

Emergency Preparedness Frequently Asked Question (EPFAQ)

EPFAQ Number: 2024-01 **Date Accepted for Review:** 2/17/2025
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Organization: NEI / South Texas Project

Relevant Guidance and Applicable Sections:

1. NEI 99-01, "Development of Emergency Action Levels for Non-Passive Reactors," Revision 6, Sections 5.9 and 5.10
2. U.S. Nuclear Regulatory Commission (NRC) Regulatory Issue Summary (RIS) 2007-02, "Clarification of NRC Guidance for Emergency Notifications During Quickly Changing Events," dated February 2, 2007
3. NUREG-1022, "Event Reporting Guidelines 10 CFR 50.72 and 50.73: Final Report," Revision 3, Section 3.1.1
4. Reactor Oversight Process (ROP) Frequently Asked Question (FAQ) 21-02, "Counting DEP Opportunities from an Emergency Following Retraction of the NRC Emergency Notification," Revision 0 (refer to ML21117A104)

Status: UNDER REVIEW

QUESTION OR COMMENT:

Background

The above guidance was reviewed to identify changes that could benefit licensee's emergency plan and emergency plan implementing procedures (EPIPs) by incorporating instructions on the handling of emergency notifications during an event where an emergency was declared but then quickly recognized to be unwarranted, before the notifications to offsite agencies were initiated. Having guidance for this contingency would help prevent a licensee from making emergency notifications when an emergency declaration was made in error and, in fact, no emergency action level (EAL) was actually met. Preventing unwarranted emergency notifications will preclude impacts to offsite agencies since they will not be initiating actions in response to an erroneous emergency declaration.

The relevant guidance and applicable sections cited above address the handling of an after-the-fact discovery of an emergency condition, the retraction of an emergency notification made to the NRC, and the performance of emergency notifications during situations where emergency conditions have led to rapid changes in the emergency classification level. Since these documents do not address the topic at hand, this EPFAQ was initiated to help licensees determine what emergency plan and EPIP changes could be acceptable. A licensee choosing to adopt the information in this EPFAQ would need to evaluate potential emergency plan and EPIP changes in accordance with their fleet or site change process.

Question

If an emergency declaration is made and then determined to be incorrect prior to the initiation of an emergency notification to offsite response organizations (OROs), should licensee personnel discontinue the emergency notification process? If so, what subsequent actions should the licensee consider?

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PROPOSED SOLUTION:

If an emergency declaration is made and then determined to be incorrect prior to the initiation of an emergency notification to OROs, licensee personnel should discontinue (stop) the emergency notification process. Licensee personnel should then:

- 1) Evaluate whether a non-emergency notification to the NRC is required in accordance with 10 CFR 50.72.
- 2) Evaluate whether a "courtesy/good neighbor" notification to State or local agencies is required in accordance with fleet or site procedures.
- 3) Document the incorrect emergency declaration in the corrective action program.
- 4) Report the incorrect emergency declaration as a missed opportunity for the Drill and Exercise Performance (DEP) indicator in accordance with the guidance in NEI 99-02 (i.e., because the emergency classification was not accurate). There is no associated notification opportunity to report.

NRC RESPONSE:

TBD

RECOMMENDED FUTURE ACTIONS(S):

- ☐ INFORMATION ONLY, MAINTAIN EPFAQ
- ☐ INFORMATION ONLY, REMOVE EPFAQ as an active EPFAQ on or after XX/XX/XX
- ☒ UPDATE GUIDANCE DURING NEXT REVISION