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MEMORANDUM FOR: Edward L. Jordan, Chairman
Committee to Review Generic Requirements

FROM: Eric S. Beckjord, Director
Office of Nuclear Regulatory Research

SUBJECT: PROPOSED REVISION 3 TO REGULATORY GUIDE
1.101, "EMERGENCY PLANNING AND PREPAREDNESS
FOR NUCLEAR REACTORS"

Enclosed for review and approval by the CRGR is the subject document which the NRC staff is planning to publish in the Federal Register for public comment.

The fundamental change to this regulatory guide is the endorsement of the attached NUMARC document relating to the development of Emergency Action Levels. The staff worked extensively with NUMARC in the development of this document.

OGC has reviewed this draft regulatory guide and their comments have been incorporated. NRR, AEOD and NMSS concur with the proposed regulatory guide.

For further information contact Mike Jamgochian, RES 492-3918.

Eric S. Beckjord, Director
Office of Nuclear Regulatory Research

Enclosure:

1. Draft Regulatory Guide 1.101 Revision 3
2. NUMARC NESP-007 February 1991
3. Draft Regulatory Analysis

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REGULATORY GUIDE 1.101

EMERGENCY PLANNING AND PREPAREDNESS FOR NUCLEAR REACTORS

A. INTRODUCTION

On August 19, 1980, the Commission published amendments to its regulations in 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," to upgrade its emergency planning requirements (45 FR 55402).

Paragraph (a)(1) of § 50.47, "Emergency Plans," of 10 CFR Part 50 states that no operating license for a nuclear power reactor will be issued unless a finding is made by NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. For operating power reactors, paragraph (s)(2) of § 50.4 requires that "licensee, State and local emergency response plans shall be implemented by April 1, 1981, except as provided in Section IV.D.3 of Appendix E to [Part 50]. If, after April 1, 1981, the NRC finds that the state of emergency preparedness does not provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency, ...the Commission will determine whether the reactor shall be shut down until such deficiencies are remedied or whether other enforcement action is appropriate". In both cases, the NRC will base its finding on a review of the Federal Emergency Management Agency (FEMA) findings and determinations as to whether State and local emergency plans are adequate and capable of being

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implemented, and on the NRC assessment as to whether the licensee's emergency plans are adequate and capable of being implemented.

Section 50.47 also establishes standards that must be met by the onsite and offsite emergency response plans in order for the staff to make a positive finding that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency.

This regulatory guide provides guidance to licensees and applicants on methods acceptable to the NRC staff for complying with the Commission's regulations for emergency response plans and preparedness at nuclear power reactors.

B. DISCUSSION

Revision 1 to NUREG-0654/FEMA-REP-1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," was published in November 1980 to provide specific acceptance criteria for complying with the standards set forth in § 50.47 of 10 CFR Part 50. These criteria provide a basis for NRC licensees and State and local governments to develop acceptable radiological emergency plans and improve emergency preparedness. NUREG-0654/FEMA-REP-1 is the product of the joint FEMA/NRC Steering Committee established to coordinate the agencies' work in emergency preparedness associated with nuclear power plants.

Revision 2 of Regulatory Guide 1.101 endorses Revision 1 of NUREG-0654/FEMA-REP-1.

C. REGULATORY POSITION

The criteria and recommendations contained in Revision 1 of NUREG-0654/FEMA-REP-1 are considered by the NRC staff to be generally acceptable methods for complying with the standards in § 50.47 of 10 CFR Part 50 that must be met in onsite and offsite emergency response plans. Furthermore, FEMA, NRC, and other involved Federal agencies intend to use the guidance contained in Revision 1 of NUREG-0654/FEMA-REP-1 in their individual and joint reviews of the radiological emergency response plans and preparedness of State and local governments and the plans and preparedness of applicants for and holders of a license to operate a nuclear power reactor.

Additionally, the guidance contained in NUMARC/NESP-007, Revision 1 (February 1991)¹ "Methodology for Development of Emergency Action Levels" is considered by the NRC staff to be a generally acceptable alternative method to that described in NUREG-0654/FEMA-REP-1 for developing emergency action levels (EAL's) required by 10 CFR Part 50 Appendix E Section IV.B. Those licensees proposing to revise their currently approved EAL classification scheme using the NUMARC/NESP-007 method shall adhere to the requirements to 10 CFR 50 Appendix E-IV-B which states, in part, that:

emergency action levels shall be discussed and agreed on by the applicant and State and local governmental authorities and approved by NRC. They shall also be reviewed with the State and local governmental authorities on an annual basis.

¹ Copies of this NUMARC document are available at the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C. 20555. Copies may be purchased from the Government Printing Office. Information on current prices may be obtained by writing the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention Publications Sales Manager.

D. IMPLEMENTATION

The purpose of this section is to provide information to applicants and licensees regarding the NRC staff's plans for using this regulatory guide. This guide reflects current NRC staff practice. Except in those cases in which the applicant or licensee proposes acceptable alternative practices or methods for complying with specified portions of the Commission's regulations, the practices or methods described herein will be used as a basis for evaluating the adequacy of the emergency plans and preparedness of applicants for a license to operate a nuclear power reactor as well as the plans and preparedness at currently operating plants.