Luminant

M. L. Lucas
Vice President, Nuclear Engineering
& Support
mlucas3@luminant.com

Luminant Power
P O Box 1002
6322 North FM 56
Glen Rose, TX 76043

T 254 897 6731
C 254 258 2867
F 254 897 6652

CP-200801602
Log # TXNB-08030

Ref. # 10CFR52

November 10, 2008

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555
ATTN: David B. Matthews, Director
Division of New Reactor Licensing

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4
RESOLUTION OF DOCKETING ISSUE REGARDING COL HOLDER ITEMS
PROJECT NO. 0754

Dear Sir:

Luminant Generation Company LLC (Luminant Power) submits this resolution of a docketing issue for Comanche Peak Nuclear Power Plant (CPNPP), Units 3 and 4. The issue was raised by NRC reviewers conducting the acceptance review of the CPNPP Units 3 and 4 Combined License (COL) application and was discussed with the NRC over the last few weeks. Luminant is confident that this resolution provides the NRC with adequate information to determine that the COL application is acceptable regarding this issue. This resolution supplements the CPNPP Units 3 and 4 COL application.

Please address any correspondence relating to this resolution to Don Woodlan, Manager, Nuclear Regulatory Affairs, P.O. Box 1002, 6322 North FM 56, Glen Rose, TX 76043. You may also contact Mr. Woodlan directly at 254-897-6887 or by email at Donald.Woodlan@luminant.com.

I state under penalty of perjury that the foregoing is true and correct.

Executed on November 10, 2008.

Sincerely,

Luminant Generation Company LLC

M. L. Lucas

Attachment - Resolution of Docketing Issues
c - See Attached

D090
NRO

ATTACHMENT

RESOLUTION OF DOCKETING ISSUES

FSAR Chapter 6

Combined License (COL) Information Items 6.1(5), 6.2(6), 6.2(7), and 6.2(8) provide no means to measure the effectiveness of completion. This issue was subsequently expanded in include COL holder items in FSAR Section 9.4.

Resolution

Applicants for certified designs include a list of information items that a COL applicant referencing a specific certified design is required to address. Mitsubishi Heavy Industries (MHI) is the applicant for the US-APWR certified design. Luminant's Comanche Peak Units 3 and 4 is the reference COLA for the US-APWR design.

FSAR Section 1.8 separates the COL information items into "applicant items," which will be completed before the COL is issued, and "holder items," which will not be completed prior to a COL. Table 1.8-201 identifies the category of each item and cross-references the FSAR section(s) in which each item is addressed. There are 19 COL "holder items" in DCD/FSAR Chapter 6, but there are no "holder items" in DCD/FSAR Section 9.4.

As a result of this acceptance review issue, Luminant and MHI have reevaluated the COL information items stated in the US-APWR DCD. Some of the items were determined to be inappropriate. In some cases, the item requires action beyond the regulations and regulatory guidance. Some of the items require information that is as-procured or as-built information, which will be included in the as-built plant and will be subject to NRC confirmation by means of audit and inspection. Other items were developed with the belief that the information should be tracked as "holder items" because of MHI's desire to meet or exceed the minimum requirements for a DCD and COLA. Subsequent clarifications by the NRC have indicated that such "holder items" are inappropriate. Although this issue is currently being resolved by the NRC staff and the industry, MHI and Luminant are taking the actions described below to address this issue.

MHI has committed in a docketed letter to the NRC to revise the DCD to delete 14 of the 19 "holder items" currently in Chapter 6:

COL 6.1(1)	COL 6.2(1)	COL 6.3(4)
COL 6.1(2)	COL 6.2(6)	COL 6.3(6)
COL 6.1(3)	COL 6.2(7)	COL 6.4(4)
COL 6.1(4)	COL 6.2(9)	COL 6.5(4)
COL 6.1(5)	COL 6.3(3)	

Luminant and MHI have agreed that five of the 19 "holder items" are in fact "applicant items." Each of these items is described below along with justification for the decision.

COL 6.2(5) – Cleanliness, housekeeping, and foreign materials exclusion program

Position C.1.1.2.1 of RG 1.82 states that a containment cleanliness program should be established. FSAR 6.2.2.3 describes the contents of the administrative procedures that will require removal of foreign materials and will minimize the amount of debris that might be left in containment following refueling and maintenance outages. This is part of the administrative procedure program described in FSAR Subsection 13.5.1. Therefore, COL 6.2(5) will be categorized as an "applicant item." The last sentence in FSAR Subsection 6.2.2.3 regarding the implementation milestone of fuel load is no longer necessary and will be deleted. With this action, the COL item is sufficiently addressed in the site-specific portion of the FSAR by the applicant.

