

August 31, 2005

Mr. Stephen D. Floyd  
Vice President, Regulatory Affairs  
Nuclear Generation Division  
Nuclear Energy Institute  
1776 I Street, NW, Suite 400  
Washington, DC 20006-3708

SUBJECT: FREQUENTLY ASKED QUESTION PROCESS FOR EMERGENCY  
PREPAREDNESS GUIDANCE

Dear Mr. Floyd:

The enclosed document outlines a frequently asked question (FAQ) process for the NRC to provide an appropriate response to questions raised on the interpretation or applicability of emergency preparedness (EP) regulatory guidance issued by the NRC, before the NRC issues an official response to such questions. We are proposing to pilot the EP FAQ process, which will be limited to emergency action level (EAL) guidance documents endorsed under Revision 4 to Regulatory Guide 1.101, "Emergency Planning and Preparedness for Nuclear Power Reactors," dated July 2003. NRC staff will consider at a later date whether to formally adopt the EP FAQ process and, if so, whether to expand the EP FAQ process to other EP guidance.

The EP FAQ process is intended to clarify the staff's interpretation of existing regulatory guidance issued or endorsed by NRC, and will not be used to create new regulatory positions or guidance. The FAQ process should also not be used by NEI or the industry to determine whether a proposed change would constitute a decrease in effectiveness as defined in 10 CFR 50.54(q) or to bypass enforcement action. Issues involving safeguards information will not be considered.

On April 26, 2005, NRC held a public meeting with NEI and industry representatives to discuss outstanding EAL issues, including the proposed EP FAQ process. On July 29, 2005, Mr. Alan Nelson (NEI) stated in discussions with NRC staff that NEI had no objections to the proposed EP FAQ process and that the industry would support an implementation date of October 1, 2005.

Mr. Joe Anderson of our Emergency Preparedness Directorate has been designated the EP FAQ Coordinator and will communicate with your staff on all matters relating to the EP FAQ process during the pilot phase.

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Please contact Stacy Rosenberg, Regulatory Improvements Team Leader, at 301-415-3868 or Joseph Anderson at 301-415-4114, if you have any questions about this matter.

Sincerely,

**/RA/**

Roy P. Zimmerman, Director  
Office of Nuclear Security and Incident Response

Enclosure: As stated

Please contact Stacy Rosenberg, Regulatory Improvements Team Leader, at 301-415-3868 or Joseph Anderson at 301-415-4114, if you have any questions about this matter.

Sincerely,

**/RA/**

Roy P. Zimmerman, Director  
Office of Nuclear Security and Incident Response

Enclosure: As stated

DISTRIBUTION:

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SISP Review Completed by: Joseph D. Anderson 07/21/2005

\*See Previous Concurrence

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