

FAQ 12-06 (Proposed)

DEP Opportunities

1. Does meeting the timeliness criterion associated with the Notification DEP performance indicator mean the licensee has demonstrated regulatory compliance with the notification requirement (10 CFR 50, Appendix E, Section IV.D.3, “capability to notify [offsite] agencies within 15 minutes”)?
2. If demonstration and evaluation of notification ends when the offsite notification is initiated, is this considered a performance enhancing experience for the Key Communicator?

Proposed Solution in the EPFAQ:

1. Meeting the timeliness criterion associated with the Notification DEP performance indicator does not mean the licensee has demonstrated full compliance with the regulatory requirement for notifying offsite agencies.
2. If the demonstration and evaluation of notification ends when the first offsite notification is initiated, this opportunity will not be considered a performance enhancing experience for the Key Communicator and hence not a DEP notification PI opportunity.

Proposed revision to NEI 99-02, Rev. 6,

page 51, after line 41:

In order for an opportunity to be considered a performance enhancing experience for a Key Communicator, the opportunity must include demonstration of the ability to perform a notification of the emergency classification level to required agencies. Documentation of the opportunity and its evaluation/critique is to be comprehensive enough to allow an Inspector to reasonably reach the same conclusion as the licensee as to the adequacy of the performance enhancing experience.

page 43, after line 28:

Meeting the timeliness criterion associated with this performance indicator does not necessarily mean the licensee has demonstrated compliance with the notification capability regulatory requirement.

Meeting the timeliness criterion associated with this performance indicator demonstrates one part of the licensee’s required capability to notify responsible State and local governmental agencies within 15 minutes after declaring an emergency

10 CFR 50 Appendix E, in part, requires a licensee to establish and maintain the capability to notify responsible State and local governmental agencies within 15 minutes after declaring an emergency. Meeting the notification timeliness criterion associated with this performance indicator requires the licensee to make contact with the first responsible State or local governmental agency within 15 minutes, hence meeting the notification timeliness criterion associated with this performance indicator alone does not necessarily mean the licensee is in compliance with the notification regulation.