

March 18, 1996

FOR: The Commissioners
 FROM: James M. Taylor /s/
 Executive Director for Operations
 SUBJECT: FINAL AMENDMENTS TO 10 CFR PART 50 RELATING TO THE FREQUENCY OF EMERGENCY PLANNING EXERCISES
 AT NUCLEAR POWER PLANTS

- PURPOSE:
- DISCUSSION:
 - Issues Raised by Petitioner:
 - Public Comments:
 - Staff Response:
- SUMMARY:
- COORDINATION:
- RECOMMENDATION:

PURPOSE:

To obtain Commission approval of a final rule for publication in the *Federal Register*, thereby granting, in part, a Petition for Rulemaking submitted by Virginia Electric and Power Company (PRM-50-58).

DISCUSSION:

The Virginia Electric and Power Company submitted, on December 9, 1992, a petition for rulemaking (PRM-50-58), requesting that the Nuclear Regulatory Commission (NRC) amend its current regulations governing domestic licensing of production and utilization facilities, as necessary, to change, from annual to biennial, the frequency of required periodic exercises conducted to evaluate major portions of licensees' emergency response capabilities. The requested amendment would preserve the existing requirement that each licensee at each site conduct biennially an exercise with participation by State and local governments within the plume exposure pathway emergency planning zone (EPZ). However, instead of specifying an annual, alternate year exercise, it would require licensees to take actions necessary to ensure that adequate emergency response capabilities are maintained during the 2-year interval between exercises, affording greater flexibility to licensees in how that capability is maintained. The current rule in [10 CFR Part 50, Appendix E](#), Section IV.F.2., simply requires that "each licensee at each site shall annually exercise its emergency plan." The petitioner states that this rule has been interpreted throughout the industry "to require each licensee at each site to annually conduct an integrated exercise which will be evaluated by the NRC." Regardless of any other action the NRC may take, the petitioner considers this requirement "in need of clarification . . . to explicitly define the requirement."

Issues Raised by Petitioner:

The petitioner characterizes the present requirement as one that is resource intensive but of marginal importance to safety. The petitioner has identified a number of issues associated with the current requirement to conduct an emergency plan exercise annually as grounds for change. The issues presented by the petitioner are as follows:

- (1) The requirement to conduct an integrated annual exercise is not clearly defined; therefore, the regulation should be clarified.
- (2) The existing regulation, 10 CFR Part 50, Appendix E, is inconsistent with other regulations that govern the frequency of offsite response organization integrated exercises (i.e., 44 CFR Part 350).
- (3) The performance of offsite response organizations during biennial exercises has confirmed that a biennial frequency is sufficient to provide the reasonable assurance finding.
- (4) The existing regulation, [10 CFR 50.54\(t\)](#), provides for an independent review of the adequacy of program implementation.
- (5) The existing requirement to conduct an annual exercise is not necessary to achieve the underlying purpose of the rule. A biennial exercise is sufficient to provide an acceptable formal confirmation of capability.
- (6) Reconsideration of the requirement is warranted in light of the completion and implementation of enhanced facilities for emergency preparedness, the current level of industry proficiency and performance, and the increased industry sensitivity to emergency preparedness.
- (7) Personnel could be utilized more effectively in their normal professional function than by participating in a resource-intensive integrated test that only serves to confirm the existing level of the response capability.
- (8) Emergency planning resources could be utilized more effectively to further the development and maintenance of emergency preparedness activities.

Public Comments:

A notice of proposed rulemaking was published in the *Federal Register* on April 14, 1995 (60 FR 19002). Public comments were requested by July 13, 1995. A total of 18 comment letters were received, of which 12 utilities, 2 State emergency management agencies, and the Nuclear Energy Institute (NEI) supported the proposed rule change. A State emergency management agency and an environmental group opposed the proposed rule change. One letter received from a State emergency management agency had no comment on the proposed rule change.

Support of the proposed rule change could generally be characterized by the following public comments:

- "The Illinois Department of Nuclear Safety was among those initially opposed to the Virginia Electric Power Company petition that prompted this rule change, primarily due to what was perceived as the potential for a diminution of emergency preparedness capability on the part of licensees. However, the Department acknowledges that the compromise embodied in the Commission's proposed rule change does offer adequate assurance that ongoing licensee emergency preparedness activities will continue at a reasonable level."

