

**From:** Brian McCabe, OCM EDO  
**To:** Brian Sheron; ~Joseph Shea; Stacey Rosenberg  
**Date:** 11/16/01 7:34AM  
**Subject:** Re: Follow-up Question - CRDM

Thanks Brian. Have a nice weekend.

Brian

>>> Brian Sheron 11/15/01 07:05PM >>>

Brian, you raise a very logical question, which we have considered at great length, because the licensee has, in fact, brought this to our attention.

The obvious argument is that the bulletin implied that plants on the high susceptibility list could, in fact, theoretically run at full power from the day they received the bulletin until 11:59pm on December 31st. Hence, if DC Cook was shut down for about a month or so in August for silting problems, then running until January 19th wouldn't affect their total number of "allowed" full power days of operation had they not shut down. (Note that if DC Cook had shut down for a month or so in August of 2000, this would not be a valid argument, and they would not be trying to take credit for a month's shutdown.)

However, when we wrote the bulletin, we were not considering how many full power days of operation we could accept before they shut down. Our logic was that there were plants in the high susceptibility category that needed to shut down and inspect their heads. As you heard yesterday, we picked December 31st as a reasonable date based on consideration of uncertainties and the desirability of giving licensees a reasonable amount of time to plan for shutting down and performing the necessary inspections.

In addition, one objective of the bulletin was to collect results of inspections to support decisions on the need for additional regulatory action. As stated in the bulletin, "This information will also be used by the NRC staff to determine the need for and to guide the development of additional regulatory actions to address cracking in VHP nozzles."

As Larry Chandler and Sam also said, we could have made an argument for immediate shutdown, but we are exercising discretion in allowing them to go to December 31st, but not beyond.

All of this leads back to what Jack Strosnider was saying yesterday; and that is, do not try to link a technical basis to December 31st.

>>> Brian McCabe 11/15/01 07:03AM >>>  
Joe/Stacey

Good morning. I appreciated the staff's briefing yesterday on CRDM cracking. They've obviously worked very hard on this difficult issue, and the inspection results at some of the plants indicate that this cracking issue clearly needs to be addressed by licensees in a prompt manner.

I have been following the staff's position on this issue, but I have not been following the licensee's arguments very closely. Thus, I have two related questions that are somewhat similar to one asked yesterday by Jim Beall. My questions are:

1) The staff issued Bulletin 2001-01 on August 3, 2001. In short, the result of that bulletin, in part, was that the High Susceptibility plants either shutdown by December 31st to inspect or demonstrate to the NRC why it is ok to operate beyond December 31st. Implied in that statement is that the NRC has a safety basis to allow plants to operate approx 5 months (Aug 3 - Dec 31) at full power (high temperature). Has either DB or DC Cook made the argument that they support the NRC's safety basis allowing operation for 5 months, and that since August 3rd the plant has been shutdown for x days/weeks for maintenance... and thus, given the NRC's safety basis, their date for shutdown should be December 31st + x days/weeks?

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2) What would the staff's position be if a licensee pursued such a course?

Thanks again

Brian

**CC:** Darrell Roberts; James Beall; Michael Tschiltz; Rick Croteau; Thomas Hiltz