COL 6.2(8) – Containment leakage rate testing program

DCD Subsections 6.2.6.1 – 6.2.6.4 will be revised to fully describe the program. Because the FSAR incorporates these DCD subsections by reference and the implementation milestone for this program is provided in FSAR Table 13.4-201, COL 6.2(8) will be categorized as an "applicant item." With this action, the COL item is sufficiently addressed in the site-specific portion of the FSAR by the applicant.

COL 6.4(2) – Operating procedures for the MCR HVAC system

The COL item in the DCD will be revised to require COL applicants to discuss automatic actuation of the MCR HVAC system due to toxic gas release and to discuss manual operation of the system. With this action, COL 6.4(2) will be categorized as an "applicant item" that has been sufficiently addressed in the site-specific portion of the FSAR by the applicant.

COL 6.6(1) – PSI and ISI programs

The COL item in the DCD is being revised to require the COL applicant to identify the implementation milestones for the ISI program only. Because the FSAR relies on fully described programs in the DCD and implementation milestones are provided in FSAR Table 13.4-201, COL 6.6(1) will be categorized as an "applicant item" that is sufficiently addressed in the site-specific portion of the FSAR by the applicant.

COL 6.6(2) – Augmented ISI program for high-energy piping

The COL item in the DCD is being revised to require the COL applicant to identify the implementation milestone for the augmented ISI program. FSAR Subsection 6.6.8 provides augmented ISI program information for high-energy piping in addition to the information provided in DCD Subsection 6.6.8. FSAR Table 13.4-201 includes a milestone for implementation of the ISI program. Therefore, COL 6.6(2) will be categorized as an "applicant item" that has been sufficiently addressed in the site-specific portion of the FSAR by the applicant.

c-

Mike Blevins, Luminant Power
Rafael Flores, Luminant Power
Bobby Bird, Luminant Power
Donald R. Woodlan, Luminant Power
Brett Wiggs, Luminant Development
Jeff Simmons, Luminant Development
Stephen R. Monarque, NRO/DNRL, DCD, Washington D.C.
Jeff Ciocco, NRO/DNRL, DCD, Washington D.C.
B. K. Singal, NRR, DCD, Washington D.C.
Resident Inspectors, CPNPP

Elmo E. Collins, Region IV
USNRC - Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011

Loren R. Plisco, Deputy Regional Administrator for Construction, Region II
U.S. NRC Region II
Sam Nunn Atlanta Federal Center, 23 T85
61 Forsyth Street, SW
Atlanta, GA 30303-8931

Email Distribution:

mike.blevins@luminant.com
Brett.Wiggs@luminant.com
mlucas3@luminant.com
jeff.simmons@energyfutureholdings.com
Bill.Moore@luminant.com
BDEGEYT1@energyfutureholdings.com
rbird1@luminant.com
tgilder1@luminant.com
Matthew.Weeks@luminant.com
Timothy.Clouser@luminant.com
Richard.Brabec@luminant.com
Ronald.Carver@luminant.com
David.Volkening@luminant.com
Bruce.Turner@luminant.com
Eric.Evans@luminant.com
Robert.Reible@luminant.com
donald.woodlan@luminant.com
John.Conly@luminant.com
Jean.Amundson@luminant.com
JCaldwell@luminant.com
David.Beshear@txu.com
Ashley.Monts@luminant.com
Fred.Madden@luminant.com
Dennis.Buschbaum@luminant.com
Carolyn.Cosentino@luminant.com
shinji_kawanago@mnes-us.com
masahiko_kaneda@mnes-us.com
sherry_bernhoft@mnes-us.com
masanori_onozuka@mnes-us.com
ck_paulson@mnes-us.com
bevans@enercon.com
mlaggart@enercon.com
michael.takacs@nrc.gov
parcaro@enercon.com
jon.wiegand@wgint.com
jeff.lietzow@wgint.com
mark.beaumont@wsms.com
rjb@nei.org
kak@nei.org
michael.johnson@nrc.gov
David.Matthews@nrc.gov
thomas.bergman@nrc.gov
ljb3@nrc.gov
Stephen.Monarque@nrc.gov
jeff.ciocco@nrc.gov
michael.willingham@nrc.gov
john.kramer@nrc.gov
Brian.Tindell@nrc.gov
cp34update@certrec.com
Rafael.Flores@luminant.com