- "Duke Power supports the rule change. It emphasizes the training aspect of drills, by allowing for supervised instruction. Not requiring scenarios to progress to core damage and permitting success paths increases realism, and encourages personnel to think about more probable accidents and accident mitigation. The increased flexibility will allow utilities to focus resources where performance problems exist."

Opposition to the proposed rule change could generally be characterized by the following public comments:

- "The Clean Water Fund of North Carolina opposes the proposed rule, noticed Friday, 14 April 1995 at 60 FR 19002, to reduce emergency plan exercise requirements from annual to biennial exercises. The Fund considers that persons who would be likely to be affected by power-plant related emergencies are entitled to the most stringent protection imaginable. The Fund notes that, in order to provide this protection, emergency response teams must respond in a practiced and effective manner in the event of actual emergencies and is therefore concerned by the proposal to reduce exercises to half of the present rate."
- "The Commonwealth of Pennsylvania supports the current rule and opposes the proposed change. While the biennial exercise provides the opportunity for broad based state and local participation in exercising off-site plans and procedures, the annual graded utility exercises enhance the biennial exercise process by providing state liaison personnel, and utility counterparts, the opportunity to remain proficient. A 2-year gap will lessen proficiency."

Almost all the comment letters that were received provided many thought provoking and constructive comments that are evaluated and responded to in the *Federal Register* notice.

Staff Response:

In light of the public comment letters and the discussion provided in the petition, the staff believes that it is important to clarify NRC's intent (under the existing rule) that licensees need not conduct annual exercises with scenarios that progress to severe core damage and/or result in offsite releases. Historically, such scenarios were used in both the biennial full-participation exercise of offsite emergency plans and the annual exercise of the licensee's onsite emergency plan. This is no longer necessary for the currently required annual exercises of the licensee's onsite emergency plan. [Information Notice \(IN\) 87-54](#), "Emergency Response Exercises," was issued to clarify NRC's intent in this regard and to provide detailed guidance, specifically on the types of "off-year" training activities that licensees could perform during the interval between the biennial full participation exercises to maintain adequate emergency preparedness (EP) response capabilities and to satisfy the rule.

Some licensees have availed themselves of the flexibility afforded by the IN 87-54 guidance to conduct realistic, interactive, "off-year" training activities that simulate less severe events, such as minor fires, loss of electric power, or equipment failure, and focus on the capability of the onsite emergency response organization to diagnose problems and develop actions to successfully mitigate the scenario event. However, as noted in the petition, many licensees continue to employ severe accident scenarios in annual exercises of their onsite emergency plans.

Accordingly, the staff is proposing a final rule change to modify Section IV.F.2.b. of Appendix E to (1) reduce from annual to biennial the required frequency of exercising the licensee's onsite emergency plan (which may be included in the biennial full participation exercise specified in IV.F.2.C.) and (2) require licensees to conduct training drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities. This drill would be conducted during the interval between the biennial full participation exercises to ensure that adequate emergency response capabilities are maintained. The principal functional areas of emergency response include activities such as management and coordination of emergency response, accident assessment, protective action decision making, and plant system repair and corrective actions.

This approach conforms with a comment from one State that favored the petition for rulemaking but preferred that some guidelines be included in Appendix E requiring plant-specific internal exercises during the "off-year" to ensure plant personnel be familiar with their response plans, rather than have only a vague expectancy that this activity will be done. Furthermore, licensees would continue to enable State and local governments in the plume exposure pathway EPZs to participate in drills in the interval between exercises, thus preserving their training opportunities.

The staff believes that the final rule change may result in the reallocation and more effective utilization of resources within some licensees' EP programs in order to further the development and maintenance of emergency preparedness capabilities during the "off-year" periods. It is not clear, however, that these changes will result in significant overall cost savings. The staff cautions specifically against expectations that the final rule change will necessarily result in significant reductions in NRC's inspection activities concerning licensees' "off-year" EP maintenance activities, as these activities may be modified under the new rule. Also, upon request, licensees would submit scenarios for NRC review in support of future inspections as deemed necessary by NRC.

