
OFFICE OF NUCLEAR SECURITY AND INCIDENT RESPONSE

NSIR OFFICE PROCEDURE / PROTOCOL FOR ADMINISTRATIVELY COORDINATING REMOVAL OF EMERGENCY RESPONSE DATA SYSTEM (ERDS) FOR A PERMANENTLY SHUTDOWN / DEFUELED REACTOR AND NOTIFICATION OF STATE(S)

REVISION: 0

EFFECTIVE DATE: August 1, 2016

1.0 PURPOSE

This Office Procedure provides guidelines for coordinating actions that need to be taken to remove the Emergency Response Data System (ERDS) data link as a result of the permanent or indefinite shutdown of a nuclear power plant (NPP) reactor.

2.0 APPLICABILITY

This procedure is applicable to Office of Nuclear Security and Incident Response, Division of Preparedness and Response staff assigned to administratively coordinate removal of ERDS and notification of State(s) when an NPP licensee has certified under 10 CFR 50.82(a)(1) that it has permanently ceased reactor operations and permanently removed fuel from the reactor vessel.

3.0 OBJECTIVES

The objective of this procedure is to establish a standard approach for ensuring the conditions under which a licensee can remove the ERDS data link have been met. This will include: (1) notifying or acknowledging to the licensee that the ERDS data link from the NPP to the Nuclear Regulatory Commission (NRC) is no longer required due to the permanent shut down and defueled condition of the power reactor; (2) addressing the return of NRC-supplied equipment; and (3) notifying States that have entered into a Memorandum of Understanding (MOU) with the NRC that an ERDS data link is being terminated and, if necessary, providing them with advance notice of termination of the MOU.

4.0 BACKGROUND

ERDS is a direct electronic data link between computer data systems used by licensees and the NRC Operations Center. ERDS provides the NRC Operations Center with timely and accurate values of a limited set of parameters that describe selected plant conditions. The parameter values are taken directly from data systems existing on a licensee's on-site computer.

To fulfill our incident response role, the NRC requires reliable real-time data on four types of selected plant conditions. These conditions are:

- 1) Core and coolant system conditions – to assess the extent or likelihood of core damage;
- 2) Conditions inside the containment building – to assess the likelihood and consequence of its failure;

- 3) Radioactivity release rates – to assess the immediacy and degree of public danger; and
- 4) Data from the plant's meteorological tower – to assess the likely patterns of potential or actual impact on the public.

ERDS supplements voice communications between the licensee and the NRC conducted over dedicated communications circuits (e.g., Emergency Notification System (ENS), Health Physics Network (HPN), etc.), and its removal does not preclude incident response communications between the licensee and the NRC Operations Center.

Although the ERDS Final Rule [Federal Register/ Vol. 56, No. 156 (PP 40178-40185 / Tuesday, August 13, 1991)] neither required nor solicited state participation in the ERDS, the NRC permitted states to access ERDS data from the NRC after entering into an MOU with the NRC to facilitate protective action decision-making by States with operating power reactors within their Plume Exposure Pathway (10 mile) Emergency Planning Zone (EPZ). Licensees are not required to describe in the site's emergency plan the transmission of ERDS data from the NRC to States per the respective MOU because this does not constitute a commitment by licensee, unless the licensee has voluntarily committed to provide plant data as documented in the site's emergency plan or via an MOU directly with the State(s).

5.0 BASIC REQUIREMENTS

This procedure is initiated when the Chief, NSIR/DPR/Reactor Licensing Branch, notifies NSIR/DPR/OB of the licensee's intended timeframe to discontinue the ERDS link following receipt of written certification under 10 CFR 50.82(a)(1) that the facility has permanently ceased operations and permanently removed fuel from the reactor vessel.

The administrative coordination of ERDS removal requires the issuance of two letters:

5.1 Letter to the State(s)

- A. The ERDS Program Manager (PM) drafts the letter to be sent to the State(s) within the 10 mile EPZ of the NPP and provide it to the following for concurrence, and subsequently to the Office of General Counsel for no legal objection (NLO):
 - NSIR/DPR/Reactor Licensing Branch Chief, and
 - Applicable Regional State Liaison Officer(s).

The ERDS PM will ensure the following are listed on the letter distribution for awareness:

- NRR/DORL/Decommissioning Branch Chief, and
 - NMSS/DUWP/Reactor Decommissioning Branch Chief.
- a) If the State has an MOU with the NRC pertaining to the use of ERDS data from the subject licensee/NPP, the letter makes reference to the MOU.

