

OFFICE OF NUCLEAR REACTOR REGULATION

Office Letter Transmittal

TO: All NRR Employees

SUBJECT: NRR OFFICE LETTER NO. 804. REVISION 1, "PROCEDURE FOR CONDUCTING NRC STAFF REVIEWS OF OFFSITE EMERGENCY PREPAREDNESS FOR LICENSED OPERATING POWER REACTORS"

PURPOSE: NRR Office Letter 804, Revision 1, supersedes NRR Office Letter 804, dated June 25, 1991. It provides guidance to the Office of Nuclear Reactor Regulation (NRR) staff for conducting reviews of offsite emergency preparedness (EP) for power reactors licensed to operate. Revision 1 reflects the new format for office letters and the current NRR organizational structure.

DIVISION OF
ORIGIN: Division of Reactor Program Management

CONTACT: Falk Kantor, 415-2907

DATE APPROVED: August 21, 1996

AVAILABILITY: Roberta Ingram, 415-1219

270047

9608270430 960821
PDR ORG NRR
PDR

DER-5 NRC C/L

DR-3
0/1

NRR OFFICE LETTER NO. 804, REVISION 1
PROCEDURE FOR CONDUCTING NRC REVIEWS OF OFFSITE
EMERGENCY PREPAREDNESS FOR LICENSED OPERATING
POWER REACTORS

POLICY

Under special circumstances in which the adequacy of offsite EP is called into question for a licensed power reactor, the NRC may need to conduct its own review to reaffirm its finding of reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency at the plant. The Federal Emergency Management Agency (FEMA) should be consulted on issues pertinent to offsite EP.

BACKGROUND

In 1991, the Commission approved the action plan for a special task force reviewing offsite EP for the Pilgrim Nuclear Power Station. The process and procedures employed by that task force are attached as guidance to be used in any future activity of this type.

RESPONSIBILITIES AND AUTHORITIES

Director, Office of Nuclear Reactor Regulation

Determines the need for the NRC staff to review offsite EP and forwards a request for such review to the Commission through the Executive Director for Operations (EDO).

Director, Division of Reactor Program Management, and Associate Director for Projects

Ensure that a comprehensive action plan is developed to guide the staff in conducting its review in consultation with FEMA.

Chief, Emergency Preparedness and Radiation Protection Branch

Develops a comprehensive plan for the Commission to review and approve, including the following elements:

- A plan and procedures for conducting a review
- A scheme for organizing and managing the review, including identification of a Senior Executive Service manager dedicated to the review
- A description of the resources needed to execute the plan

- Provision for a temporary NRC office in the area of the affected plant
- Proposed means for obtaining views of local officials
- Provisions for conducting public meetings to obtain the views of the general public
- Provisions for conducting a final public meeting to inform the public of the results of the NRC's fact finding and to solicit any additional comments
- A time table for developing a comprehensive, fully documented report of the findings to the Commission

BASIC REQUIREMENTS

A detailed description of the task force process and procedures is attached.

EFFECTIVE DATE

This office letter is effective immediately.

REFERENCES

1. Sections 50.47(a)(2), 50.54(s)(2)(ii), and 50.54(s)(3) of Title 10 of the Code of Federal Regulations
2. NRC/FEMA Memorandum of Understanding, June 17, 1993 (58 FR 47996)
3. Memorandum for the Chairman from James M. Taylor, EDO, "Progress Report on Staff Actions in Response to Inspector General's (IG) Audit Report 90A-14, Review of NRC's Emergency Planning Regulations and Implementing Guidance," April 2, 1992

Attachments: 1. Detailed Description of Task Force
Process and Procedures
2. Pilgrim Offsite EP Task Force
Implementing Procedures

cc w/attachments: J. Taylor, EDO
J. Milhoan, DEDR
H. Miller, RI
S. Ebnetter, RII
A. Beach, RIII
L. Callan, RIV
SECY
OGC
PUBLIC

