

NRC INSPECTION MANUAL

NSIR/DPR

MANUAL CHAPTER 1601

**COMMUNICATION AND COORDINATION PROTOCOL FOR DETERMINING THE STATUS
OF OFFSITE EMERGENCY PREPAREDNESS**

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1601-01 PURPOSE

To provide procedures and guidelines for coordination between the Federal Emergency Management Agency (FEMA) and the appropriate Nuclear Regulatory Commission (NRC) offices for determining the status of offsite emergency preparedness (EP) and its impact on continued reactor operations or restart activities, as appropriate, following a malevolent act, natural disaster (e.g., hurricane, tornado, flood, storm, earthquake) in the vicinity of an NRC-licensed nuclear power reactor, an extended reactor shutdown, or a shutdown caused by electric grid blackouts. In addition to physical impacts to a nuclear power reactor site or its immediate vicinity, this Manual Chapter also addresses situations where staffing challenges exist for States and/or offsite response organizations (OROs) that may impact the ability to effectively implement offsite EP plans and procedures.

1601-02 OBJECTIVES

02.01 Enable coordination between FEMA and NRC in assessing the status of offsite EP capabilities as they relate to FEMA's determination of continued reasonable assurance that appropriate measures can be taken to protect the public health and safety in the event of a radiological emergency at an NRC-licensed nuclear power reactor.

02.02 Identify NRC offices or groups with responsibilities for: 1) coordinating with FEMA in assessing the status of offsite EP capabilities, 2) receiving FEMA's determination of continued reasonable assurance, and 3) evaluating the impact of FEMA's determination on NRC decisions regarding licensee restart activities or continued operation.

02.03 Identify FEMA contacts that have oversight responsibilities and information on the status of offsite conditions.

02.04 Establish communication links for coordinating information between the various organizations involved in offsite recovery, plant restart, or both.

02.05 Provide a checklist to facilitate NRC staff's tracking of FEMA's offsite EP assessment activities and NRC actions that FEMA's assessment generates.

1601-03 APPLICABILITY

03.01 This manual chapter is used when a natural disaster or malevolent act occurs at, or in the vicinity of, an NRC-licensed nuclear power reactor, which results in damage or changes to roads, buildings, communications, transportation resources, or other offsite infrastructure that potentially degrades the capabilities of OROs in the 10-mile plume emergency planning zone. This manual chapter may also be used in situations where staffing challenges exist for State or local OROs that may impact the ability to effectively implement offsite EP plans and procedures. This procedure is intended to be used in coordination with FEMA's implementation of their Standard Operating Guide (SOG), entitled "Disaster Initiated Reviews (DIR)," which is used to assess the impact on offsite infrastructure and emergency response capabilities

Note: A copy of FEMA's DIR SOG is available on the NSIR/DPREP SharePoint site at <http://portal.nrc.gov/edo/nsir/DPR/EP/ORLB/operatingrxlicensingteam.aspx>.

03.02 This manual chapter should be implemented consistent with the agreements in the Memorandum of Understanding (MOU) between the NRC and FEMA. In this regard, FEMA Headquarters, Radiological Emergency Preparedness (REP) Branch, will inform NRC promptly if any of the following conditions exist:

- An event occurs that significantly impacts the area around an NRC-licensed nuclear power reactor to an extent that FEMA questions the adequacy of offsite EP response capabilities and functions; or
- A pandemic outbreak, or other events occur or are anticipated that may impact the ability to effectively implement offsite EP plans and procedures.

Note: FEMA's assessment of offsite EP capabilities is not related to the operating status of the nuclear power reactor.

Likewise the NRC Headquarters, through the Office of Nuclear Security and Incident Response (NSIR) / Division of Preparedness and Response (DPR), will inform FEMA Headquarters (REP Branch) promptly if:

- It receives any information from licensees, NRC inspectors, or others that raises serious questions about the continued adequacy of offsite EP; or
- A determination of the status of offsite EP capabilities is needed in support of the restart of an NRC-licensed nuclear power reactor.

