



ND-2012-0046
August 29, 2012

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Subject: **PSEG Early Site Permit Application**
Docket No. 52-043
Implementation of Emergency Preparedness Rule Changes

References: 1) PSEG Power, LLC letter ND-2012-0031 to USNRC, Submittal of Revision 1 of the Early Site Permit Application for the PSEG Site, dated May 21, 2012

The purpose of this letter is to respond to a request from the NRC staff to document PSEG's approach regarding implementation of the Emergency Preparedness Rule changes to 10 CFR 50.47, Part 50.54(q) and Part 50 Appendix E, issued November 23, 2011, for the Emergency Plan submitted as Part 5 of the PSEG Site Early Site Permit Application.

Enclosure 1 contains the details of PSEG's approach to implement the Emergency Preparedness Rule changes.

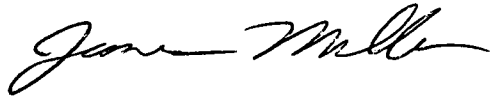
Enclosure 2 documents the regulatory commitment made in this submittal.

If any additional information is needed, please contact David Robillard, PSEG Nuclear Development Licensing Engineer, at (856) 339-7914.

D079
AKYS
NRD

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 29th day of August, 2012.

Sincerely,



James Mallon
Early Site Permit Manager
Nuclear Development
PSEG Power, LLC

- Enclosure 1: PSEG Approach to Implementation of the Emergency Preparedness Rule Changes for the PSEG Site Early Site Permit Application
Emergency Plan
- Enclosure 2: Summary of Regulatory Commitments

cc: USNRC Project Manager, Division of New Reactor Licensing, PSEG Site
(w/enclosures)
USNRC Environmental Project Manager, Division of New Reactor Licensing
(w/enclosures)
USNRC Region I, Regional Administrator (w/enclosures)

PSEG Letter ND-2012-00, dated August 29, 2012

ENCLOSURE 1

**PSEG Approach to Implementation
of the Emergency Preparedness Rule Changes
for the PSEG Site Early Site Permit Application Emergency Plan**

Purpose:

This document describes the PSEG approach/method regarding implementation of the Emergency Preparedness Rule changes to 10 CFR 50.47, Part 50.54(q) and Part 50 Appendix E. The Rule changes became effective December 23, 2011, with varying implementation dates for each of the applicable Rule elements. The Rule changes also identified implementation dates with specific applicability to Early Site Permit Applications (ESPA) under Part 52.

The information below provides a description and implementation approach for each of the eleven applicable Rule elements. Each element contains the associated Rule section and a brief description of the requirement; the PSEG approach to each of the elements with an associated justification.

Analysis of Rule Elements:

1. On-Shift Staffing Analysis (Part 50 Appendix E Section IV.A.9)

The rule requires sites to perform a detailed analysis of on-shift staffing and to add staff, if necessary, to bring current staff to analysis required levels.

PSEG Approach

PSEG will validate the existing on-shift staffing submitted in ESPA, Part 5, 'Emergency Plan,' Section 3, when a reactor technology selection has been made and plant procedures are available. PSEG will initiate a commitment at the Combined License (COL) Application phase to validate the on-shift staffing in accordance with the requirements of the Rule and submit the results to the NRC 180 days prior to fuel load.

The PSEG Site Emergency Plan (ESPA Part 5) identifies the PSEG Site on-shift complement in Table 3-2. The submitted staffing is based on the guidance provided in NUREG-0654. This Rule element requires a validation of the on-shift complement. Validation will be performed using NEI 10-05, Rev. 0, "Assessment of On-Shift Emergency Response Organization Staffing and Capabilities". NEI 10-05, Rev. 0, has been endorsed by the NRC as a process for performing the analysis.

The level of detail required for this analysis is not feasible for an ESP applicant. NEI 10-05 requires the use of Job Task Analysis (JTA), existing procedures and program elements, simulator, time motion studies, and other elements. These identified analysis tools do not exist at the ESP stage; therefore, it is not feasible for the analysis to be part of the ESP application. When PSEG makes a reactor technology selection and proceeds to the COL phase, PSEG will make a COLA commitment to perform the validation analysis, and submit the staffing validation to the NRC at least 180 days prior

to fuel load. Should a subsequent Emergency Plan change be required, this change will be performed in accordance with station procedures, evaluated for prior NRC approval in accordance with 10 CFR 50.54(q), and submitted to the NRC.

No ESPA changes are required.

2. Emergency Action Levels for Hostile Actions (Part 50 Appendix E Section IV.B)

The rule requires the EALs to address Hostile Action Based (HAB) events.

