

July 25, 2002

Mr. J. Michael Nicely, Manager
Texas Airports Development Office
Federal Aviation Administration
U.S. Department of Transportation
Fort Worth, Texas 76193-0650

Dear Mr. Nicely:

I am responding to your letter dated June 10, 2002, to Mr. Ellis Merschhoff, Regional Administrator for the U. S. Nuclear Regulatory Commission's (NRC's) Region IV office in Arlington, Texas, which is available under the NRC's Agencywide Documents Access and Management System (ADAMS) Accession No. ML021750575. Your letter requests our review of a proposed airport in the vicinity of the Comanche Peak Steam Electric Station (CPSES) in Glen Rose, Texas. You also provided additional background information to me in a telephone conversation on July 23, 2002.

When reviewing a license application for a nuclear power plant, the NRC considers hazards to the plant due to man-made activities in its vicinity, including aircraft. The regulatory basis is reflected in the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 100, "Reactor Site Criteria." Specific review guidance is provided in NRC's NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," Sections 2.2.1-2.2.2, "Identification of Potential Hazards in Site Vicinity," Section 2.2.3, "Evaluation of Potential Accidents," and Section 3.5.1.6, "Aircraft Hazards." Using our process, we typically consider factors such as airport and airway proximity, traffic density, crash frequencies, and types of aircraft. If the hazard is found to be unacceptably high, the site may not be approved for a license. In such an event, one option for an applicant is to provide sufficient design features such that the hazard is reduced to an acceptable level.

In the case of CPSES, the licensee evaluated the probability of accidental aircraft crashes at CPSES during the original licensing safety review for the facility. However, as indicated in Section 2.2.2.5.2 of the CPSES Final Safety Analysis Report, an aircraft crash was not a part of the design basis for CPSES, in part, due to the absence of nearby airports.

Subsequent to the issuance of a nuclear power plant operating license, if the conditions in the vicinity of a plant change such that there is a potential for a significant increase in a previously analyzed hazard, the licensee must perform a safety reassessment. This may occur, for example, if aircraft activity was found to change substantially from what had been analyzed previously.

It is our understanding that the Federal Aviation Administration, in accordance with 14 CFR Part 157.7 and after consultation with interested persons, will issue a determination to the airport proponent regarding considerations such as the safety of persons and property on the ground. In this regard, as indicated above, the proximity of the proposed airport to CPSES is such that its construction would put the plant in an unanalyzed condition with respect to aircraft hazards. Specifically, the NRC staff anticipates that construction of the proposed airport would result in the licensee performing a safety reassessment for CPSES, in accordance with NUREG-0800, Section 3.5.1.6, since the location of the proposed airport is well within five miles

Mr. J. M. Nicely

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of the plant. The licensee would be required to determine the significance of the hazard. If the licensee determines that there is a significant hazard, it is possible that measures involving plant modifications could be significant and/or impractical.

Enclosed with this response is our letter to the CPSES licensee, TXU Energy, informing them of the proposed airport and the need for reassessment of the issue of an aircraft hazard, should the proposed airport actually be constructed. It is important to note that the current aircraft hazard assessment assumptions and methodology, incorporated in NUREG-0800, only reflects accidental impacts. Post-September 11th, the NRC has been engaged in a reassessment to evaluate the vulnerabilities and potential effects of intentional commercial aircraft impact upon a nuclear facility. The results of this effort might lead to a reassessment of the NRC's requirements regarding protection from the effects of aircraft impacts.

We hope that the above information will be helpful in making your determination with respect to the effect that the existing CPSES facility would have on the airport proposal. If you have any further questions about the NRC's role in assessing the proposed airport, please feel free to call David H. Jaffe, Senior Project Manager, directly at 301-415-1439 or toll free at 1-800-368-5642, extension 1439.

Sincerely,

/RA/

William Ruland, Director
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosure: Letter to TXU Energy

cc: See next page

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**Per Email dated 07/19/2002

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Comanche Peak Steam Electric Station

cc:

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