SUMMARY:

Having considered the arguments presented by the petitioner as well as evaluating all public comments received, and based on the further understanding of the issues involved gained from 14 years of experience evaluating licensee emergency preparedness exercises, the staff concludes that (1) the frequency requirement for exercising the licensee's onsite emergency plan should be reduced from annual to biennial; (2) the means by which licensees are expected to train and maintain their emergency response capabilities and readiness in the 2-year interval between evaluated exercises should be changed by requiring licensees to conduct drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities; and (3) opportunities for training by State and local governments must be preserved. The principal functional areas of emergency response include activities such as management and coordination of emergency response, accident assessment, protective action decision making, and plant system repair and corrective actions.

During the specified drills, activation of all of the licensee's emergency response facilities (Technical Support Center (TSC), Operations Support Center (OSC), and the Emergency Operations Facility (EOF)) would not be necessary. Licensees would have the opportunity to consider accident management strategies, supervised instruction would be permitted, operating staff would have the opportunity to resolve problems (success paths) rather than have controllers intervene, and the drills could focus on onsite training objectives.

The final rule relieves licensees from the current requirement to conduct a full formal exercise of the licensee's onsite emergency plan annually and clarifies that licensees have flexibility in choosing the activities that are to be conducted in the 2-year period between biennial full-participation exercises in order to maintain their emergency response capabilities. Greater flexibility in the training of the onsite emergency response organization could provide significant benefits to some licensees. For example, licensees could eliminate the practice of developing scenarios that proceed to severe core damage, offsite releases, or to higher emergency classification levels. Licensees would have a greater opportunity to conduct realistic emergency response training with supervised instruction that allows the operating staff to consider accident management strategies, diagnose problems, and be given credit for actions that would mitigate scenario events.

This approach is also responsive to the public commenters who expressed concern about possible decreased licensee training and readiness in the period between biennial exercises. Under this approach, licensees would still be required to conduct emergency response training and drills with the onsite emergency response organization, and to provide training opportunities to State and local government personnel between biennial exercises. Additionally, [10 CFR 50.47\(a\)](#) (1) is being revised to correct a typographical error that appeared in the 1993 edition of Title 10, Parts 0 to 50, of the Code of Federal Regulations.

COORDINATION:

The Office of the General Counsel has reviewed this paper and has no legal objections. The CRGR have reviewed this rule change and concur that it should be published as a final regulation. The ACRS did not wish to review this rulemaking package. The Offices of OE, NRR, AEOD, and ADM have also concurred in this final rulemaking package. FEMA agrees that the staff resolved their comments to the petition for rulemaking.

RECOMMENDATION:

That the Commission:

1. Approve publication of the final rule in the *Federal Register*.
2. Note:
 - a. The final rule would be published in the *Federal Register* with an effective date of 30 days after publication.
 - b. Appropriate Congressional committees will be notified of the final rule change.
 - c. The Office of Public Affairs concurs that a public announcement is needed.
 - d. The final rule does not constitute a backfit under [10 CFR 50.109](#); therefore, a backfit analysis is not required.
 - e. An environmental assessment has been prepared, pursuant to the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et. seq.), and the Commission's regulations in Subpart A of [10 CFR Part 51](#), and has resulted in a finding of no significant environmental impact.
 - f. The Chief Counsel for Advocacy of the Small Business Administration will be informed of the certification regarding economic impact on small entities and the reasons for its implementation as required by the Regulatory Flexibility Act.
 - g. The reporting and recordkeeping requirements contained in this regulation have been approved by the Office of Management and Budget.

James M. Taylor
Executive Director for Operations

Contact: Mike Jamgochian, RES
415-6534

Attachments:

1. [Federal Register Notice](#) 
2. [Environmental Assessment](#)
3. [Congressional Letters](#)
4. [Proposed Public Announcement](#)

ATTACHMENT 2

ENVIRONMENTAL ASSESSMENT FOR AMENDMENTS TO 10 CFR PART 50, APPENDIX E, TO ELIMINATE THE EMERGENCY PREPAREDNESS ANNUAL EXERCISE FOR NUCLEAR POWER PLANTS FINDING OF NO SIGNIFICANT IMPACT

- [Identification of the Action](#)
- [The Need for the Action](#)
- [Alternatives Considered](#)
- [Environmental Impacts of the Action](#)
- [Agencies and Persons Consulted](#)
- [Finding of No Significant Impact](#)

