

EPFAQ 2013-007 Response

Question:

Appendix E to Part 50, Section IV.D.4 states: If FEMA has approved a nuclear power reactor site's alert and notification design report, including the backup alert and notification capability, as of December 23, 2011, then the backup alert and notification capability requirements in Section IV.D.3 must be implemented by December 24, 2012. If the alert and notification design report does not include a backup alert and notification capability or needs revision to ensure adequate backup alert and notification capability, then a revision of the alert and notification design report must be submitted to FEMA for review by June 24, 2013, and the FEMA-approved backup alert and notification means must be implemented within 365 days after FEMA approval. However, the total time period to implement a FEMA-approved backup alert and notification means must not exceed June 22, 2015. If FEMA issued a letter confirming that a backup ANS system approval existed on December 23, 2011, does the licensee need to revise their ANS design report in 2013?

NEI Proposed Solution:

No, the ANS design report does not need revision. As of December 2012, FEMA issued letters confirming that a backup ANS system approval existed on December 23, 2011 for all but three sites. Except for these three sites, the following actions apply or applied: Implement the backup alert and notification capability requirements in Section IV.D.3 by December 24, 2012. Append the letter from FEMA to the ANS design report even though the ANS backup means may not be discussed. Licensees do not need to revise their design report by June 24, 2013. The letter from FEMA addresses the need for a design report revision. Update emergency plans to include a reference to the backup ANS means.

NRC Response:

Licensees are required per Section IV.D.3 of Appendix E, "Content of Emergency Plans," of Part 50 of Title 10 of the Code of Federal Regulations to demonstrate that the appropriate governmental authorities have the administrative and physical means for a backup method of public alerting and notification. Further, in 10 CFR Part 50, Appendix E, Section IV.D.4 requires that if FEMA has approved a design report, to include the backup ANS capability, as of December 23, 2011, then the backup ANS requirements in Section IV.D.3 must be implemented by December 24, 2012. Thus, by December 24, 2012, a licensee's emergency plan was required to identify that a backup ANS capability existed.

If FEMA issued a letter identifying that a backup ANS capability existed on December 23, 2011, then FEMA deemed that the State and local plans, procedures, and associated equipment and facilities were successfully demonstrated and considered a backup ANS capability to be incorporated into the design report. A copy of the FEMA letter should be appended to the design report; however, the content of the ANS design report does not need to be revised and submitted to FEMA for approval in 2013.