



# U.S. Nuclear Regulatory Commission

## Office of Nuclear Security and Incident Response

### NSIR Temporary Staff Guidance

Temporary Staff Guidance No.: **TSG-NSIR-2020-02**

Temporary Staff Guidance Title: **ADDITIONAL GUIDANCE FOR EP INSPECTIONS  
DURING THE PUBLIC HEALTH EMERGENCY**

Effective Date: **November 5 2020**

Approved By: **Kathryn M. Brock**

Date Approved: **November 5, 2020**

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Responsible Organization: **NSIR/DPR/POB**

ADAMS Accession No.: **ML20288A523**



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## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

### 1. **OBJECTIVE**

This temporary staff guidance (TSG) document provides staff guidance for the conduct of emergency preparedness (EP) inspection activities during the Coronavirus 2019 (COVID-19) Public Health Emergency (PHE). Licensee staff, as well as NRC staff, may need to implement flexible strategies for personal protection from COVID-19 that may impact the conduct of EP inspections during this time period. As a result, this TSG is intended to provide guidance for NRC EP inspectors for related inspection activities as they may be impacted by the PHE. Conversely, this TSG is not intended to be used for issues not impacted by the PHE or for any time period following the PHE.

This TSG will maintain the stated objective of the EP Cornerstone in the Reactor Oversight Process (EP ROP) as well as the cornerstone performance expectation as stated in Inspection Procedure (IP) 71114:

- EP Cornerstone Objective: “To ensure that the licensee is capable of implementing adequate measures to protect the public health and safety in the event of a radiological emergency;”
- EP Performance Expectation: “Demonstration that reasonable assurance exists that the licensee can effectively implement its emergency plan to adequately protect the public health and safety in the event of a radiological emergency.”

Specific objectives of this TSG include the following:

- Enable EP inspection activities to be conducted in a manner to maximize staff personal protection from COVID-19;
- Enable EP inspection activities to be conducted consistently for all licensees during the PHE and ensure the EP inspectors have available options to maximize flexible alternatives to onsite inspections.

### 2. **BACKGROUND**

On January 31, 2020, the U.S. Department of Health and Human Services declared a PHE for the United States to aid the nation’s healthcare community in responding to COVID-19. On March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization. As discussed during a public meeting held on March 20, 2020, with nuclear industry representatives and members of the public, this is an unprecedented time for our country, the NRC, and its regulated entities. A summary of this meeting is available at Agencywide Documents Access and Management System (ADAMS) Accession No. ML20093F120. An additional public meeting was held on April 30, 2020, with nuclear industry representatives and members of the public to further discuss potential EP enforcement discretion guidance due to the COVID-19 PHE. A summary of this meeting is available at ADAMS Accession No. ML20134J003.

On March 27, 2020, the NRC issued IMC 2515, Appendix E, “Inspection Program Modifications During Pandemics, Epidemics, or Other Widespread Illnesses or Diseases,” (ADAMS Accession No. ML20079E700) to provide guidance to inspectors during the PHE or similar significant events. This TSG is in alignment with the guidance

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

in IMC 2515 regarding the flexibility offered to inspectors for the use of protective measures implemented during inspections.

On April 15, 2020, NSIR issued a memorandum to the Regional EP inspectors, “Licensee Request to Withhold Previously Submitted Exercise Scenario from Public Release,” (ADAMS Accession No. ML20104C131) to provide guidance if a licensee formally requests that an exercise scenario submitted to the NRC for review remain confidential.

On May 14, 2020 and on September 2, 2020, the NRC sent letters to nuclear industry representatives (ADAMS Accession No. ML20120A003 and ML20223A152) to specifically address licensee requests for exemption from the offsite biennial exercise as required by Appendix E to 10 CFR Part 50, Section IV.F.2.c.

