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**From:** Pelchat, John <[John.Pelchat@nrc.gov](mailto:John.Pelchat@nrc.gov)>  
**Sent:** Wednesday, November 03, 2021 7:34 PM  
**To:** Huckabay, Victoria <[Victoria.Huckabay@nrc.gov](mailto:Victoria.Huckabay@nrc.gov)>  
**Cc:** Lea, Edwin <[Edwin.Lea@nrc.gov](mailto:Edwin.Lea@nrc.gov)>  
**Subject:** FW: RE: [External] UPDATE: NRC Public Meeting About Reducing Non-Emergency Notification Requirements

Victoria –

The State of North Carolina submitted these comments to me this evening. Is there a way that we can capture them in this form or should I request the state to resubmit them through one of the established comment processes. Do you have any suggestions?

Thanks and take care . . .

john

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**From:** Crowley, David P <[david.crowley@dhhs.nc.gov](mailto:david.crowley@dhhs.nc.gov)>  
**Sent:** Wednesday, November 03, 2021 6:26 PM  
**To:** Pelchat, John <[John.Pelchat@nrc.gov](mailto:John.Pelchat@nrc.gov)>  
**Cc:** Jeffries, William <[william.jeffries@dhhs.nc.gov](mailto:william.jeffries@dhhs.nc.gov)>  
**Subject:** [External\_Sender] RE: [External] UPDATE: NRC Public Meeting About Reducing Non-Emergency Notification Requirements

Good evening John,

Regarding this rulemaking, NC does not have concerns that it would impact our REP plans or our ability to respond to any fixed nuclear facility emergencies. That said, we would argue there is still value in these reporting requirements.

For your/NRC's consideration the questions in the meeting announcement:

1. No, we do not. However, when there is something relevant reported to the NRC we rely on the SLO/government liaisons/RSAOs/etc. to communicate those issues to our Agency.
2. Event reports 60 days after the fact would not be nearly as useful, generally at that point they would be irrelevant. As the advising technical experts to NCEM, counties, Governor, etc. we need to have information as close to real time as possible. As the question points out, there are some non-emergency reports that do not have a 60 day reporting requirement at all and thus we may not hear about them ever. We would prefer having information sooner to have that situational awareness and readiness to respond; that will set us up for the most success. Otherwise we would be scrambling once media, public or our leadership ask about a situation in which we have little or no knowledge.
3. We do not see how this creates an unnecessary burden; it should require limited resources based on the frequency of these events.
4. Disagree. The public, stakeholders and decision makers are best suited by more information than less or none at all. Nuclear power is possible due to the social acceptance and trust in the industry. By petitioning to remove these type of reports it could work against the industry's reputation, especially if they assert the public is better off without the information.
5. None we are aware of at this time.
6. This may be acceptable. Though it still impacts our situational awareness and ability to provide guidance or respond to inquiries. A 24 hour delay would not likely affect the public as much.
7. Cannot say at this time.

As mentioned in my earlier email, there is another NRC meeting taking place at the same time as this one and so I apologize that I cannot attend. William Jeffries will be attending the meeting for NC RPS and providing feedback to me; he is not planning to make any verbal statements during the meeting. Anyways, I hope it goes well tomorrow.

Take care,

**David Crowley**

Interim Section Chief / Radioactive Materials Branch Manager  
Division of Health Service Regulation, Radiation Protection Section  
[NC Department of Health and Human Services](#)  
Office: 919-814-2303

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**From:** Crowley, David P  
**Sent:** Wednesday, October 27, 2021 12:42 PM  
**To:** Pelchat, John <[John.Pelchat@nrc.gov](mailto:John.Pelchat@nrc.gov)>  
**Subject:** RE: [External] UPDATE: NRC Public Meeting About Reducing Non-Emergency Notification Requirements

Good afternoon John,

Thank you for the information. I personally will not be able to attend as I am committed to another NRC meeting at exactly the same time (government to government on rulemaking for extravasations)... it would have been nice if these were not overlapping because a lot of rad managers may be hoping to attend both.

