

REGULATORY ANALYSIS

DRAFT REGULATORY GUIDE DG-1357

Emergency Response Planning and Preparedness for Nuclear Power Reactors (Proposed Revision 6 of Regulatory Guide 1.101, dated November 2005)

1. Statement of the Problem

The U.S. Nuclear Regulatory Commission (NRC) published Revision 0 of Regulatory Guide (RG) 1.101, "Emergency Planning for Nuclear Power plants," in November 1975 to provide licensees and applicants with agency-approved guidance for developing emergency plans that comply with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50 and Appendix E to 10 CFR Part 50. Since it was originally issued, this RG has been revised five times.

The NRC issued Revision 5 of RG 1.101 in June 2005. Since the issuance of Revision 5, many of the referenced guidance documents have been substantially revised and new pertinent guidance has been developed. As such, Revision 5 is outdated.

2. Objective

The objective of this regulatory analysis is to assess the need to update NRC guidance and provide licensees and applicants with an acceptable method to demonstrate compliance with emergency plan requirements in 10 CFR Part 50 and Appendix E to 10 CFR Part 50.

3. Alternative Approaches

The NRC staff considered the following alternative approaches:

1. Do not revise Regulatory Guide 1.101.
2. Withdraw Regulatory Guide 1.101.
3. Revise Regulatory Guide 1.101 to address the current methods and procedures.

Alternative 1: Do not revise Regulatory Guide 1.101

Under this alternative, the NRC would not revise or issue additional guidance, and the current guidance would be retained. This alternative is considered the "no-action" alternative and provides a baseline condition from which any other alternatives will be assessed. If the NRC does not act, then there would not be any changes in costs or benefits to the public or the NRC. Licensees could continue to use guidance in RG 1.101. However, the "no-action" alternative would not update the guidance to reflect current NRC endorsed guidance.

Alternative 2: Withdraw Regulatory Guide 1.101

Under this alternative, the NRC would withdraw this regulatory guide. This would eliminate the problem identified above that RG 1.101, Revision 5, does not reflect the most updated guidance. It would also eliminate a readily available description of the methods the NRC staff considers acceptable for demonstrating compliance with 10 CFR Part 50 and Appendix E to 10 CFR Part 50. Although the process of withdrawing RG 1.101 would not involve significant resources, it would also result in the elimination of an efficient means for the NRC to endorse new guidance in the future.

Alternative 3: Revise Regulatory Guide 1.101

Under this alternative, the NRC would revise Regulatory Guide 1.101. This revision would incorporate the latest information available to the NRC in the form of supporting guidance, practices, and lessons learned from operating experience developed since 2005. By doing so, the NRC would ensure that the RG guidance available in this area is current, robust, and accurate.

The impact of this alternative to the NRC would be the costs associated with preparing and issuing the regulatory guide revision. The impact to the public would be the voluntary costs associated with reviewing and providing comments to the NRC during the public comment period. The value to NRC staff and NRC stakeholders would be the benefits associated with enhanced efficiency and effectiveness in using a common guidance document as the technical basis for license applications and other interactions between the NRC and its regulated entities.

Conclusion

Based on this regulatory analysis, the NRC staff concludes that revision of Regulatory Guide 1.101 is warranted. A revised RG 1.101 will benefit the public and could result in costs savings by enhancing access to the most current information available on developing and changing emergency plans for nuclear power plants.