03.03 In instances where substantial damage to the nuclear power reactor site has also occurred, reactor restart activities should be coordinated using NRC Inspection Manual Chapter (IMC) 0350, "Oversight of Reactor Facilities In A Shutdown Condition Due To Significant Performance And/Or Operational Concerns" or IMC 0351, "Implementation of the Reactor Oversight Process at Reactor Facilities in an Extended Shutdown Condition for Reasons Other Than Significant Performance Problems." In addition, during an extended reactor shutdown, in accordance with IMC 0350 or IMC 0351, the NRC will request FEMA to perform a review of offsite EP capabilities and issue a statement of Continued Reasonable Assurance, certifying that the applicable State and local government emergency plans can be implemented in a manner to protect public health and safety in the event of a radiological incident at the specific reactor emerging from an extended shutdown.

03.04 Following an event that significantly impacts the area around an NRC-licensed nuclear power reactor, FEMA may conduct a preliminary capabilities assessment (PCA) of offsite EP capabilities in coordination with the applicable NRC Region(s) and the appropriate State and local response organizations to determine the need for a DIR to formally assess continued reasonable assurance. During the PCA, consideration will be given as to whether predetermined backup means are available or measures have been established that can adequately compensate for the impacted offsite capabilities/functions. Communications and

coordination during the PCA phase should be maintained at the Regional level between the appropriate FEMA Regional Assistance Committee (RAC) Chair and NRC Regional State Liaison Officer (RSLO). Based upon the results from the PCA, FEMA Headquarters (REP Branch), in consultation with affected FEMA Regional Office(s), will have the sole responsibility for determining the need to initiate a DIR. FEMA Headquarters will communicate to NRC Headquarters its decision on the need to conduct a DIR (based on the FEMA RAC Chair's recommendation), including FEMA's characterization of the status of "continued reasonable assurance."

03.05 For the purposes of this manual chapter, a FEMA finding of the failure to maintain continued reasonable assurance will imply that the ability to implement one or more applicable planning standards, as outlined in 44 CFR 350 and 10 CFR 50.47(b) is lost. When a planning standard may only be degraded and/or where identified back-up methods or other measures have been or can be implemented in a timely manner to effectively compensate, the planning standard should not be considered lost.

03.06 This manual chapter applies only to NRC-licensed nuclear power reactors. It does not apply to fuel cycle facilities or research and test reactors that do not require the establishment of formal offsite plans and preparedness.

1601-04 BACKGROUND

04.01 The NRC has primary responsibility for ensuring the adequacy of emergency preparedness for nuclear power reactors. Per the MOU between FEMA and the NRC, contained in Appendix A to Part 44, Section 353 of the Code of Federal Regulations (CFR), FEMA has the lead in assessing the adequacy of offsite EP and to certify that the State and local government emergency plans can and will be implemented in a manner to ensure public health and safety in the event of a radiological emergency at an NRC-licensed nuclear power reactor.

04.02 FEMA Headquarters management is the sole authority for determining the adequacy of offsite emergency plans and preparedness. The NRC will consider information provided by FEMA Headquarters and pertinent findings from FEMA's DIR in making decisions regarding the restart or continued operation of an affected operating nuclear power reactor. For this reason, direct communication and coordination between the two agencies is essential when events with the potential to impact the offsite emergency response infrastructure occur. These events include, but are not limited to, hurricanes, tornadoes, floods, storms, fires, earthquakes, malevolent acts, electric grid issues, or pandemic outbreak, and extended reactor shutdowns.

04.03 When an NRC-licensed nuclear power reactor has properly shut down in compliance with NRC regulations, there is no requirement for the licensee to obtain any specific authorization to restart unless a "safety limit" has been exceeded. If a licensee wishes to restart the reactor, but the restart would result in the reactor being in a condition that is in non-compliance with NRC requirements or the terms of the operating license, then the licensee may not re-start without prior Commission approval.

Per the NRC's Enforcement Policy, a Notice of Enforcement Discretion (NOED) to continue reactor operation may be warranted if the potential for an unexpected reactor shutdown during severe weather or other natural phenomenon could exacerbate already degraded electrical grid conditions and could have an adverse impact on the overall health and safety of the public.

A licensee is not required by NRC regulations to immediately shut down a reactor due to degraded offsite emergency response infrastructure, but the Commission can order the facility to shutdown if the deficiencies in offsite EP have the potential to cause a radiological public health and safety concern in the unlikely event of a subsequent radiological release. When determining if a shutdown order is warranted, the Commission considers various factors, including: (1) whether the degraded capabilities in the offsite emergency response infrastructure are significant; (2) the adequacy of interim compensatory measures; and (3) if there are other compelling reasons for continued operation.

