



U.S. NUCLEAR REGULATORY COMMISSION

REGULATORY GUIDE

OFFICE OF NUCLEAR REGULATORY RESEARCH

REGULATORY GUIDE 1.101

EMERGENCY PLANNING AND PREPAREDNESS FOR NUCLEAR POWER REACTORS**A. INTRODUCTION**

On August 19, 1980, the Commission published amendments to its regulations in 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," to upgrade its emergency planning requirements (45 FR 55402).

Paragraph (a)(1) of § 50.47, "Emergency Plans," of 10 CFR Part 50 states that no operating license for a nuclear power reactor will be issued unless a finding is made by NRC that the state of onsite and offsite emergency preparedness provides reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. For operating power reactors, paragraph (s)(2) of § 50.4 requires that the licensee, State, and local emergency response plans shall be implemented by April 1, 1981, except as provided in Section IV.D.3 of Appendix E to Part 50. If, after April 1, 1981, the NRC finds that the state of emergency preparedness does not provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency, the Commission will determine whether the reactor must be shut down until such deficiencies are remedied or whether other enforcement action is appropriate. In both cases, the NRC will base its finding on a review of the Federal Emergency Management Agency (FEMA) findings and determinations as to whether State and local emergency plans are adequate and capable of being implemented, and on the NRC assessment as to whether the licensee's emergency plans are adequate and capable of being implemented.

Section 50.47 also establishes standards that must be met by the onsite and offsite emergency response plans in order for the staff to make a positive finding that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency.

This regulatory guide provides guidance to licensees and applicants on methods acceptable to the NRC staff for complying with the Commission's regulations for emergency response plans and preparedness at nuclear power reactors.

B. DISCUSSION

Revision 1 to NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," was published in November 1980 to provide specific acceptance criteria for complying with the standards set forth in § 50.47 of 10 CFR Part 50. These criteria provide a basis for NRC licensees and State and local governments to develop acceptable radiological emergency plans and improve emergency preparedness. NUREG-0654/FEMA-REP-1 is the product of the joint FEMA/NRC Steering Committee established to coordinate the agencies' work in emergency preparedness associated with nuclear power plants.

The staff is not publishing this Revision 2 to Regulatory Guide 1.101 for public comment because of the unique developmental process used for NUREG-0654/FEMA-REP-1. The interim version of NUREG-0654/FEMA-REP-1 was published for interim use in January 1980, and public comment was invited in a notice published in the *Federal Register* on February 13, 1980 (44 FR 9768). Almost 100 comment letters were received, reviewed, and evaluated prior to the development of a final version of the document. The staff's evaluation of the comments is contained in NUREG-0742/FEMA-REP-4. The interim version was also reviewed by the Advisory Committee on Reactor Safeguards and the Commission in the course of the rulemaking that resulted in the emergency preparedness amendments cited above. Comments were also received from the Interorganizational Advisory Committee (made up of State and local representatives) and from other State officials later at a September 1980 workshop sponsored by FEMA specifically to review and discuss the interim version of NUREG-0654/FEMA-REP-1.

Based on all the comments received, a final version of NUREG-0654/FEMA-REP-1 was published in November 1980 as Revision 1. Therefore, because this Revision 2 of Regulatory Guide 1.101 endorses Revision 1 of NUREG-0654/FEMA-REP-1, the staff believes that a formal public comment period is not warranted.

USNRC REGULATORY GUIDES

Regulatory Guides are issued to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations, to delineate techniques used by the staff in evaluating specific problems or postulated accidents, or to provide guidance to applicants. Regulatory Guides are not substitutes for regulations, and compliance with them is not required. Methods and solutions different from those set out in the guides will be acceptable if they provide a basis for the findings requisite to the issuance or continuance of a permit or license by the Commission.

This guide was issued after consideration of comments received from the public. Comments and suggestions for improvements in these guides are encouraged at all times, and guides will be revised, as appropriate, to accommodate comments and to reflect new information or experience.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

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C. REGULATORY POSITION

The criteria and recommendations contained in Revision 1 of NUREG-0654/FEMA-REP-1 are considered by the NRC staff to be generally acceptable methods for complying with the standards in § 50.47 of 10 CFR Part 50 that must be met in onsite and offsite emergency response plans. Furthermore, FEMA, NRC, and other involved Federal agencies intend to use the guidance contained in Revision 1 of NUREG-0654/FEMA-REP-1 in their individual and joint reviews of the radiological emergency response plans and preparedness of State and local governments and the plans and preparedness of applicants for and holders of a license to operate a nuclear power reactor.

D. IMPLEMENTATION

The purpose of this section is to provide information to applicants and licensees regarding the NRC staff's plans for using this regulatory guide. This guide reflects current NRC staff practice. Except in those cases in which the applicant or licensee proposes acceptable alternative practices or methods for complying with specified portions of the Commission's regulations, the practices or methods described herein will be used as a basis for evaluating the adequacy of the emergency plans and preparedness of applicants for a license to operate a nuclear power reactor as well as the plans and preparedness at currently operating plants.

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