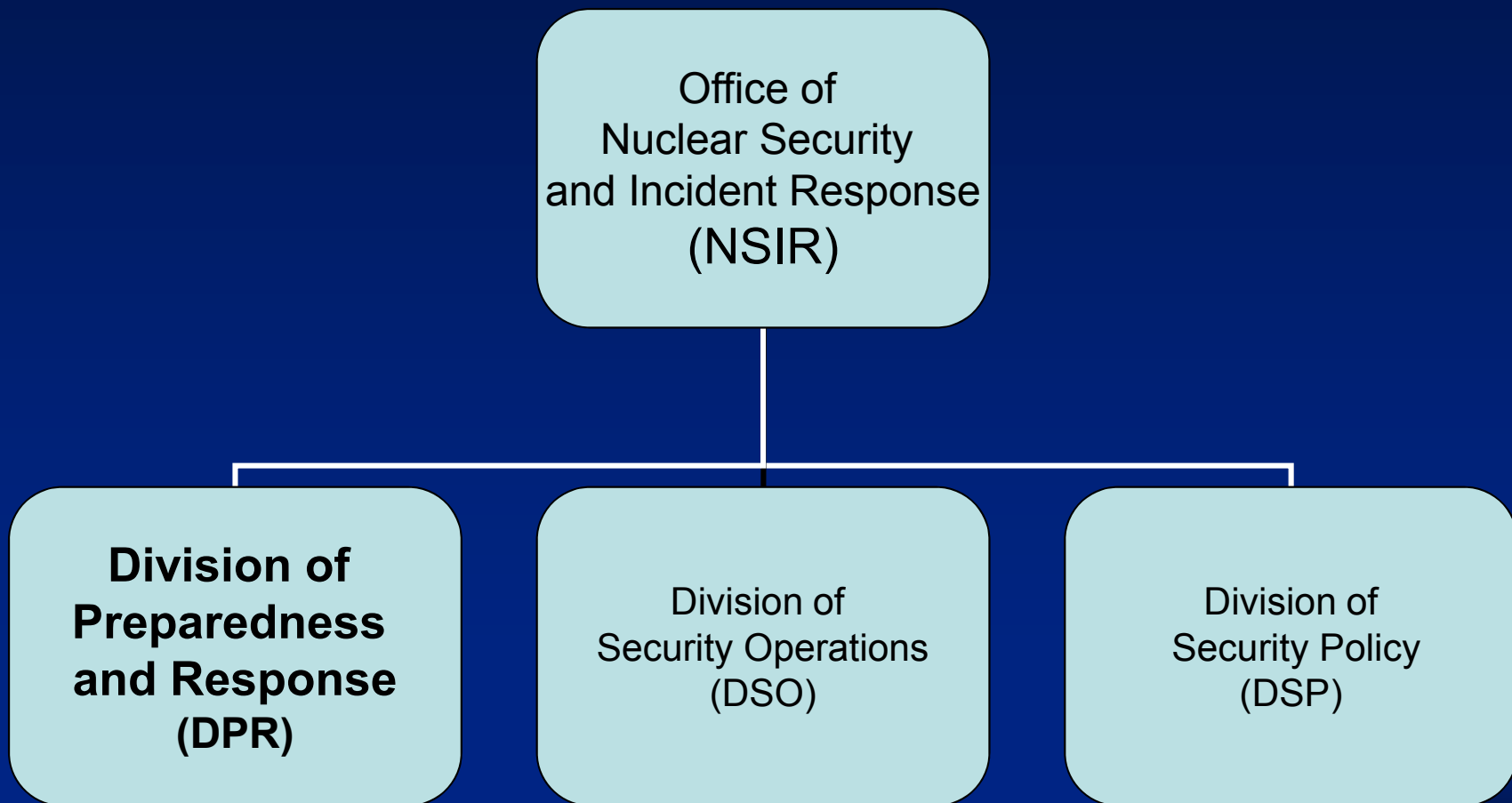
## Overview

- NRC Organization
- FEMA/NRC MOU
- Compliance vs. Excellence
  - “Site” Emergency Plan
- Review (50.4) vs. Approval (50.90)
- Evaluating “Performance” vs. “Capability”
- Rulemaking Process
- Reg Guides / NUREGs/ Generic Communications