On May 27, 2020, the NRC issued Attachment 3 to Enforcement Guidance Memorandum (EGM) 20-002, “Dispositioning Violations of NRC Requirements for Compliance with Radiological Emergency Response Plans During the COVID-19 Public Health Emergency,” (ADAMS Accession No. ML20143A066) to provide enforcement discretion in support of licensee efforts to maintain reasonable assurance while implementing compensatory measures and/or contingency plans to protect their staff during the PHE.

On May 28, 2020, the NRC issued guidance, “Inspection Guidance During Transition from COVID-19 Mandatory Telework,” (ADAMS Accession No. ML20141L766) which is intended to balance the importance of protecting the health and safety of NRC inspectors and site personnel along with the need to conduct effective oversight that supports NRC’s critical safety mission.

On September 11, 2020, the NRC issued TSG – NSIR-2020-01, “COVID-19 Related Exemptions from NRC Regulations – Emergency Preparedness Exercises,” (ADAMS Accession No. ML20196M030) to support the review and disposition of licensee requests for exemption from specific regulations related to EP exercises in Appendix E to 10 CFR Part 50, Section IV.F.2.

The unique nature of performing EP inspections during the PHE, particular those done entirely remotely or virtually, may impact the resource estimate because simulated actions or out of sequence performance may differ in the scope to what is normally expected. Effective communication, coordination, and preparation is essential prior to implementation of the IP’s.

### **3. EMERGENCY PREPAREDNESS INSPECTION GUIDANCE DURING THE PHE**

#### **3.1 IP 71114, “Reactor Safety – Emergency Preparedness”**

The EP Cornerstone Objective and the EP Cornerstone Performance Expectation are to be maintained during the PHE. However, the methods EP inspectors use to evaluate and inspect a licensee’s EP program and performance, may differ from traditional methods due to licensee and offsite response organizations (OROs) implementing staff personal protection during the PHE. Likewise, each Region supports NRC guidance related to employee protection from the PHE regarding travel to a licensee site or inspection

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

performance conducted either remotely or virtually. During the PHE, effective communication with the licensee should occur prior to the inspection activity in order to allow for a mutual understanding of how the inspection may be different than what is typically performed.

The EP inspector should maintain focus on the EP Cornerstone Objective and EP Cornerstone Performance Expectation while recognizing that a wide variety of compensatory measures and/or contingency plans may have been implemented by a licensee during the PHE.

For IP 71114, step 03.06, “Prioritization of Additional Areas for Inspection,” EP inspectors are to include the licensee’s action(s) related to the PHE as it applies to each area, particularly if it impacts a Risk Significant Planning Standard (RSPS) 10 CFR 50.47(b)(4), (b)(5), (b)(9), or (b)(10). If Planning Standard 10 CFR 50.47(b)(2), (b)(8), or (b)(14) impacts an RSPS, then it is to be included in the prioritization of inspection areas.

### **3.2 IP 71114 Attachment 1 (IP 71114.01) – Exercise Evaluation**

The conduct of IP 71114.08, Exercise Evaluation – Scenario Review, prior to the conduct of the exercise, has increased significance due to the potential for modified exercise conduct compared to typical method(s) used for biennial exercise performance and evaluation.

During the PHE, many licensees may seek an exemption from Appendix E to 10 CFR Part 50, Sections IV.F.2.b (onsite), 2.c (offsite), 2.d, and/or 2.j. Note that while licensees, and OROs, typically perform an integrated biennial exercise that simultaneously satisfies both Appendix E, Sections IV.F.2.b and 2.c, this is not required, and the onsite and offsite exercises may be performed separately. As a result of ORO prioritization of the PHE over preparedness activities (emphasis added as OROs continue to maintain readiness for response to actual events), licensees may seek an exemption from only Appendix E, Section IV.F.2.c. EP inspectors should be aware of this before the exercise and make any applicable adjustments to the inspection plan.

