

May 26, 2009

ORGANIZATION: Nuclear Energy Institute

SUBJECT: SUMMARY OF THE LICENSE RENEWAL MEETING BETWEEN THE U.S. NUCLEAR REGULATORY COMMISSION STAFF AND THE NUCLEAR ENERGY INSTITUTE

The U.S. Nuclear Regulatory Commission staff (NRC or the staff) and representatives of the Nuclear Energy Institute (NEI) met on April 29, 2009, to discuss generic license renewal topics and activities. Enclosures to this letter are: (1) list of meeting participants, (2) meeting agenda, (3) NRC-provided handouts, and (4) NEI-provided handouts. A summary of the meeting's discussions follows.

1. Status of License Renewal Interim Staff Guidance (LR-ISG)

- a. Staff Guidance Regarding the Station Blackout Rule (10 CFR 50.63) Associated with License Renewal Applications (LR-ISG-2008-01)

The staff stated that it has completed evaluating all comments on the proposed LR-ISG. Although the staff has not made a final conclusion on the LR-ISG, it is expected that no additional guidance is necessary. For license renewal, plant-specific current licensing bases will be considered for the scoping of systems, structures, and components (SSCs) associated with Title 10 of the *Code of Federal Regulations*, Section 50.63 (10 CFR 50.63), and staff requests for additional information (RAIs) may be used to clarify the current licensing basis when appropriate. However, the staff advised that it is still considering aging of the off-site power system components as an issue for current plant operations.

- b. Revision to the LR-ISG Process (LR-ISG-2007-01)

The staff informed NEI representatives that it had completed a draft revision to the LR-ISG process and requested comments in a *Federal Register* notice. The staff also noted that it had recently extended the public comment period. The staff indicated that it is proposing changes to the LR-ISG process to address a recommendation from the NRC's Office of the Inspector General audit on the effectiveness of the license renewal program. One such change is to include in each LR-ISG a discussion on the staff's backfitting evaluation. In addition, the staff mentioned that its proposal extends the LR-ISG process to facilitate the development of guidance for environmental reviews.

2. Submerged Cables

NEI representatives stated that the industry is taking on initiatives to address issues concerning failure of submerged cables. One such initiative is an NEI task force that plans to evaluate cable failure data and engage the NRC in developing a draft regulatory guide to address cable monitoring activities. This task force is supporting a user's group to

determine the acceptability of long-term cable submergence. Another industry initiative involves the Electric Power Research Institute's cable user's group, which recommends that cables should be kept dry, that failures are expected, and that it is important to share operating experience. NEI representatives stated that they plan to address submerged cables as a current operating issue. They believe that licensees can make a commitment to the NUREG-1801, "Generic Aging Lessons Learned (GALL) Report," program to implement the resolution of the issue during the period of extended operation.

The staff stated that it is unsure as to whether implementation of the GALL Report program can effectively manage aging of cables submerged for long periods of time. The staff indicated that its goal is to prevent cables from failing in-place. The issue is valid for current operation, but also needs to be adequately addressed for license renewal.

3. Status of Updates to the License Renewal Guidance Documents

The staff anticipates lots of interactions with stakeholders to update the license renewal guidance documents, such as the GALL Report. The staff is creating a Web site to facilitate the update process and in-progress documents will be posted for review as early as October 2009. Regarding the schedule, the staff plans to issue the draft guidance documents in February 2010 and to publish the final documents by December 30, 2010. The staff acknowledged that it had received NEI's comments on 44 aging management programs and time-limited aging analyses. The staff completed a high-level review of these comments and found them to be generally understandable, but plans to discuss some questions during a future public meeting.

NEI representatives stated plans to submit their remaining comments by the middle of May 2009. NEI intends to provide comments on aging management review line items in a format similar to that of NUREG-1833, "Technical Bases for Revision to the License Renewal Guidance Documents," so the basis for each change will be provided. Recommendations for updating NUREG-1801, "Standard Review Plan for Review of License Renewal Applications for Nuclear Power Plants," may also be provided. NEI representatives also stated that they are assuming that the staff will update the generic operating experience in the GALL Report, for example by including relevant information from NRC generic communications.

4. NEI Comments on the Generic Environmental Impact Statement (GEIS) and NRC's Schedule

NEI representatives commented that the GEIS has extensive revisions and the 75-day comment period may be too short for stakeholders to adequately prepare and submit their comments. The staff stated that it is looking into extending the comment period.