PSEG Approach

The PSEG Site ESPA Part 5, 'Emergency Plan,' does not contain the Emergency Action Levels (EAL) basic Initiating Conditions (IC) scheme because PSEG has not selected a reactor technology. PSEG will submit a revised Emergency Plan to include the appropriate EAL scheme when a reactor technology has been selected and PSEG submits a COLA to the NRC. When PSEG proceeds to the COL phase, PSEG will make a COLA commitment to submit a fully developed set of EALs to the NRC in accordance with NEI endorsed EAL scheme in effect at the time of COLA submittal. These fully developed EALs will be submitted to the NRC for confirmation at least 180 days prior to initial fuel load.

No ESPA changes are required.

3. Emergency Response Organization Augmentation at Alternate Facility (Part 50 Appendix E Section JV.E.8.d)

The rule requires alternate augmentation facilities during a HAB event. The capabilities of this alternate facility are also set forth.

PSEG Approach

PSEG Site already incorporates this Rule element as identified in the submitted ESPA Part 5, Emergency Plan, Section 9.5.2.

The EOF for the PSEG Site is located approximately 7.5 miles from the existing Salem/Hope Creek reactor sites.

4. Licensee Coordination with Offsite Response Organizations (Part 50 Appendix E Section IV.A.7)

The rule requires sites to identify and describe in the plan assistance expected from the Offsite Response Organizations (ORO) during emergencies including HAB.

PSEG Approach

Certification Letters with the ORO are included in the ESPA, Part 5, Attachment 2. These Certification Letters identify the assistance expected from the OROs.

PSEG currently has in place the necessary Certification Letters identifying offsite agency support for an event at the Salem and Hope Creek Generating Stations. These Certification Letters also identify and acknowledge the potential new unit(s) at the PSEG Site (statement contained in all Certification Letters provided below). The Certification Letters are maintained current through an annual review required by a PSEG Nuclear Emergency Plan procedural requirement.

Additional detail of ORO response capabilities and resources for a HAB event is maintained by PSEG Nuclear and may contain Safeguards Information. These same resources would be available to the new unit(s) at the PSEG site during a HAB event as stated in the Certification Letters.

The PSEG Site Emergency Plan implementing procedures will identify the ORO resources available and their integration into site activities during an emergency event at the PSEG Site. When PSEG selects a reactor technology and submits a COLA to the NRC the COLA will include an ITAAC to submit Emergency Plan implementing procedures to the NRC 180 days prior to fuel load.

Statement contained in Certification Letters with ORO:

"It is our understanding that the specific nature of arrangements in support of emergency preparedness for operation of any new plant will be clearly established in a properly executed and binding Memorandum of Understanding with NJOEM that will be included in the emergency plan if and when PSEG proceeds with construction and operation of a new plant."

No ESPA changes are required.

5. Protective Actions for Onsite Personnel (Part 50 Appendix E Section IV.I)

The rule requires that sites protect onsite emergency responders from HAB and other events.

PSEG Approach

The PSEG Site already incorporates this Rule element as identified in the submitted ESPA Part 5, Emergency Plan, Section 11.

The PSEG Site Emergency Plan, Section 11.1.2, Assembly and Accountability, Section 11.1.3, Protective Actions, and Salem/Hope Creek Abnormal Operating procedure for Security Events provide adequate information to implement the onsite protective action

criteria of this Rule element. Additional detail related to onsite protective actions for site personnel will be contained in site specific Operations or Emergency Plan implementing procedures.

When PSEG selects a reactor technology and submits a COLA to the NRC the COLA will include an ITAAC to submit Emergency Plan implementing procedures to the NRC 180 days prior to fuel load.

No ESPA changes are required.

6. Challenging Drills and Exercises (Part 50 Appendix E Section IV.F.2.b, F.2.d, F.2j)

The rule adds several requirements for exercises including a HAB Exercise, 8-year exercise cycle and NRC review of Exercise scenarios.

PSEG Approach

PSEG plans to revise the Emergency Plan in the next revision of the ESPA to add a requirement to conduct an EOF Consolidated Functions Drill (multiple units in emergency) once per Exercise Cycle as has been done in the current Salem/Hope Creek Emergency Plan.

When PSEG selects a reactor technology and submits a COLA to the NRC the COLA will include an ITAAC to submit Emergency Plan implementing procedures to the NRC 180 days prior to fuel load. Emergency Plan implementing procedures will require submittal of the Exercise Scenario to the NRC and conformance with the eight year cycle scenario requirement.

ESPA changes are required to Emergency Plan Section 15, Table 15-1, SCHEDULE EXERCISES AND DRILLS.

7. Alert and Notification System Backup Means (Part 50 Appendix E Section IV.D.3)

The rule requires a back-up method to alert populations in the event the primary method of alerting and notification is unavailable when the primary method (sirens) is down. The Rule also requires a backup method of notification when the primary notification method (EAS message) is down.

