

## **Emergency Preparedness Frequently Asked Questions (EPFAQ) 2014-007 Draft Response**

### Question (Reference 1):

A nuclear power reactor licensee that certifies cessation of operation and removal of fuel from the reactor vessel in accordance with Title 10 of the *Code of Federal Regulations* paragraph 50.82(a)(1), submits a permanently defueled (PD) emergency action level (EAL) scheme for U.S. Nuclear Regulatory Commission (NRC) pre-approval. In the period between when the scheme is submitted and approval of the EAL scheme is received from the NRC, may the licensee eliminate from its scheme EAL statements and fission product barrier status thresholds that are no longer applicable to the station?

Background: Federal regulations require that a nuclear power plant operator develop a scheme for the classification of emergency events and conditions. This scheme provides the defined thresholds that will allow site personnel to rapidly implement a range of pre-planned emergency response measures. This scheme contains a set of generic initiating conditions, EALs, and fission product barrier status thresholds.

### Proposed Solution:

The NRC provided verbal guidance that the licensee may not eliminate from its scheme the EALs statements and fission product barrier status thresholds, despite the fact that these are no longer applicable to a permanently defueled station. However, the NRC did state the licensee may indicate certain EALs statements and fission product barrier status thresholds that are no longer applicable. It is acceptable to shade (or otherwise highlight) EALs and fission product barrier thresholds that are no longer applicable.

### NRC Response:

Licensees are required to be able to implement the EALs as approved by the NRC until the EAL scheme has been approved for PD EALs. However, the staff recognizes that all of the EALs associated with operating modes applicable to an operating unit (power operation startup, hot standby, etc.) will not be applicable as these operating modes would not be reached after the certification of cessation of operations and removal of fuel from the reactor vessel. Nevertheless, the approved EAL scheme must be maintained and available until the PD EAL scheme is approved. If a licensee chooses to revise an operator aid so that focus is maintained on EALs applicable in the cold operating modes, or removes focus on those EALs applicable in the hot operating modes, using various human factoring methods (i.e., lightly shading or highlighting), then the EAL scheme as a whole continues to be maintained consistent with regulatory requirements.

### References:

1. NEI letter and attachment, dated July 10, 2014, "Industry Review of Emergency Preparedness Frequently Asked Questions 2014-001, 2014-002, and 2014-003." (Agencywide Documents Access and Management System (ADAMS) Accession Numbers ML14195A395 and ML14195A410).