1601-05 RESPONSIBILITIES AND AUTHORITIES

The following individuals shall perform the listed actions. It is not necessary for communications to be restricted to those NRC personnel listed in this manual chapter. Reporting information to other NRC personnel should not delay the expected reporting in this manual chapter.

Note: A copy of FEMA's DIR SOG is available on the NSIR/DPR/EP SharePoint site at <http://portal.nrc.gov/edo/nsir/DPR/EP/ORLB/operatingrxlicensingteam.aspx>.

05.01 Regional State Liaison Officers (RSLOs)

- a. For a potential natural disaster where there will be an advance notice (e.g., hurricane), consider having pre-planning meetings or conference calls with the FEMA Region and affected State and local response organizations, as warranted, to discuss post-event disaster review coordination and identification of potential compensatory measures.
- b. Contact the respective FEMA RAC Chair(s) to determine FEMA's intention to conduct a PCA to obtain a prompt assessment (snap shot) of offsite EP capabilities if, based on FEMA's initial review/discussions with State and local officials, the event was determined to have impacted the infrastructure of a nuclear power reactor's 10-mile Emergency Planning Zone.

Note: A PCA does not replace a DIR, since a DIR has a specific purpose and criteria under the FEMA/NRC MOU.

A DIR may be warranted if any of the following conditions are met:

- If the licensee makes an Emergency Plan event declaration, initiates a plant shutdown, or the reactor trips as a result of hurricanes, tornados, flooding, high winds, large fires, blizzards, ice storms, seismic activity, malevolent acts, or electric grid blackouts; OR

- - If any of these events are perceived as significantly challenging offsite EP capability.
- c. If a PCA is initiated, serve as the Agency's primary point of contact with FEMA via the Regional RAC Chair(s) on emergency preparedness status, which includes:
1. Advise NRC Headquarters (NSIR/DPR), via the Branch Chief for Operating Reactor Licensing and Outreach (ORLOB), and Regional management of FEMA Region(s) intent to perform a PCA.
 2. Keep NRC Headquarters, Regional management, and if activated the Regional Base Team, periodically appraised of PCA status including impact of event on offsite EP capabilities.
 3. Interface with licensee and NRC Regional staff on the status of the nuclear power plant with regards to plant start-up and onsite emergency preparedness readiness.
 4. Maintain frequent contact with respective FEMA Regional RAC Chair, or REP staff as appropriate, to support FEMA's PCA of offsite EP capabilities and infrastructure, and provide status of reactor restart activities and licensee-related input that may have a bearing on FEMA's determination as to whether a DIR is warranted.
 5. Promptly advise NRC Headquarters (Chief ORLOB) and Regional management of FEMA Region's recommendation to FEMA Headquarters whether or not to conduct a DIR.

Note: FEMA's initiation of a DIR, if warranted, may be delayed based on FEMA's response in support of State and local recovery activities. Completion of DIR should be based on the estimated date for reactor start-up and electrical power grid needs. Under the National Response Framework, decisions regarding the restoration of electrical generation capability in support of power grid during a National or regional event should be coordinated by the NRC Operations Center through the U.S. Department of Energy.

- d. If FEMA Headquarters notifies NRC Headquarters, Office of Nuclear Security and Incident Response, Division of Preparedness and Response (NSIR/DPR) of its decision to initiate a DIR, perform the steps:
1. Participate in the FEMA-led DIR, as necessary and appropriate to the representative's skills.

Note: A decision made by FEMA HQ whether or not to initiate a DIR will be documented in a notification to the NRC HQ Director, NSIR/DPR.

2. Obtain information regarding important developments in the onsite recovery and restart process to support the FEMA-led DIR.
3. Determine, through communication with State and local counterparts, the status of evacuation routes to and from the reactor site.
4. Provide periodic updates to the NSIR/DPR Chief ORLOB, Regional management, and if activated the Regional Base Team, on activities associated with FEMA's review of offsite EP capabilities and infrastructure.
5. Participate in the Counterpart Conference Call (See Section 06.02), as necessary.
6. Provide, as appropriate, initial status update information, periodic updates, and final status update on NRC response and licensee restoration and start-up activities to the respective State counterpart(s).
7. Assists NRC Regional Office of Public Affairs (OPA), if requested, with establishing OPA communications with respective State Public Information Officer (PIO) counterparts.
8. Once informed by the NSIR/DPR Chief ORLOB of FEMA's DIR results, provide this information to senior Regional management.

