

**From:** Jonathan Rowley  
**To:** David McIntyre; Diane Screnci; Marjorie McLaughlin; Pao-Tsin Kuo; Rajender Auluck; Raymond Powell; Richard Conte; Samson Lee; Scott Burnell; Undine Shoop  
**Date:** 07/31/2007 12:00:30 PM  
**Subject:** final mini comm plan for VY extension

Attached is the mini communications plan for the extension of the VY SER and LRA review schedule.

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<b>Recipients</b>	<b>Action</b>	<b>Date &amp; Time</b>
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DPS (Diane Screnci) PM	Opened	07/31/2007 1:53:37
MMM3 (Marjorie McLaughlin) PM	Opened	07/31/2007 1:21:04

RJC (Richard Conte) Opened 07/31/2007 2:34:50  
 PM  
 RJP (Raymond Powell) Opened 07/31/2007 1:11:06  
 PM

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Mini Comm Plan for VY SER delay.wpd	41363	07/31/2007 11:59:44
AM		

**Options**

**Auto Delete:** No  
**Expiration Date:** None  
**Notify Recipients:** Yes  
**Priority:** Standard  
**ReplyRequested:** No  
**Return Notification:**  
 Send Notification when Opened

**Concealed Subject:** No  
**Security:** Standard

**To Be Delivered:** Immediate  
**Status Tracking:** Delivered & Opened

## **Mini Communications Plan for the Extension of Vermont Yankee Safety Evaluation Report (SER)**

### DESCRIPTION OF MILESTONE:

The NRC will issue a docketed letter to Entergy stating that the issuance of the final SER for the Vermont Yankee LRA, thus the remainder of the review schedule, will be extended. Target date for issuance of this letter is July 31, 2007.

By letter dated January 25, 2006, the NRC received Entergy's application for license renewal of Vermont Yankee Nuclear Power Station. By letter dated July 30, 2007, Entergy submitted information to the DLR staff to resolve issues identified in the SER with Confirmatory Items and issues raised during the license renewal inspection. A large quantity of the information in the letter will require a more detailed review than can be accomplished in two days and incorporated into the SER by August 1, 2007, the original due date. Thus the staff informed the applicant that the review schedule for the review of the application will be extended.

### KEY MESSAGES ASSOCIATED WITH MILESTONE:

- 1) Original schedule indicated August 1, 2007 as the issuance date for final SER for VY LRA. Schedule will be revised.
- 2) The staff required additional information from the applicant to resolve four confirmatory items related to the scoping of various components for license renewal. The confirmatory items were identified in the SER dated March 2007. The license renewal inspections related to these items were performed in January and February 2007. The staff has been in constant dialog with the applicant to seek information to resolve these items.
- 3) New and significant information was submitted by the applicant on July 30, 2007. The staff can not evaluate this information, garner a position, modify safety evaluation inputs, and incorporate those inputs into the final SER by August 1, 2007.
- 4) Some of the information in the July 30 letter is inconsistent with docketed information from the applicant in previous letters. The information does not incorporate certain commitments made as a result of the staff's audit and review activities. One example is that previously the applicant stated that the aging management program for all bolting was the Bolting Integrity Program. The new information in the July 30 letter states that aging management of some bolting will be accomplished by the System Walkdown Program or no program at all.
- 5) The letter informs that applicant that any inconsistencies have to be fixed and bases for additions or deletions of systems and components in the LRA Tables be provided. The remaining LRA review schedule will be extended a minimum of two months from the date the applicant formally submits a letter addressing these changes. Therefore, the overall schedule of 30 months (with hearing) will be extended by 2 months plus the time required for the applicant to revise the information in the July 30, 2007 letter and submit it to the NRC for review.

6) Summary of Issues

**CI 2.3.3.2a-1**

License renewal drawing LRA-G-191159-SH-01-0, at location H-11, depicts pipe section 2"-SW-566C as within the scope of license renewal. The license renewal boundary flag for 2"-SW-566C is located on an unisolable section of pipe. The actual location of the license renewal scope boundary for this pipe section is not clear. The staff requested that the NRC Regional Inspection Team perform an inspection to ensure that the license renewal scope boundaries for these components meet the requirements of 10 CFR 54.4(a)(2).