The IPs, as well as NSIR/DPR-ISG-01, “Interim Staff Guidance – Emergency Planning for Nuclear Power Plants,” (ADAMS Accession No. ML113010523), and Regional EP inspector-produced inspection aids, located in the COVID-19 NSIR/DPR SharePoint site ([LINK \(non-publicly available\)](#)), provide guidance and suggestions for the evaluation of EP exercises. Given that the predominant protective measure implemented due to the PHE is social distancing, there are several issues where EP inspector flexibility is reasonable; however, this does not alleviate the responsibility of the licensee to effectively demonstrate the applicable skill or EPlan element as driven by scenario objectives.

Attachment 1, “IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.b Exercises,” and Attachment 2, “IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.c Exercises,” provide additional guidance for EP inspectors to consider in the performance of IP 71114.01.

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

EP inspectors should pay particular attention to the definition of “full participation” in the context of offsite exercises. Footnote 4 in Appendix E to 10 CFR Part 50 defines “full participation” as:

“Full participation when used in conjunction with emergency preparedness exercises for a particular site means appropriate offsite local and State authorities and licensee personnel physically and actively take part in testing their integrated capability to adequately assess and respond to an accident at a commercial nuclear power plant. Full participation includes testing major observable portions of the onsite and offsite emergency plans and mobilization of State, local and licensee personnel and other resources in sufficient numbers to verify the capability to respond to the accident scenario.”

EP inspectors should develop a specific inspection plan for exercises conducted during the PHE as the PHE may lead to unique situations, and prior to implementing this IP, should plan for ORO extent of play that impacts interactions between ORO and licensee responders.

### **3.3 IP 71114 Attachment 2 (IP 71114.02) – Alert and Notification System (ANS) Evaluation**

During the PHE, OROs may not allow access to areas where ANS systems are tested. However, all other aspects of this IP are able to be performed remotely with virtual/remote support by the licensee (i.e., review of the ANS Design Report, test procedures, test results, or maintenance records).

### **3.4 IP 71114 Attachment 3 (IP 71114.03) – Emergency Response Organization Staffing and Augmentation System**

Although inspectors should observe activities rather than limiting the inspection to a review of only procedures or records, during the PHE some remote review of procedures or records is advisable rather than a physical observation where NRC and licensee staff would unnecessarily be subjected to a health risk.

As a compensatory measure, licensees may temporarily implement an emergency response organization (ERO) strategy in which ERO responders are limited only to what is considered minimum staff in accordance with the licensee’s EPlan as a means to minimize health risks during the PHE.

Licensees may decide to temporarily designate other facilities (e.g., alternate or backup facilities) to staff ERO personnel in order to maximize social distancing guidelines as a PHE contingency plan. EP inspectors should review the documentation that supports this contingency plan to ensure it is adequate, maintains reasonable assurance, and was effectively communicated.

Interviews with applicable licensee staff related to ERO staffing may be performed remotely during the PHE. Likewise, physical observations of licensee activities, or verification of licensee equipment, may also be done remotely using all available resources.

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

Verification of ERO staff training should be performed remotely. If applicable, inspectors should confirm the ERO Performance Indicator (PI) results to determine proper adherence to FAQ 20-02 regarding ERO drill participation credit ([LINK](#)). If licensees have reduced or eliminated the training opportunities for key ERO responders (as defined in NEI 99-02, revision 7, “Regulatory Assessment Performance Indicator Guideline,” (ADAMS Accession No. ML13261A116), then the EP inspector should determine the adequacy of the training provided to the key ERO personnel in lieu of the typical exercise/drill opportunities. Licensees may consider table-top exercises, read and sign training that emphasizes the ERO skillset needed for the given position, virtual training opportunities instead of performance measures (drills or exercises), or some other approach that serves to reinforce the specific skills of the ERO position.

### **3.5 IP 71114 Attachment 4 (IP 71114.04) – Emergency Action Level and Emergency Plan Changes**

Additional PHE-related guidance is not necessary for this inspection procedure. Inspection of emergency action level (EAL) and emergency plan changes may be performed remotely.