05.02 Chief ORLOB, Division of Preparedness and Response (DPR), Office of Nuclear Security and Incident Response (NSIR)

- a. If informed by the respective RSLO or FEMA Headquarters of a FEMA Region(s) intent to perform a Preliminary Capabilities Assessment (PCA), obtain periodic status reports from the RSLO and brief NSIR/DPR management and respective Office of Nuclear Reactor Regulation (NRR) Project Manager on status.

Note: During a PCA, communications and coordination between FEMA and NRC will be handled at the Regional level through the respective FEMA RAC Chair(s) and RSLO(s).

- b. Once the NRC Headquarters (NSIR/DPR Director) is notified by FEMA Headquarters (Director, Technological Hazards Division) of the outcome of a PCA and/or intent to perform a DIR, perform the following steps:
 1. Ensure FEMA's outcome of PCA and decision whether to initiate a DIR is appropriately documented and entered into ADAMS as publicly available.
 2. Act as the lead point of contact with the FEMA Headquarters REP Branch Chief regarding the status of the DIR activities.
 3. Obtain a schedule for the conduct of the review from FEMA Headquarters REP Branch Chief.

4. Assist in obtaining NRC Regional support for the DIR Team, as requested, through the appropriate RSLO and regional Division of Reactor Safety (DRS) Branch Chief responsible for EP inspection activities.
5. Obtain from FEMA, verbal status reports and, per the MOU, interim written reports of its findings, as appropriate, and provide information to FEMA on continued reactor operations or restart activities.
6. Provide updates on reactor restart activities and projected schedule to FEMA Headquarters REP Branch Chief.

Note: Communications of reactor restart activities may be provided verbally to FEMA Headquarters initially, but per MOU, should be provided in writing as soon as practicable.

- c. Request that the NSIR/DPR Director initiate a Counterpart Conference Call, as defined in Section 06.02, to keep NRR Executive Team, senior management from other Offices, and Regional management aware of significant DIR activities and impact on decisions related to licensee restart or continued operation, and participate as the lead EP technical contact during the Counterpart Conference Call.
- d. Ensure that the designated NRR Project Manager for the affected licensee, NSIR/DPR management, and applicable RSLO(s) are informed of any new developments regarding FEMA's assessment of offsite EP capabilities, decision to perform a DIR, and expectations for issuance of FEMA's findings.
- e. Once the NSIR DPR Director is notified of the results of FEMA's DIR, provide an update to the applicable NRR Project Manager, RSLO, and regional DRS Branch Chief responsible for EP inspection activities.

Note: FEMA Headquarters may initially provide DIR results, either verbally (call through Headquarters Operations Officer) or via e-mail or fax, prior to the issuance of a formal written statement of findings per the MOU.

- f. If it appears that FEMA's DIR will not be complete in time to support a licensee's proposed restart schedule, or if the information received from FEMA is that the state of offsite EP is not adequate to support reactor restart on the schedule proposed by the licensee, interface with the FEMA Headquarters REP Branch Chief to obtain a thorough understanding of the following:
 - What offsite EP capabilities and/or infrastructure are impacted and specific deficiencies identified;
 - Whether identified deficiencies prevent or significantly degrade the effective and timely implementation of a protective action decision;
 - Potential restoration and/or compensatory measures being considered; and

- Expected timeframe for completing restoration activities or implementation of compensatory measures.
- g. If the nuclear power reactor is operating and FEMA determines that continued reasonable assurance no longer exists, based on the loss of one or more planning standards, interface with the FEMA Headquarters REP Branch Chief to obtain a thorough understanding of the following:
- Which planning standard(s) is(are) lost;
 - Affected State and/or local government entity;
 - Capabilities/functions impacted that resulted in loss of planning standard(s);
 - Why efforts have been unsuccessful to implement identified backup means or compensatory measures; and
 - Projected timeframe for restoration of damaged infrastructure and/or when adequate compensatory measures will be in place to meet affected planning standard(s).

