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May 10, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Sher Bahadur, Chairman */RA/*
Committee to Review Generic Requirements

SUBJECT: COMMITTEE TO REVIEW GENERIC REQUIREMENTS: MINUTES
OF THE MEETING NUMBER 408

The Committee to Review Generic Requirements (CRGR) Meeting Number 408 was held on April 25, 2006, at 1:00 P.M., with the attendees listed in the Attachment. The purpose of the meeting was to review the Generic Letter (GL), "Post-Fire Safe-Shutdown Circuit Analysis Spurious Actuations." The transmittal memo, GL, comment resolutions, Appendix C questions, and presentation slides are located in ADAMS (respectively, ML060800076, ML060800647, ML060800651, ML060800625, and ML061150192).

Mr. Sunil Weerakkody, Office of Nuclear Reactor Regulation (NRR), gave introductory statements and Mr. Robert Wolfgang (NRR) briefed the CRGR on the proposed GL.

The Committee provided comments and gave recommendations largely on apparent backfit implications, document consistency and clarification, which the staff agreed to incorporate in the revision of the proposed GL.

The following is the list of CRGR recommendations:

1. Revise the GL to clearly show how the phrase "one-at-a-time" is connected to the regulatory requirements since it does not appear in any of the regulations.
2. Revise the GL to clearly communicate that (a) the staff position has always been that multiple spurious actuations must be considered, and (b) the NEI/EPRI cable fire test results simply reinforced the staff position. The staff should refer to pertinent documents to support their position.
3. The GL appears to be a generic backfit, since the staff acknowledges that a number of licensees may not be in compliance. Explain why the staff is not simply backfitting the licensees.
4. Add a paragraph in the GL body that discusses the safety gain associated with its issuance.
5. Include a description of the staff's plan and the basis to address potential non-compliance at the "Byron and Braidwood" units.

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6. Edit the GL to eliminate following wording that goes beyond 10 CFR 50.54f information request:

On page 1, under PURPOSE, item (1) states "Request licensees to . . . take additional actions to return to compliance." It is not within the authority of 50.54f to request licensees to take action to return a plant to compliance.

On page 4, line 8 states that licensees "should implement compensatory actions . . ."

On page 7, the staff states in the "Requested Actions" section, "All licensees are requested to take the following action: . . . , make plans within 6 months of this letter for plant modifications . . ." An information request should not request licensees to, "make plans" for modifications.

Also, identify and modify any other text where there are indications that the GL oversteps 10 CFR 50.54f authority.

7. Avoid implication of backfitting when referencing the EPRI tests. For example, the last paragraph on page 1 states that the EPRI tests form the reason for the GL. This statement would tend to support the view that this is a backfit based on "new information." Amend this and any other similar sentences in the GL.
8. Revise parts of the proposed GL where the text is disjointed, particularly in the "Discussion" section, page 3. For example, two paragraphs in this section conclude that alternative requirements (III G. 3 and III.L) do not provide the same level of protection as III.G.2. However III.G.2 is not described until the next section, "Applicable Regulatory Requirements," page 5.
9. The staff input to Section (3)(ix)(a)(3)(B) of the Appendix C CRGR Charter questions (enclosure 2) discusses how the EPRI/NEI cable fire tests "exposed the cables to temperatures more severe than those expected at nuclear power plants for areas where the cables are installed." The paragraph goes on to state that, "The NRC considers safety margins between the test and actual conditions to be significant enough that the integrity of installed cables has a minimal chance of being challenged" and that "the NRC does not foresee a large number of high-risk-significant situations that require expedited regulation." These statements appear contradictory to the statement in the previous paragraph that the EPRI/NEI cable fire tests "showed a relatively high probability of multiple spurious actuations occurring simultaneously or in rapid succession during or after a fire." Explain this apparent contradiction and reflect it in the body of the GL.
10. Text in Bin 3, "Comments on Circuit Analysis" (enclosure 3), include comments from TVA that indicate use of the proposed GL requirements on a piloted basis did not identify any applications which were not considered "green" using the

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NRC significance determination process. Include a discussion of the pilot program, including the results and how they support the need for the GL, in the body of the GL.

The staff will incorporate CRGR recommendations and resubmit a revised GL package for CRGR review and endorsement.

Enclosure:
As stated

cc: See attached list

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NRC significance determination process. Include a discussion of the pilot program, including the results and how they support the need for the GL, in the body of the GL.

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Enclosure:
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cc: See attached list

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| OFFICE | CRGR | | CRGR | |
| NAME | L. Cupidon | | S. Bahadur | |
| DATE | 05/10/06 | | 05/10/06 | |

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MEMORANDUM DATED: 05/10/2006

SUBJECT: COMMITTEE TO REVIEW GENERIC REQUIREMENTS: MINUTES OF THE
MEETING NUMBER 408

cc w/atts: (via e-mail)

Chairman Diaz

Commissioner McGaffigan

Commissioner Merrifield

Commissioner Jaczko

Commissioner Lyons

Annette Vietti-Cook, Secretary of the Commission

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Joseph G. Gitter, NMSS

Theodore R. Quay, NRR

Christopher P. Jackson, NRR

Sunil D. Weerakkody, NRR

Robert J. Wolfgang, NRR

CRGR MEETING No. 408
LIST OF ATTENDEES
(April 25, 2005)

CRGR Members

Sher Bahadur, Chairman
Joseph G. Giitter NMSS/FCSS/SPB for Margaret V. Federline, NMSS
Thomas P. Gwynn, RIV
Bruce A. Boger, NRR/ADRO for Brian W. Sheron, NRR
R. William Borchardt, NSIR
Richard J. Barrett, RES/DRASP for James T. Wiggins, RES
Kathryn L. Winsberg, OGC

Les R. Cupidon, CRGR Staff

NRR

Theodore R. Quay, NRR/ADRA/DRA
Christopher P. Jackson, NRR/ADRA/DPR/PGC
Sunil D. Weerakkody, NRR/ADRA/DRA/AFP
Robert J. Wolfgang, NRR/ADRA/DRA/AFP
Raymond H. Gallucci, NRR/ADRA/DRA/AFP
Bob F. Radlinski, NRR/ADRA/DRA/AFP
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Geary S. Mizuno, OGC/GCLR/RFC

Enclosure