

May 19, 2015

MEMORANDUM TO: James W. Andersen, Deputy Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

FROM: Richard Z. Kinard, Emergency Preparedness Specialist /RA/
Operating Reactor Licensing and Outreach Branch
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

SUBJECT: SUMMARY OF APRIL 23, 2015, PUBLIC MEETING BETWEEN THE
U.S. NUCLEAR REGULATORY COMMISSION, THE NUCLEAR
ENERGY INSTITUTE, AND INDUSTRY

The purpose of this Category 2 public meeting held on April 23, 2015, with members of the Nuclear Energy Institute's (NEI) Emergency Preparedness (EP) Decommissioning Task Force and U.S Nuclear Regulatory Commission (NRC) staff was to discuss generic issues related to potential changes to a licensee's emergency plan following a licensee's decision to permanently cease operation in accordance with section 50.82(a), of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.47(b). Specific licensing activities currently under review by the staff were not discussed at this meeting.

This public meeting was held as a continuation of a previous public meeting held with members of the NEI EP Decommissioning Task Force on October 16, 2014 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML14304A373), to continue dialog on generic EP-related decommissioning issues, specifically related to permanently defueled emergency plans and emergency preparedness associated with an independent spent fuel storage installation (ISFSI). The public meeting also served as an opportunity to provide a status on EP aspects associated with the proposed integrated decommissioning rulemaking.

The agenda included discussions on the following decommissioning issues:

Permanently Defueled Emergency Plan (PDEP)

NEI inquired about the need for a decommissioned plant to continue to maintain a meteorological tower. NRC staff indicated that while a licensee may propose an alternate to a site meteorological tower, the meteorological data must be both representative of the site, and available in a timely manner from a reliable source. NEI stated that the industry proposes to use the 10 CFR 50.54(q) process where an alternative to the traditional meteorological tower is proposed, which would include a fixed stability class representative of the site.

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In lieu of actual augmentation of on-shift staffing within 1-2 hours, as currently approved in PDEPs for recent exemptions granted, NEI proposed for discussion that initial staff augmentation could be achieved primarily through telephone contact with required technical support, with additional staffing available to respond to the site within 4 hours. Based on the removal of plant technical staff from the site during the decommissioning phase, this proposed option would allow the licensee to draw technical expertise and support from other company locations outside of 1-2 hours response time. The NRC staff reiterated that the exemption process will remain as the method to address EP requirements at decommissioning plants until formal rulemaking has been established. The staff believes that a 2-hour augmentation time for technical and radiation protection support is prudent in providing assistance to on-shift (on-site) staff. In addition, the staff asked a question as to whether phone interface would support an effective response, and cautioned that distance to corporate offices would not, by itself, be an effective justification. The staff encouraged industry to engage in further discussion on this topic as part of the proposed integrated decommissioning rulemaking and associated guidance development.

ISFSI Emergency Plan Template

NEI intends to develop a template for use by a licensee in transitioning its PDEP to an ISFSI-only plan, to reflect the transfer of fuel from the spent fuel pool (SFP) to an ISFSI facility. NEI indicated its intent is to seek NRC endorsement of the template. In addition, NEI believes that certain emergency action levels (EALs) aligned with an ISFSI-only facility could be eliminated. NEI stated that they expect to submit the template to the NRC to facilitate discussion by the end of the second quarter (June 2015). NEI noted that individual plants will also be submitting an ISFSI-only emergency plan in parallel to any NRC staff review of the template.

Staff emphasized that any template would need to be based on recent EP exemptions granted, which are consistent with the ISFSI requirements in 10 CFR 72.32(a). Since these exemptions in EP requirements must be approved on a licensee-specific basis by the Commission, endorsement by the NRC may not be possible until completion of the proposed integrated decommissioning rulemaking. In addition, the staff emphasized that limited staff resources would likely not allow the parallel review of the proposed NEI template and a licensee ISFSI-only emergency plan submittal.

Both NEI and NRC staff acknowledged the benefit of conducting a public meeting in conjunction with the submittal of the NEI template. However, NRC staff emphasized that sufficient time needs to be allotted (e.g., 30 days minimum) from NEI's submittal of the template, and placing in ADAMS as publicly available, prior to the scheduled public meeting, to allow sufficient time for NRC and interested stakeholder review. Based on further discussions with staff, NEI intends to move forward with submittal of an ISFSI-only emergency plan template by mid-late May 2015 in support of discussion at a future public meeting. These discussions would then be used by industry to inform proposed licensee ISFSI-only emergency plan submittal. Possible NRC endorsement of the template would be delayed for further consideration, possibly as part of integrated decommissioning rulemaking.