Note: The loss of a planning standard means that a key offsite EP capability/function cannot be performed and no identified backup means or compensatory measure has or is likely to be implemented for an extended period. This loss may be due to the inability to confirm adequate staffing of key ORO functions, or to significant damage to offsite infrastructure (evacuation roads, emergency facilities and equipment, etc.).

- h. Discuss results of the assessment activities described above with NSIR/DPR management, applicable NRR Project Manager, RSLO, and regional DRS Branch Chief responsible for EP inspection activities, as well as the Operations Center Liaison Team, if activated.
- i. Support the NSIR/DPR Director as the lead EP technical contact in any Counterpart Conference Calls.
- j. Keep the FEMA Headquarters REP Branch Chief apprised of NRC discussions regarding plant restart or continued operations as a result of FEMA DIR findings.
- k. Ensure that documentation of FEMA decisions to initiate a DIR and FEMA's final DIR Report are entered into the Agencywide Documents Access and Management System (ADAMS) as publicly available.

05.03 Director, Division of Preparedness and Response (NSIR/DPR)

- a. Obtain briefings from NSIR/DPR Chief ORLOB on FEMA Region(s) decision to conduct a Preliminary Capabilities Assessment (PCA) and on PCA status.

- b. Communicate with FEMA Headquarters (Director, Technological Hazards Division) on PCA outcome, if initiated, and on FEMA Headquarters' decision to conduct a Disaster Initiated Review (DIR).

Note: FEMA's results of a PCA and decision on the need to perform a DIR should be communicated via email or fax using standard text outlined in FEMA's DIR Standard Operating Guide. However, FEMA's decision may be communicated verbally (via Headquarters Operations Officer recorded line) if the need exists to promptly communicate FEMA's determination in support of reactor restart, and then followed up by documentation via email or fax.

- c. Obtain periodic briefings from NSIR/DPR Chief ORLOB, on the status of FEMA's DIR activities, including timeline for completion, identified areas of concern, etc.
- d. Ensure NSIR Office Management is kept apprised of FEMA PCA and DIR activities and decisions, potential reactor restart schedule or electrical power grid issues, and the identification by FEMA of significant offsite deficiencies that may reactor restart or continued operation.
- e. Contact the Headquarters Operations Officer (HOO) to arrange a Counterpart Conference Call (per Section 06.02) in order to facilitate timely communication with the NRR Executive Team (per Section 05.10), NSIR management, Regional management, and as deemed appropriate, representatives from the Offices of the General Counsel (OGC), OPA, and Congressional Affairs (OCA) to discuss results of FEMA's DIR assessment activities and determine appropriate follow-up actions with the licensee, FEMA, and others.
- f. Communicate with FEMA Headquarters (Director, Technological Hazards Division) on DIR outcomes and the status of any compensatory measures in place.

Note: The initial report of FEMA DIR outcomes should be communicated via email or fax using standard text outlined in FEMA's DIR Standard Operating Guide. However, FEMA's findings and determination may be communicated verbally (via Headquarters Operations Officer recorded line) if the need exists to promptly communicate FEMA's determination in support of reactor restart, and then followed up by documentation via email or fax. A DIR Report will be subsequently provided by FEMA formally documenting results of DIR in regards to continued reasonable assurance.

- g. As appropriate, formulate a recommended course of action for discussion and alignment with Headquarters and Regional senior management to include, but not limited to the options below.
 - a. Recommend shutdown if:
 - Deficiencies in offsite EP capabilities are significant (e.g., where the loss constitutes the inability to successfully implement measures to protect the public);

- Appropriate compensatory measures cannot be implemented within a reasonable timeframe; and
 - No compelling reasons for continued operation (e.g., reactor shutdown during severe weather or other natural phenomenon could exacerbate already degraded electrical grid conditions and could have an adverse impact on the overall health and safety of the public).
- b. Recommend continued reactor operation if either:
- The issue(s) can be resolved in a very short timeframe (i.e., hours or a few days); or
 - The issue does not impact the ability to timely and effectively implement measure to protect the public.

If continued reactor operation is allowed, criteria should be pre-determined for which a reactor shutdown would be required, should the situation degrade further.

05.04 NRR Deputy Division Directors for the Affected Sites

- a. Participate in the Counterpart Conference Call (as defined in section 06.02).
- b. Communicate with the NRR Executive Team important developments in the reactor restart process, and NRC Regional and licensee activities in support of FEMA's assessment of offsite EP capabilities and infrastructure.

