

National Radiological Emergency Preparedness (NREP) Conference, Inc.
17th Annual Conference (April 30 – May 3, 2007)

ENHANCEMENTS TO EMERGENCY PREPAREDNESS REGULATIONS AND GUIDANCE

General session: 5/01/07; 3:45p-4:30p

Kevin Williams, US NRC (301-492-3299; kxw@nrc.gov)

SUMMARY:

The current emergency preparedness (EP) regulatory regimen provides for effective application and implementation of an EP program at a high level. However, the staff recognized that certain security events differ from accidental events and that the EP regulations and guidance could be enhanced. In addition, advances in communication technologies and lessons learned through EP program implementation have revealed the benefit in providing clarity and enhancements to EP regulations and guidance.

The Commission directed the staff to conduct a review of EP Regulations and guidance. As part of the EP review, the staff met with internal and external stakeholders and solicited comments in the following five broad topical areas: (1) security-based emergency action levels (EALs); (2) security-based drills and exercise scenarios; (3) offsite protective action recommendations (PARs); (4) abbreviated notification to the NRC and off-site response organizations (OROs); and (5) alert and notification systems (ANS).

On September 20, 2006, the EP staff provided a paper to the Commission (SECY-06-0200) entitled, "Results of the Review of Emergency Preparedness Regulations and Guidance" which outlined the path forward for updating EP regulations and guidance. The paper was informed by the comments from the stakeholder meetings. On January 8, 2007, the commission issued an SRM with directions for the staff to proceed in the development of a rulemaking plan for the enhancements to EP regulations and guidance. The key issues were divided into security-based issues, other EP issues, and the introduction of a performance-based regulatory scheme.

The Security-based issues are ERO augmentation, protection of onsite personnel, no collateral ERO duties, terrorism, EALs, abbreviated notification. The changes to the regulations will be addressed in Appendix E to title 10, part 50 of the code of federal regulations. Anticipated guidance changes will be reflected in Regulatory Guide 1.101.

The Other EP issues are alert and notification system (ANS), Evacuation Time Estimates (ETE), performance-based EOF, decrease in effectiveness, emergency classification timeliness, and shift staffing. The regulations that govern these issues are found in 10 CFR 50.47(b) and Appendix E to title 10 part 50 of the code of federal regulations. Anticipated guidance changes will be reflected in NUREG-0654, 0696, and 0737.

The staff provided a rulemaking plan to the Commission on April 9, 2007. This plan outlines the technical basis for each issue and provides a backfit justification. When the staff has proposed rule language it will be posted in the Federal Registrar and the staff intends to conduct 2-4 outreach meetings to obtain feedback and answer questions. It is estimated that the proposed rule could be ready to be published in the federal registrar by end of

calendar year 2008 and the final rule could be published by June 2010. The subsequent guidance changes could follow by the end of the calendar year 2010. In all of the events leading to the proposed rule, the staff will partner with FEMA to ensure consistency, effectiveness and efficiency in changes to each others regulations.

The Performance-based regimen would be voluntary and focus on results rather than on means and could potentially achieve a higher level of preparedness. Regulatory oversight would focus on licensee performance rather than process and procedures. A base level of NRC requirements for an emergency plan followed by a set of performance indicators would measure performance. This regimen was given a lower priority by the Commission and the staff will not begin these efforts until 2008.

The staff is also working to modernize the emergency response data system (ERDS). This will be a 5 year project to be completed in two phases. Phase I will modernize the hardware, software, and communication systems at NRC headquarters, Regional offices, Technical Training Center, and offsite backup facility. Provide the State connectivity via a web browser. This should be developed by December 2007. Phase II modernize the plant communications network and provide new software features. Overall, we want a system that is capable of receiving information simultaneously from 25 sites (currently we can receive information simultaneously from 4 sites). The NRC may request more data points which would result in rulemaking, want to create a historical database, and be able to manipulate software. Any comments or concerns should be e-mailed to ERDS@nrc.gov.