

POLICY ISSUE
NOTATION VOTE

RESPONSE SHEET

TO: Carrie M. Safford, Secretary

FROM: Chair Hanson

SUBJECT: SECY-22-0083: Petition for Rulemaking and
Rulemaking Plan on Public Protective Actions During
a General Emergency (PRM-50-123; NRC-2020-0155)

Approved X Disapproved Abstain Not Participating

COMMENTS: Below Attached X None

Entered in STAR

Yes X
No

Signature
Christopher T. Hanson

Date 12/19/2023

Chair Hanson's Comments on SECY-22-0083, "Petition for Rulemaking and Rulemaking
Plan on Public Protection Actions During a General Emergency"

In 2003, the Commission directed the staff in SRM-M030924 to continuously evaluate the NRC's protective action recommendation guidance to assure that it reflects the current state of knowledge regarding evacuation and sheltering. Consistent with this ongoing effort, the staff updated the NRC's emergency preparedness requirements in a 2011 final rule, "Enhancements to Emergency Preparedness Regulations" (76 FR 72560). Since then, an extensive body of literature has been developed that provides new insights concerning general emergencies, revealing the potential for unintentional harm to the public caused by protective actions.

In June 2020, a petitioner requested that the NRC amend its regulations concerning protective actions in the event of a general emergency to ensure that such actions avoid unintended harm to the public and provide an overall benefit to health and safety. I agree that the petition should be considered in the rulemaking process. Consistent with prior Commission direction and our evolving understanding, the NRC and the public would benefit from a systematic review focused on further aligning protective action regulations and guidance with safety and risk-significance. As part of the review, the staff will consider the public comments received on the petition, lessons learned from the Fukushima Dai-ichi accident, and the latest research that considers health hazard risk insights of both radiation exposure and protective actions. Importantly, the rulemaking process will increase involvement from members of the public and State, local, and Tribal governmental entities and coordination with the Federal Emergency Management Agency, the Environmental Protection Agency, and the Conference of Radiation Control Program Directors.

I therefore approve the staff's recommendation to initiate a rulemaking to evaluate the current requirements and guidance for protective actions implemented during a general emergency at nuclear power plants and assess whether and how to incorporate risk insights about the health hazards of both radiation exposure and protective actions. I also approve closure of the docket for PRM-50-123, publication of the Federal Register notice announcing the NRC's consideration of the PRM in the rulemaking process, issuance of the letter informing the petitioner of this action, and reviews by the Advisory Committee on Reactor Safeguards and the Committee to Review Generic Requirements.

If the staff determines at any point that the costs are not justified by the benefits, then the rulemaking should be discontinued. The regulatory basis document should be provided to the Commission for its information no later than 10 business days prior to its transmittal for publication.