05.05 NRR Project Managers for the Affected Sites

- a. Facilitate NRR Executive Team participation in the Counterpart Conference Call (as defined in section 06.02).
- b. Keep the NSIR/DPR Chief ORLOB informed of any new developments regarding proposed reactor restart schedules and activities.
- c. Obtain from the NSIR/DPR Chief ORLOB, as soon as it is available, the results of FEMA's DIR (i.e., whether offsite EP is adequate to support reactor restart or continued operation). As soon as this information is received, provide it to the NRR Executive Team and regional DRP Branch Chief for the affected site.

05.06 Regional Branch Chiefs, Division of Reactor Projects (DRP)

- a. Participate in the Counterpart Conference Call (per Section 06.02), as necessary.
- b. Communicate important developments in the restart process to senior regional management in coordination with the RSLO.

- c. Establish a dialogue with licensee management to determine the proposed schedule for reactor restart, or the status of continued operations and assessments of risks involved. Inform the licensee whether any offsite EP assessments are scheduled, or ongoing, so that licensee management may factor these into their plans.
- d. When informing licensee management of any offsite EP assessments (e.g., PCA), enjoin them to ensure any licensee resources supporting the assessments have an appropriate scope of responsibilities, experience, and knowledge.
- c. Apprise the NSIR/DPR Chief ORLOB of projected reactor restart schedule, activities, status of continued operations, and any changes that may occur.
- d. Assign a resource to conduct a technical briefing, as necessary, to prepare a Communication Plan and to support Regional OPA external communications staff.

05.07 Regional Branch Chiefs, Division of Reactor Safety (DRS) (responsible for EP inspection activities)

- a. Participate in the Counterpart Conference Call (per Section 06.02), as necessary.
- b. Communicate status of emergency preparedness assessment activities with senior regional management and the NSIR/DPR Chief ORLOB.
- c. Establish a dialogue with licensee EP management to determine the status of ongoing actions to restore EP infrastructure.

05.08 Resident Inspectors

- a. Participate in the Counterpart Conference Call (per Section 06.02), as necessary.
- b. Communicate important developments in the reactor restart process and the assessment of onsite EP elements that link to offsite EP and emergency sirens (if maintained by the licensee) with the regional DRP Branch Chief.
- c. The following information should be relayed as soon as it is known:
 - 1. Licensee's expected commencement of heat up and/or rod withdrawal, if the reactor is shut down; and
 - 2. General condition of the licensee's facility and EP infrastructure that may impact response capabilities, with a particular focus on the status of the following, based on discussions with licensee personnel: (Obtaining this information does not require an independent inspection to verify the status.)

Note: The RSLO is the primary NRC staff member who is responsible for obtaining information regarding the offsite infrastructure and for keeping the appropriate NRC staff informed. The RSLO serves as the lead interface with

FEMA at the regional/local level. Therefore, it is not appropriate for other NRC staff to contact offsite agencies to determine this information or to request that licensees obtain a status of offsite infrastructure.

- (a) Means of communication between the licensee and the offsite authorities; Status of licensee's emergency response facilities;
- (b) Licensee's ability to staff the required emergency response organization positions;
- (c) Status of environmental monitoring capabilities;
- (d) Site meteorological conditions;
- (e) Status of emergency sirens, if maintained by the licensee; and
- (f) Status/Condition of structures, systems, and components needed for Emergency Action Level classifications.

05.09 Headquarters Operations Officer (HOO) / Headquarters Emergency Response Officer (HERO)

- a. Relay any incoming information from any source (i.e., licensee, NRC employee, other Federal agency employee) that may affect the restart process or continued reactor operation following a natural disaster, malevolent act, or other circumstance described in this procedure to the NSIR/DPR Chief ORLOB.
- b. Help with coordination, including the setting up of conference bridges, as requested, to facilitate timely communication with appropriate NRC Headquarters and Regional management.
- c. Set-up a recorded conference bridge to document communications between NRC and FEMA management on DIR decisions and outcomes.