DETAILED DESCRIPTION OF TASK FORCE PROCESS
AND PROCEDURES

1. Develop a charter that specifically addresses the issue to be resolved. (I)
2. Detail (relieve from normal duties) task force members with the proper combination of technical and managerial experience, including representatives from FEMA. Ensure proper coordination with other agencies that are expected to participate. (I, E)
3. Issue press releases through the NRC Office of Public Affairs to alert the public that the task force and charter have been established. Send letters describing the formation of the task force and charter to responsible local officials in the affected locality and LPDRs. (E)
4. Task force management personally visit responsible local officials to verify receipt of "announcement" letters, describe the purpose of the task force and the process that will be used, answer any questions they may have, and request their support. (E)
5. Establish and publicize local toll-free ("800") or other telephone numbers that members of the public can use to make inquiries of the task force. Establish a local office for the task force to use as a base of operations for field activities. (E)
6. Develop detailed procedures that include "rules of engagement" to implement the elements of the charter (see the attached Pilgrim task force implementing procedures). Provide the Commission with a paper describing the process to be reviewed and approved by way of a staff requirement memorandum. (I)
7. Develop a systematic filing or docketing system to enable information to be retrieved and accurately referenced. (I)
8. Develop and periodically issue a status report to a predetermined distribution list. Establish a regulatory information tracking system (RITS) number to allow accurate accounting of hours charged to the task force effort. (I)
9. Assess the need for resources to accomplish task force activities, including contract personnel to assess issues needing specific technical expertise, such as tidal studies of beaches, a dedicated OGC staffer to address legal issues and questions, a technical editor, and computer data entry services. Coordinate with the appropriate management to ensure these resources are available. (I)

10. Establish a liaison to filter information between the task force and external organizations that provide information to or recommend action for the task force. (I)
11. Informally brief the EDO periodically on the progress of the task force. Periodically convene formal meetings with senior NRC managers to brief them on the status of task force activities and of significant findings that should be highlighted to them. If other agencies are represented on the task force, periodically brief the appropriate managers at those agencies on the progress and significant findings of the task force. Inform the appropriate NRC managers of any issues of safety significance that are discovered during field activities to enable these managers to consider taking immediate action and informing the Commission. (I, E)
12. If the issue affects a particular regional office, and if the region is not represented on the task force, ensure that a mechanism is established to frequently inform the region of the progress of the task force and of the issues that the region should pursue through its line organization. (I)
13. Although the task force must record and forward allegations that it uncovers in its fact-finding activities to the affected region and headquarters office, the region should follow up on the allegation through its allegation panel process. (I)
14. Thoroughly review reference documents, such as reports, letters, and transcripts to identify the concerns and views of individuals. Catalog this information in a computer database to allow ease of sorting. Compile common concerns into categories by major issue for the task force to address methodically. Assign major issues to task force teams that will be responsible for addressing them.
15. Task force teams brainstorm issues to develop approaches to resolving them, including key questions that should be answered to enable the teams to determine the facts surrounding the issues during the field activities. (I)
16. If meeting with the licensee on issues that are not strictly its responsibility but about which it may have information, formally notify the public of the meeting to allow the public to attend. (E)
17. Transcribe important meetings to ensure that information presented is accurate and available for future reference by the task force. (I)
18. Ensure that the facts that are presented by the task force in its report are supported by physical or documented evidence. The bases for these facts must not include hearsay or the opinions of groups or individuals. (I)
19. Promulgate the draft factual report to local officials, LPDRs, and members of the public whose concerns formed the source of the issues

that were addressed. Provide a review and comment period of at least two weeks. Upon transmitting the draft report, publish a notice for a public meeting to be held at the end of the comment period to allow the task force to receive such comments. (E)

20. The task force visits local officials in the time between the issuance of the draft report for comment and the public meeting to answer questions they may have as they prepare their comments. (E)
21. Hold the public meeting to receive comments on the draft report and transcribe the proceedings. (E)
22. The task force must review the facts against pertinent regulatory requirements to identify any significant issues regarding safety or compliance. (I)
23. Review the transcript and revise the report as necessary to produce the final report. Attach the transcript of the public meeting to the final report. (I)

NOTE: (I) indicates "internal" actions/considerations; (E) indicates "external" actions/considerations.