NEI also discussed industry's view of on-shift staffing and augmentation for ISFSI-only facilities. NEI proposes that an ISFSI Shift Supervisor (ISS) would oversee the Security force, as well as be trained to conduct radiological monitoring of the ISFI storage. If an EAL threshold is met, the ISS assumes the Emergency Director position and would be responsible for notifying off-site response organizations and the NRC. NEI's proposal would have the ISS position augmented by a Radiation Assessment Coordinator, while the PDEP Radiation Protection Technician would be eliminated. Also, the NEI proposal would eliminate the Fire Brigade; however, 10 CFR 50.48 fire protection commitments would continue to be met and arrangements would continue for offsite fire and medical support. Regarding augmentation support for radiation measurement, NEI noted all readings would be reviewed by an on-call radiation "expert," which was previously discussed. The proposal may advocate a call-in vs. response to the site approach. NEI indicated that, similar to a site with a PDEP, command and control for an ISFSI event would be coordinated from a central designated (on-site) facility. NRC staff noted it will still be critical for a licensee to define the basis or justification of any proposed changes, specifically in relation to the radiological risk associated with dry cask storage and the age of spent fuel.

Also as discussed earlier in the agenda, NEI proposed that SFP Initiating Conditions (ICs)/EALs be eliminated, retaining ISFSI-only ICs/EALs, to include certain security events. NEI maintains that, since a leak of radioactive material at an ISFSI is not a credible event, a licensee would only need to maintain the qualitative ability to determine whether a release has occurred. Ultimately, only an on-site protective action (sheltering) may need to be implemented.

Status on Proposed Integrated Decommissioning Rulemaking

The NRC staff discussed a proposed 2019 completion date for an integrated decommissioning rulemaking, based on direction provided by the Commission in Staff Requirement Memoranda to SECY-14-0066 and SECY-14-0118. Later this year, the staff will provide the Commission with additional details, to include milestones, expected subjects, etc.

In summary, both NRC staff and NEI industry representatives felt the meeting was constructive and agreed to continue discussions on relevant EP-related decommissioning issues such as these in future public meetings. Late June/July 2015 was identified as a tentative date for the next public meeting with the NEI EP Decommissioning Task Force to discuss the proposed ISFSI-only emergency plan template.

Enclosure:
Meeting Attendees

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Distribution:

R. Lewis, NSIR	J. Andersen, NSIR	R. Kahler, NSIR	M. Khanna, NRR
B. Watson, NMSS	M. Sampson, NMSS	H. Benowitz, OGC	S. Perkins-Grew, NEI
M. Hug, NEI	J. Anderson, NSIR	M. Norris, NSIR	DPR r/f

Accession Number: ML15133A244

OFFICE	TL:NSIR/DPR/ORLOB	BC:NSIR/DPR/ORLOB	NSIR/DPR/ORLOB
NAME	MNorris	JAnderson	RKinard
DATE	05/15/15	05/15/15	05/19/15

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Meeting Attendees

PUBLIC MEETING TO DISCUSS GENERIC EMERGENCY PLAN-RELATED DECOMMISSIONING TRANSITION ISSUES Thursday, April 23, 2015 (9:00 a.m. – Noon)

<u>Name</u>	<u>Affiliation (if any)</u>
Joseph Anderson	U.S. NRC (NSIR/DPR)
Robert Kahler	U.S. NRC (NSIR/DPR)
Michael Norris	U.S. NRC (NSIR/DPR)
Don Tailleart	U.S. NRC (NSIR/DPR)
Richard Kinard	U.S. NRC (NSIR/DPR)
Michael Wasem	U.S. NRC (NSIR/DPR)
Eric Schrader	U.S. NRC (NSIR/DPR)
Howard Benowitz	U.S. NRC (OGC)
Christopher Gratton	U.S. NRC (NRR/DORL)
Sue Perkins-Grew	Nuclear Energy Institute
Kristopher Cummings	Nuclear Energy Institute
Martin Hug	Nuclear Energy Institute
Ed Collins	Dominion
William Zipp	Dominion (Kewaunee)
John Egdorf	Dominion (Kewaunee)
Dan Shannon	Dominion (Kewaunee)
Clarence Gum	Dominion Corporate
Barrett Green	Entergy
Susan Raimo	Entergy
Jennifer Evans	Entergy
Stephen Schenrich	Entergy (Vermont Yankee)
Paul Paradis	Entergy (Vermont Yankee)
Vince Cwietniewicz	Exelon
Doug Walker	Exelon
John Brabec	Southern California Edison
Gerry van Noordennen	ZionSolutions
David Daigle	Enercon Services, Inc.
Ron Markovich	Contingency Management Consulting Group
Mike Callahan	Governmental Strategies, Inc.
Jana Bergman	Curtis-Wright/Scientech
Darani Reddick	Winston & Strawn
Paul Gunter	Beyond Nuclear

The following individuals pre-registered to call into the meeting:

- Al Coons, FEMA
- Monica Ray, Energy Compliance Consultants, LLC
- Ivan Rhyne, California Energy Commission
- Adam Levin, AHL Consultants
- Cindy Nolan, California Office of Emergency Services
- Donna Gilmore, SanOnofreSafety.org
- Ruth Thomas, Private Citizen

Enclosure