April 8, 2010

MEMORANDUM TO: Robert D. Carlson, Chief
Financial Analysis Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

FROM: Barry W. Miller, Project Manager **/RA/**
Financial Analysis Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

SUBJECT: FORTHCOMING CATEGORY 3 PUBLIC MEETING TO DISCUSS RULEMAKING EFFORT TO MODIFY THE EMERGENCY CORE COOLING SYSTEM ACCEPTANCE CRITERIA AND TO DISCUSS A PROSPECTIVE GENERIC LETTER RELATED TO FUEL CLADDING EMBRITTLEMENT.

DATE & TIME: Wednesday, April 28, 2010 8:30 a.m. – 5:00 p.m.
Thursday, April 29, 2010 8:30 a.m. – 1:00 p.m.

LOCATION: U.S. Nuclear Regulatory Commission
Two White Flint North, Room T-2B3
11545 Rockville Pike
Rockville, Maryland 20852

PURPOSE: To discuss (1) draft proposed rule language for the ongoing effort to modify the ECCS acceptance criteria at 10 CFR 50.46(b); (2) NRC responses to major comments received on an Advance Notice of Proposed Rulemaking (ANPR) published on August 13, 2009 (74 FR 40765); and (3) to discuss the elements of a prospective generic letter related to the potential embrittlement of fuel rod cladding during postulated loss of coolant accidents (LOCA).

Documents are available to review in preparation for this meeting can be found at the ADAMS Accession Numbers below. Note that the NRC is not soliciting or accepting formal public comments on any of these documents at this time. These are preliminary documents that have not been fully vetted through internal NRC reviews, and therefore they may be subject to significant revisions before formal publication and solicitation of comment.

MEETING CONTACT: Paul M. Clifford, NRR
301-415-4043
Paul.Clifford@nrc.gov

* Commission's Policy Statement on "Enhancing Public Participation in NRC Meeting's" (67 FR 36920, May 28, 2002

Draft rule language: ML100970101
Major ANPR comments and NRC responses: ML100960499
Elements of prospective Generic Letter: ML100960505

CATEGORY 3: * This is a Category 3 Meeting: The public is invited to participate in this meeting by providing comments and asking questions throughout the meeting.

The NRC provides reasonable accommodations to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in this meeting (e.g., sign language), or need this meeting notice or other information from the meeting in another format, please notify the NRC meeting contact by April 23, 2010, so that arrangements can be made.

Teleconferencing: Interested members of the public unable to attend the meeting may participate by telephone via a toll-free teleconference. For details, please call the NRC meeting contact listed or the toll-free number, 1-800-368-5642, and ask the operator for a connection to the meeting contact. Those interested in participating in this meeting by teleconference should call or email the meeting contact as soon as possible, but no later than April 23, 2010.

Web conferencing: Interested members of the public unable to attend the meeting may participate remotely on the internet. For details, please call the NRC meeting contact listed or the toll-free number, 1-800-368-5642, and ask the operator for a connection to the meeting contact. Those interested in participating in this meeting by web conference should call or email the meeting contact as soon as possible, but no later than April 23, 2010.

PARTICIPANTS: Participants from the NRC include members of the Office of Nuclear Reactor Regulation (NRR), the Office of New Reactors (NRO), and the Office of Nuclear Regulatory Research (RES).

NRC	Industry
P. Clifford, NRR	G. Clefton, NEI
R. Landry, NRO	S. Simpson, AEP
M. Flanagan, RES	K. Yueh, EPRI
B. Miller, NRR	

Docket ID: NRC-2008-0332; RIN 3150-AH42

Enclosure:
Meeting Agenda

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Major ANPR comments and NRC responses: ML100960499
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Enclosure:
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ADAMS Accession No: ML100970778

OFFICE	NRR/PFAB: PM	NRR/PFAB: BC
NAME	BMiller	RCarlson (ASimmons for)
DATE	4/ 8 /10	4/ 8/10

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Public Workshop Agenda
10 CFR 50.46(b) ECCS Performance Requirements
April 28 – 29, 2010

Day 1 – Wednesday, April 28, 2010

1. Introduction to 10 CFR 50.46(b) Rulemaking (NRC Staff)	08:30 – 09:00
a. Commission Directives	
b. Objectives of Rulemaking	
c. Research Technical Basis	
2. Planning & Scheduling	09:00 – 09:30
a. Rulemaking Plan and Schedule (NRC Staff)	
3. Draft Rule Language (NRC Staff)	09:30 – 12:00
a. Discuss Staff Proposed Draft Rule Language	
b. Discuss ANPR Public Comments	
Lunch	12:00 – 13:00
4. Industry Comments	13:00 – 15:15
a. Proposed Rule Language (Industry; Sue Simpson)	
b. ANPR Comment Resolution (Industry; Gordon Clefton, et al)	
c. Testing Milestones (Industry; Rob Montgomery)	
Break	15:15 – 15:30
5. International Perspectives	15:30 – 16:00
6. Designated Time - Public Comments	16:00 – 16:45
7. Closing (NRC Staff)	16:45 – 17:00
a. Action Items	

Day 2 – Thursday, April 29, 2010

1. Prospective Generic Letter (NRC Staff)	08:30 – 09:30
a. Reason for Information Request (per 10 CFR 50.54(f))	
b. Requested Information	
c. Schedule	
Break	09:30 – 09:45
2. Industry Comments	09:45 – 11:15
a. Regulatory Basis (Industry; Sue Simpson)	
b. Response Path Forward (Industry; Tom Eichenberg)	
3. Designated Time - Public Comments	11:15 – 11:45
4. Closing (NRC Staff)	11:45 – 12:00
a. Action Items	