# NRC Organization



# NSIR Organization



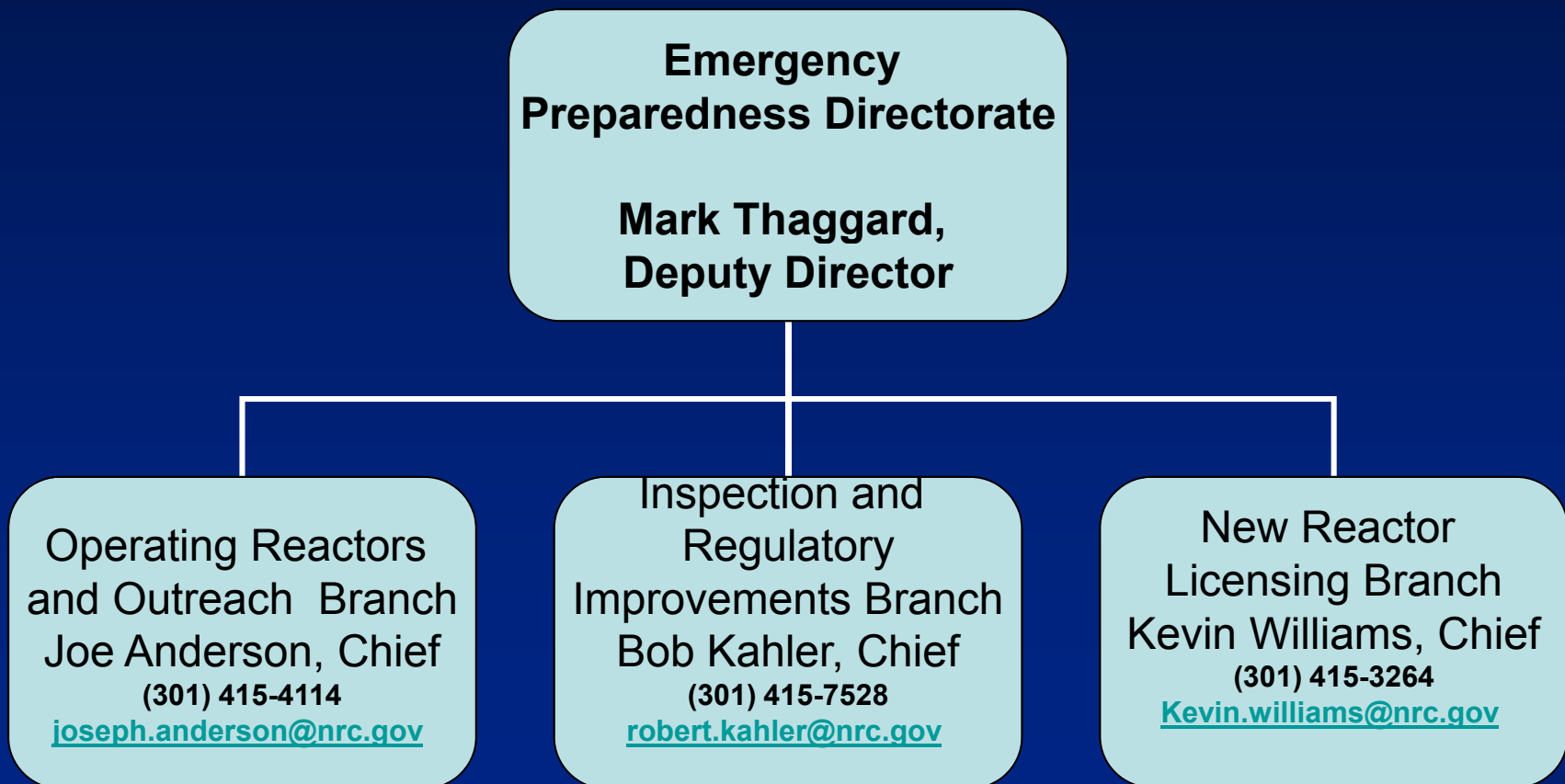
## DPR Organization

Division of Preparedness  
and Response  
Robert Lewis, Director

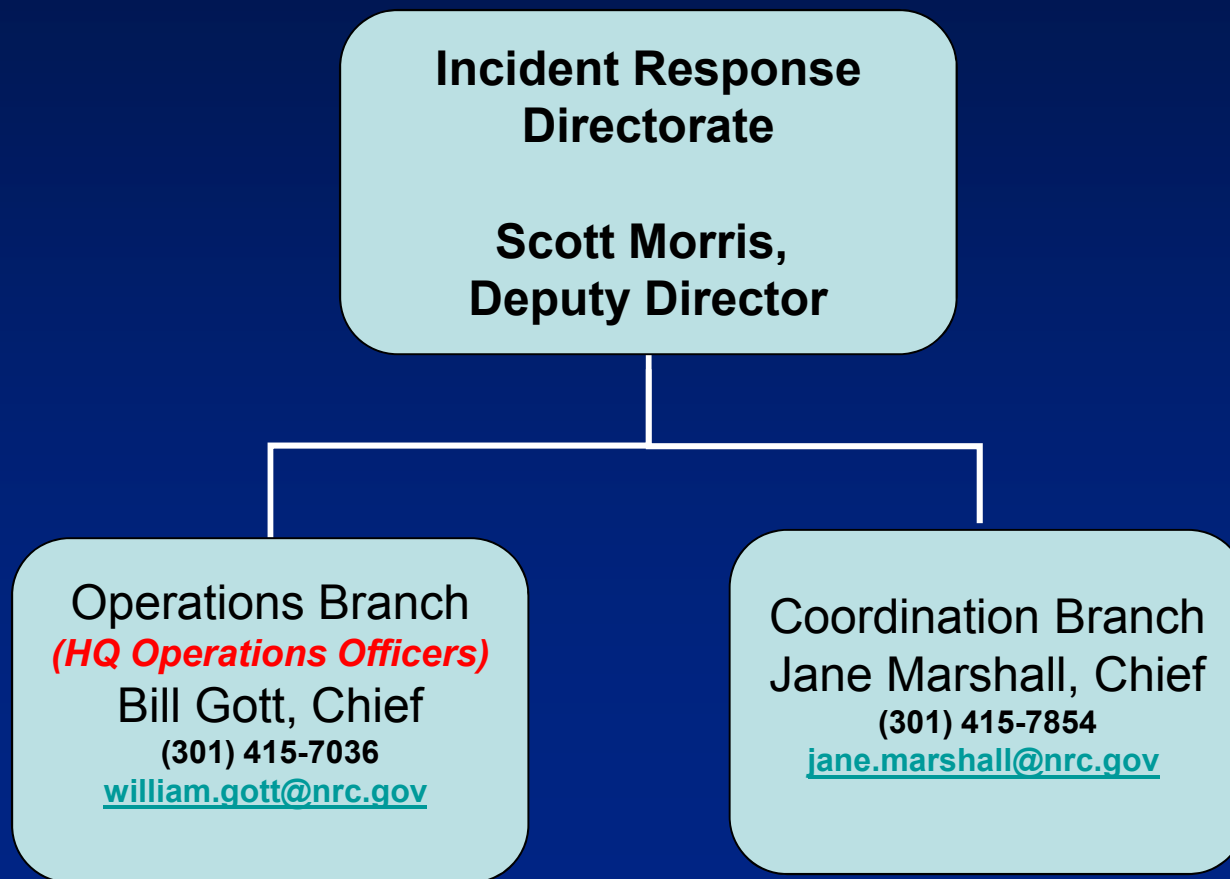
Emergency  
Preparedness  
Mark Thaggard, Deputy

Incident  
Response  
Scott Morris, Deputy

## EP Organization



# Incident Response (IR) Organization



## **Appendix A to 44 CFR 353**

# **FEMA / NRC Memorandum of Understanding**

Establishes framework of cooperation:

- Authorities and Responsibilities
- Areas of Cooperation
- NRC/FEMA Steering Committee on Emergency Preparedness



## **Appendix A to 44 CFR 353**

# **FEMA / NRC Memorandum of Understanding**

### FEMA responsibilities:

- Lead for offsite emergency planning, including the review and assessment of offsite emergency plans and preparedness for adequacy
- Findings and determinations as to the adequacy of offsite EPlans and whether they can be implemented
  - Offsite Program Deficiencies

## Appendix A to 44 CFR 353

# FEMA / NRC Memorandum of Understanding

### NRC responsibilities:

- Assess licensee EPlans for adequacy, and verify adequate implementation and maintenance
- Review FEMA findings and determinations as to whether offsite plans are adequate and can be implemented
- Decisions with regards to overall state of emergency preparedness (“Continued Reasonable Assurance”)

## **Appendix A to 44 CFR 353 FEMA / NRC Memorandum of Understanding**

### Areas of Cooperation:

- NRC Licensing Reviews
- FEMA Review of Offsite Plans and Preparedness
- Preparation for and Evaluation of Joint Exercises
- Withdrawal of Reasonable Assurance Finding
  - “120 day clock”
- Emergency Planning and Preparedness Guidance

## Appendix A to 44 CFR 353 FEMA / NRC Memorandum of Understanding

### Areas of Cooperation: *(Cont'd)*

- Support for Document Management System
- On-Going NRC Research and Development Programs
- Public Information and Education Programs
- Recovery from Disasters Affecting Offsite Emergency Preparedness
  - Disaster Initiated Reviews *(continued reasonable assurance)*
  - Restart vs. Continued Operation

# Regulatory Compliance vs. Industry Excellence

- Focus on “Site” Emergency Plan

## Regulatory Review vs. Approval

- Review:
  - Submitted under 10 CFR 50.4
  - Required by NRC regulations (ETE update)
- Approval:
  - License Amendment (under 10 CFR 50.90)
  - License Exemption
  - Required by NRC regulations

# Regulatory Review vs. Approval

- Commission SECY Paper:
  - Office of the Secretary (SECY) of the Commission
    - Notational (“Voting”)
    - Informational
- Staff Requirements Memorandum (SRM)

**Evaluating**  
**“Performance”**  
*(Performance Indicators)*  
**vs.**  
**“Capability”**  
*(Inspection Procedures)*



**Plant Assessment**

**=**

**Performance Indicators**

**+**

**Inspection Findings**

## EP Inspection Procedures

- IP71114.01, Exercise Evaluation
- IP71114.02, Alert and Notification System
- IP71114.03, ERO Staffing and Augmentation
- IP71114.04, EAL and E-Plan Changes
- IP71114.05, Maintaining Emergency Preparedness
- IP71114.06, Drill Evaluation
- IP71114.07, Exercise Evaluation – Hostile Action
- IP71114.08, Exercise Evaluation – Scenario Review

# Rulemaking Process

- Advanced Notice of Rulemaking
- Proposed Rule
- Final Rule

## **Rulemaking Process: Advanced Notice of Rulemaking**

- Determine high importance or public interest
- Publish notice calling for rulemaking
- Hold public meetings
- Broad concept
- Encourage public comment

## Rulemaking Process: Proposed Rule

- Motivation
- Submit Proposed Rule to Commission
- Draft Rule publication in *Federal Register* for public comment

## Rulemaking Process: Final Rule

- Comment resolution
- Changes to rule language
- Submit Final Rule to Commission
- Publication in *Federal Register*
- Compliance and enforcement
- Effective and Implementation dates

## Regulatory Guide (RG)

### Functions:

- Acceptable methods for meeting regulations
- Techniques used by staff for evaluating specific problems or postulated accidents
- Contain data needed by staff for reviewing permit and license applications
- May also be used to endorse standards