05.10 NRR Executive Team (Office Director / Deputy Director / Division Directors)

- a. Participate in the Counterpart Conference Call (per Section 06.02) to discuss reactor restart or continued operation decision-making activities, as appropriate, along with NSIR senior management and senior Regional management.
- b. Evaluate the need to either issue a confirmatory action letter, or to recommend to the Commission issuance of an order to the licensee to:
 - 1. Ensure that the reactor restart does not occur under degraded offsite conditions, and the reactor is maintained in a condition of minimal risk.

2. Shut down an operating nuclear power reactor if FEMA's DIR determines that continued reasonable assurance no longer exists and the following criteria are met:
 - Deficiencies in offsite EP capabilities are significant (e.g., where that loss constitutes the inability to successfully implement measures to protect the public);
 - Appropriate compensatory measures cannot be implemented within a reasonable timeframe, and
 - There are no compelling reasons for continued operation (e.g., reactor shutdown during severe weather or other natural phenomenon could exacerbate already degraded electrical grid conditions and could have an adverse impact on the overall health and safety of the public).
- c. Ensure that OGC, OPA, and OCA are involved in Agency reactor restart or continued operation decisions where FEMA's assessment of offsite EP indicates continued reasonable assurance is challenged.
- d. Ensure that the Office of the Executive Director for Operations (EDO) and Commission are kept apprised, as appropriate, on restart or continued operation decisions involving FEMA's assessment of offsite EP capabilities and infrastructure. Seek EDO and/or Commission approval for any matters requiring EDO and/or Commission action.
- e. Determine whether the affected reactor is subject to the restart provisions of NRC Inspection Manual Chapter 0350, "Oversight of Reactor Facilities In A Shutdown Condition Due To Significant Performance And/Or Operational Concerns" or NRC Inspection Manual Chapter 0351, "Implementation of the Reactor Oversight Process at Reactor Facilities in an Extended Shutdown Condition for Reasons Other Than Significant Performance Problems."

05.11 NSIR Office Director

- a. Participate in the Counterpart Conference Call (per Section 06.02) to discuss reactor restart or continued operation decision-making activities, as appropriate, along with NRR Executive Team senior management, and senior Regional management.

05.12 Senior Regional Management (Regional Administrator / Deputy Regional Administrator / Division Directors)

- a. Participate in the Counterpart Conference Call (per Section 06.02) to discuss reactor restart or continued operation decision-making activities along with NSIR senior management, and the NRR Executive Team.
- b. Coordinate with the NRR Executive Team and NSIR senior management on proposed recommendations to the Commission regarding the need for the NRC to issue an order

or confirmatory action letter to the licensee on decisions related to restart or shutdown of an operating nuclear power reactor based on FEMA's determination of continued reasonable assurance of offsite EP capabilities:

1. Ensure that the restart does not occur under degraded offsite conditions, and the reactor is maintained in a condition of minimal risk.
 2. Shut down an operating nuclear power reactor if FEMA's DIR determines that continued reasonable assurance no longer exists due to the loss of one or more planning standards, where that loss constitutes the inability to successfully implement measures to protect the public and appropriate compensatory measures cannot be implemented within a reasonable timeframe.
- c. Determine whether the affected reactor is subject to the restart provisions of IMC 0350 or IMC 0351.
- d. The NRC Region shall inform the licensee of the restart decision or issues regarding continued operation.

1601-06 REQUIREMENTS

06.01 Restart or continued operation discussions, as applicable, will be conducted jointly by the NRR Executive Team, NSIR senior management, and Regional Administrator. NRR will have the lead in briefing the EDO and the Commission on the recommended actions and will request any actions necessary on the part of the EDO and/or Commission. The Regional Administrator will inform the licensee of the restart or continued operation decision.

06.02 The Counterpart Conference Call is an internal NRC conference call and is the primary means for information sharing during the restart or continued operation decision process. The NRR Project Manager for the affected site will conduct a conference call at least daily (unless it is agreed upon by the Counterpart Conference Call participants that less frequent calls are acceptable given the nature of the status of the situation) while the actions of this manual chapter are on-going and will notify all stakeholders (identified in this manual chapter) of the schedule and logistics for the call. During the call, the NSIR/DPR Chief ORLOB will lead the discussion of new and updated information on FEMA's DIR activities and will subsequently ensure that FEMA Headquarters is notified of any relevant information resulting from the Counterpart Conference Call.