- i. If there are other NPPs that the State has ERDS data access to under the same MOU, this letter is only a notification, and no further action is taken on the MOU. In such a case, the letter will include language informing the State that the ERDS link to the other NPP(s) they have access to is/are not affected.

Example: ML15118A778 – Termination of Emergency Response Data System feed to the State of California for SONGS

- ii. If the State has access only to the subject NPP (i.e., there are no other NPPs whose 10-mile EPZ lies within the State), there is no longer a need to retain the MOU. In such a case, the letter will include language notifying the State that the NRC intends to terminate the MOU with the subject State 30 days after issuance of this letter. No further communication is required.

Example: ML15117A520 – ERDS - Letter to State of Vermont Re Termination of ERDS Feed for Vermont Yankee Nuclear Power Station

- iii. Engage with the licensee to coordinate timely notification to the State, thereby ensuring that the NRC fulfills its requirement to notify the State 30 days before discontinuing ERDS data transmission.

- b) If the State does not have an MOU with the NRC pertaining to the use of ERDS data from the subject licensee/NPP, a similar courtesy letter will be sent to the State providing the same notification.

Example: ML15111A281 – Termination of Emergency Response Data System Feed for Crystal River Unit 3 Nuclear Generating Plant

- B. When review comments are incorporated, the letter to the State(s) will be signed by the NSIR/DPR Director.
- C. Once signed, the ERDS PM will provide to the NSIR/DPR Administrative Assistants to be declared in ADAMS (public / non-sensitive), and distributed accordingly.

5.2 Letter to the Licensee

- A. The ERDS PM drafts the letter to be sent to the licensee acknowledging that the ERDS link from the NPP to the NRC Operations Center is no longer required to be maintained in accordance with Section VI.3 of Appendix E to 10 CFR Part 50. The ERDS PM will provide to the NSIR/DPR/Reactor Licensing Branch Chief for concurrence.
- B. The NSIR/DPR/Reactor Licensing Branch Chief then forwards the draft letter to the NRR/DORL/Decommissioning Branch Chief via email for processing and issuance by NRR/DORL using NRR Office Instructions.

At least 30 days after the issuance of the letter to the State(s), the NRR/DORL issues the letter to the licensee. This is in compliance with the agreement in the MOUs with States that the MOU will be "... amended or modified upon written agreement by both parties, and may be terminated upon 30 days written notice by either party."

- C. If the licensee uses NRC supplied equipment, and the equipment will continue to be used for ERDS transmissions from other NPPs, the licensee does not need to return the equipment.
- D. If the licensee uses NRC supplied equipment to transmit ERDS data only from the NPP that is being permanently shutdown, the licensee will return all NRC supplied equipment to the NRC, with attention to the ERDS PM.

Example: ML15040A428 – Termination of Emergency Response Data System Feed to the U.S. Nuclear Regulatory Commission for San Onofre Nuclear Generating Station units 2 and 3

6.0 RESPONSIBILITIES AND AUTHORITIES

6.1 NSIR/DPR/Reactor Licensing Branch Chief

- Notify the NSIR/DPR/OB of the licensee's intended timeframe to discontinue the ERDS link following receipt of written certification under 10 CFR 50.82(a)(1) that the facility has permanently ceased operations and permanently removed fuel from the reactor vessel.
- Review and comment on the letter to the State.
- Review and concur on the letter to the licensee prior to forwarding to NRR/DORL.

6.2 NRR/DORL/Decommissioning Branch Chief

- Process and transmit the letter to the licensee in accordance with NRR Office Instructions once draft letter is received from NSIR/DPR/Reactor Licensing Branch Chief.

6.3 Applicable Regional State Liaison Officer(s)

- Review and concur on the letter to the State.

6.4 Office of the General Counsel

- Review and provide NLO concurrence on the letter to the State.

6.5 NSIR/DPR Director

- Review and sign the letter to the State.

6.6 NSIR/DPR/OB/ERDS Program Manager

- Responsible for implementing the administrative coordination of the removal of ERDS for a permanently shutdown/defueled reactor and notification of State(s).

7.0 PERFORMANCE MEASURES

N/A

8.0 POINT OF CONTACT

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9.0 RESPONSIBLE DIVISION

Division of Preparedness and Response

10.0 REVISION DATE

N/A

11.0 REFERENCES

7.0 PERFORMANCE MEASURES

N/A

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Distribution:

NRR/DORL/Decommissioning Branch Chief
Regional State Liaison Officers

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