PSEG Approach

PSEG currently meets this rule requirement

Section 6.2 of the PSEG Site Emergency Plan, PROMPT ALERTING AND NOTIFICATION OF THE PUBLIC, provides guidance regarding route alerting the general public when the ANS and EAS systems are unavailable.

No ESPA changes are required.

8. Emergency Declaration Timeliness (Part 50 Appendix E Section IV. C.2)

The rule requires an emergency declaration to be made within 15 minutes of the existence of the condition.

PSEG Approach

PSEG will implement this element of the Rule in the Emergency Plan Event Classification Guide (ECG) as is done in the current Salem and Hope Creek ECGs.

When PSEG selects a reactor technology and submits a COLA to the NRC the COLA will include an ITAAC to submit Emergency Plan ECG - EALs to the NRC 180 days prior to fuel load. The requirement to make an emergency declaration within 15 minutes of the existence of the condition will be included in the Emergency Plan implementing procedures.

No ESPA changes are required.

9. Emergency Operations Facility - Performance-Based Approach Part 50 Appendix E Section IV.E.8.c.3)

The rule addresses the capability of off-site EOF's to support response to events occurring simultaneously at more than one nuclear power reactor site if the emergency operations facility serves more than one site specifically for those sited some distance from the reactor.

PSEG Approach

PSEG will implement this element of the Rule in the Emergency Plan as is currently done in the Salem/Hope Creek Emergency Plan.

When PSEG selects a reactor technology and submits a COLA to the NRC the COLA will include an ITAAC to submit Emergency Plan implementing procedures to the NRC 180 days prior to fuel load. The requirement for the EOF to support events occurring simultaneously at more than one nuclear power reactor site will be included in the Emergency Plan implementing procedures.

No ESPA changes are required.

10. Evacuation Time Estimate Updating (10 CFR 50.47(b)(10) and Part 50 Appendix E Section IV.I)

The rule requires rule-based site specific determination of evacuation times for populations based on roads, intersections and populations by subzones.

PSEG Approach

PSEG complies with this Rule element as documented in ESPA, Part 5, Attachment 11, Development of Evacuation Time Estimates. PSEG Nuclear is currently conducting an Evacuation Time Estimate (ETE) to comply with this Rule element for the Salem and Hope Creek operating units. This ETE is not expected to reach different conclusions than the current ETE contained in the PSEG Site Emergency Plan. PSEG Nuclear will inform PSEG if any differences are identified. Emergency Plan implementing procedures will address Protective Action Recommendations and be consistent with the conclusions of the ETE.

PSEG will implement this element of the Rule in the Emergency Plan implementing procedures. When PSEG selects a reactor technology and submits a COLA to the NRC the COLA will include an ITAAC to submit Emergency Plan implementing procedures to the NRC 180 days prior to fuel load. The Emergency Plan implementing procedures will address Protective Action Recommendations and will be consistent with the conclusions of the PSEG Nuclear Evacuation Time Estimate.

No ESPA changes are required.

11. Amended Emergency Plan Changes Process (10 CFR 50.54(q))

The rule requires a process for site use to make changes to its EP Plan and related documents.

PSEG Approach

PSEG will implement this element of the Rule in the Emergency Plan implementing procedures as has been done in the current Salem/Hope Creek Emergency Preparedness Administrative Implementing Procedure for E-Plan Changes.

PSEG will implement this element of the Rule in the Emergency Plan implementing procedures. When PSEG selects a reactor technology and submits a COLA to the NRC the COLA will include an ITAAC to submit Emergency Plan implementing procedures to the NRC 180 days prior to fuel load. The Emergency Plan implementing procedures will include a process for site use to make changes to its EP Plan and related documents.

No ESPA changes are required.

PSEG Letter ND-2012-0046, dated August 29, 2012

ENCLOSURE 2

Summary of Regulatory Commitments

ENCLOSURE 2

SUMMARY OF REGULATORY COMMITMENTS

The following table identifies commitments made in this document. (Any other actions discussed in the submittal represent intended or planned actions. They are described to the NRC for the NRC's information and are not regulatory commitments.)

COMMITMENT	COMMITTED DATE	COMMITMENT TYPE	
		ONE-TIME ACTION (YES/NO)	PROGRAMMATIC (YES/NO)
PSEG will revise Table 15-1 of Part 5, Emergency Plan, of the PSEG ESPA to include a requirement to conduct one drill per drill cycle which involves emergencies at multiple units at the PSEG Site and the Salem/Hope Creek site.	This revision will be included in a future update of the PSEG ESP application.	Yes	No