Either way, I've asked my REP folks for some of their feedback and if they are available to attend the meeting. I don't know that we will have specific comments, but if we come up with any I will be sure it gets communicated.

Again, thank you. Hope all is well!

**David Crowley**

Interim Section Chief / Radioactive Materials Branch Manager  
Division of Health Service Regulation, Radiation Protection Section  
[NC Department of Health and Human Services](#)  
Office: 919-814-2303

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**From:** Pelchat, John <[John.Pelchat@nrc.gov](mailto:John.Pelchat@nrc.gov)>  
**Sent:** Monday, October 25, 2021 4:51 PM  
**To:** [Curtis.Brown@vdem.virginia.gov](mailto:Curtis.Brown@vdem.virginia.gov); Crowley, David P <[david.crowley@dhhs.nc.gov](mailto:david.crowley@dhhs.nc.gov)>; Anuradha Nair - SCDHEC NREES Manager ([naira@dhec.sc.gov](mailto:naira@dhec.sc.gov)) <[naira@dhec.sc.gov](mailto:naira@dhec.sc.gov)>; Hayes, Sean <[Sean.Hayes@dnr.ga.gov](mailto:Sean.Hayes@dnr.ga.gov)>; 'Cindy.Becker@flhealth.gov' <[Cindy.Becker@flhealth.gov](mailto:Cindy.Becker@flhealth.gov)>; Brian Hastings <[Brian.Hastings@ema.alabama.gov](mailto:Brian.Hastings@ema.alabama.gov)>; Debra Shults ([Debra.Shults@tn.gov](mailto:Debra.Shults@tn.gov)) <[Debra.Shults@tn.gov](mailto:Debra.Shults@tn.gov)>  
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**Subject:** [External] UPDATE: NRC Public Meeting About Reducing Non-Emergency Notification Requirements

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Good afternoon everyone,

I'm following up on the message that I sent to you on September 22. That message solicited your engagement on potential rulemaking to address a petition for rulemaking that the Nuclear Energy Institute (NEI) submitted to ask the NRC to eliminate the requirement for reactor licensees to submit non-emergency event reports to the NRC.

I'm including a Word file that lists the regulation that NEI is asking the NRC to eliminate. Also attached is the meeting notice for the November 4th public meeting to discuss the potential rulemaking change. The virtual meeting will take place using the Microsoft Teams platform (telephone participation is also available) and will take place on Thursday, November 4th, beginning at 2:00 pm **EASTERN** time.

I strongly recommend that you:

- Read the attached meeting notice – it contains some “seed” questions at the end that are meant to solicit comments from the broader stakeholder community;
- Formulate your responses to these questions – the NRC genuinely wants to hear from stakeholders who might be impacted by this proposed rulemaking – nearly all of you are the group that I believe would be most impacted outside of the NRC;
- Let Edwin or I know if you would like to present your views at the November 4th meeting. I will coordinate with the meeting facilitators to ensure you are not missed from the queue of those wanting to participate in the discussion; and,
- Attend the November 4th meeting and express your comments for expression during the planned ~ two-hour discussion period.

To join the virtual meeting, go to [https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F\\_%23%2F%2Fmeetup-join%2F19%3Ameeting\\_ODBIYjVjN2UtODE1YS00YzZiL%2520WJlZmEtZDc3ZmlyMTgyMTUz%40thread.%2520v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%2522e8d01475-c3b5-436a-a065-5def4c64f52e%2522%252c%2522Oid%2522%253a%25220bf29b90-0e58-47ee-ba29-557e01c193ea%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=478bad7b-63ab-4f98-b90e-6f35852c6c97&directDI=true&msLaunch=true&enableMobilePage=false&suppressPrompt=true](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F%2Fmeetup-join%2F19%3Ameeting_ODBIYjVjN2UtODE1YS00YzZiL%2520WJlZmEtZDc3ZmlyMTgyMTUz%40thread.%2520v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%2522e8d01475-c3b5-436a-a065-5def4c64f52e%2522%252c%2522Oid%2522%253a%25220bf29b90-0e58-47ee-ba29-557e01c193ea%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=478bad7b-63ab-4f98-b90e-6f35852c6c97&directDI=true&msLaunch=true&enableMobilePage=false&suppressPrompt=true)