### **3.6 IP 71114 Attachment 5 (IP 71114.05) – Maintenance of Emergency Preparedness**

Inspection activities performed as part of this inspection procedure may be performed remotely. However, EP inspectors should consider the following factors for onsite inspection. Two activities, Sections 02.09 and 02.11, may necessitate onsite inspection activities. Consider requesting the resident inspector to perform these two onsite inspection activities or perform them during the conduct of IP 71114.01/07:

*02.09 Review licensee maintenance of equipment important to emergency preparedness.*

- *Sample instrumentation identified in the licensee’s EAL scheme to ensure the instrumentation identified is correct for the intended application and adequate to support declaration of the effected EALs.*
- *Required equipment (e.g., self-contained breathing apparatus, field monitoring team equipment, communication equipment, computers, etc.) is functioning and meets certification/calibration requirements.*

*02.11 Review licensee E-plan provisions for, and implementation of, primary, backup and alternate ERF maintenance (See 10 CFR Part 50 Appendix E § IV.E.8.b).*

To determine if onsite inspection is warranted for these two inspection areas, perform the following and coordinate with regional management:

- 1) Request the licensee identify any changes in EP equipment / processes the site has implemented since the last EP program inspection. If changes were implemented, then review and evaluate a smart sample of licensee records to

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

determine the new equipment / processes are correct for the intended application and adequate to support the effective implementation of the licensee's EPlan and EP program (ensure focused assessment of all equipment associated with the licensee's implementation of EAL schemes).

- 2) Review and evaluate previous EP program inspection results to determine whether the licensee has had any programmatic or repetitive issues relating to the inventory, maintenance, testing, or functionality of EP program equipment or facilities, and review associated corrective actions implemented to resolve these issues.
- 3) Perform a review and evaluation of a sample of licensee inventory, maintenance, and calibration records for equipment important to emergency preparedness to verify, with reasonable assurance, the site maintains the functionality and effectiveness of EP program equipment and facilities.

If weaknesses are identified that require additional onsite review/evaluation, schedule and complete onsite inspection activities accordingly.

### **3.7 IP 71114 Attachment 6 (IP 71114.06) – Drill Evaluation**

The PHE may lead to licensee staff personal protective actions that limit the number of drill and exercise performance and ERO PI opportunities to observe (sample) as well as other EP related drills, exercises, or training (i.e., non-PHE related) observation opportunities for Regional EP inspectors and/or NRC Resident inspectors.

### **3.8 IP 71114 Attachment 7 (IP 71114.07) – Hostile Action (HA) Event**

The conduct of IP 71114.08, Exercise Evaluation – Scenario Review, prior to the conduct of the exercise, has increased significance due to the potential for modified exercise conduct from typical method(s) used for biennial exercise performance and evaluation.

Licensees and OROs may choose not to perform an HA exercise during the PHE as it would be difficult to reasonably implement PHE safety guidelines. All licensees have performed an HA exercise during their first 8-year exercise cycle since the 2011 EP rule and are not required to perform another during the PHE. However, if a licensee chooses to perform an HA exercise during the PHE, contact NSIR/DPR/POB for assistance during the development of the inspection plan prior to the exercise.

### **3.9 IP 71114 Attachment 8 (IP71114.08) – Exercise Evaluation – Scenario Review**

This IP is able to be performed remotely during the PHE, therefore the implementation of this IP is not impacted directly by the PHE. However, several PHE-related issues need to be addressed during this review as discussed below.



## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

The EP inspector needs to have the following additional information to support the review of the scenario and to aid in the development of an inspection plan to support the evaluation of the exercise during the PHE.

