

July 12, 2002

ORGANIZATION: Nuclear Energy Institute (NEI)

SUBJECT: SUMMARY OF MEETING WITH THE NUCLEAR ENERGY INSTITUTE
REGARDING EARLY SITE PERMIT (ESP) ISSUES

On June 13, 2002, representatives from NEI met with the Nuclear Regulatory Commission (NRC) staff. The meeting was requested by NEI in order to discuss issues related to ESP applications and reviews. Representatives from Dominion Generation (Dominion), Exelon Generating Company (Exelon) and Entergy Operations, Inc. (Entergy) were in attendance.

Enclosure 1 is a list of the meeting attendees. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The subject meeting handouts may be accessed through the ADAMS system under Accession No. ML021650627. If you do not have access to ADAMS or if there are problems in accessing the handouts located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.

Follow-up Items from the May 28th Meeting

The staff provided responses to the following action items from the meeting held on May 28, 2002: (1) to provide the applicants with information regarding the process used to request a fee reduction or waiver, and (2) to work out the details of a common database for tracking the resolution of generic and applicant-specific issues. The staff explained the process for seeking waivers to Part 170 fees and noted that a similar basis could be developed by the ESP applicants using the license renewal fee waiver precedence. The staff provided a sample Issue Tracking Summary for comment (see Attachment 1 in the meeting handouts). The staff provided more specific details regarding the pre-application activities discussed at the May 28th meeting. On the action to consider whether or not to submit a pre-application Quality Assurance (QA) data collection plan, the applicants responded that they would submit their plan to the staff on the following timetable: Exelon - August 2002; Entergy - 3 to 4 weeks from the date of the subject meeting; and Dominion - September 2002. Each applicant will request the level of NRC review to be applied to their individual QA Plan in their submittal letter.

Topics for Next Meeting

The staff and NEI agreed that future meetings would introduce those topics that would be discussed at the subsequent meeting and any preparatory discussion material for the subject topic should be transmitted 10 working days prior to the date of the proposed meeting. The staff proposed the following topics to be discuss at the July 16, 2002 meeting:

- 10 CFR 52.17 - How do the applicants plan to satisfy the subject requirements for other than the light-water reactor designs? How do the Applicants plan to establish/

characterize radiological release categories and their respective frequencies for use in the environmental assessment of Class 1 through 9 accidents?

- Severe Accident Mitigation Design Alternatives (SAMDA) have been performed for each of the certified Advanced Light Water Reactor designs (based on reference site parameters), and could be applied to an ESP if the site parameters are bounded by the reference site parameters. For other reactor designs, a design- and site- specific SAMDA analysis would be needed. How do the applicants plan to address SAMDA requirements if the ESP application does not include a commitment to use one of the certified designs?
- A schedule of meetings to discuss the remaining generic ESP issues over the next year.

NEI stated they would like to discuss the ESP pre-application activities proposed by the staff at the next meeting.

ESP Seismic Evaluation Guidance

NEI and the NRC staff then discussed seismic evaluation issues. The NEI Early Site Permit Task Force (ESPTF) outlined their approach to applying existing regulatory guidance to ESP applications. The subject presentation conveyed the following points regarding the subject approach: (1) high level of reliance on existing data; (2) limited geotechnical investigations to support ESP applications; and (3) use of EPRI methodology, data and results. The NEI ESPTF requested staff feedback on the approach presented, and also whether there are any ongoing NRC activities linking seismic hazards and assistance with the identification of any unpublished regulatory material (i.e., staff documents being prepared). The staff noted that applicable sections of NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," were not cited in the NEI ESPTF presentation. The staff discussed the status of ongoing NRC research activities in the seismic hazards area. The staff understood the general approach described by the industry consultants in seismology and geotechnology and made the following points:

- 1) The staff intends to use the expertise from the U.S. Geological Survey (USGS) under a recent memorandum of agreement in siting reviews covering geology, seismology and hydrology. Dr. John Filson from the USGS was in attendance for this purpose.
- 2) The Electric Power Research Institute probabilistic seismic hazard assessment study (PSHA) was published in 1986 and would need to have its database for the PSHA updated. Similarly, the Lawrence Livermore National Laboratory study, although updated in 1993, may need to be reassessed in the light of new information. The need for this update stems from the Regulatory Position #1 incorporated in Regulatory Guide 1.165. It was pointed out that the USGS national seismic hazard map is soon to be revised for its 2002 version.
- 3) It was suggested that geotechnical investigation is needed to characterize the site soil overburden over an area that is likely to contain safety significant buildings and multiple modules, as applicable. So the coverage of ground for geotechnical investigation may need to be more detailed than that described in the industry presentation. Otherwise, limitations and conditions may need to be attached to the ESP.

- 4) As more certified designs are reviewed and processed by the staff, the ESP applicants may need to pay closer attention to the certified designs for the site interface requirements and other detailed design considerations. Also the effect of deep embedment on pressure transmissibility may be a factor in the future designs.

A representative from Greenpeace asked a question regarding the applicability of the Kobe Quake to NEI ESPTF's approach and commented on the appropriateness of a fee waiver for the ESP applicants. The meeting participants discussed the applicability of the earthquake events on nuclear power plants. The applicants took an action item to examine the feasibility of conducting a demonstration project or case study on the proposed seismic evaluation approach. The staff took an action item to provide information regarding the status of the applicable Regulatory Guides and NUREG documents at the next meeting. The applicants committed to provide an onsite work schedule to the ESP project managers so that the staff can better coordinate pre-application activities.

/RA/

Ronaldo V. Jenkins, Senior Project Manager
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Project No. 689

Enclosure: As stated

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Meeting
With the Nuclear Energy Institute
May 28, 2002

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Other Interested Attendees

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Thomas P. Mundy, Exelon Nuclear
Marilyn C. Kray, Exelon
George Zinke, Entergy
Mike Bourgeois, Entergy
Joe Hegner, Dominion
John Davie, Bechtel
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