**CI 2.3.3.2a-2**

LRA Section 2.1.2.1.2 states in part that nonsafety-related piping systems connected to safety-related systems were included up to the structural boundary or to a point that includes an adequate portion of the nonsafety-related piping run to conservatively include the first seismic or equivalent anchor. In addition, if isometric drawings were not readily available to identify the structural boundary, connected lines were included to a point beyond the safety/nonsafety interface, like a base-mounted component, flexible connection, or the end of a piping run (*i.e.*, a drain line).

It is not clear whether the nonsafety-related piping systems were included up to the structural boundary or to a point that includes an adequate portion of the nonsafety-related piping run to include the first seismic or equivalent anchor. The staff requested that the NRC Regional Inspection Team perform an inspection to ensure that the license renewal scope boundaries for these components satisfy the requirements of 10 CFR 54.4(a)(2).

**CI 2.3.3.13e-1**

The LRA states that the circulating water system is within the scope of license renewal based on the potential for physical interaction with safety-related components as required by 10 CFR 54.4(a)(2) and described in LRA Table 2.3.3.13-A. The applicant did not provide drawings highlighting in-scope components required by 10 CFR 54.4(a)(2), stating that the drawings would not provide significant additional information because they do not indicate proximity of components to safety-related equipment and do not identify structural/seismic boundaries. Without license renewal drawings and/or detailed description of the circulating water system, the omission of components subject to an AMR cannot be determined (see LRA Table 2.3.3-13-9). The staff requested that the NRC Regional Inspection Team perform an inspection to ensure that the license renewal scope boundaries for these components satisfy the requirements of 10 CFR 54.4(a)(2) and all the components subject to an AMR are included in LRA Table 2.3.3-13-9.

**CI 2.3.3.13m-1**

The LRA states that the reactor water clean up system is within the scope of license renewal in accordance with 10 CFR 54.4(a)(2) because of the potential for physical interaction with safety-related components as described in LRA Table 2.3.3.13-A. The

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determination of whether a component meets the requirements of 10 CFR 54.4(a)(2) for physical interactions is based on where it is located in a building and its proximity to safety-related equipment or where a structural/seismic boundary exists. This information is not provided on license renewal drawings nor was a detailed description provided in the LRA. Consequently, any omission of the reactor water clean up components subject to an AMR cannot be determined. The staff requested that the NRC Regional Inspection Team perform an inspection to ensure that the license renewal scope boundaries for these components satisfy the requirements of 10 CFR 54.4(a)(2) and all the components subject to an AMR are included in LRA Table 2.3.3-13-36.

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NOTIFICATION SEQUENCE:

<b>Action</b>	<b>Responsible Organization</b>	<b>Time</b>
Early notification to licensee/applicant via conference call	DLR	t = 0
Notify OEDO, OPA, OCA, OGC, RGN I of	DLR	t = 0
Send Letter	DLR	t = 0
Notify licensee/applicant	DLR	t = 0
Confirm with RGN I, OCA, OPA, OGC, OEDO of sent status	DLR	t = 0
Notify governmental stakeholders	RGN I, SLO, OCA	t = 0
Notify other NGOs	RGN I (Comm Asst.)	t = 0
Issue Press Release	OPA	t + 1 hour
Provide EDO Daily Note	DLR	t + 1 day
Update Website	DLR	t + 1 day

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Q&AS ANTICIPATED FOR THIS MILESTONE:

1. Is this the first time the NRC has deviated from its normal license renewal review timeframe of 22 months if there is no hearing or 30 months if there is a hearing? And having done so in this case, will the NRC be willing to alter the review period with future applications?

Ans: The 22-month time frame is a performance measure for timely review of an application (noted as a comment in SRM-02-0036 for the FY2004-2005 budget) and is the number reported to congress. The staff has deviated from the 22-month schedule with the Susquehanna LR review due to the applicant's pending application for an extended power uprate. The staff also extended the review schedule for Nine Mile Point because of application quality issues. The NRC staff expects that any deviation will be treated on a case-by-case basis depending on the circumstance and possible discussions with the applicant.

2. Has the NRC staff ever rejected an application and if not, why isn't license renewal just a rubber stamp.

Ans: The NRC has published clear guidelines and requirements for any applicant that wishes to submit an application for license renewal. If during the acceptance review, the staff determines that an LRA does not include the information required by governing regulations in Parts and 51 and 54, the NRC notifies the applicant of the acceptance issue; the applicant then typically has an opportunity to either supplement or amend its application with the required information, or withdraw the application.

During the history of the license renewal program, there was one instance where the NRC returned an application due to the lack of quality and quantity of information for the staff to begin a formal review. In another instance, the NRC staff suspended the license renewal process, with the applicant's acknowledgment, until supplemental information was provided.