- The extent-of-play needs to be obtained and reviewed for both the onsite and ORO performance prior to the conduct of the exercise, depending on the applicable regulatory requirements the licensee chooses to demonstrate (e.g., 10 CFR Part 50, Appendix E, Section IV.F.2.b and/or 2.c):
  - For the conduct of the offsite biennial exercise required by Appendix E, Section IV.F.2.c:
    - If a licensee requested and was subsequently granted an exemption from the conduct of the full participation offsite biennial exercise required by Appendix E, Section IV.F.2.c, then the extent-of-play need not be verified for the ORO(s) that have been exempted. This is the case for any level of play that has been negotiated between the exempted ORO(s) and Federal Emergency Management Agency (FEMA), from no participation to full participation.
    - If the OROs are scheduled to conduct a full participation exercise, as defined in Appendix E, footnote 4, then the EP inspector needs to ensure that the ORO extent-of-play meets the definition for full participation. It is the responsibility of the licensee to ensure compliance with the definition. The level of simulation, and the physical, or virtual, exercise performance needs to be documented such that the NRC can determine if the performance will comply with Appendix E, Section IV.F.2.c. The individual ORO extent-of-play will also assist in the development of the inspection plan for the evaluation of the exercise. Refer to Attachment 2, “IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.c Exercises,” for additional information on evaluating whether an individual ORO extent-of-play complies with the definition.
    - If the OROs are scheduled to ‘partially participate’ in the exercise, as defined in Appendix E, footnote 5, then the EP inspector needs to ensure that the licensee meets the requirements for this level of participation, and that the extent-of-play meets the definition. The level of simulation and the physical or virtual location of the exercise performance needs to be documented such that the NRC can determine if the performance will comply with Appendix E, Section IV.F.2.c. The extent-of-play will also assist in the development of the inspection plan for the evaluation of the exercise. Refer to Attachment 2, “IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.c Exercises,” for additional information.
  - For the conduct of the onsite biennial exercise per Appendix E, Section IV.F.2.b:
    - The extent-of-play for the onsite performance needs to be documented such that the EP inspector can determine if the

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

exercise will comply with the requirements of Appendix E, Section IV.F.2.b.

- The PHE may cause licensees to develop compensatory measures and/or contingency plans, which may lead to an increase in simulated activities and a desire to socially distance the ERO staff (e.g., using alternative emergency response facilities to relocate applicable staff (TSC, OSC, EOF, or JIC) or through the use of virtual or remote response).
- The EP inspector should allow for maximum flexibility in how licensees demonstrate implementation of their EPlan during the PHE; however, the licensee needs to meet the exercise requirements of Appendix E, Section IV.F.2.b in order for the EP inspector to determine if the exercise performance complies with regulations.
- The onsite extent-of-play will assist in the development of the inspection plan for the evaluation of the onsite exercise. Refer to Attachment 1, “IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.b Exercises,” for additional information.