NEI representatives expressed their concerns regarding implementation of the final GEIS. The staff stated that there is typically a 60-day period between when the final rule is published and when it goes into effect. The staff asked NEI representatives for a list of applicants which could be affected by issuance of the final GEIS. NEI representatives commented that many applicants could be affected because they may begin preparing their environmental reports two years in advance of submitting the license renewal application.

NEI representatives asked what would happen if an applicant prepared its environmental report based on an outdated or draft version of the GEIS. The staff stated that it does not anticipate the final GEIS to have major technical changes, so RAIs could serve as a bridge between the outdated or draft GEIS and the GEIS in effect during review of the application. NEI representatives requested a future public meeting to discuss the issues concerning implementation of the revised GEIS.

5. Regulatory Issue Summaries (RISs)

a. Draft RIS 2007-16, Revision 1, "Implementation of the Requirements of 10 CFR 54.37(b) for Holders of Renewed Licenses"

The staff discussed the draft RIS revision issued for public comment, and stated that it had revised the RIS to conform with changes made to the proposed LR-ISG process. The staff provided revised language in the meeting handouts (Enclosure 3, pages 1 to 3) regarding the definition of "newly identified" SSCs, and asked that stakeholders comment on this language instead of the corresponding language in the draft RIS.

The staff indicated that it is still considering whether SSCs installed after issuance of renewed license may be considered as "newly identified" under 10 CFR 54.37(b). The staff suggested that renewed license holders could evaluate such SSCs with license renewal intended functions and include them in the final safety analysis report (FSAR) updates. This continual review process would keep the FSAR current and eliminate questions as to why the SSCs are not included in a licensee's aging management programs.

In response, NEI representatives commented that all newly installed components are designed to last for the remainder of the plant's license. This design aspect is required by the American National Standards Institute. NEI representatives stated that licensees evaluate newly installed SSCs for inclusion in existing plant programs, and these programs rely on operating experience and corrective actions to ensure that the SSCs are adequately maintained. Also, the NRC's maintenance rule would apply to these SSCs. Regarding an ongoing evaluation of SSCs for license renewal, NEI representatives stated that it would be more efficient to evaluate them through a one-time programmatic effort. NEI representatives estimated that the continual evaluation of such SSCs could require the full-time effort of one person each year.

In addition, NEI representatives commented that the RIS addresses a number of issues, such as implementation of 10 CFR 54.37(b), applicability of backfitting, and the role of the LR-ISG process. It may be more effective to communicate these issues in separate documents. NEI representatives suggested that the staff review all LR-ISGs for backfitting and communicate them to licensees. Finally, NEI representatives requested a public meeting to discuss changes to the final LR-ISG process and RIS revision.

b. Intent to Pursue License Renewal

The staff stated that it soon plans to issue a RIS requesting information on the expected submission dates of future license renewal applications. The staff emphasized that licensee responses to this RIS will be taken seriously for budgeting purposes, and advance notification is important because NRC prepares its budgets years in advance. The staff also stated that it encourages licensee to provide information on expected application submission dates at any time, not just in response to the RIS.

The staff noted that the RIS will not ask applicants to stagger their application submissions, but suggested that the staff could facilitate concurrent reviews if notified in advance. NEI representatives stated that the industry cannot control the application submissions, but the NRC can. For information, the staff provided the current list of announced application submission dates (Enclose 3, page 4).

6. Use of List-serve for Electronic Distribution of License Renewal Documents

The staff stated its plans to begin electronic distribution of license renewal documents. The recent issuance of the Oyster Creek renewed operating license was completed electronically. The staff indicated that it will use the operating reactor distribution lists and supplement them as necessary for the distribution of environmental license renewal documents. NEI representatives stated that the distribution lists should be kept current and it is best to eliminate multiple distribution lists.

7. Subsequent License Renewal

NEI has created a working group for subsequent license renewals. This group has identified 32 technical issues for plant operation past 60 years. The working group concluded generically that none of these technical issues would prevent a plant from operating during a subsequent renewed license term, although some plant-specific issues will need to be addressed, such as aging of concrete and the reactor vessel. NEI representatives stated that the working group is assessing each technical issue to determine what research may be necessary. In addition, NEI representatives stated that the working group polled the industry and found that some licensees may submit second license renewal applications in 2013 or earlier. In parallel with the research activities, NEI representatives expressed interest in developing the process for second renewals.

The staff stated that it will give priority to reviews of first license renewal applications. The staff raised a question as to whether enough operating experience is available to support plant operation past 60 years. The staff questioned whether the necessary research would be completed when the first licensees would begin preparing their subsequent renewal applications, especially if they plan to submit an application in 2013 or earlier.