Identification of the Action

The Nuclear Regulatory Commission (NRC) is revising its emergency planning regulations. The rule amends the regulations governing domestic licensing of production and utilization facilities, as necessary, to facilitate greater flexibility in the licensee's emergency preparedness training activities during the annual exercise of the onsite emergency plan, which is conducted to evaluate major portions of licensee's emergency response capabilities. The amendment (a) preserves the requirement that each licensee, at each site, conduct an emergency preparedness exercise biennially, with full participation by State and local governments within the plume exposure pathway emergency planning zone (EPZ); (b) reduces the required frequency of the exercise of the licensee's onsite emergency plan from annual to biennial (this exercise may be included in the biennial full participation exercise); (c) requires licensees to ensure that adequate emergency response capabilities are maintained between biennial exercises by conducting drills, at least one of which must involve some of the principal functional areas of the licensee's onsite emergency response capabilities; and (d) requires licensees to continue enabling State and local governments that are in the plume exposure pathway emergency planning zones (EPZs) to participate in these drills. With this amendment, the Commission is granting, in part, a petition for rulemaking submitted by Virginia Electric Power Company on December 9, 1992 (PRM-50-58).

Additionally, 10 CFR Part 50.47(a)(1) is being revised in order to correct a typographical error that appeared in the 1993 edition of Title 10, Parts 0 to 50 of the Code of Federal Regulations.

The Need for the Action

The Virginia Electric and Power Company submitted a petition for rulemaking requesting that the Nuclear Regulatory Commission (NRC) amend its current regulations governing domestic licensing of production and utilization facilities, as necessary, to change, from annual to biennial, the requirement for periodic exercises conducted to evaluate major portions of licensees' emergency response capabilities. The requested amendment would preserve the existing requirement that each licensee, at each site, exercise biennially with participation by State and local governments that are within the plume exposure pathway emergency planning zone (EPZ). The requested amendments instead of specifying an annual alternate year exercise, would require licensees to take actions necessary to ensure that adequate emergency response capabilities are maintained during the 2-year interval between exercises. The current rule in 10 CFR Part 50, Appendix E, Section IV.F.2. simply requires that "each licensee at each site shall annually exercise its emergency plan." The petitioner states that this rule has been interpreted throughout the industry "to require each licensee at each site to annually conduct an integrated exercise which will be evaluated by the NRC." Regardless of any other action the NRC may take, the petitioner considers this requirement "in need of clarification... to explicitly define the requirement."

Alternatives Considered

The following are the alternatives considered in this analysis:

Maintain the status quo and continue to require licensees to exercise their onsite emergency plan annually.

Delete the requirement that each licensee at each site exercise its emergency plan annually. Preserve the requirement for biennial exercises. Require that licensees take actions (unspecified) necessary to ensure they maintain adequate emergency response capabilities during the 2-year interval between biennial exercises. Continue to enable State and local governments in the plume exposure pathway EPZs to participate in the exercises.

Delete the requirement that each licensee at each site exercise its emergency plan annually. Preserve the requirement for biennial exercises with State and local Government participation. Require licensees to ensure that adequate onsite emergency response capabilities are maintained during the interval between biennial exercises by conducting drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities. Enable State and local governments located in the plume exposure pathway EPZs to participate in drills in the interval between biennial exercises.

Having considered these alternatives, the arguments presented by the petitioner as well as evaluating all public comments received, and based on a further understanding of the issues involved gained from 14 years of experience evaluating licensee emergency preparedness exercises, the Commission concludes that (1) the required frequency for exercising the licensee's onsite emergency plan should be reduced from annual to biennial, (2) the means by which licensees are expected to train and maintain their emergency response capabilities and readiness in the 2-year interval between evaluated exercises should be changed by requiring licensees to conduct drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities; and (3) opportunities for training by State and local governments must be preserved. The principal functional areas of emergency response include management and coordination of emergency response, accident assessment, protective action decision making, and plant system repair and corrective actions.

During the specified drills, activation of all of the licensee's emergency response facilities (Technical Support Center (TSC), Operations Support Center (OSC); and the Emergency Operations Facility (EOF)) would not be necessary; licensees would have the opportunity to consider accident management strategies; supervised instruction would be permitted; operating staff would have the opportunity to resolve problems (success paths) rather than have controllers intervene; and drills could focus on onsite training objectives.

