PMNorthAnna3COLPEmails Resource

From: Thomas Kevern
Sent: Friday, July 18, 2008 2:49 PM
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Cc: Regina.Borsh@dom.com; john.hayden@dom.com; Wanda.K.Marshall@dom.com; NorthAnna3COL Resource
Subject: North Anna RAI Letter #018
Attachments: RAI Ltr#018ML0820005930.pdf

Gina:

Attached is the subject RAI letter - includes questions re SRP Sections 13.03 and 14.03.10.
Please contact me if questions.

Tom

Hearing Identifier: NorthAnna3_Public_EX
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July 18, 2008

Mr. Eugene S. Grecheck
Vice President - Nuclear Development
Dominion
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 018 (SRP SECTIONS: 13.03 and 14.03.10) RELATED TO THE NORTH ANNA UNIT 3 COMBINED LICENSE APPLICATION

Dear Mr. Grecheck:

By letter dated November 26, 2007, Dominion Virginia Power (Dominion) submitted a combined license application for North Anna Unit 3 pursuant to 10 CFR Part 52. The U. S. Nuclear Regulatory Commission (NRC) staff is performing a detailed review of this application.

The staff has identified that additional information is needed to continue portions of the review and the request for additional information (RAI) is contained in the enclosure to this letter. To support the review schedule, Dominion is requested to respond within 45 days of the date of this letter. If the RAI response involves changes to application documentation, Dominion is requested to include the associated revised documentation with the response.

Should you have questions, please contact me at (301) 415-0224 or Thomas.Kevern@nrc.gov.

Sincerely,

/RA/

Thomas A. Kevern, Senior Project Manager
ESBWR/ABWR Projects Branch 1
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-017

Enclosure:
Request for Additional Information

July 18, 2008

Mr. Eugene S. Grecheck
Vice President - Nuclear Development
Dominion
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

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Should you have questions, please contact me at (301) 415-0224 or Thomas.Kevern@nrc.gov.

Sincerely,
/RA/
Thomas A. Kevern, Senior Project Manager
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Docket No. 52-017

Enclosure:
Request for Additional Information

Distribution:

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NAME	ERobinson*	KWilliams*	RFoster*	TKevern *
DATE	06/11/2008	06/27/2008	07/10/2008	07/18/2008

***Approval captured electronically in the electronic RAI system**.

OFFICIAL RECORD COPY

Request for Additional Information
North Anna, Unit 3
Dominion
Docket Number 52-017
SRP Sections: 13.03 - Emergency Planning; 14.03.10 - Emergency Planning - Inspections, Tests, Analyses, and Acceptance Criteria
Application: Part 5, Emergency Plan; Part 10, ITAAC

QUESTIONS

13.03-2 (series of 16 questions)

13.03-2.1

[Basis: 10 CFR 52.79(a)(21), 10 CFR 52.79(b)(1), 10 CFR 50.47, Appendix E to 10 CFR Part 50]
Part 2, FSAR; Part 5, Emergency Plan – FSAR (Part 2) Section 13.3.5, "ESP Information," of the COL application states that "SSAR Section 13.3 is incorporated by reference for historical purposes." Explain what "for historical purposes" means, in regard to incorporation by reference of ESP application SSAR (Part 2) Section 13.3.

13.03-2.2

[Basis: 10 CFR 52.79(a)(21), 10 CFR 52.79(b)(1), 10 CFR 50.47, Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – Emergency Plan (Part 5) Section II, "EMERGENCY PLAN," states within each planning standard subsections (except for B, M, and N) that a referenced section "of the North Anna Power Station (NAPS) ESP is incorporated into this plan by reference." The references to the various sections of the "NAPS ESP" are actually references to the various corresponding subsections of ESP application SSAR (Part 2), Section 13.3, "Emergency Planning." (See 10 CFR 52.79(b)(1), which addresses incorporating by reference the early site permit site safety analysis report (ESP SSAR) into the COL application final safety analysis report (FSAR).)

