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August 24, 2020

Mr. Robert Kahler
Chief, Regulatory Policy and Oversight Branch
Division of Preparedness and Response
Office of Nuclear Security and Incident Response
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Suggested Topic for Inclusion in Regulatory Guide 1.101, *Emergency Planning and Preparedness for Nuclear Power Reactors*, Revision 6

Dear Mr. Kahler:

As required by 10 CFR 50.54(t), nuclear power reactor licensees facilitate periodic reviews of Emergency Preparedness (EP) program elements by persons who have no direct responsibility for the implementation of the program. These reviews are to be completed at intervals not to exceed 12 months per 10 CFR 50.54(t)(1)(i); or no longer than 12 months after an adverse change and, in any case, at least once every 24 months per 10 CFR 50.54(t)(1)(ii). Based on member comments, the Nuclear Energy Institute¹ (NEI) believes there is an inconsistent understanding among licensees as to the length of the time intervals (e.g., whether a 12-month interval ends on the 365th day or the end of the 12th month), and the review-related activities or actions that define the beginning and end of an applicable interval (e.g., the completed activity or action that constitutes the end of an interval).

The U.S. Nuclear Regulatory Commission (NRC) staff is currently revising Regulatory Guide (RG) 1.101, *Emergency Planning and Preparedness for Nuclear Power Reactors*; the basis for the staff's decision to revise the document is discussed [here](#) and [here](#). Per the [summary](#) of a public meeting conducted on January 14, 2020, the NRC plans to pursue endorsement of NEI White Paper, *Implementing a 24-Month Frequency for Emergency Preparedness Program Reviews* (Rev. 0, November 2019), in the next revision of RG 1.101. Given

¹ The Nuclear Energy Institute (NEI) is responsible for establishing unified policy on behalf of its members relating to matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect and engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations involved in the nuclear energy industry.

Mr. Robert Kahler
August 24, 2020
Page 2

the staff's intent to endorse the NEI white paper, we suggest RG 1.101, Rev. 6, also include guidance addressing the time length of the different program review intervals, and the activities or actions that define the beginning and end of each interval.

Should you require additional information, please contact me at (202) 739-8127 or dly@nei.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Young', with a long horizontal flourish extending to the right.

David L. Young

c: Ms. Kathryn Brock, NSIR/DPR, NRC