For those persons with no or limited internet access, you may listen and participate via telephone conference call by calling [\(301\) 576-2978](tel:3015762978) and then entering the passcode

[897597835](#), followed by the # key.

Feel free to share this information with your colleagues and fellow staff. If you or any of your colleagues, have any questions, please contact Edwin or me.

Take care and stay well . . .

-  
john

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**From:** Pelchat, John

**Sent:** Wednesday, September 22, 2021 4:37 PM

**To:** [Curtis.Brown@vdem.virginia.gov](mailto:Curtis.Brown@vdem.virginia.gov); Crowley, David P <[david.crowley@dhhs.nc.gov](mailto:david.crowley@dhhs.nc.gov)>; Anuradha Nair - SCDHEC NREES Manager ([naira@dhec.sc.gov](mailto:naira@dhec.sc.gov)) <[naira@dhec.sc.gov](mailto:naira@dhec.sc.gov)>; Hayes, Sean <[Sean.Hayes@dnr.ga.gov](mailto:Sean.Hayes@dnr.ga.gov)>; 'Cindy.Becker@flhealth.gov' <[Cindy.Becker@flhealth.gov](mailto:Cindy.Becker@flhealth.gov)>; Brian Hastings <[Brian.Hastings@ema.alabama.gov](mailto:Brian.Hastings@ema.alabama.gov)>; Debra Shults ([Debra.Shults@tn.gov](mailto:Debra.Shults@tn.gov)) <[Debra.Shults@tn.gov](mailto:Debra.Shults@tn.gov)>

**Cc:** Porner, Edward <[edward.porner@vdem.virginia.gov](mailto:edward.porner@vdem.virginia.gov)>; Moore-Scruggs, Barbara (VDEM) <[barbara.moorescruggs@vdem.virginia.gov](mailto:barbara.moorescruggs@vdem.virginia.gov)>; [lea.perlas@vdh.virginia.gov](mailto:lea.perlas@vdh.virginia.gov); Young, James <[James.Young@ncdps.gov](mailto:James.Young@ncdps.gov)> ([James.Young@ncdps.gov](mailto:James.Young@ncdps.gov)) <[James.Young@ncdps.gov](mailto:James.Young@ncdps.gov)>; [Dbock@emd.sc.gov](mailto:Dbock@emd.sc.gov); [mpotter@emd.sc.gov](mailto:mpotter@emd.sc.gov); [leepd@dhec.sc.gov](mailto:leepd@dhec.sc.gov); [kinneyrw@dhec.sc.gov](mailto:kinneyrw@dhec.sc.gov); Shelby Naar <[Shelby.Naar@gema.ga.gov](mailto:Shelby.Naar@gema.ga.gov)>; [irvin.gibson@gema.ga.gov](mailto:irvin.gibson@gema.ga.gov); Culbreath, Erek <[Erek.Culbreath@em.myflorida.com](mailto:Erek.Culbreath@em.myflorida.com)>; Sharkey, Kim <[Kimberly.Sharkey@em.myflorida.com](mailto:Kimberly.Sharkey@em.myflorida.com)>; [Shayna.Olbrych@em.myflorida.com](mailto:Shayna.Olbrych@em.myflorida.com); Ron Parrish <[ParrishR@stlucieco.org](mailto:ParrishR@stlucieco.org)>; [myersk@stlucieco.org](mailto:myersk@stlucieco.org); Batista, Niel (MDFR) ([niel.batista@miamidade.gov](mailto:niel.batista@miamidade.gov)) <[niel.batista@miamidade.gov](mailto:niel.batista@miamidade.gov)>; [Mary-Napoli@monroecounty-fl.gov](mailto:Mary-Napoli@monroecounty-fl.gov); [jchilds@martin.fl.us](mailto:jchilds@martin.fl.us); 'David.Turberville@adph.state.al.us' <[David.Turberville@adph.state.al.us](mailto:David.Turberville@adph.state.al.us)>; Patrick Sheehan <[Patrick.Sheehan@tn.gov](mailto:Patrick.Sheehan@tn.gov)>; Kevin Petty <[Kevin.Petty@tn.gov](mailto:Kevin.Petty@tn.gov)>; Kevin Penney <[Kevin.Penney@tn.gov](mailto:Kevin.Penney@tn.gov)>; [Tim.Holden@tn.gov](mailto:Tim.Holden@tn.gov); Lea, Edwin <[Edwin.Lea@nrc.gov](mailto:Edwin.Lea@nrc.gov)>; Tifft, Doug <[Doug.Tifft@nrc.gov](mailto:Doug.Tifft@nrc.gov)>; Barker, Allan <[Allan.Barker@nrc.gov](mailto:Allan.Barker@nrc.gov)>; Logaras, Harral <[Harral.Logaras@nrc.gov](mailto:Harral.Logaras@nrc.gov)>; Maier, Bill <[Bill.Maier@nrc.gov](mailto:Bill.Maier@nrc.gov)>

