March 3, 2008

MEMORANDUM TO: Thomas G. Hiltz, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: Jack N. Donohew, Senior Project Manager /RA/
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THIRD CONFERENCE CALL HELD ON FEBRUARY 7, 2008, WITH PWR LICENSEES ON STATUS OF NRC REVIEW OF LICENSE AMENDMENT REQUESTS FOR STEAM GENERATOR TUBE INSPECTIONS (TAC NO. MD7762)

A conference call was held on Thursday, February 7, 2008, between the staff of the Office of Nuclear Reactor Regulation (NRR), Nuclear Regulatory Commission (NRC), and the Nuclear Energy Institute (NEI). The call was held at the request of NEI to (1) have NEI provide the status of the soon-to-be-submitted temporary one-operating-cycle (1-cycle) license amendment requests (LAR) from the licensees for Byron Station, Units 1 and 2, and Braidwood Station, Units 1 and 2 (Byron/Braidwood), Vogtle Electric Generating Plant, Units 1 & 2 (Vogtle), and Wolf Creek Generating Station (WCGS), and (2) have NRC provide the status of its reviews for the steam generator (SG) tube inspection LARs, based on the Westinghouse H*/B* methodology (i.e., the H*/B* LARs), which have been submitted by these licensees and are requests for permanent amendments. Enclosed is a list of the individuals participating in the conference call.

The following licensees for Byron/Braidwood, Vogtle, and WCGS participated in the call: Exelon Generation Company, LLC, for Byron/Braidwood; Southern Nuclear Operating Company, Inc, for Vogtle; and Wolf Creek Nuclear Operating Corporation for WCGS. It is these three licensees that will be submitting the temporary 1-cycle LARs for their spring outages and have submitted H*/B* LARs to the NRC.

The above temporary and permanent LARs are to revise Technical Specification (TS) 5.5.9, "Steam Generator (SG) Tube Surveillance Program," and TS 5.6.10, "Steam Generator Tube Inspection Report," in the plant TSs. The temporary 1-cycle LARs are to define an interim alternate repair criteria (ARC) in TS 5.5.9 for flaws detected in SG tubes in the region of 17 to 21 inches from the top of the tubesheet (TTS) in the upcoming spring 2008 refueling outages and the permanent LARs are to exclude portions of the SG tube below the TTS in the SGs from periodic tube inspections. In addition, the LARs would add three new reporting requirements to TS 5.6.10.

The NRC staff has been reviewing the H*/B* LAR for WCGS that was submitted by letter dated February 21, 2006 (ET 06-0004) (Agencywide Documents Access and Management System

(ADAMS) Accession No. ML060600456). Since this application, the NRC has also received H*/B* LARs for Byron/Braidwood and Vogtle in letters dated November 29 and November 30, 2007 (ADAMS Accession Nos. ML073450569 and ML073380100), respectively.

For the first part of the conference call, NEI provided the current schedules for the submittals of the new 1-cycle LARs for the 2008 spring outages for Byron/Braidwood, Vogtle and WCGS. The schedules given were as early as Friday, February 8, 2008, or early the next week for WCGS; early the week of February 11 to 15, 2008, for Vogtle; and by February 15, 2008, for Byron/Braidwood. The NRC staff requested the dates when each licensee would be requesting approval of the LARs and the relationship of that date to the spring 2008 refueling outages. The licensees stated that it was March 21, 2008, for WCGS at the start of the refueling outage; March 15, 2008, also at the start of the refueling outage for Vogtle; and April 21, 2008, within the outage prior to the restart from the outage for Byron/Braidwood.

Before the NRC staff provided the current status of its reviews for the three LARs that have been submitted by the licensees for Byron/Braidwood, Vogtle, and WCGS, the staff requested if these licensees wanted to discuss their new 1-cycle LARs with the NRC staff before they are submitted. The licensee for WCGS stated that it did not believe such a discussion was necessary since there had been calls on January 3 and 16, 2008, to discuss what information was needed to be submitted in these LARs. It was noted that the licensees should submit their new LARs as soon as possible to allow the LARs to be noticed in the *Federal Register* and the 30-day public comment period per 10 CFR 50.91 to begin as soon as possible such that the LARs may be approved, with the 30-day public comment period completed, at the dates requested by the licensees.

