

From: Brian Kemker
To: Eric Duncan
Date: 7/29/03 3:00PM
Subject: Re: Status of Issue Regarding Containment Structure Conformance to Design/Licensing Basis

Eric,

During the extended shutdown period, CNP discovered that the containment structures for both units did not conform to their design and licensing requirements. CNP committed to restore conformance of the containment structures to their original design and licensing basis.

The NRC staff performed a design audit and review of the licensee's actions to restore the containment structures to their design and licensing basis and found that, with the exception of the upper reactor cavity missile shield for the CRDMs, acceptable methods were used.

For the missile shields, CNP performed a 50.59 evaluation to allow the use of actual yield strengths for the re-bar. The NRC staff in its letter indicated that it does not find this to be an acceptable method to restore conformance as the staff does not, in principle, accept the use of actual strengths in lieu of normal specified code properties.

As such, in a letter to the licensee dated March 21, 2003, the NRC directed that CNP provide a letter to the NRC detailing the corrective actions to be taken to restore the original design and licensing basis margins and requirements for the control rod drive missile shield in the accordance with the original commitment.

There is no impact on operability of Unit 1 and 2 Containment. The following is quoted from the March 21, 2003, letter: "With respect to containment operability, the Nuclear Reactor Regulation staff continues to have reasonable assurance that the Control Rod Drive Missile Shield in the Upper Reactor Cavity will perform its intended function. The operability of the Control Rod Drive Missile Shield was previously evaluated by the NRC prior to restart of D.C. Cook, Units 1 and 2, in 2000."

In reply to this letter from the NRC, the licensee by letter no. AEP:NRC:3520, dated April 24, 2003, committed to submit a license amendment request by November 14, 2003, to allow the use of missile shield reinforcing bar strength based on material test data. At this point, I believe that we are still waiting for the licensee to submit the license amendment request. We still have the LER and supplement that we're waiting to close pending acceptable resolution of this issue.

Any questions please let me know,
Brian

>>> Eric Duncan 07/29/03 02:14PM >>>
Brian,

Please provide an update re: the status of the subject issue with respect to the Control Rod Drive Missile Shield in the Upper Reactor Cavity.

I recall that we had a short discussion on this topic. What was the outcome?

Eric.

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