NRC issued early site permit ESP-003 for the North Anna ESP site on November 27, 2007. Emergency planning is only addressed in ESP-003 Section 1.E, which states in part that "[m]ajor features A, B, C, D, E, F, G, I, J, K, L, O, and P of the emergency plan are acceptable to the extent specified in NUREG-1835, "Safety Evaluation Report for an Early Site Permit (ESP) at the North Anna ESP Site," issued September 2005." The referenced major features of the emergency plan were proposed by the ESP applicant in ESP application SSAR (Part 2), Section 13.3, and the staff reviewed and evaluated it against the major features in NUREG-1835.

Please confirm that the "incorporated into this plan by reference" statements in the COL application planning standard subsections should be references to the corresponding SSAR (Part 2) subsections of the ESP application (Revision 9, September 2006), Section 13.3.

13.03-2.3

[Basis: 10 CFR 52.79(a)(21), 10 CFR 52.79(b)(1), 10 CFR 50.47(b)(1), Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – 10 CFR 52.79(b)(1) requires in part that when a COL application references an ESP, the COL final safety analysis report (FSAR) must either include or incorporate by reference the ESP SSAR. In Section II.A.1.a, "Participating Organizations," of the North Anna Unit 3 Emergency Plan, the applicant stated that a description of participating organizations provided in Section 13.3.2.2.2.a of the NAPS ESP [i.e., SSAR] is incorporated into the [Unit 3] plan by reference.

ESP SSAR Section 13.3.4, "Conformance with NUREG-0652, [sic] Supplement 2," states that for Section V.A.1 (of Supplement 2 to NUREG-0654), "[p]rivate sector response from the Architect/Engineering and the nuclear steam supplier are not addressed as these organizations have not yet been identified." In addition, ESP SSAR Section 13.3.2.2.2.a.4, "Private Sector Response Organizations," states that support would be obtained from the cognizant Architect/Engineer, the Nuclear Steam Supply System vendor, and other consultants and vendors, as appropriate, to respond during the emergency and recovery operations; and that Dominion would identify these consultants and vendors, as necessary, when their relationship is referenced in a COL application.

Consistent with ESP SSAR Section 13.3.2.2.2.a.4, please address the identification of any consultants and vendors that would respond during the emergency and recovery operations.

13.03-2.4

[Basis: 10 CFR 52.79(a)(22)(i), 10 CFR 50.47(b)(1), Section IV.A of Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – Section II.A.3, "Written Agreements," of the COL application Part 5 emergency plan states that Appendix 7 of the plan provides copies of 17 certification letters established between Dominion and various agencies and organizations committed to supporting further development implementation of the plan. Each of the certification letters in Appendix 7 contains the following statement:

It is my understanding that the specific nature of arrangements in support of emergency preparedness for operation of the proposed new nuclear unit will be clearly established in a properly executed and binding letter of agreement that will be included in the North Anna Unit 3 Combined License Application Emergency Plan if and when Dominion Energy proceeds with construction and operation of this nuclear facility.

Please explain what these future letters of agreement will address, including how they will differ from the letters of agreement submitted in the ESP application (incorporated by reference in Section II.A.1.a of the COL application Part 5, page II-1), as supplemented by the certification letters in Appendix 7 of the COL application. In addition, explain what is meant by the statement that these future letters of agreement will be included in the North Anna Unit 3 COL application; in that the COL application has already been submitted without "properly executed and binding letters of agreement," that clearly establish the specific nature of arrangements. (See also, NUREG-0800 (SRP) Section 13.3; NUREG-0654/FEMA-REP-1, evaluation criterion II.A.3.)

13.03-2.5

[Basis: 10 CFR 52.79(a)(21), 10 CFR 52.79(b)(1), 10 CFR 50.47, Appendix E of 10 CFR Part 50]
Part 2, FSAR – ESP SSAR Section 13.3.2, "Major Features Emergency Plan," states that the Major Features Emergency Plan takes advantage of the emergency planning resources, capabilities, and organization that Virginia Power has already established and currently maintains at the NAPS site; and that if Dominion were to proceed with the development of new units at the ESP site, it would enter into an arrangement with Virginia Power to coordinate and implement an integrated emergency plan – in effect extending the existing emergency planning and preparedness to the new unit.