06.03 NRC parties should focus on informative and timely communications. It is not necessary to continuously maintain open circuits with other offices or agencies. Important information and developments should be relayed to designated contacts as quickly as possible.

Note: Prompt communication of findings, FEMA's statement of continued reasonable assurance, and restart or continued operation decisions are of the utmost importance and may necessitate late night conference calls.

06.04 If, at any time, NRC staff receives new or updated information, it should be passed on to the NSIR/DPR Chief ORLOB. The NSIR/DPR Chief ORLOB will inform the NSIR/DPR Director and NRR Project Manager for the affected site, who should then pass that information on to the appropriate stakeholders; The NRR Project Manager should also assist in coordinating with NRR Executive Team to schedule a Counterpart Conference Call to dissemination of the information.

06.05 If reaffirmation of adequate offsite emergency preparedness is not forthcoming before the licensee plans to restart the reactor or if FEMA determines that continued reasonable assurance no longer exists, the NSIR/DPR Chief ORLOB will inform, via the Counterpart Conference Call, the NRR Executive Team, NSIR senior management, and the Regional Administrator of this fact as soon as possible. These officials will evaluate the need for the NRC to issue an order or confirmatory action letter to the licensee. This will ensure that the restart or continued operation does not occur under degraded offsite conditions. An order or confirmatory action letter to a licensee directing shutdown should include conditions necessary for restart. These senior officials will also determine whether the affected reactor is subject to the restart provisions of IMC 0350 or IMC 0351.

06.06 NRC shall strive to ensure that all decisions regarding emergency preparedness reviews are carried out consistently across regional boundaries, both during one initiating event and from one event to another. Additionally, if an emergency preparedness assessment is necessary for more than one reactor site simultaneously, the NRC should discuss with FEMA Headquarters to prioritize reviews per this manual chapter on situational information and input from respective States.

1601-07 REFERENCES

IMC 0350, "Oversight of Reactor Facilities In A Shutdown Condition Due To Significant Performance And/Or Operational Concerns."

IMC 0351, "Implementation of the Reactor Oversight Process at Reactor Facilities in an Extended Shutdown Condition for Reasons Other Than Significant Performance Problems."

Memorandum of Understanding Between Federal Emergency Management Agency and Nuclear Regulatory Commission (Appendix A to 44 CFR 353)

FEMA Standard Operating Guide (SOG) "Disaster Initiated Review."

END

Attachment 1 – Revision History for IMC 1601

ATTACHMENT 1 – REVISION HISTORY FOR IMC 1601

Commitment Tracking Number	Accession Number Issue Date Change Notice	Description of Change	Description of Training Required and Completion Date	Comment and Feedback Resolution Accession Number
N/A	6/24/03	N/A		
N/A	07/07/05	Revised to improve internal and external communication and coordination when determining the status of offsite emergency preparedness in support of reactor restart. This manual chapter's scope has been expanded to not only include natural disasters, but also malevolent acts or extended reactor shutdowns. It also includes a new Appendix A checklist for tracking completion of manual chapter activities. IMC 1601 is also being revised to reflect the organizational change of emergency preparedness staff from NRR to NSIR.	N/A	N/A
N/A	09/16/11 CN 11-017	Editorial Changes. Updated to maintain alignment with FEMA DIR SOP and improve coordination and communication	N/A	ML110250098
N/A	ML121200174 07/17/12 CN 12-015	Updated to maintain alignment with Final FEMA DIR SOG and to include considerations and actions for reactors that are still operating.	N/A	ML12150A209

Commitment Tracking Number	Accession Number Issue Date Change Notice	Description of Change	Description of Training Required and Completion Date	Comment and Feedback Resolution Accession Number
N/A	ML13137A326 08/27/13 CN 13-018	Add guidance on expected communications and coordination during the Preliminary Capabilities Assessment (PCA) phase at the Regional level between the appropriate FEMA Regional Assistance Committee (RAC) Chair and NRC Regional State Liaison Officer (RSLO). Inserted expected actions for the NSIR/DPR Director. Clarified option for verbal communication of FEMA assessment results between agencies. Added SharePoint link to FEMA's DIR SOP provided. Eliminated checklists and incorporated actions under position Responsibilities and Authorities Section to minimum confusion and potentially conflicting direction within document.	Review of PCA/DIR process and changes to MC as part of available in-person opportunities or via conference bridge.	