

July 9, 2012

MEMORANDUM TO: Kevin Coyne, Chief
Probabilistic Risk Assessment Branch
Division of Risk Analysis
Office of Nuclear Regulatory Research

FROM: Alysia Bone, Project Manager */RA/*
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SUBJECT: SUMMARY OF MAY 24, 2012 PUBLIC MEETING ON
CONSIDERATION OF OFFSITE PROPERTY DAMAGE WITHIN
THE NRC'S REGULATORY FRAMEWORK

On May 24, 2012, a Category 3 public meeting was held between the U.S. Nuclear Regulatory Commission (NRC) and representatives from several organizations and members of the public at the NRC Headquarters, Two White Flint North, 11555 Rockville Pike, Rockville, Maryland. Enclosure 1 contains a list of attendees who participated both in person and via GoToMeeting. The purpose of this meeting was to inform the public of the NRC staff effort to develop a Commission (SECY) Paper that will provide the Commission background information on current approaches for considering offsite property damage (e.g., loss of property due to radiological contamination) in regulatory analyses, backfitting, and environmental analyses.

The meeting began with the NRC staff's making a presentation on consideration of offsite property damage within the agency's regulatory framework. The slides for this presentation are available in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML121640348. After going over meeting logistics (e.g., evacuation plan, feedback forms, ground rules), NRC staff began by informing the meeting attendees of the task to develop a SECY paper on consideration of economic consequences due to offsite property damage arising from the unintended release of radioactivity to the environment. The presentation continued by stating that the NRC considers offsite property damage in three different analyses: regulatory analysis, backfitting analysis, and environmental analyses conducted according to the National Environmental Policy Act (NEPA). For each of these analyses, the NRC outlined the regulatory driver, the purpose, and the process. Next, NRC staff highlighted upcoming milestones in the SECY paper development process, including a completion date in mid/late summer 2012, a potential public meeting after its completion, and a Commission briefing on September 11, 2012. The presentation concluded by listing four questions on which to focus the follow-up discussion.

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There was a considerable amount of public interest in this subject. A member of the public advocated for a 'systems analysis approach' [including use of Probabilistic Risk Assessment (PRA) and consequence analysis] when reconsidering any land contamination issues. Additionally, the public encouraged NRC to use the experience from previously decontaminated (e.g. US Department of Energy) sites. NRC staff clarified that Regulatory Analysis does include the use of PRA and consequence results and that the Office of Federal and State Materials Environmental Management Programs (FSME), which works on decontamination activities, is part of the SECY working group. Additionally, an Xcel Energy representative on the phone bridge commented that NRC needs to consider the cumulative effects of regulatory changes on smaller licensees that don't have the revenue streams of larger nuclear licensees. The NRC acknowledged the comment and noted the ongoing Cumulative Effects of Regulations (CER) activities. Furthermore, a representative from the Prairie Island Indian Community inquired whether NRC would treat Indian Lands any differently than other lands in these analyses. To this, the NRC staff noted that, at this point, the NRC has not differentiated based on land ownership or type, but that it is a good question and that the staff would consider it. Also, there was a question of how Severe Accident Mitigation Alternatives and Severe Accident Mitigation Design Alternatives (SAMA/SAMDA) cost-beneficial modifications (if any are identified) would be addressed by NRC. An NRC Office of the General Counsel representative answered by reiterating that NEPA (under which those SAMA/SAMDA analyses are done) does not provide the NRC with authority to act and that if a modification identified by a SAMA/SAMDA were cost-beneficial, it would need to go through the backfit process to be implemented.

Furthermore, there was a request to make the tasking for this SECY paper (i.e., OEDO Green Ticket) public and that further public engagement activities (i.e. more public meetings) occur prior to sending the paper to the Commission. NRC staff indicated that no further public meetings are planned prior to completing the paper but that they are considering a public meeting after the paper goes to the Commission and prior to the planned Sept 11 Commission meeting. NRC staff noted the very high likelihood that the Commission would not act on the paper until after the September Commission meeting. After the meeting, NRC staff followed up on the request to make the tasking public, and it is now in ADAMS under Accession No. ML12151A260.

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ADAMS Accession No.: ML12191A144

OFFICE	RES/DRA/PRAB	RES/DRA/PRAB
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DATE	7/9/12	7/9/12

OFFICIAL RECORD COPY

LIST OF ATTENDEES

MEETING ON CONSIDERATION OF OFFSITE PROPERTY DAMAGE WITHIN THE

NRC'S REGULATORY FRAMEWORK

FRIDAY, MARCH 24, 2012

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