In addition, the staff asked the ESP applicant in RAI 13.3.3 to confirm that they wished to incorporate applicable sections of the existing North Anna Emergency Plan into the ESP application – to the extent that it supports the emergency planning (major features) description in the ESP application. (See NRC RAI letter number 2, dated March 25, 2004, ADAMS No. ML040480124.) In its response dated June 11, 2004, the ESP applicant stated that "Dominion confirms that applicable sections of the existing North Anna Emergency Plan (NAEP) are incorporated into the ESP application to the extent that the NAEP supports the emergency planning descriptions in the ESP application."

What seems to be contrary to the above, COLA FSAR (Part 2, Page 1-134) Table 1.9-203, "Conformance With the FSAR Content Guidance In RG 1.206," states in listed Sections C.III.1, 13.3.2 (1) and (2), that "[t]he Unit 3 EP is a stand-alone plan and does not rely upon the EP for Units 1 and 2." (This appears to address the first two bullets in Section C.I.13.3.2, "Emergency Plan Considerations for Multiunit Sites," of RG 1.206 (Page C.III.1-159).)

In addition, COLA FSAR (Part 2) Section 13, "Conduct of Operations," states in part under subsection 13.1.1, "Management and Technical Support Organization," that "[c]orporate offices provide support for the nuclear stations. This support includes . . . functional level management in areas such as . . . emergency planning." This statement implies that the existing corporate support for Units 1 and 2 is relied upon for Unit 3, and as such, also appears to be contrary to the citation above that the Unit 3 emergency plan is a stand-alone plan and does not rely upon the emergency plan for Units 1 and 2.

Please resolve the apparent contradictions, and describe the applicability of the existing Units 1 and 2 emergency plan (including corporate support) to Unit 3 and the COL application.

13.03-2.6

[Basis: 10 CFR 52.79(a)(21), 10 CFR 52.79(b)(3), 10 CFR 50.47(b)(3), Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – SSAR Section 13.3.2.2.2.c.1, "Federal Assistance," discusses (on Page 2-13-12) the Department of Homeland Security's (DHS's) assigned task – under Homeland Security Presidential Directive (HSPD) 5 – to develop a National Response Plan (NRP) [now the National Response Framework, NRF] and National Incident Management System [NIMS], and states that "Dominion would incorporate these initiatives, as appropriate, in a COL application." Please describe what initiatives have been incorporated in the COL application.

13.03-2.7

[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(3), Appendix E to 10 CFR Part 50] Part 5, Emergency Plan – ESP SSAR Section 13.3.2.2.2.c.1, "Federal Assistance," states (on Page 2-13-14) that "[a] FRMAC advance party can be expected at the site within 6 to 14 hours following the order to deploy, depending on the availability of airports near the ESP site." The comparable statement in COL Plan Section II.C.1, "Federal Response Capability," states that "Dominion estimates that a FRMAC Advance Party could be expected at the site within 6 to 14 hours following the order to deploy, based on the availability of airports near the site."

Describe the basis for the 6 to 14 hour arrival time for a FRMAC advance party, and contacts made with Federal agencies including the nature of any agreements or understandings with those agencies. In addition, explain what is meant by the statement that the FRMAC advance party arrival time will depend on, or be based on, the availability of airports near the site. For example, describe contacts made with those airports and the nature of discussions. What is the specific availability for the airports near the site? If all airports near the site are unavailable, what is the expected time of arrival for a FRMAC advance party?

Finally, explain the basis for the statement in COL Plan Section II.C.1.b that "Dominion expects that NRC assistance from NRC's offices in Atlanta, Georgia, will arrive in the site vicinity within 7-8 hours following notification."

13.03-2.8

[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(7), Appendix E to 10 CFR Part 50] Part 5, Emergency Plan – Section II.G, "Public Education and Information," identifies the *Chief Technical Spokesperson* in subsection II.G.3, and the *Company spokesperson* in subsection II.G.4. Clarify whether these two titles refer to the same person. If not, describe the distinction between the two, and the location of the Company spokesperson (e.g., EOF?). In addition, provide an organization chart, which depicts the corporate and site public education and information structure – including interface links to the State and local public information organizations.

