

June 10, 2010

Said Abdel-Khalik, Chairman
Advisory Committee on Reactor Safeguards
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: DRAFT GUIDANCE ON CREDITING CONTAINMENT ACCIDENT PRESSURE
IN MEETING THE NET POSITIVE SUCTION HEAD REQUIRED TO
DEMONSTRATE THAT SAFETY SYSTEMS CAN MITIGATE ACCIDENTS AS
DESIGNED

Dear Dr. Abdel-Khalik:

Thank you for your May 19, 2010, letter discussing the staff's draft guidance on the use of containment accident pressure in determining the net positive suction head (NPSH) margin of emergency core cooling system and containment heat removal system pumps. As you pointed out in the letter, the staff and the Advisory Committee on Reactor Safeguards (ACRS) have been discussing this issue both generically and with regard to specific licensing actions for over a decade. The staff appreciates these interactions and continues to benefit from the Committee's review of the staff's work.

In the April 23, 2010, meeting with the ACRS Subcommittee on Power Upgrades and the May 6, 2010, meeting with the ACRS, the staff specifically presented information to resolve the difference of opinion with the Committee on the use of containment accident pressure, as directed by the Commission's Staff Requirements Memorandum of January 8, 2009, titled, "Staff Requirements – Meeting with Advisory Committee on Reactor Safeguards." Until the issue is fully resolved, the extended power uprate license amendment requests from the Tennessee Valley Authority for Browns Ferry Nuclear Plant Units 1, 2 and 3 and from Excel Energy for the Monticello Nuclear Generating Plant will remain deferred.

We consider our review of the Boiling Water Reactor Owners' Group topical report, our work developing guidance for the use of containment accident pressure in determining NPSH margin, and our risk assessment to be significant milestones in complying with the Commission's direction to resolve differences with the ACRS on this important issue. However, the staff finds that to proceed further in fully accommodating the ACRS recommendations certain policy issues must first be addressed. Issues such as the use of risk in nonrisk-informed license amendment requests and the concept of defense-in-depth in the staff's review of licensing actions will remain unresolved with the ACRS until these policy issues are addressed.

S. Khalik

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The staff plans to explore various options in dealing with these policy issues and will seek Commission direction for further action.

Sincerely,

/RA Marty Virgilio for/

R. W. Borchardt
Executive Director
for Operations

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
SECY

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