

March 28, 2013

Ms. Susan Perkins-Grew, Director
Emergency Preparedness
Nuclear Energy Institute
1201 F Street NW, Suite 1100
Washington, DC 20004-1218

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION REVIEW AND ENDORSEMENT
OF NEI 99-01, REVISION 6, DATED NOVEMBER, 2012 (TAC NO. D92368)

Dear Ms. Perkins-Grew:

By email dated January 21, 2011, the Nuclear Energy Institute (NEI) requested formal U.S. Nuclear Regulatory Commission (NRC) endorsement of NEI 99-01, Revision 6, "Methodology for the Development of Emergency Action Levels for Non-Passive Reactors" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML110240324).

A series of public meetings were held to discuss the proposed revision to this document (ADAMS Accession No's. ML111030643, ML111470371, ML120120283, ML12062A145, and ML1215A119). These public meetings led to the development of NRC comments and suggestions, which were provided to NEI (ADAMS Accession Nos. ML12066A113, ML12115A119, ML12199A351, and ML12305A548). NEI provided subsequent revisions to the proposed document for NRC review (ADAMS Accession Nos. ML113400408 and ML12257A236). A 30-day public comment period for the revised document was provided by *Federal Register* Notice in docket number NRC-2012-0240 (ADAMS Accession No. ML12278A446).

My staff has completed its review of the draft version of NEI 99-01, Revision 6, dated November 2012 (ADAMS Accession No. ML12326A805), and found it acceptable for use by licensees seeking to upgrade their emergency action levels (EAL) in accordance with Appendix E to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR). The regulatory and technical analysis for this endorsement can be retrieved through ADAMS Accession No. ML13008A736.

Please note that this is considered a significant change to the EAL scheme development methodology and licensees seeking to use this guidance in the development of their EAL scheme must adhere to the requirements of 10 CFR Part 50, Appendix E, Section IV.B.2.

Sincerely,

/RA/

Mark Thaggard, Acting Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

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Mark Thaggard, Acting Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

ADAMS Accession No: ML12346A463

OFFICE	NSIR/DPR/ORLT	NSIR/DPR/ORLOLB/TL	NSIR/DPR/ORLOLB/BC	OGC	NSIR/DPR
NAME	DJohnson	MNorris	JAnderson	NLO	MThaggard
DATE	01/18/13	01/23/13	02/27/13	03/04/13	03/28/13

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