13.03-2.9

[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(2), Appendix E to 10 CFR Part 50] Part 5, Emergency Plan – Section II.B, "Onsite Emergency Organization," includes Table II-2, "Plant Staff Emergency Functions," which subsection II.B.5 states is based on the guidance provided in Table B-1 of NUREG-0654/FEMA-REP-1. In Table B-1, the two columns under "Capability for Additions," are designated "30 min" and "60 min." The comparable two columns in Table II-2 are designated "Initial" and "Supplemental," respectively. Please explain why Table II-2 does not include the Table B-1 30 minute and 60 minute column designations. Further, explain how Table II-2 comports with Table 5.1, "Minimum Staffing Requirements for Emergencies," in the North Anna Emergency Plan (NAEP), Revision 28 (Page 5.18), for NAPS Units 1 and 2 – which has comparable column designation of "45 Min." and "60 Min.", respectively.

13.03-2.10

[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(2), Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – Section II.B, "Onsite Emergency Organization," includes Figure II-2, "North Anna Unit 3 Emergency Response Organization – On-Site," and Figure II-3, "North Anna Unit 3 Augmented Emergency Response Organization." In comparison, Section 5, "Organizational Control of Emergencies," of the North Anna Emergency Plan (NAEP) (Revision 28) for NAPS Units 1 and 2 contains the two figures listed below. These figures are discussed in NAEP Part (subsection) 5.2, "Onsite Emergency Organization," which states in part that "[t]he organizational relationship of the on-shift emergency organization prior to augmentation is shown in Figure 5.1 . . . [and] Figure 5.2 shows the station emergency organization after full augmentation.
Figure 5.1, "Station Emergency Organization Prior to Augmentation" (p. 5.23)
Figure 5.2, "Station Emergency Organization Following Augmentation" (p. 5.24)

The COLA Figures II-2 and II-3 do not appear to be consistent with the NAEP Figures 5.1 and 5.2. That is, even with formatting the Unit 3 emergency plan to more closely reflect NUREG-0654 and the 16 planning standards and evaluation criteria – as stated in the explanatory notes of COLA Part 5 – the basic and augmented onsite emergency organizations for Unit 3 should be very similar to the existing NAEP organizations for Units 1 and 2. (For example, the staff was able to see a direct correlation between Unit 3 Figure II-1, "Emergency Response Organization Interrelationships," and NAEP Figure 5.3, "Station to Support Group Interface Prior to Augmentation of the Emergency Organization," and 5.4, "Station to Support Group Interface Following LEOF Activation.")

The staff considered the statement in COLA FSAR (Part 2, page 1-134) Table 1.9-203, "Conformance With the FSAR Content Guidance In RG 1.206," which states in listed Section C.III.1, 13.3.2(1) & 92), that "[t]he Unit 3 EP is a stand-alone plan and does not rely upon the EP for Units 1 and 2" (see SITE-5). Such a distinction between the Unit 3 emergency plan and the existing Units 1 and 2 emergency plan would not appear to clarify the differences in the organizational relationships shown in the respective figures. This is because the applicable regulatory requirements and associated guidance are the same, and the basic onsite and augmented site emergency organizations are expected to be relatively unchanged with the addition of a new reactor on the same site. (See also, SITE-11, regarding extension of the existing (Units 1 and 2) emergency planning to new units.)

Please clarify the dissimilarity between the Unit 3 Figures II-2 and II-3, and the NAEP Figures 5.1 and 5.2. If appropriate, provide revised figures for Unit 3.

13.03-2.11

[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(2), Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – Section 13.3.2, "Major Features Emergency Plan," of the North Anna ESP SSAR (Part 2) states in part that '[i]f Dominion were to proceed with the development of new units at the ESP site, it would enter into an arrangement with Virginia Power to coordinate and implement an integrated emergency plan, in effect extending the existing emergency planning and preparedness to the new units." In contrast, COLA FSAR Table 1.9-203 (discussed in SITE-5 and SITE-10) states that "[t]he Unit 3 EP is a stand-alone plan and does not rely upon the EP for Units 1 and 2."

In regard to the relationship (or distinction) between the Unit 3 emergency plan and the existing NAPS emergency plan (i.e., NAEP) for Units 1 and 2, what is Dominion's intended course of action to apply the COL (Unit 3) emergency plan to the NAPS site? Describe the manner in which the Unit 3 emergency plan – including Table II-2, "Plant Staff Emergency Functions" – will become effective for the NAPS site (i.e., transition plan), in regard to construction and operation of Unit 3. Specifically, address the proposed timing and applicability of the Unit 3 emergency plan (including during construction of Unit 3), transition from (or combining with) the current Units 1 and 2 emergency plan, and coordination with offsite agencies and organizations.