PILGRIM OFFSITE EP TASK FORCE IMPLEMENTING PROCEDURES

I. Task Force Management Responsibilities

- (1) Direct the staff in preparing for the task force work including analyzing the following documents: (a) transcript and documents obtained at the September 6, 1990, public meeting; (b) the Federal Emergency Management Agency's (FEMA's) August 31, 1990, exercise report on Pilgrim; (c) the licensee's analysis of these documents; (d) FEMA's forthcoming status report on EP planning for Pilgrim and (e) other documents deemed pertinent. From these sources, compile a list of issues in dispute and assign them to fact-finding teams. (Note: the task force will initially attempt to address all EP issues raised by Pilgrim area officials and citizens without regard to their relevance to NRC regulations.)
- (2) Provide a primary contact with the public, responsible officials, press, and top-level NRC/FEMA management.
- (3) Arrange logistic and administrative support for the task force.
- (4) Ensure that the task force adheres to its charter and schedule, and issue periodic progress reports.
- (5) Approve planned activities and schedules of the fact-finding teams and ensure that their products adequately address the EP issues in dispute.
- (6) Independently review facts and assessments of fact-finding teams.

II. Responsibilities of Fact-Finding Teams

- (1) Develop and implement plans and schedules for each fact-finding issue. Coordinate through FEMA Region I the scheduling of fact-finding activities with appropriate Commonwealth and local officials. Coordinate in advance with the Boston Edison Company (BECO) any fact-finding visits to the BECO offices.
- (2) Ensure that the teams gather appropriate physical evidence and document field activities with videotapes, photographs, document correspondence, and other means as needed.
- (3) Discuss issues that may overlap with those addressed by other teams, as necessary.
- (4) Consider the need to expand fact-finding activities to include new issues as field activities progress.
- (5) Debrief task force management upon completion of each field visit.

- (6) Keep the task force management informed of plans and schedules.
- (7) Following the fact-finding phase of task force work, review the current status of offsite EP to identify shortcomings in EP for the Pilgrim EP zone. Assess their significance to the appropriate standards in EP regulations, NUREG-0654/FEMA-REP-1, Revision 1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," and other pertinent NRC and FEMA guidance documents. Consider the compensatory measures that local and State entities may have established to address weaknesses while working towards a permanent solution.

III. Matters to Consider in Planning Field Work

- (1) Consider questions that should be answered to ascertain pertinent facts regarding the issue in dispute.
- (2) Consider what facilities, hardware, documents, and phenomena should be observed, measured, or discussed and how the information should be recorded by photograph, copy, or other means.
- (3) Prepare for the gathering of physical evidence (advance contact to ensure that appropriate documents, cameras, film, measuring equipment, and other items are available), and means of documenting field activities (such as laptop computers).
- (4) Identify the persons who the team should contact for information. This should include, principally, persons responsible for the EP issues.
- (5) Consider the need for contractor support.

IV. Coordination of Field Work

- (1) Through FEMA Region I, notify local officials sufficiently before a visit to keep them fully informed and to ensure that facilities, equipment, or documentation that is pertinent to the inquiry will be available for the team to review.
- (2) Engage each person whose concerns formed the basis for the issues in dispute, and allow that person to clarify and present new or different information pertinent to the issues. Inform and solicit appropriate local officials to participate in planned meetings with their constituents.
- (3) When gathering facts about an issue, meet with the BECO staff and allow the licensee to provide information pertinent to the issue.

V. Documentation of Field Activities

- (1) Document field activities in trip reports signed by all team members. In each trip report, identify the issue(s) covered, the persons contacted, the places visited, and describe the team's factual findings and their documented bases. Note any uncertainties in factual data.
- (2) Upon returning from the field, tag and docket all documents and factual evidence that was compiled during field activities to be made a part of the task force's final records and report.
- (3) NRC members charge their time on task force activities (except for travel and direct inspection effort) to M77583 in the RITS system. NRC regional inspectors may charge their direct inspection efforts to M79017.
- (4) If the team identifies conflicting information, exercise due care to ascertain the facts and their documented basis. Clearly document conflicting information to ensure that all available data bearing on issues in dispute are considered properly.