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

### Attachment 1

#### IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.b Exercises

- Licensees may implement strategies to limit exposure to COVID-19 during the PHE. These strategies may lead to the licensee changing how it performs many of the required exercise elements. The EP inspector should be flexible to support these potentially unique performance methods; however, the exercise requirements still must be met. The level of simulation, the actual physical location of ERO staff, and the timing of exercise performance demonstrations may be different; therefore, it is important for the EP inspector to have this information prior to the exercise (this is typically referred to as the ‘extent-of-play’) in order to develop an inspection plan for the evaluation of the exercise during the PHE.
- This exercise may be conducted separately from the conduct of the offsite full participation exercise required by Appendix E, Section IV.F.2.c due to a licensee receiving NRC approval of an exemption or due to a mutual decision between the licensee and the OROs during the PHE. In either case, if the exercise is conducted separately, then the EP inspector should ensure that the expected coordination and communication with ORO responders is maintained with either phone cells, or with actual (limited) participation from the OROs such that all the required functional areas of emergency response are demonstrated per Appendix E, Section IV.F.2.b per the scenario. This may entail the use of licensee staff acting as ORO phone cells, or limited participation by ORO staff to receive the EAL and/or protective action recommendation (PAR) notifications. It is not necessary to evaluate how OROs use the notifications; it is only necessary to evaluate the licensee’s determination of the EAL (or PAR), the completion of the Notification Form, and the communication of the EAL (or PAR) to the OROs (simulated with a licensee phone cell, or to the OROs as determined by the extent-of-play). The extent-of-play for the exercise should be known in advance of the exercise to allow for the EP inspector to adequately prepare for how the licensee intends to demonstrate the communication with OROs during the exercise.
- While the licensee may implement protective measures due to the PHE and these protective measures may be different from site to site, ensure that the requirements of IP 71114.01, and the applicable regulations, are met. If they cannot be met, document the deviation and inform NSIR/DPR/POB. It is important to be consistent when determining compliance with Appendix E Section IV.F.2.b (and 2.j as applicable); NSIR/DPR/POB will monitor consistency during the PHE by documenting any deviations and provide additional guidance via the centralized NRC SharePoint site developed and dedicated to EP response to the PHE.
- There may be a myriad of compensatory measures and/or contingency plans licensees choose to temporarily implement during the PHE. The following are a few examples, but this list is not all-inclusive.
  - Field Teams: Social distancing practices may make it unreasonable to expect licensees to staff more than one ERO individual into a single vehicle for demonstration purposes. If this is the case, then the EP inspector should make sure that the level of simulation allows for a determination that the field teams are trained and ready to respond in an actual event.
  - ERO Staffing: Licensees may decide to use ERO minimum staff, or use a virtual response, to demonstrate exercise objectives. EP inspectors should ensure that there are no performance deficiencies with this approach (i.e., all exercise objectives were met). If an objective was not met and the failure to meet the objective was

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

### Attachment 1

#### IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.b Exercises

- related to inadequate staffing, then inform NSIR/DPR/POB to assist in the dispositioning and documentation of the issue.
- Emergency Response Facility (ERF) Activation: Licensees may decide to staff their ERFs in a manner that maximizes social distancing. This should be acceptable as long as exercise objectives are met, however, the EP inspector needs to be aware of this prior to the exercise (extent-of-play) so that an effective inspection plan can be developed. The inspector should request this information as part of performing IP 71114.08.
  - Level of Simulation: Exercises performed during the PHE may have a significantly higher level of simulation than what would typically be observed. The level of simulation should be documented in the licensee's extent-of-play developed for the PHE, as applicable, and EP inspectors should develop the specific inspection plan taking this level of simulation into account. The inspector should request this information as part of performing IP 71114.08. While simulation is typically discouraged, during the PHE personnel safety is to be prioritized over non-simulated performance. This does not remove the responsibility of the licensee to demonstrate the applicable portions of its EPlan based on scenario objectives. The level of simulation allows for flexibility in performance options during the PHE.
  - The licensee is responsible to ensure compliance with Appendix E, Section IV.F.2.c offsite full participation exercise requirements. The NRC determines whether a licensee is in compliance with Appendix E, Section IV.F.2.c. FEMA's role is to determine whether an exercise(s) demonstrates that there is reasonable assurance that the ORO plans can be implemented and provide input for the NRC's overall determination of reasonable assurance per the NRC/FEMA Memorandum of Understanding.<sup>1</sup>

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<sup>1</sup> "Memorandum of Understanding Between the Department of Homeland Security / Federal Emergency Management Agency and Nuclear Regulatory Commission Regarding Radiological Response, Planning and Preparedness," December 7, 2015, ADAMS Accession No. ML15344A371.