13.03-2.12

[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(8), Section IV.E of Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – Section II.H.2, "Emergency Operations Facility," describes (page II-34, second paragraph) the EOF location as being approximately 30 miles from North Anna Unit 3, and requests an exception to the guidance in NUREG-0696 for locating the EOF within 20 miles of the TSC. Will the existing two EOFs that support NAPS Units 1 and 2 also support Unit 3? These 2 EOFs are the Local Emergency Operations Facility (LEOF) and Central Emergency Operations Facility (CEOF), and are described in the North Anna Emergency Plan (NAEP), Revision 28, on page 7.4. If so, please clarify the EOF description(s) in the COL application.

13.03-2.13

[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(8), Section IV.E of Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – Section II.H.1, "On-Site Emergency Response Facilities," states, in part (Page II-33), that "in the event that off-site and on-site AC power were unavailable, the TSC could be evacuated and the TSC management function transferred to a location unaffected by the radiation release." In contrast, NRC guidance document NUREG-0696, "Functional Criteria for Emergency Response Facilities," states in subsection 2.6, "Habitability," that "[i]f the TSC becomes uninhabitable, the TSC plant management function shall be transferred to the control room. Please describe how COL Plan Section II.H.1 comports with the applicable guidance criteria in NUREG-0696.

13.03-2.14

[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(14), Section IV.F of Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – Section II.N.1, "Exercises," states, in part (Page II-57), that "[t]he scenario varies from year to year so that the major elements of the plans and preparedness organizations are tested within a six year period." In contrast, NUREG-0654/FEMA-REP-1 evaluation criterion N.1.b states in part that "[t]he scenario should be varied from year to year such that all major elements of the plans and preparedness organizations are tested within a five-year period" (emphasis added).

Please explain the inconsistency in the time periods, including distinction between onsite and offsite elements, if any. (See also, FEMA Guidance Memorandum PR-1, "Policy on NUREG-0654/FEMA-REP-1 and 44 CFR 350 Periodic Requirements," N.1.b Evaluation Criterion.)

13.03-2.15

[Basis: 10 CFR 52.79(a)(21), 10 CFR 50.47(b)(4), Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – Section II.D, "Emergency Classification System," describes the emergency classification system, including emergency action levels. Please address the following questions:

a. Section II.D and Appendix 1, "Emergency Action Levels," make reference to industry guidance provided in NEI 07-01, Rev. 0, "Methodology for Development of Emergency Action Levels – Advanced Passive Light Water Reactors," Revision 0, September 2007. NEI 07-01, which is currently being reviewed (for endorsement) by the NRC as a separate licensing action, has undergone multiple revisions by NEI since the September 2007 version. As such, the COL application references an out-of-date version of NEI 07-01. Either remove the reference to the September 2007 version of NEI 07-01 from the application, or update the application to reflect the final version of the document and explain why the reference is appropriate – given that the NRC has not yet endorsed NEI 07-01.

b. The Executive Summary of Appendix 1 states that the appendix provides the set of Emergency Action Levels (EALs) and Initiating Conditions (ICs) are based on industry guidance provided in NEI 07-01. The COL application review cannot include a review of EALs and ICs that are based on a document that has not been endorsed by the NRC. Provide one of the following: (1) the EALs with ICs in the emergency plan; (2) a reference to the document that contains the EALs with ICs; or (3) an explanation as to why the EALs and ICs in Appendix 1 should be included in the COL application review.

c. Neither Section II.D nor the North Anna Power Station early site permit site safety analysis report (ESP SSAR) include Licensee Actions as a function of each emergency classification level (ECL), as provided in Appendix 1 to NUREG-0654/FEMA-REP-1. Either include the Licensee Actions for each ECL in the ECL/EAL scheme, or explain why this is not necessary.

d. Appendix 7, "Certification Letters," contains 17 certification letters; 16 of which contain the statement that the agency concurs with the proposed emergency classification system, initiating conditions, and emergency action levels. Explain how NEI 07-01 is relevant to this concurrence. In addition, explain how the statement in the certification letters relates to the ongoing NRC endorsement review of NEI 07-01, including compliance with Section IV.B of Appendix E to 10 CFR Part 50.