The final rule relieves licensees from the current requirement to conduct a full formal exercise of the licensee's onsite emergency plan annually, and gives licensees the flexibility to choose the activities to be conducted in the 2-year period between biennial full-participation exercises in order to maintain their emergency response capabilities. Greater flexibility in the training of the onsite emergency response organization will provide significant benefits to some licensees. For example, licensees can eliminate the practice of developing scenarios that proceed to severe core damage, offsite releases, or to higher emergency classification levels. Licensees would have greater opportunity to conduct realistic emergency response training with supervised instruction that allows the operating staff to consider accident management strategies, diagnose problems, and be given credit for actions that would mitigate scenario events.

Environmental Impacts of the Action

The final rule does not require any physical changes to the plant and does not change the plant operating characteristics, discharges to the environment, or the likelihood or consequences of accidents.

Accordingly, implementation of this rule change will not adversely affect the quality of the environment.

Agencies and Persons Consulted

A notice of filing of the petition, Docket No. PRM 50-58, was published in the *Federal Register* on March 4, 1993 (41 FR 12341). Public comments were requested by May 3, 1993. A total of 32 comment letters were received, of which 17 utilities, five State emergency management agencies, and Nuclear Energy Institute (NEI) supported the petition; while seven State emergency management agencies, the Federal Emergency Management Agency (FEMA), and an environmental group opposed the petition.

A notice of proposed rulemaking was published in the *Federal Register* on April 14, 1995 (60 FR 19002). Public comments were requested by July 13, 1995. A total of 18 comment letters were received, of which 12 utilities, two State emergency management agencies, and the Nuclear Energy Institute (NEI) supported the proposed rule change. One State emergency management agency and an environmental group opposed the proposed rule change. One letter received from a State emergency management agency had no comment on the proposed rule change.

This final amendment is to be published in the *Federal Register* with an effective date of 30 days after publication.

Finding of No Significant Impact

Based on the above, the Commission finds that there will be no significant impact on the environment as the result of the implementation of the rule change and concludes that an environmental impact statement is not required for this rule.

ATTACHMENT 3

The Honorable Dan Schaefer, Chairman
Subcommittee on Energy and Power
Committee on Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Virginia Electric and Power Company submitted, on December 9, 1992, a petition for rulemaking (PRM-50-58) requesting that the Nuclear Regulatory Commission (NRC) amend its current regulations governing domestic licensing of production and utilization facilities, as necessary, to change, from annual to biennial, the frequency of required periodic exercises conducted to evaluate major portions of licensees' emergency response capabilities. The requested amendment would preserve the existing requirement that each licensee at each site conduct biennially an exercise with participation by State and local governments within the plume exposure pathway emergency planning zone (EPZ). However, instead of specifying an annual, alternate year exercise, it would require licensees to take actions necessary to ensure that adequate emergency response capabilities are maintained during the 2-year interval between exercises, affording greater flexibility to licensees in how that capability is maintained. The current rule in 10 CFR Part 50, Appendix E, Section IV.F.2, requires that "each licensee at each site shall annually exercise the onsite emergency plan."

A notice of proposed rulemaking was published in the *Federal Register* on April 14, 1995 (60 FR 19002). A total of 18 comment letters were received, of which 12 utilities, two State emergency management agencies, and the Nuclear Energy Institute (NEI) supported the proposed rule change. One State emergency management agency and an environmental group opposed the proposed rule change. One letter received from a State emergency management agency had no comment on the proposed rule change.

Having considered the arguments presented by the petitioner as well as evaluating all public comments received, and based on the further understanding of the issues involved gained from 14 years of experience evaluating licensee emergency preparedness exercises, the Commission concludes that: (1) the frequency requirement for exercising the licensee's onsite emergency plan should be reduced from annual to biennial; (2) the means by which licensees are expected to train and maintain their emergency response capabilities and readiness in the 2-year interval between evaluated exercises should be changed by requiring licensees to conduct drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities; and (3) opportunities for training by State and local governments shall be preserved. The principal functional areas of emergency response include activities such as management and coordination of emergency response, accident assessment, protective action decision making, and plant system repair and corrective actions.

Additionally, 10 CFR 50.47 (a)(1) is being revised in order to correct a typographical error that appeared in the 1993 edition of Title 10, Parts 0 to 50 of the Code of Federal Regulations.

