

June 23, 2008

MEMORANDUM TO: Frank P. Gillespie, Executive Director
Advisory Committee on Reactor Safeguards
Advisory Committee on Nuclear Waste & Materials

FROM: R. W. Borchardt */RA Bruce S. Mallett for/*
Executive Director for Operations

SUBJECT: ADVISORY COMMITTEE ON REACTOR SAFEGUARDS (ACRS)
REVIEW OF POWER UPRATES

I am responding to your memorandum dated April 23, 2008, in which you provided the criterion requesting that ACRS have the opportunity to review any power uprate amendment, regardless of the level of the individual amendment, resulting in a cumulative power increase of greater than 7 percent of original licensed thermal power (OLTP).

Previously, ACRS had been notified of all power uprate requests above 5 percent. The 5 percent criterion did not specify if it was based upon OLTP or current licensed thermal power (CLTP) and was silent regarding the cumulative power increase resulting from multiple power uprates. Historically, the staff implemented the 5 percent criterion as measured from CLTP. The staff believes its implementation was consistent with the intent of the 5 percent criterion.

The staff will revise the ACRS notification guidance for power uprates to employ the notification criterion in the April 23, 2008 memorandum. The staff will notify ACRS of uprates where the cumulative power increase is greater than 7 percent from OLTP. However, regarding measurement uncertainty recapture (MUR) power uprates, the staff believes that regardless of the cumulative power increase, these uprates should continue to be excluded from ACRS review because they do not "involve important changes to the plant or potentially higher impacts...." The MUR uprates are less than 2 percent from CLTP and the emergency core cooling system (ECCS) analyses supporting these uprates are generally the same ECCS analyses that were performed by licensees (and reviewed and approved by NRC) at the pre-MUR power level.

cc: Chairman Klein
Commissioner Jaczko
Commissioner Lyons
Commissioner Svinicki
SECY

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