VI. Proposed Format for Task Force Report

The task force will prepare a report to the EDO on the current status of the issues in dispute regarding offsite EP for the Pilgrim station. This report may include the following sections:

- A. Introduction, including the history of the situation and the purpose (charter) of the task force
- B. Definitions, abbreviations
- C. Body - organize by issue
 - (1) facts surrounding the issue
 - (2) supporting documentary and physical evidence
- D. Appendices - provide "directory assistance"
 - (1) cross reference issues to the responsible entities (e.g., towns, Commonwealth, BECO)
 - (2) cross reference issues to sources of concern (e.g., private citizens, responsible officials)

In its cover memorandum transmitting the report to the EDO, the task force will recommend whether the NRC should reconsider its finding that the state of EP provides reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency

at the Pilgrim station. The task force will explain its rationale in an attachment assessing the facts of each issue, and how they relate to applicable regulations, guides, and standards. In formulating its recommendation, the task force will consider interim measures implemented by local and State entities to compensate for EP weaknesses while working towards permanent solutions.

- Provision for a temporary NRC office in the area of the affected plant
- Proposed means for obtaining views of local officials
- Provisions for conducting public meetings to obtain the views of the general public
- Provisions for conducting a final public meeting to inform the public of the results of the NRC's fact finding and to solicit any additional comments
- A time table for developing a comprehensive, fully documented report of the findings to the Commission

BASIC REQUIREMENTS

A detailed description of the task force process and procedures is attached.

EFFECTIVE DATE

This office letter is effective immediately.

REFERENCES

1. Sections 50.47(a)(2), 50.54(s)(2)(ii), and 50.54(s)(3) of Title 10 of the Code of Federal Regulations
2. NRC/FEMA Memorandum of Understanding, June 17, 1993 (58 FR 47996)
3. Memorandum for the Chairman from James M. Taylor, EDO, "Progress Report on Staff Actions in Response to Inspector General's (IG) Audit Report 90A-14, Review of NRC's Emergency Planning Regulations and Implementing Guidance," April 2, 1992

Attachments: 1. Detailed Description of Task Force
Process and Procedures
2. Pilgrim Offsite EP Task Force
Implementing Procedures

cc w/attachments: J. Taylor, EDO
J. Milhoan, DEDR
H. Miller, RI
S. Ebnetter, RII
A. Beach, RIII
L. Callan, RIV
SECY
OGC
PUBLIC

DISTRIBUTION:
File Center BGrimes
PERB R/F CMiller
FKantor
TEssig
RIngram (orig. + 5)

96-89

DOCUMENT NAME: G:\OLHEAD-1

* See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	*PERB:NRR	*SC:PERB	*BC:PERB	*D:DRPM	DISP
NAME	FKantor	TEssig	CMiller	BGrimes	RIngram
DATE	5/2/96	5/2/96	5/2/96	5/7/96	8/1/96
OFFICE	DD:NRR	DD:RIV			
NAME	FMiragosa	WRussell			
DATE	8/1/96	5/2/96			

REFERENCES

1. 10 CFR Parts 50.47(a)(2), 50.54(s)(2)(ii), and 50.54(s)(3)
2. NRC/FEMA Memorandum of Understanding, June 17, 1993 (58 FR 47996)
3. Memorandum for the Chairman from James M. Taylor, EDO, "Progress Report on Staff Actions in Response to Inspector General's (IG) Audit Report 90A-14, Review of NRC's Emergency Planning Regulations and Implementing Guidance", April 2, 1992.

cc: J. Taylor, EDO
J. Milhoan, EDO
T. Martin, RI
S. Ebnetter, RII
H. Miller, RIII
L. Callan, RIV
SECY
OGC
NRC PDR

