

EMERGENCY PREPAREDNESS FREQUENTLY ASKED QUESTION (EPFAQ)

EPFAQ Number: 2012-001

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STATUS

FINAL

RELEVANT GUIDANCE: INSPECTION PROCEDURE 71114.08 "EXERCISE EVALUATION - SCENARIO REVIEW"

APPLICABLE SECTION(S) 3.01 "NOTE"

QUESTION OR COMMENT

When I submit a scenario to the NRC by 10 CFR 50.4, how do I ensure that the scenario won't be entered into ADAMS as a public document until at least after the conduct of the exercise?

PROPOSED SOLUTION

{NRC staff generated EPFAQ}

NRC RESPONSE:

Any EP-related document that is submitted to the NRC's Document Control Desk (whether in electronic or print format) is entered into the Agencywide Documents Access and Management System (ADAMS) as a non-public document. The NRC maintains confidentiality of the scenario before the conduct of the exercise and does not perform a sensitive unclassified non-safeguards information (SUNSI) review (for purposes of making the document public) until after completion of the exercise. The SUNSI review is performed by a Subject Matter Expert (i.e., a member of the NRC EP Staff or the Project Manager for the specific site).

In its submittal of its exercise scenario, a licensee may include a cover page with wording similar to the following: "This document's availability should be controlled as non-public to ensure confidentiality from exercise responders until the conduct of the exercise is concluded." After completion of the exercise and following a SUNSI review, the cover page may be removed or redacted, the file version of the document updated in ADAMS, and the document made publicly available, as determined by the SUNSI review.

6/14/2012. Based on staff analysis of the comments submitted by the NEI (ADAMS Accession No. ML12156A263), the proposed third paragraph is unnecessary. The first paragraph of the NRC response describes how the NRC staff will proactively keep the scenario non-public, without any action by the licensee. The second paragraph of the response reads that licensees "may" include a cover page asking that the scenario be non-public until the exercise is conducted. This election on the part of the licensee is independent of the fact that, as described in the first paragraph, the NRC staff will take steps to maintain the confidentiality of the scenario. As such, a reference to 10 CFR 2.390 is unnecessary.
