

From: Jerry [sims_jerryg@bellsouth.net]
Sent: Monday, May 12, 2008 5:46 PM
To: Rulemaking Comments
Subject: Comments in Proposed 50.54(hh)

May 13, 2008 (9:00am)
 OFFICE OF SECRETARY
 RULEMAKINGS AND
 ADJUDICATIONS STAFF

Below are my comments on the proposed rule.

On the top of page FR 19447 in the third column the SOC states "...could be any number of design basis or beyond design basis threat events." Since the aircraft impact is a beyond design basis event and the effects from that event are addressed under the aircraft impact rule then the design enhancements to address that event are just "safety enhancements." That is how the SOC characterizes the mitigation of the aircraft impact effects and that they are not needed for "adequate protection." So the effects from the events covered by 50.54(hh)(2) would be events within the design basis threat and would be effects from a large area fire that effects a substantial portion of the plant. Since there is no accelerate feeding this postulated fire and there are limited combustibles in a nuclear power plant it is very difficult to conceive of a fire of this nature that could pose a threat to cooling capabilities. The rule needs to bound the area be considered to either one Appendix R fire area or one Appendix R area and the adjacent areas on the same elevation. This is also true of large explosions created by the DBT. These explosions would be limited in the amount of damage inflicted to the plant because of the limited amount of explosives and would not involve substantial portions of the facility. This rule needs to be focused on security beyond design basis events and should require generic mitigative capabilities that can bound several events. It does not need to cover design basis events within the scope of the Design Basis Threat. Protective strategies developed under 73.55 are in place to protect cooling functions from the threats within the DBT.

The NOPR for 50.54 (hh) requested specific comments in two areas.

1. The NRC requested comments on whether there should be additional language added to the proposed 50.54(hh) requirements that would limit the scope of the regulation (i.e., language that would constrain the requirements to a subset of beyond design basis events such as beyond design basis security events).

Since (hh)(1) is focused on the potential aircraft impact threat it is already limited in scope to this beyond design basis security event. In paragraph (hh)(2) there is no limit and it currently is unbounded such that the definition of large areas of the plant due to explosions or fire could be expanded to many beyond design basis events. By limiting the rule requirement to have strategies that address a generic set of beyond design basis security events then the strategies can be developed and proceduralized to focus on the restoration capabilities needed for mitigating the effects from these events. These same restoration capabilities could then be utilized for many other events that were not in the generic set since they would be based on restoration of the stated cooling capabilities in the rule.

2. The NRC is considering, however, whether it is also necessary or appropriate to also require inclusion of the 50.54(hh)-related activities within the NRC staff's review of a combined operating license application. They requested specific comments on what would be the most effective and efficient process to review the applicants' and licensees' procedures, guidance and strategies developed and maintained in accordance with (hh)(1) and (hh)(2).

The procedures developed for (hh)(1) will be operations procedures. These procedures will be developed late in the construction of the plant and along with other operations procedures should be available for review prior to fuel load. The actions contained within these procedures will not be needed until fuel load when an aircraft threat would be present so the most appropriate and efficient process for the NRC is to review these procedures as part of the review of operations procedures.

The process for (hh)(2) will involve Emergency Operating Procedures, Severe Accident Mitigation Guidelines, Extreme Damage Mitigation Guidelines, or other similar guidelines. The strategies that will be developed for addressing (hh)(2) will not be available until all these procedures and guidelines have been developed. These should be available for NRC review just prior to fuel load and the most appropriate and efficient process for the NRC is to review these procedures and guidelines as part of the review of operations procedures and beyond design basis guidelines. The staff should not review these documents as part of a combined operating license

application but the review should be incorporated into the onsite procedural and guideline reviews prior to fuel load. These types of mitigation strategies need to be developed after the operational procedures and severe accident mitigation guidelines because they will take credit for some of that guidance.

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