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SAFER
STRATEGIC ALLIANCE
FOR FLEX EMERGENCY RESPONSE

May 24, 2018

Louise Lund, Director
Division of Licensing Projects
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Docket No.: 99901013

Ms. Lund:

On September 26, 2014, the Nuclear Regulatory Commission (NRC) issued a Staff Assessment of the National SAFER Response Centers (NSRCs) that were established in response to Order EA-12-049 (ML14265A107). The Staff Assessment was based on a white paper submitted on September 11, 2014 that provided the programmatic aspects and implementation plans for the SAFER program (ML14259A222). This Staff Assessment concluded that once the NSRCs were declared operational for each site in accordance with the NSRC checklist, those licensees can reference the SAFER program and implement their SAFER Response Plans for plant-specific compliance with the final phase requirements of NRC Order EA-12-049.

Since that time, the Vendor Inspection Branch of the NRC has performed its initial inspections and issued reports for both the Phoenix NSRC facility (ML17012A186) and the Memphis NSRC facility (ML17117A576). Based on the results of these inspections, the NRC inspection team found that the implementation of the SAFER program met the contractual requirements imposed by NRC licensees and that there were no findings regarding the acceptability of the SAFER program for reliance by licensees in meeting the final phase requirements of NRC Order EA-12-049.

During a public meeting with the NRC on May 16, 2018, SAFER representatives agreed with the NRC staff that it would be appropriate to submit addenda to the referenced white paper documenting the treatment of equipment withdrawn from the NSRCs. These addenda will be evaluated separately for subsequent NRC Staff Assessments. Addenda I and II are enclosed for that purpose.

If you have any questions, please contact John Giddens, SAFER Chairman, at 601.368.5756.

Sincerely,

David L. Crawley
- as Agent for PEICo

John M. Giddens, Jr.
SAFER Chairman (Entergy)
on behalf of the Committee

cc: M. Shams
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Addendum I

The guidance in NEI 12-06, Section 12 provides the expectations for Synchronization with, and the Minimum Capabilities of, Off-Site Resources. This section discusses equipment that is unavailable/non-operational based on maintenance or testing. The unavailability of Phase 3 equipment due to deployment is not addressed.

It is possible that an emergency declaration, which does not adversely impact a nuclear facility, could result in a request for use of SAFER equipment by a Federal or State agency. In this case, Phase 3 equipment may be made available consistent with the following stipulations:

- The request for equipment use must come from an authorized representative of a Federal or State emergency management agency.
- The requested equipment must be designated to support an emergency or major disaster declared under Federal or State law (e.g., pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act[1] or a similar act).
- Prior to the release of equipment, a commitment (e.g., a contract) will be required from the agency, which addresses issues such as cost, timely reimbursement, transfer of title, risk of loss, indemnification, liabilities, etc.[2]
- One NSRC will continue to be available for an additional deployment(s) should an emergency occur that impacts a nuclear plant(s).
- The capabilities of the NSRC from which equipment was not drawn for the deployment, and any remaining equipment in the NSRC that supported the deployment, will be maintained.

Due to the potential of a long-lead time for equipment replacement and because the remainder of the nation's nuclear plants maintain spare Phase 2 equipment with standardized connections that could aid in support of an emergency impacting a different nuclear plant(s), a 3-year replacement period for the deployed equipment is appropriate and will apply. During the replacement period, the expectation of a fully-redundant NSRC will be set aside.

This Addendum establishes a time period and general requirements for replacement of deployed Phase 3 equipment due to a request from a Federal or State agency. Applicability of this addendum to circumstances not explicitly addressed above is neither implied nor intended.

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[1] Public Law 100-707; 42 U.S.C. 5121, et seq.

[2] The nuclear industry has expended over $57 Million in the development and procurement of the NSRC equipment. Unique capabilities have been built into the equipment to facilitate deployment via various means of transportation.

Addendum II

The guidance in NEI 12-06, Section 12 provides the expectations for Synchronization with, and the Minimum Capabilities of, Off-Site Resources. This section discusses equipment that is unavailable/non-operational based on maintenance or testing. The unavailability of Phase 3 equipment due to deployment is not addressed.

The deployment of Phase 3 equipment would occur following a request from a nuclear power plant licensee(s). In this instance, one NSRC will continue to be available for an additional deployment(s) should another emergency occur. Assuming that the event does not challenge the existing licensing bases of the remaining US nuclear power reactors, PEICo will perform its contractual responsibility, in coordination with the utility/operating company to which the equipment was deployed, to either restore the withdrawn Phase 3 equipment to operational status or replace the equipment within a maximum of 3 years of the associated deployment, at the expense of the affected utility/operating company. During this restoration/replacement period, the expectation of a fully-redundant NSRC is set aside. Similarly, the expectations for maintaining maintenance records on the deployed equipment during the restoration/replacement period would be set aside.

The 3-year time period is appropriate based on the following reasons:

1) The potential of a long-lead time for equipment replacement.
2) The remainder of the nation's nuclear plants maintains spare Phase 2 equipment which could aid in support of an emergency that impacts a different nuclear plant(s).

This Addendum establishes a time period and general requirements for restoration/replacement of deployed Phase 3 equipment due to a deployment request from a licensee at one or more nuclear facilities. Applicability of this addendum to circumstances not explicitly addressed above is neither implied nor intended.