Sincerely,

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure: *Federal Register* Notice

cc: Representative Frank Pallone

The Honorable Lauch Faircloth, Chairman
Subcommittee on Clean Air, Wetlands, Private
Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Virginia Electric and Power Company submitted, on December 9, 1992, a petition for rulemaking (PRM-50-58) requesting that the Nuclear Regulatory Commission (NRC) amend its current regulations governing domestic licensing of production and utilization facilities, as necessary, to change, from annual to biennial, the frequency of required periodic exercises conducted to evaluate major portions of licensees' emergency response capabilities. The requested amendment would preserve the existing requirement that each licensee at each site conduct biennially an exercise with participation by State and local governments within the plume exposure pathway emergency planning zone (EPZ). However, instead of specifying an annual, alternate year exercise, it would require licensees to take actions necessary to ensure that adequate emergency response capabilities are maintained during the 2-year interval between exercises, affording greater flexibility to licensees in how that capability is maintained. The current rule in 10 CFR Part 50, Appendix E, Section IV.F.2, requires that "each licensee at each site shall annually exercise the onsite emergency plan."

A notice of proposed rulemaking was published in the *Federal Register* on April 14, 1995 (60 FR 19002). A total of 18 comment letters were received, of which 12 utilities, two State emergency management agencies, and the Nuclear Energy Institute (NEI) supported the proposed rule change. One State emergency management agency and an environmental group opposed the proposed rule change. One letter received from a State emergency management agency had no comment on the proposed rule change.

Having considered the arguments presented by the petitioner as well as evaluating all public comments received, and based on the further understanding of the issues involved gained from 14 years of experience evaluating licensee emergency preparedness exercises, the Commission concludes that: (1) the frequency requirement for exercising

the licensee's onsite emergency plan should be reduced from annual to biennial; (2) the means by which licensees are expected to train and maintain their emergency response capabilities and readiness in the 2-year interval between evaluated exercises should be changed by requiring licensees to conduct drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities; and (3) opportunities for training by State and local governments shall be preserved. The principal functional areas of emergency response include activities such as management and coordination of emergency response, accident assessment, protective action decision making, and plant system repair and corrective actions.

Additionally, 10 CFR 50.47 (a)(1) is being revised in order to correct a typographical error that appeared in the 1993 edition of Title 10, Parts 0 to 50 of the Code of Federal Regulations.

Sincerely,

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure: *Federal Register* Notice

cc: Senator Bob Graham

ATTACHMENT 4

NRC CHANGES FREQUENCY OF ON-SITE EMERGENCY PLANNING EXERCISES

The Nuclear Regulatory Commission is changing its regulations governing the frequency of on-site emergency exercises at licensed nuclear power plants. The action partially grants a petition submitted by Virginia Electric & Power Company.

The revised rule will permit nuclear power plants to conduct exercises testing their on-site emergency plans every two years, rather than every year. These on-site exercises may be combined with the full-participation emergency exercises that licensees will still be required to conduct every two years, along with state and local government agencies that have off-site jurisdiction within the plants' plume exposure emergency planning zones. (These zones are within an approximate 10-mile radius of the plant.)

To ensure that adequate emergency response capabilities are maintained, licensees will have to conduct training drills during the interval between formal exercises. They also will have to permit any state or local government within the plume exposure emergency planning zone to participate in these drills upon request.

At least one of the training drills will have to include a combination of some of the principal functional areas of the licensee's on-site emergency response capabilities. These principal functional areas include such activities as management and coordination of emergency response, accident assessment, protective action decisionmaking, and plant system repair and corrective actions.

In contrast to more formal exercises, training drills need not activate all of the licensee's emergency response facilities. Supervised instruction will be permitted, and the operating staff will have the opportunity to resolve problems (success paths) rather than having drill controllers intervene. The drills also will be able to focus on on-site training objectives.

The NRC believes these changes will not lessen emergency preparedness, since licensees will be required to maintain adequate emergency response capabilities and conduct realistic drills between the full-participation exercises. The changes may result in the reallocation and more effective use of resources within some licensees' emergency planning programs.

Virginia Electric & Power Company, operator of the Surry and North Anna nuclear power plants, submitted its petition on this subject on December 9, 1993. A notice of filing of the petition was published in the *Federal Register* for public comment on March 4, 1993, and comments received were considered in developing the rule.

A proposed rule was published in the *Federal Register* for public comment on April 14 1995. No substantive changes were made as a result of the comments received.

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