

## PMSTPCOL PEmails

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**From:** Norato, Michael  
**Sent:** Thursday, April 01, 2010 3:35 PM  
**To:** STPCOL  
**Subject:** FW: STP 6.2 Reg basis update

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**From:** Makar, Gregory  
**Sent:** Sunday, March 28, 2010 8:23 AM  
**To:** McKirgan, John; Norato, Michael; Wagage, Harry  
**Subject:** STP 6.2 Reg basis update

John, Mike, Harry,

I've been working on revising Section 6.2 of the STP 3&4 SER and I still can't find my way through the fog surrounding the basis for this review - a Tier 2 departure not requiring NRC approval based on voluntary conformance to a Reg Guide.

If we say we need to review the departure, then it seems like we need to identify it as a departure requiring NRC approval. If we do that, then we need to say why we have to review it. If we have to review it for conformance to 10 CFR 50.46, then it's not really a Tier 2 departure. Perhaps what we really need to review is whether the applicant's departure evaluation meets the requirements of Part 52 Appendix A, VIII.B.5. For example, one of the review criteria under VIII.B.5.b(6) is whether the departure would, "Create a possibility for a malfunction of an SSC important to safety with a different result than any evaluated previously in the plant-specific DCD." If the applicant's basis for concluding that the Tier 2 departure doesn't trigger an amendment is based on meeting the regulations through conformance to RG 1.82 and the 1998 utility resolution guidance for BWR ECCS strainers, maybe we can identify the review we performed as a review of the applicant's technical evaluation of the departure in accordance with the Part 52 departures regulations. We had to do this with departures related to the main turbines, which involved substantial technical changes.

If we take the position that we have to review this Tier 2 departure for compliance to a regulation like 50.46, there may be an ongoing struggle to explain and justify the review. Or, maybe it's just that someone else needs to come up with the language to explain and justify this review.

I will continue to work on the SER revisions, but I'm not sure I'll be able to finish the reg basis part and the associated conclusions. For now I just wanted you to know where I am with this.

Thanks,  
Greg

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**Subject:** FW: STP 6.2 Reg basis update  
**Sent Date:** 4/1/2010 3:34:52 PM  
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**From:** Norato, Michael

**Created By:** Michael.Norato@nrc.gov

**Recipients:**  
"STPCOL" <STP.COL@nrc.gov>  
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