3. What does it take for NRC staff to reject an application?

Ans: The NRC has published clear guidelines and requirements for any applicant that wishes to submit an application for license renewal. If during the acceptance review, the staff determines that an LRA does not include the information required by governing regulations in Parts and 51 and 54, the NRC notifies the applicant of the acceptance issue; the applicant then typically has an opportunity to either supplement or amend its application with the required information, or withdraw the application. In the case where an application is overwhelmingly lacking in the required information to begin a formal review, the NRC could return an application.

4. Where are the regulations for license renewal found?

Ans: The regulations for license renewal are initially published in the Federal Register and then included in the Code of Federal Regulations (CFR). The CFR is a codification of

the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government. It is divided into 50 "titles", which represent broad areas subject to Federal regulation. Each title is divided into chapters, which usually bear the name of the issuing agency. The NRC's regulations are found in Title 10 (10 CFR). Each chapter is further subdivided into "Parts" covering specific regulatory areas.

The regulations related to the renewal of licenses are found in 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," and in 10 CFR Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants."

5. How does the NRC conduct its review of a license renewal application?

Ans: For each application, the license renewal process includes two reviews: an environmental review and a safety review. The NRC regulations covering these reviews are found in 10 CFR Part 51 and 10 CFR Part 54 for the environmental and safety reviews, respectively. When an applicant submits a license renewal application to the NRC, the application must contain technical information and evaluations of the environmental and safety issues discussed in the NRC's guidance documents. The NRC reviews the information submitted in the application and requests additional information from the applicant as needed. The NRC teams (comprising NRC staff and contractor personnel) visit the site to conduct audits of environmental and safety records, to conduct interviews with offsite and licensee representatives, to observe operating practices, and to develop an independent assessment. The environmental review also includes an opportunity for input from the public. Given this information, the NRC staff determines whether there is reasonable assurance that the plant can be operated during the period of extended operation without undue risk to the health and safety of the public and to the environment.

6. What defines NRC's review of a license renewal application?

Ans: The NRC's review is based on the regulations published in the Code of Federal Regulations (10 CFR Parts 51 and 54); however, the NRC provides guidance for the information needed in the applications and for the methods used to conduct the review in sets of NRC documents for safety and environmental issues:

#### Safety Review

- Code of Federal Regulations – The scope of the safety review is based on the regulations provided in 10 CFR Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants."
- Standard Format and Content for Applications to Renew Nuclear Power Plant Operating Licenses (Regulatory Guide 1.188) – This document outlines the format and content to be used by the applicant to discuss the safety-related aspects of its license renewal application. It defines the information the licensee must include in the application, which the NRC staff then reviews.
- Standard Review Plan for Review of License Renewal Applications for Nuclear Power Plants (NUREG-1800) – This is the outline for the NRC's review of the safety-related issues. The safety review results in a safety evaluation report that is made available for

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public review.

- Inspection manual chapters (MCs), inspection procedures (IPs) and temporary instructions (TIs) – MCs, IPs and TIs were written for the NRC staff; they guide the staff in conducting inspections to ensure that licensees meet the NRC's regulatory requirements. For example, the IP, License Renewal Inspections, 71002, provides the procedures for inspecting and verifying the documentation, implementation, and effectiveness of the programs and activities associated with an applicant's license renewal program. Policy and Guidance for License Renewal Inspection Programs, MC-2516, provides guidance to NRC staff for review and inspection activities.
- Generic Aging Lessons Learned (GALL) Report – represents an evaluation that documents which generic existing programs should be augmented for license renewal and which generic programs adequately manage aging effects without change.

#### Environmental Review

- Code of Federal Regulations – The scope of the environmental review is based on the regulations provided in 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."
- Preparation of Supplemental Environmental Reports for Applications to Renew Nuclear Power Plant Operating Licenses (Supplement 1 to Regulatory Guide 4.2) – This document outlines the format and content to be used by the applicant to discuss the environmental aspects of its license renewal application. It defines the information the applicant must put in the application, which the NRC staff then reviews.
- Standard Review Plan for Environmental Reviews for Nuclear Power Plants – Supplement 1: Operating License Renewal (NUREG-1555, Supplement 1) – This is the outline for the NRC's review of the environmental issues. The review results in a site-specific supplement to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants, NUREG-1437 (GEIS).

#### POINTS OF CONTACT:

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