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

### Attachment 2

#### IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.c Exercises

- If a licensee requested, and was subsequently granted, an exemption from the conduct of the full participation offsite biennial exercise per Appendix E, Section IV.F.2.c, then the extent-of-play for the ORO(s) that have been exempted need not be evaluated by the EP inspector to determine licensee compliance with the regulation. This is the case for any level of demonstration and participation that has been negotiated between the exempted ORO(s) and FEMA, from no participation to full participation.
- The offsite full participation biennial exercise required by Appendix E, Section IV.F.2.c may be conducted separately from the conduct of the onsite exercise required by Appendix E, Section IV.F.2.b. If this is the case, ensure that the coordination and communication from the licensee to the individual OROs is maintained with either simulated phone calls, or with actual (limited) participation from the licensee.
- The NRC recognizes the FEMA Radiological Emergency Preparedness Program (REPP) Manual<sup>2</sup> evaluation guidance as providing the criteria for the scope of FEMA's evaluation for an offsite full participation biennial exercise. However, due to the PHE, the extent-of-play agreement and conduct of an offsite exercise may differ from the typical demonstration anticipated by the FEMA-REP-Manual evaluation guidance during this time period. These differing demonstration methods or extent-of-play are due to the individual ORO response to the PHE.
- The extent-of-play agreement will document and define the approach for demonstrating and evaluating the FEMA REPP Manual capability targets. This is intended to define the commitment of participants in advance and should outline those commitments, as well as the facilities to be evaluated or utilized and the anticipated level of participation. The extent-of-play agreement should also capture activities that may deviate in demonstration from plans and procedures as currently written, such as virtual or remote participation and level of simulation.

Note: Capability Targets are performance thresholds for each core capability.<sup>3</sup> REP Program-specific capability targets are derived from the planning standards of 44 CFR Part 350, support evaluation criteria from NUREG-0654/FEMA-REP-1, Revision 2, and are used as the baseline by FEMA for assessing ORO preparedness in terms of core capabilities using the FEMA REPP Manual. Each capability target has a section titled, "Demonstration and Evaluation Guidance." The guidance in these sections of the FEMA REPP Manual are intended for use by FEMA evaluators when preparing for a demonstration. Information in these sections includes critical tasks and key points of review requiring observation and assessment by evaluators. While the NRC does not use the term "capability target" in the evaluation of exercises, FEMA and OROs commonly use this terminology. NRC inspectors need to be aware of the differences in terminology between FEMA/OROs and NRC/licensees.

- Appendix E to 10 CFR Part 50 defines "full participation":  
"Full participation when used in conjunction with emergency preparedness exercises for a particular site means appropriate offsite local and State authorities and licensee

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<sup>2</sup> Program Manual, Radiological Emergency Preparedness, FEMA P-1028, December 2019, accessed October 13, 2020, [https://www.fema.gov/media-library-data/1577108409695-4e49a0a56c8c62695dcc301272a1eda7/FEMA\\_REP\\_Program\\_Manual\\_Dec\\_2019.pdf](https://www.fema.gov/media-library-data/1577108409695-4e49a0a56c8c62695dcc301272a1eda7/FEMA_REP_Program_Manual_Dec_2019.pdf)

<sup>3</sup> A core capability is a distinct critical element necessary to achieve the National Preparedness Goal.

## Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE

### Attachment 2

#### IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.c Exercises

personnel physically and actively take part in testing their integrated capability to adequately assess and respond to an accident at a commercial nuclear power plant. Full participation includes testing major observable portions of the onsite and offsite emergency plans and mobilization of State, local and licensee personnel and other resources in sufficient numbers to verify the capability to respond to the accident scenario.”