13.03-2.16

[Basis: 10 CFR 52.79(a)(21), 10 CFR 52.79(b)(1), 10 CFR 50.47(b)(4), 10 CFR 50.47(b)(5), 10 CFR 50.47(b)(14),
Appendix E to 10 CFR Part 50]
Part 5, Emergency Plan – Section II.D.1, "Classification System," refers to security events and hostile actions under the four emergency classifications. In addition, Section II.E.1, "Notification of Commonwealth and Risk Jurisdiction Authorities," states in part that "[t]he USNRC will be notified as soon as is practical following the notification of

the Commonwealth of Virginia and risk jurisdiction authorities and within one (1) hour of the emergency declaration, including escalation or de-escalation of any emergency declaration."

Please discuss how the Unit 3 emergency plan addresses the latest applicable requirements associated with notifications and responses associated with an imminent or actual safeguards threat against the facility (or other safeguards event). In addition, describe how the facility response capabilities will be demonstrated.

14.03.10-1 (series of 5 questions)

14.03.10-1.1

[Basis: 10 CFR 52.79(a)(21), 10 CFR 52.80(a)]
Part 10, ITAAC Table 2.3-1 – ITAAC Table 2.3-1, "ITAAC for Emergency Planning," does not include an ITAAC relating to the submission of detailed implementing procedures for the emergency plan no less than 180 days prior to fuel load. Such an ITAAC is identified under Planning Standard 17.0, "Implementing Procedures," in Table C.II.1-B1 of RG 1.206, issued June 20, 2007. Section II.P.7, "Implementing Procedures," of the Emergency Plan (Part 5) states that "Appendix 5 of this plan provides a topical listing of EPIPs that support this plan." Appendix 5, "Implementing Procedures–Topical List," provides a one-page list of various topics and activities that will be addressed in emergency plan implementing procedures and supporting procedures. Please revise ITAAC Table 2.3-1 to include an ITAAC relating to the submission of detailed implementing procedures, consistent with RG 1.206.

See also, Section II.K.2, "Radiation Protection Program," which states that "[t]he RPP, in concert with the EPIPs, to be developed prior to loading of nuclear fuel, includes provisions for implementing emergency exposure guidelines" (emphasis added). Consistent with the necessary ITAAC relating to the submission of detailed implementing procedures for the emergency plan (discussed above), the EPIPs identified in Section II.K.2 would have to be submitted to the NRC 180 days prior to fuel load.

14.03.10-1.2

[Basis: 10 CFR 52.80]
Part 10, ITAAC – In Table 2.3-1, "ITAAC For Emergency Planning," acceptance criterion 6.3 ends with the words "for various radiological conditions." Consistent with RG 1.206, and the corresponding EP program element in Table 2.3-1, the correct acceptance criterion wording should be "for various meteorological conditions." Please clarify.

14.03.10-1.3

[Basis: 10 CFR 52.80]
Part 10, ITAAC – In Table 2.3-1, "ITAAC For Emergency Planning," each acceptance criterion is prefaced with the phrase "A report exists that confirms . . .." The goal of ITAAC 'acceptance criteria' is to be objective criteria that can be demonstrated to have been 'met' prior to fuel load. The acceptance criteria must be specific and sufficiently objective, in order to clearly identify what the requirements are, and to provide the ability to determine whether they have been met. In RIS 2008-05, "Lessons Learned to

Improve Inspections, Tests, Analyses, and Acceptance Criteria Submittal" (February 27, 2008), the following guidance is provided in regard to the use of such a phrase:

If applicants use the phrase, "a report exists and concludes that . . .," they should consider specifying the scope and the type of report. For example, they should explain whether the scope of the report includes the design, the as-built construction (as reconciled with the design), or any other information.

The use of the phrase "A report exists that confirms . . .." in the acceptance criteria is problematic, in that it is not clear how verification is actually conducted to confirm that the acceptance criteria are met. For example, acceptance criterion 5.1.1 states that "[a] report exists that confirms the TSC has at least 174 square meters (1875 square feet) of floor space." Is the confirmation – that the acceptance criteria has been met – through visual examination of the TSC area, or only through a review of an unidentified paper "report" that says the TSC is of the designated size; without considering the nature, accuracy, and reliability of the report?

