

## EPFAQ 2012-002 Draft Response

### Question:

Why has the NRC added inspection criteria to the offsite emergency declaration Classification/Notification process?

### NRC Response:

Criteria were added to inspection procedures to enable NRC inspectors to consistently evaluate licensees' demonstration of the emergency preparedness rule change requiring licensees to have the capability to assess, classify, and declare an emergency within 15 minutes. Capability is satisfied when the licensee has documented processes for both classification and notification that can be successfully performed in no more than 15 minutes.

A licensee's classification capability is defined by a documented process (e.g., a written procedure) for assessing and classifying an emergency such that the classification process can be completed within 15 minutes. The classification clock begins once indications are available to the licensee that an emergency action level (EAL) has been met or exceeded and stops when the licensee promptly declares the emergency condition.

A licensee's notification capability is defined by a documented process (e.g., a written procedure) to notify the responsible state and local governmental agencies of a declared emergency classification such that the notification process can be completed within 15 minutes. The notification clock begins when the licensee has declared an emergency and stops when all responsible state and local governmental agencies have been provided the emergency classification level.

Inspectors will use this additional detail to determine whether further assessment of a licensee's capability to declare an emergency or notify responsible offsite authorities is necessary.

A licensee's emergency declaration and notification implementation procedures may differ from how the declaration and notification capabilities will be evaluated. For example, a licensee's classification procedure may not consider the emergency declaration process complete until the initial notification form is complete. However, the capability would be evaluated based on the declaration being made promptly, which may or may not include completion of the notification form. Additionally, a licensee's assessment of a successful Drill and Exercise Performance (DEP) Performance Indicator (PI) notification opportunity may identify completion of the notification process when the first offsite authority is contacted. However, as stated previously, the clock ends when all responsible offsite authorities are notified of the ECL declaration. The detail added is considered necessary, in part, to clarify the difference between assessing regulatory compliance with a capability requirement and assessing successful performance utilizing criteria per the emergency preparedness DEP PI in NEI 99-02, Rev. 6, "Regulatory Assessment Performance Indicator Guideline" (ML092931123). Licensees should observe the classification and notification processes in their entirety to assess their capabilities during the conduct of DEP PI performance opportunities.

In summary, the implementation of this emergency preparedness rule change may vary from licensee to licensee. The variations may be caused by individual choice or specific site emergency plan commitments. Each licensee is required to follow and maintain the effectiveness of its individually-approved emergency response plan. Variations in emergency response organizational structures, emergency plan activation commitments, locations of where an emergency declaration is performed and others areas will create differences in how each licensee implements this rule change. The Commission's intent is that each licensee demonstrates the capability to assess, classify, and declare an emergency condition within 15 minutes after information is first available to a licensee decision maker and to promptly notify all responsible state and local governmental agencies of the declaration in accordance with the licensee's NRC-approved emergency response plan and commitments.