- Due to the PHE, FEMA may develop an extent-of-play agreement with OROs to perform the offsite exercise in a manner that may result in not meeting the NRC definition of ‘full participation’ in Appendix E, Section IV.F.2.c. All EP inspectors should obtain, from the licensee, the exercise extent-of-play agreement between FEMA and the individual OROs (preferably prior to the conduct of the exercise) to aid in the determination of whether the licensee is in non-compliance with Appendix E, Section IV.F.2.c.
- The EP inspector should consider the following guidance:
  - FEMA may grant exercise demonstration ‘credit’ to an ORO for a FEMA REPP Manual capability target for emergency response actions taken in support of the PHE or other emergencies (e.g., hurricane, tornado, fire, flood, etc.) that occurred during the FEMA evaluation cycle. If FEMA granted credit for a specific capability target necessary to support the NRC Appendix E, Section IV.F.2.c compliance determination for full participation, then the EP inspector may use the FEMA crediting documentation as input into the NRC compliance decision.
  - During the PHE, if a FEMA REPP Manual capability target related to the four RSPS of 10 CFR 50.47(b)(4), (b)(5), (b)(9), and (b)(10) (i.e., evaluation criteria D.4, E.2, E.4, I.8, J.9, J.11, J.11A. and J.11g) is not demonstrated by an ORO, then the EP inspector may conclude that the licensee is in non-compliance with the full participation exercise per Appendix E, Section IV.F.2.c. The EP inspector should consult with NSIR/DPR/POB staff if this occurs.
  - Appropriate responsible ORO staff are to physically and actively take part in sufficient numbers to test their integrated capability to adequately assess their response capabilities. The mobilization of State and local response personnel and other resources may be in a virtual or remote location. For example, ORO staff responsible for making protective action decisions should be those individuals identified in the plan with sufficient support personnel to make the decision. The ORO staff may take part in the demonstration in an emergency facility, virtually or at a remote location in order to provide personal protection from COVID-19.
  - The FEMA REPP Manual capability targets and the applicable evaluation criterion in Table 2.1 below must be demonstrated during the offsite biennial full participation exercise as they relate to the NRC RSPS to support the NRC Appendix E, Section IV.F.2.c compliance determination. In order to ensure effective communication and consistent understanding, Table 2.1 below paraphrases the ORO minimum demonstration needed for the FEMA REPP Manual Capability Targets and cross-references them to the applicable NRC RSPS and NUREG-0654/FEMA-REP-1, Revision 2, evaluation criteria.

**Temporary Staff Guidance – Additional Guidance for EP Inspections During the PHE**

**Attachment 2**

**IP 71114.01: Additional Guidance for Appendix E, Section IV.F.2.c Exercises**

**Table 2.1**

FEMA REPP Manual Capability Target	NRC Risk Significant Planning Standard
<p>Capability Targets 1.2, 1.3 (plume), and 1.4 Implementation of the minimum emergency response measures commensurate with the emergency classification level declared by the licensee.</p>	<p>10 CFR 50.47(b)(4)  NUREG-0654/FEMA-REP-1, Evaluation Criteria (EC) D.4</p>
<p>Capability Targets 3.2 and 3.3 (plume) Demonstration of the ability to alert and notify the public in a timely manner.  Demonstration of the capability to provide accurate emergency information and instructions to the public and the news media in a timely manner.</p>	<p>10 CFR 50.47(b)(5)  NUREG-0654/FEMA-REP-1, EC E.2 and E.4</p>
<p>Capability Target 4.5 Demonstration of the ability to perform dose assessments that consider all available information including plant conditions, environmental conditions, field monitoring data, sample analysis results, and dose projection calculations. Information may be provided when earned by the ORO.</p>	<p>10 CFR 50.47(b)(9)  NUREG-0654/FEMA-REP-1, EC I.8</p>
<p>Capability Targets 1.3, 1.4, and 1.5 Demonstration by the responsible ORO(s) to develop and provide protective action recommendations, in a timely manner, directly to the designated ORO(s) responsible for making protective action decisions (PADs) within the plume exposure pathway EPZ.  Demonstration of the capability to implement protective actions and coordinated implementation of PADs with all appropriate jurisdictions. The demonstration should include, as a minimum, identification of those with access and functional needs during the implementation of the protective action.  Demonstration of the capability to implement precautionary protective actions (e.g., actions taken at a site area emergency).</p>	<p>10 CFR 50.47(b)(10)  NUREG-0654/FEMA-REP-1 EC J.9, J.11, J.11.a, J.11.g</p>