

**From:** John Hannon *NRF*  
**To:** Hubbard, George, Rubin, Mark *NRF*  
**Date:** Tue, Apr 18, 2000 2:37 PM  
**Subject:** Re: ACRS Letter to the Chairman on TWG Report

I don't think ACRS was trying to suggest that the staff really doesn't understand any of the things it's talking about. Dr. Larkins explained to me that the ACRS felt obliged to respond to the Commission's request by pointing out the technical issues they had with the report. He admitted that he had not considered the implications for operating reactors, but felt that a case could be made to proceed with rulemaking on the basis of low probability of occurrence while any confirmatory studies or research efforts are carried out. I believe that the path we have embarked on is feasible in the time period we have been given to respond. I favor proceeding with due diligence on the path George has outlined/jnh

>>> Mark Rubin 04/17 2:27 PM >>>  
George:

I'm not convinced that this is the best strategy (though it may be the only one open to us). Could we talk? Your approach is the "halfway" method, agree with their issues, do some things, tell them why we're not doing others. This has worked well in the past, but we have a real slam dunk in the ACRS letter. The underlying tone of the letter is, "the staff really doesn't understand any of the things its talking about". Coming back with a "halfway" reply that doesn't completely deal with the technical points raised in the letter, in my opinion, gives the ACRS more ammunition that "the staff doesn't understand what its talking about".

Before deciding on this approach I would like some additional discussion at the Gary/Rich/John/you/me level to consider the other potential approaches: 1) refute their technical points as not being relevant to the decision, and go into quite a bit of detail, or 2) identify what effort would be necessary to answer questions, time and money, the applicability of the results and then kick it up to the Commission for a decision.

I believe we should at least kick around the other options before focusing on your "traditional wisdom" approach.

Can we talk?

Mark

>>> George Hubbard 04/17 1:45 PM >>>  
I have put the major comments into the following categories:

1. Consequences and plume related matters including land contamination
2. Thermal Hydraulic concerns relative to zirc fires
3. Proposed acceptance criteria (LERF for operating reactors)
4. Seismic too conservative
5. Uncertainties in dominating sequences involving human errors and seismic events

In response to the Green Ticket (G20000194 - TAC MA8648A) we have received on this and based on discussion with John Hannon, I propose the following approach for a letter back to the ACRS in which we broadly address their concerns. **PLEASE CHARGE ANY TIME TO THE ABOVE TAC NUMBER**

*4/16/20*

1. Thank them for the input.
2. Acknowledge concerns on consequences and plume. - Jason/Tinkler/Cheok/Kelly  
Tell them we have done work on ruthenium and will include in report  
Acknowledge other work going on by RES and international community
3. Acknowledge concerns on thermal hydraulic concerns - Joe Staudenmeier  
Tell them what additional work we have done - partial drain down work - and that we will be including it in the final version
4. Address broadly their concerns on uncertainties - Gareth/Cheok/Kelly  
Tell them we will add additional information in final report - only if we think it is necessary.

Acknowledge the fact that further work in the areas of consequences and T/H could be useful in the future; however, with the low frequency of fuel uncoverly we calculated and the fact that no credit is taken for mitigative actions once fuel uncoverly occurs we believe the need for the recommended work is not justified for continuation of rulemaking activities for decommissioning plants since the frequency of reaching the end states where this data would be needed would be lower frequency than the values calculated in this report. Bring in the fact that seismic events are dominating and since, as acknowledge by the ACRS, we were conservative in our seismic efforts the frequency of fuel uncoverly would be further reduced if realistic analysis were used. Somehow we need to bring in the fact that the proposed acceptance criteria is good enough - suggestions on how to do this are welcomed.

This is my first cut approach to doing this, let me know your thoughts. I'm asking Diane to draft up a first cut- please provide your input to Diane.

**OUR RESPONSE IS DUE TO TIM/GARY ON MAY 1. IN ORDER TO GET REVIEW BY THE BRANCH CHIEFS HAVE YOUR INPUT TO DIANE BY MAY 25.**

THANKS,

George Hubbard  
2870

**CC:** Collins, Timothy, Holahan, Gary, Kelly, Glenn