## Regulatory Guide (RG)

- Ten Broad Divisions
  1. Power reactors
  2. Research and test reactors
  3. Fuels and materials facilities
  4. Environmental and siting
  5. Materials and plant protection
  6. Products
  7. Transportation
  8. Occupational health
  9. Antitrust and financial review
  10. General



# NUREG-Series Publications

- Publications prepared by NRC  
*Example: NUREG-0696*
- Brochures prepared by NRC staff  
*Example: NUREG/BR-0314*
- Conference Proceedings prepared by NRC or contractors  
*Example: NUREG/CP-XXXX*
- Publications prepared by NRC contractors  
*Example: NUREG/CR-7002*
- Publications resulting from International Agreements  
*Example: NUREG/IA-XXXX*

# **NUclear REGulatory Commission**

## NUREG Uses

- NRC Staff guidance and instructions
- Licensing action procedures and acceptance criteria
- Staff suggested course of action
- Not a substitute for regulations
- No compliance required
- Licensees may propose alternatives

## Interim Staff Guidance (ISG)

- Clarify issues not in Standard Review Plan (SRP) or NUREG
- Fills the Gap between revisions
- Not a substitute for regulations
- No compliance required
- Licensees may propose alternatives

# Generic Communications

## Types:

- Bulletin
- Generic Letter
- Regulatory Issue Summary
- Information Notice
- Information Assessment Team Advisory
- Security Advisory
- 10 CFR 50.54(f) letter

## Bulletin (BL)

### May request:

- Actions be taken,
- Information be provided,
- Analyses performed and submitted, or
- New / revised commitments

***Require a response from affected licensees***

### May NOT:

- Request long term actions, or
- Require actions or commitments

# Generic Letter

## May request:

- Actions be taken,
- Information be provided,
- Analyses performed and submitted, or
- Addresses report the completion of actions

***Require a response from affected licensees***

## May NOT:

- Require commitments

# Regulatory Issue Summary (RIS)

## A RIS **May**:

- Communicate NRC endorsement of industry guidance on technical or regulatory matters, or industry-developed resolution;
- Provide status of staff interaction with industry;
- Request voluntary participation by industry in staff-sponsored pilot programs;
- Inform the industry of opportunities for regulatory review;



# Regulatory Issue Summary (RIS)

## A RIS **May**: *(Cont'd)*

- Communicate staff technical or policy positions;
- Provide guidance to applicants and licensees on the scope and detail of information that should be provided in licensing applications for staff review;
- Communicate administrative procedure changes; or
- Request voluntary submittal of information to assist NRC in performing its functions.

# Regulatory Issue Summary (RIS)

A RIS May NOT:

- Provide guidance for the implementation of rules and regulations;
- Provide guidance to NRC staff on regulatory or technical matters, and
- Be used in lieu of other established agency products.

# Information Notice (IN)

## An IN **MAY**:

- Recently identified significant operating experience
- Recently completed research results

## An IN MAY **NOT**:

- Convey or imply requirements,
- Transmit interpretations of regulations, or
- Request information or action from addresses.

# Information Assessment Team Advisory

## May inform licensees when:

- The FBI issues a relevant Domestic Threat Advisory,
- A significant act of domestic terrorism, or other malevolent act, has occurred, and
- NRC becomes aware of intelligence regarding statements or actions.

## May NOT:

- Request information, or
- Require actions or commitments.

# Security Advisory (SA)

An SA **MAY**:

- Communicate information regarding urgent vulnerabilities,
- Provide additional information following IATA notification that HSAS threat level has been raised,
- Notify of National Special Security Events, and
- Recommend voluntary compensatory measures and actions for urgent security-related issues

# Security Advisory (SA)

An SA **MAY NOT**:

- Convey or imply new regulations or interpretations,
- Require information or actions,
- Be used in lieu of other generic communication products, and
- Provide guidance for the implementation of rules and regulations.

## **10 CFR 50.54(f) Letter Highlights**

- Licensees must submit written statements enabling the Commission to determine if the license should be modified, suspended, or revoked
- NRC must prepare reasons for each information request, making sure that the burden is justified
- Each justification must be approved by the Executive Director for Operations

# Questions?