Consistent with RIS 2008-05, please explain the type and scope of the "report" cited in ITAAC Table 2.3-1, including how the report will serve to provide accurate and reliable confirmation that the acceptance criteria have been met for the as-built facility. An area that might be appropriate for using a report to confirm that various ITAAC have been met is planning standard 8.0, "Exercises and Drills" – for which an Exercise Report could serve to verify that various exercise-related ITAAC (e.g., exercise objectives) have been met.

In the alternative, provide a revised ITAAC table without the words "A report exists that confirms" for the acceptance criteria. The removal of the reference to unidentified future reports will provide for objective ITAAC acceptance criteria, and leave open the specific method(s) that the licensee will use to confirm that the ITAAC acceptance criteria have been met.

14.03.10-1.4

[Basis: 10 CFR 50.47(b)(14), 10 CFR 52.80]
Part 10, ITAAC – COL application Table 2.3-1, "ITAAC For Emergency Planning," provides four separate acceptance criteria for planning standard 8.0, "Exercises and Drills." Please address the following questions pertaining to the full-participation exercise, and the applicable guidance provided in RG 1.206, Appendix B, Table C.II.1-B1, "Emergency Planning – Generic Inspection, Test, Analysis, and Acceptance Criteria (EP-ITAAC)."

a. Table C.II.1-B1 (generic ITAAC) acceptance criterion 14.1.3 addresses offsite exercise objectives associated with the full participation exercise. Explain why Table 2.3-1 does not include an acceptance criterion to reflect the offsite exercise objectives associated with the full participation exercise, and how this is consistent with the intent of this generic ITAAC. Either provide the appropriate acceptance criterion, or explain why it is not required.

b. Table 2.3-1 acceptance criteria 8.1.2.1 and 8.1.2.2 appear to address Table C.II.1-B1 acceptance criterion 14.1.2. Explain why 8.1.2.2 does not include the word "successfully" in regard to emergency response personnel performing their assigned responsibilities.

c. Table C.II.1-B1 acceptance criterion 14.1.2 includes the bracketed statement that "[t]he COL applicant will identify responsibilities and associated acceptance criteria." Explain why Table 2.3-1 (acceptance criteria 8.1.2.1 and/or 8.1.2.2) does not identify any responsibilities and associated acceptance criteria, in relation to onsite emergency response personnel successfully performing their assigned responsibilities. Either provide the appropriate acceptance criterion, or explain why it is not required.

d. Table C.II.1-B1 acceptance criterion 14.1.1 includes the bracketed statement that "[t]he COL applicant will identify exercise objectives and associated acceptance criteria." Table 2.3-1 acceptance criterion 8.1.1.2 states that exercise objectives, including acceptance criteria, address each of the eight listed emergency planning program elements. However, Table 2.3-1 does not identify (in the acceptance criteria) what the exercise objectives and associated acceptance criteria are (as called for in Table C.II.1-B1). The acceptance criteria must be specific and sufficiently objective, in order to clearly identify what the requirements are, and to provide the ability to determine whether they have been met. As written, the acceptance criterion 8.1.1.2 does not provide such clear and objective criteria. For the full participation exercise acceptance criteria in Table 2.3-1, provide specific exercise objectives and associated acceptance criteria, consistent with Table C.II.1-B1. Either provide the appropriate acceptance criterion, or explain why it is not required.

14.03.10-1.5

[Basis: 10 CFR 52.79(a)(21), 10 CFR 52.80(a)]
Part 10, ITAAC – COL application Table 2.3-1, "ITAAC for Emergency Planning," addresses the emergency classification system in ITAAC 1.1, but does not reflect the completion of a fully developed set of EALs that are consistent with Section IV.B of Appendix E to 10 CFR Part 50; including reflecting the current status of NEI 07-01. Revise ITAAC 1.1 to reflect the requirements for a standard emergency classification and action level scheme, with clear and objective acceptance criteria. An example of such an ITAAC, that would address the ongoing endorsement of NEI 07-01 by the NRC, is as follows:

> Inspections, Tests, Analyses: An analysis of the EAL technical bases will be performed to verify as-built, site-specific implementation of the EAL scheme.