DISTRIBUTION

NRC PDR
PERB Reading File
R. Ingram (original + 5)
F. Kantor
T. Essig
C. Miller
B. Grimes

DOCUMENT NAME: G:\OLHEAD-1

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PERB:NRR	SC:PERB	BC:PERB	D:DRPM	DISP
NAME	FKantor	TEssig	CMiller	BGrimes	RIngram
DATE	5/2/96	5/2/96	5/2/96	5/7/96	8/19/96

OFFICE	DD:NRR	D:NRR			
NAME	FMiraglia	WRussell			
DATE	5/ /96	5/ /96			

OFFICIAL RECORD COPY

- Provision for a temporary NRC office in the area of the affected plant
- Proposed means for obtaining views of local officials
- Provisions for conducting public meetings to obtain the views of the general public
- Provisions for conducting a final public meeting to inform the public of the results of the NRC's fact finding and to solicit any additional comments
- A time table for developing a comprehensive, fully documented report of the findings to the Commission

BASIC REQUIREMENTS

A detailed description of the task force process and procedures is attached.

EFFECTIVE DATE

This office letter is effective immediately.

REFERENCES

1. Sections 50.47(a)(2), 50.54(s)(2)(ii), and 50.54(s)(3) of Title 10 of the Code of Federal Regulations
2. NRC/FEMA Memorandum of Understanding, June 17, 1993 (58 FR 47996)
3. Memorandum for the Chairman from James M. Taylor, EDO, "Progress Report on Staff Actions in Response to Inspector General's (IG) Audit Report 90A-14, Review of NRC's Emergency Planning Regulations and Implementing Guidance," April 2, 1992

- Attachments:
1. Detailed Description of Task Force Process and Procedures
 2. Pilgrim Offsite EP Task Force Implementing Procedures

cc w/attachments: J. Taylor, EDO
J. Milhoan, DEDR
H. Miller, RI
S. Ebnetter, RII
A. Beach, RIII
L. Callan, RIV
SECY
OGC
PUBLIC

DISTRIBUTION:

File Center BGrimes
PERB R/F CMiller
FKantor
TEssig
RIngram (orig. + 5)

DOCUMENT NAME: G:\OLHEAD-1

* See previous concurrence

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	*PERB:NRR	*SC:PERB	*BC:PERB	*D:DRPM	DISP
NAME	FKantor	TEssig	CMiller	BGrimes	RIngram
DATE	5/2/96	5/2/96	5/2/96	5/7/96	8/18/96
OFFICE	DD:NRR	D:NR			
NAME	FMirap	VRussell			
DATE	8/1/96	8/1/96			

REFERENCES

1. 10 CFR Parts 50.47(a)(2), 50.54(s)(2)(ii), and 50.54(s)(3)
2. NRC/FEMA Memorandum of Understanding, June 17, 1993 (58 FR 47996)
3. Memorandum for the Chairman from James M. Taylor, EDO, "Progress Report on Staff Actions in Response to Inspector General's (IG) Audit Report 90A-14, Review of NRC's Emergency Planning Regulations and Implementing Guidance", April 2, 1992.

cc: J. Taylor, EDO
 J. Milhoan, EDO
 T. Martin, RI
 S. Ebner, RII
 H. Miller, RIII
 L. Callan, RIV
 SECY
 OGC
 NRC PDR

DISTRIBUTION

NRC PDR
 PERB Reading File
 R. Ingram (original + 5)
 F. Kantor
 T. Essig
 C. Miller
 B. Grimes

DOCUMENT NAME: G:\OLHEAD-1

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PERB:NRR	SC:PERB	BC:PERB	D:PERB	DISP
NAME	FKantor	TEssig	CMiller	BGrimes	RIIngram
DATE	5/2/96	5/2/96	5/2/96	5/7/96	8/19/96
OFFICE	DD:NRR	D:NRR			
NAME	FMiraglia	WRussell			
DATE	5/ /96	5/ /96			

OFFICIAL RECORD COPY