NEI representatives stated that a pilot project could be useful, and agreed that the first renewals should be given priority. NEI representatives stated interest in developing a process for subsequent renewal applications that would take advantage of the first renewal. NEI representatives proposed to provide suggested license renewal process changes to accommodate subsequent renewals, and indicated that these suggestions could be discussed during a future meeting.

8. New Topics

a. License Renewal Application Review Schedules

The staff acknowledged that it has been taking more time to provide written schedules to license renewal applicants. One reason is that the staff wants to avoid changes in schedules after they have been issued. The staff stated that it wants to return to a rigorous schedule and review applications following their order of receipt; however, recent acceptability issues have caused some scheduling delays. The staff also stated that the latter part of the license renewal review schedule, after the Advisory Committee on Reactor Safeguards subcommittee meeting, may be shortened to reduce the overall review schedule. NEI representatives stated that the recent review schedules have lacked the RAI issuance date, which is a useful milestone for licensee planning.

b. Operating Experience

The staff stated that license renewal audit teams have begun independently searching licensee condition report databases. These searches are to verify that license renewal applicants have considered and captured appropriate plant-specific operating experience in their applications and bases documents. The auditors began this new process during a recent audit at Cooper Nuclear Station. NEI representatives indicated that it would be helpful if better communication is established before the audits so that applicants can prepare accordingly.

Also, the staff stated that license renewal applicants should provide more expansive operating experience discussions. The GALL Report is broad and applicants must demonstrate that their plant-specific operating experience aligns with the GALL Report. The staff also stated that licensees need to consider operating experience for new aging management programs.

c. Use of NUREG/CR-6909, "Effect of LWR Coolant Environments on the Fatigue Life of Reactor Materials"

The staff stated that applicants may use information from this report for the purposes of license renewal, but may not pick and choose information from this report and the GALL Report.

d. Neutron Absorbing Materials in the Spent Fuel Pool

NEI representatives asked whether the staff plans to issue a generic communication concerning aging management of neutron absorbing materials in the spent fuel pool. In response, the staff indicated that it does not plan to issue a generic communication, but it is developing an LR-ISG to cover aging management of neutron absorbing materials other than Boraflex.

9. Public Participation

No member of the public provided comments or asked questions at the meeting.

/RA/

Matthew J. Homiack, General Engineer
Program Operations Branch
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Office of Nuclear Reactor Regulation

Enclosures:
As stated

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ADAMS Accession No.: ML091310269 (Package), **ML091310129** (Summary), **ML091310237** (Enclosure 3), **ML091271017** (Enclosure 4)

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Participant List

License Renewal Meeting between the U.S. Nuclear Regulatory Commission (NRC) Staff and the Nuclear Energy Institute

April 29, 2009

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David Wrona	NRC
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ENCLOSURE 1

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New Jersey Bureau of Nuclear Engineering
New Jersey Bureau of Nuclear Engineering

* Participated by teleconference

Agenda

License Renewal Meeting between the U.S. Nuclear Regulatory Commission (NRC) Staff and the Nuclear Energy Institute (NEI)

April 29, 2009

Generic License Renewal Topics	Lead
1. Status of License Renewal Interim Staff Guidance (LR-ISG)	NRC
a. Staff Guidance Regarding the Station Blackout Rule (10 CFR 50.63) Associated with License Renewal Applications (LR-ISG-2008-01)	
b. Revision to the LR-ISG Process (LR-ISG-2007-01)	
2. Submerged Cables	NEI
3. Status of Updates to the License Renewal Guidance Documents	NRC
4. NEI Comments on the Generic Environmental Impact Statement and NRC's Schedule	NEI
5. Regulatory Issue Summaries	NRC
a. Draft Regulatory Issue Summary 2007-16, Rev. 1, "Implementation of the Requirements of 10 CFR 54.37(b) for Holders of Renewed Licenses"	
b. Intent to Pursue License Renewal	
6. Use of List-serve for Electronic Distribution of License Renewal Documents	NRC
7. Subsequent License Renewal	NRC/NEI
8. New Topics	NRC/NEI
9. Public Participation	All

ENCLOSURE 2

NRC-Provided Meeting Handouts

ENCLOSURE 3

NEI-Provided Meeting Handouts

ENCLOSURE 4

Letter to the Nuclear Energy Institute from Matthew J. Homiack dated May 26, 2009

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ENERGY INSTITUTE

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