

ATTACHMENT 71114.04

INSPECTABLE AREA: Emergency Action Level and Emergency Plan Changes

CORNERSTONE: Emergency Preparedness

INSPECTION BASES: Recognition and subsequent classification of events is a risk-significant activity because classification leads to activation of the Emergency Response Organization (ERO) and notification of governmental authorities. This activity implements planning standard 10 CFR 50.47(b)(4). However, if the emergency action level (EAL) scheme has been changed in a manner that decreases its effectiveness, the EALs may not produce the appropriate emergency classification. This inspectable area verifies that the EAL scheme continues to meet the planning standard.

In addition, this inspectable area provides monitoring of the effectiveness of the licensee's programs for implementing changes to the Emergency Plan and verifies that the program is ensuring that changes meet the requirements of 10 CFR 50.54(q).

This inspection verifies aspects of the Emergency Preparedness Cornerstone for which there are no indicators to measure performance.

LEVEL OF EFFORT: Inspection activities in this area include review of all changes to the EALs.

Inspection activities in this area include review of a sample (if any are submitted) of Emergency Plan changes annually.

71114.04-01 INSPECTION OBJECTIVES

01.01 To review all changes to licensee EALs to determine that the changes did not decrease the effectiveness of the Emergency Plan.

01.02 To verify, on a sample basis, that licensee changes to the Emergency Plan did not decrease the effectiveness.

71114.04-02 INSPECTION REQUIREMENTS

02.01 EAL Change Review. Review all non-administrative EAL changes to determine that they have not decreased the effectiveness of the Emergency Plan.

02.02 Emergency Plan Change Review

- a. Screen Plan change submittals.

Note: Licensee submittals, such as license amendments, which already identify themselves as requiring NRC approval should be reviewed as a licensing action rather than as an inspection activity under this inspectable area.

- b. Based on the screening, perform an in-depth review of a sample of Plan changes which could potentially reduce the effectiveness. Over the course of a year, the in-depth review effort should include at least one Plan change (if any are submitted.)
- c. If the Plan change appears to result in a reduction in Plan effectiveness or the changed Plan does not meet 10 CFR 50.47(b) or Appendix E to 10 CFR 50, further actions may be required. The issue may be referred to the Office of Nuclear Reactor Regulation (NRR) and addressed with Regional Management and the licensee to restore compliance. Referral of issues to NRR should be coordinated through the NRR Project Manager for the site.

71114.04-03 INSPECTION GUIDANCE

03.01 Review of EAL Changes

Changes made to the EALs are considered to be a special case. Appendix E, Section IV.B, "Assessment Actions," states, in part: "... These emergency action levels shall be discussed and agreed on by the applicant and State and local governmental authorities and approved by NRC ... "

However, it is the NRC's practice to permit licensees to make changes to EALs prior to NRC approval if the licensee determines that the change does not decrease the effectiveness of the emergency plan under 10 CFR 50.54(q). The inspector should review EAL changes (excluding purely administrative changes such as correction of typographical errors) to determine whether the change has decreased the effectiveness and whether the EALs meet the standards in 10 CFR 50.47(b) and Appendix E to 10 CFR Part 50. Guidance on acceptable methods for meeting these requirements is contained in Regulatory Guide 1.101 which references NUREG-0654/FEMA-REP-1 and NUMARC/NESP-007. The inspector should determine whether the licensee discussed and obtained agreement on the changed EALs with State and local governmental authorities. NRR assistance should be requested to review EAL changes which involve a significant portion of the EAL scheme or incorporate a unique methodology, i.e., outside the guidance provided in NUREG-0654/FEMA-REP-1 or NUMARC/NESP-007.

- a. Review EAL changes that are not purely administrative. Review supporting documentation of the licensee's determination that the changes to EALs have not decreased the effectiveness of the Plan as required by 10 CFR 50.54(q). Determine if there was discussion with State and local government.
- b. Review the Emergency Plan section and emergency plan implementing procedures (EPIP) that contain the EALs to identify changes that have occurred since the last review. Determine that the EIPs and the Emergency Plan EAL scheme are consistent.
- c. The basis documents for EALs are NUREG-0654 and NUMARC/NESP-007 Rev.2 (which is being revised as of this writing.) Changes that have been formally approved by NRC or that are consistent with NRC approved EAL guidance documents are not considered to be a decrease in effectiveness.
- e. The review should be documented in an inspection report. As appropriate, the report should state that a review was performed against 10 CFR 50.54(q) and no (or an) apparent decrease in effectiveness was identified.
- f. Guidance on the significance of EAL changes that constitute a decrease in effectiveness is in Manual Chapter 0612.

03.02 Review of Emergency Plan Changes

- a. Review of Plan changes is to be performed on a sample basis. A screening should be performed to identify complicated and/or extensive changes and changes that may be a potential reduction in effectiveness. These should be preferentially chosen for full review.
- b. On a sample basis and in concert with review of Plan changes, an in-depth review should be performed against the requirements of 10 CFR 50.47(b) and Appendix E as articulated in NUREG-0654. Licensees may develop alternative methods for meeting the planning standards and these should be considered for adequacy. If it appears that a Plan element is not in compliance with the requirements of 10 CFR 50.47(b), the situation may be a failure to meet a planning standard. Manual Chapter 0612 provides guidance.

71114.04-04 RESOURCE ESTIMATE

04.01 Direct inspection effort for EAL reviews is estimated to be, on average, between 12 hours and 20 hours annually, regardless of the number of reactor units. However, all sites do not submit EAL changes every year. This estimate is based on regional experience in reviewing EAL changes and suggests that each region will expend about 8 hours times the number of sites in the region reviewing EAL changes. This time will be spent on the few sites that submit EAL changes, but should average out to the estimate provided.

| 04.02 The direct inspection effort for Plan reviews is estimated to be, on average,
| between 12 hours and 20 hours annually, regardless of the number of reactor units at a
site.

END