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Regulatory Affairs Division  
Office of Chief Counsel  
Federal Emergency Management Agency  
500 C Street, SW  
Washington, DC 20472-3100

**Subject:** Industry Comments on Draft NUREG-0654/FEMA-REP-1, Revision 2 (Docket ID FEMA-2012-0026),  
*80 Federal Register 30739* (May 29, 2015)

To the Office of Chief Counsel:

In accordance with the referenced *Federal Register* notice, the Nuclear Energy Institute (NEI)<sup>1</sup> and the nuclear power industry are pleased to submit the attached comments on draft NUREG-0654/FEMA-REP-1, *Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants*, Revision 2.<sup>2</sup> In general, we feel that the proposed guidance in this document represents improvement over the existing guidance contained in Revision 1. Our comments primarily address areas where clarity is needed to promote consistent understanding or unnecessary regulatory burden can be eliminated.

As an overarching comment, we believe that Revision 2 of NUREG-0654/FEMA-REP-1 should acknowledge that the "Time Factors Associated with Releases" can vary widely based on site-specific plant designs and accident/event mitigation strategies. Where such time factors are important in establishing a basis for a particular planning element, licensees and Offsite Response Organizations should have flexibility to establish criteria that consider information from site-specific accident/event analyses. Should the staff wish to specify generic minimum time factors (i.e., no site-specific justification would be necessary to use as a planning basis), then such criteria should be informed by the capability of beyond-design-basis event mitigation strategies to prevent core damage and a radiological release (e.g., strategies required by NRC Order EA-12-049 and 10 CFR 50.54[hh]). The industry is prepared to support public discussions on the development

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<sup>1</sup> The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

<sup>2</sup> The Federal Rulemaking Dockets associated with the draft document are FEMA-2012-0026 and NRC-2015-0133.

of time factor criteria and, if necessary, submit a technical report on this subject for staff review and endorsement.

In addition, we ask that the FEMA and NRC staffs consider removing all references to the "NRC EP Handbook." Our basis for requesting that the NRC EP Handbook not be issued in the near-term is discussed in the following NEI letters:

- "Emergency Preparedness Handbook: Amplifying Guidance for the Evaluation Criteria in NUREG-0654/FEMA-REP-1," Pollock to Holian, dated June 15, 2015
- "Industry Priorities for Emergency Preparedness Programs," Pollock to Johnson, dated October 7, 2015

The industry coordinated its review of Draft NUREG-0654/FEMA-REP-1, Revision 2, with the Council of Radiation Control Program Directors (CRCPD). NEI supports the comments and concerns presented in the CRCPD submittal letter dated October 13, 2015.

Questions concerning the attached comments should be directed to David Young (202-739-8127; [dly@nei.org](mailto:dly@nei.org)).

Sincerely,



Susan Perkins-Grew

Attachment

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