To begin the second part of the conference call, on the status of NRC reviews of the permanent LARs submitted by the three licensees, the licensee for WCGS stated that it had a previous call with the Associate Director for Engineering and Safety Systems (ADES), NRR, on the concerns that the NRC staff had on its permanent LAR submitted February 21, 2006, and that the NRC staff was considering denying the LAR. Following that call, the licensee met with ADES/NRR on a drop-in visit on Wednesday, January 30, 2008, and the licensee further stated that it was told in that visit that NRR would deny the H*/B* unless the licensee withdrew the LAR. The licensee explained that it replied in that visit that it would consider withdrawing the LAR and this conference call is in part to respond to the staff that a final decision about withdrawal of the LAR has not been made. The licensee for WCGS stated that it wanted to work with the staff, but it wants to know the specific NRC problems with the LAR. The licensee stated that at this time it does not understand what are the specific problems with the WCGS LAR and it sees that the safety evaluation for denying the LAR would provide that understanding.

NEI stated that the industry expert panel, as discussed in the NEI letter to NRC dated January 25, 2008, is meeting on February 22, 2008, and the NRC staff has been invited to participate in the meeting. The expert panel has been set up to resolve the issues concerning the three permanent H*/B* LARs that have been submitted to NRC.

In presenting the current status of the three permanent LARs being reviewed by NRC, the NRC staff stated that the priority would be on completing and issuing the denial of the WCGS LAR and the review of the new LARs for the 2008 spring outages. The statement made by the ADES/NRR to the licensee for WCGS is correct that the WCGS LAR will be denied if it is not

withdrawn. NRR has the goal to complete the review of all LARs within 2 years of the submittal date and, for the WCGS LAR submitted February 21, 2006, the 2-year goal expires on March 1, 2008. If the WCGS LAR is not withdrawn, the letter denying the LAR would be issued by March 1, 2008. The 2-year goal is not forcing the staff to deny the LAR, but it is resulting in the NRC staff reassessing the current status of its review of the WCGS LAR and deciding if the review should continue. NRR stated that it is true that denial of the WCGS LAR would take NRR resources that could be used to review the new 1-cycle LARs; however, the impact of the review of these LARs is not known at this time. These LARs have not been submitted. Also, since the permanent LARs from Byron/Braidwood and Vogtle use the same H*/B* methodology that is in the WCGS LAR, then NRC would have the basis for denying or not accepting these other two LARs. If the licensee for WCGS would withdraw the LAR, the NRC staff stated that it would document its technical issues with the LAR in a letter replying to the withdrawal.

The NRC staff had no statement regarding the staff's interactions with the NEI expert panel described in the NEI letter dated January 25, 2008. One concern cited by the NRC staff was the inability to provide resources to interact with the panel if there are no topical reports or LARs being reviewed by the staff. The NRC staff stated that it would address such interactions in future discussions with NEI.

At the end of the discussion with NEI and the participating licensees, the conference call was ended.

Enclosure: List of Attendees

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ADAMS Accession No.: ML080450323 NRC-001

OFFICE	NRR/LPL4/PM	NRR/LPL4/LA	NRR/CSGB/BC	NRR/LPL4/BC
NAME	JDonohew	JBurkhardt	AHiser	THiltz
DATE	3/3/08	2/21/08	3/03/08	3/3/08

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LIST OF ATTENDEES PARTICIPATING IN CONFERENCE CALL OF FEBRUARY 7, 2008,

WITH NUCLEAR ENERGY INSTITUTE

	NAME	AFFILIATION
NRC:	J. Donohew	NRC/NRR/DORL
	J. Lubinski	NRC/NRR/DORL
	S. Lingam	NRC/NRR/DORL
	W. Bateman	NRC/NRR/DCI
	A. Hiser	NRC/NRR/DCI
	E. Murphy	NRC/NRR/DCI
NEI:	M. Melton	NEI
Licensees:	T. Garrett	WCNOC
	S. Wideman	WCNOC
	G. Boyers	FPL
	J. Smith	Exelon
	M. Sears	Exelon
	S. Leshnoff	Exelon
	R. Hall	Exelon
	R. Gesior	Exelon
	P. Simpson	Exelon
	D. Czufin	Exelon
	J. Aufdenkampe	Southern Nuclear
	R. Mullins	Southern Nuclear
	W. Moore	Southern Nuclear

Where:

DCI	=	Division of Component Integrity
DORL	=	Division of Operating Reactor Licensing
NEI	=	Nuclear Energy Institute
NRC	=	Nuclear Regulatory Commission
NRR	=	Office of Nuclear Reactor Regulation
WCNOC	=	Wolf Creek Nuclear Operating Corporation

ENCLOSURE