**Subject:** NRC Public Meeting About Reducing Non-Emergency Notification Requirements



Good afternoon everyone,

The NRC is planning to host a virtual (MS Teams) public meeting related to the 10 CFR 50.72 Nonemergency Notifications rulemaking during the first week of November. (Most likely either 11/3 or 11/4) We are looking to solicit stakeholder feedback on the NRC staff's efforts to eliminate or revise some of the nonemergency notification requirements in 10 CFR 50.72. To that end, we would like to offer the opportunity for some time on the agenda during the public meeting to make a presentation. If you or someone from your organization would like to present, please let [Victoria Huckabay](mailto:Victoria.Huckabay@nrc.gov) ([victoria.huckabay@nrc.gov](mailto:Victoria.Huckabay@nrc.gov)), [Edwin Lea](mailto:Edwin.Lea@nrc.gov) ([edwin.lea@nrc.gov](mailto:Edwin.Lea@nrc.gov)) or me know at your earliest convenience. Edwin and I will forward

you the meeting notice with details including scheduling and call-in information for the virtual meeting to you as soon as it is published.

## **Background**

In August 2018, [NEI submitted a petition for rulemaking](#) requesting that the NRC amend 10 CFR 50.72 to remove all nonemergency notification requirements. NEI contended that the nonemergency notifications constitute an unnecessary burden to licensees, and that for the majority of nonemergency notifications in Section 50.72, there is a corresponding (duplicate) notification that is being made under Section 50.73 (on a different time frame, however). NEI also stated that they considered these notifications to be unnecessary because licensees have procedures to responding to nonemergency events and they notify NRC resident inspectors independent of the requirements in Section 50.72.

The staff evaluated the petition and sent a SECY paper to the Commission ([SECY-20-0109, ADAMS Accession No. ML20073G008](#)) stating that while some nonemergency notifications cannot be eliminated, the staff recommends that the nonemergency notifications in 10 CFR 50.72 should be evaluated with the goal of reducing unnecessary reporting burden. The Commission issued SRM-SECY-20-109 in July 2021 ([ADAMS Accession No. ML21209A953](#)), where they directed the staff to initiate the rulemaking process. The NRC also published a Federal Register notice ([86 FR 44290](#)) on August 12, 2021 describing the staff's evaluation of the incoming petition and public comments and announcing the decision to consider the petition in the rulemaking process.

If you or your colleagues have any questions, please call Edwin or me. Thanks and take care . . .

john

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