

December 28, 2010

MEMORANDUM TO: Alan Frazier, Chief
Uranium Enrichment Branch
Fuel Facility Licensing Directorate
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: Ty Naquin, Health Physicist **/RA/**
Uranium Enrichment Branch
Fuel Facility Licensing Directorate
Division of Fuel Cycle Safety
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Office of Nuclear Material Safety
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SUBJECT: TELEPHONE CALL SUMMARY: CLARIFICATION OF
LOUISIANA ENERGY SERVICES'S RESPONSES TO THE
U.S. NUCLEAR REGULATORY COMMISSION'S REQUEST FOR
ADDITIONAL INFORMATION LICENSING AMENDMENT
REQUEST (LAR-10-08) IMPLEMENTATION OF FIRE
PROTECTION ITEMS RELIED ON FOR SAFETY

On November 17, 2010, the U.S. Nuclear Regulatory Commission's staff held a telephone conference call with staff from Louisiana Energy Services to discuss fire protection quality assurance issues. I am enclosing the telephone summary for your use. The summary contains no proprietary or classified information.

Enclosure:
Telephone Summary

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301-492-3187

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Telephone Conference Call Summary
License Amendment Request 10-08,
Fire Protection Items Relied on for Safety

Date and Time: November 17, 2010, 1:00 PM

Call Participants: Ty Naquin, Sabrina Atack, Damaris Arroyo, Wyatt Padgett, Tom Taylor, Jay Laughlin

A teleconference with Louisiana Energy Services (LES) was held on November 9, 2010, seeking clarification on responses LES provided in their October 1, 2010, response to the U.S. Nuclear Regulatory Commission's (NRC) request for additional information (RAI) dated September 2, 2010. At the initial call, LES provided the responses identified below as the "UUSA Clarification." This final call was to provide further clarification of the answers provided. The summary captures the discussion from both telephone calls.

LES's Follow-up Questions on RAI Responses for LAR 10-08

1. The following statement is included In URENCO USA's (UUSA's) RAI, Response 3 (discussion of through-barrier fire penetration seals): "Fire testing to support specification requirements and designs used at UUSA are third party tested, and are reviewed by Engineering to ensure compliance with required standards and site specifications." Please clarify if third-party testing will be conducted by approved suppliers that implement an Appendix B/NQA-1 Quality Assurance (QA) Program.

UUSA Clarification:

When necessary, third-party fire testing evaluations will be performed through source surveillance as required by test plans developed by our supplier and UUSA. All testing will be in accordance with site specification requirements and listed American Society for Testing & Materials (ASTM) or Underwriters Laboratories (UL) standards already required by the International Building Code and site specifications. Typically, test laboratories do maintain a Title 10 of the *Code of Federal Regulations* (10 CFR) 50, Appendix B programs and are audited by our supplier(s) on an annual bases (e.g., PCI Promatec performs annual audits to qualify laboratory services), when NQA-1 is applicable. However, our intent is to use QL-3 UL certified products when the design permits. More importantly, the test furnace and facility is certified through an accreditation process that satisfies testing standards (e.g., attached). All fire testing that provides the design basis and supports UUSA penetration seal designs will be performed by reputable laboratories that can meet the requirements of UUSA site specifications and referenced ASTMs (e.g., Intertek, Sandia Laboratories, Construction Technology Laboratories and Southwest Research Laboratories).

Through-barrier fire penetration seals are required to meet specification LES-S-M-00016 and other site specifications that reference nationally recognized standards (e.g., ASTM E-814, UL-1479, and ASTM E-119). Specification LES-S-M-00016 is UUSA's document to bound fire testing to as-installed seal designs to ensure test limitations are not exceeded and to provide reasonable assurance that unique configurations and conditions will perform their intended design function. All fire penetration seal designs used to seal fire barriers are reviewed, evaluated, and documented acceptable

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regardless of quality level. If a detail is not acceptable for any reason, it is either revised to meet requirements or not used at all. LES will commit to third-party testing (when required) for new items. Independent testing will be conducted by an organization from the Approved Suppliers List in accordance with Section 11 of the Quality Assurance Program Description (QAPD).

Response 3 also states that all IROFS35 penetration seals will be tested in accordance with the guidance contained in GL 86-10 and IN 88-04. Please identify how this commitment is captured in the QAPD or licensing documents as commitments, or if the content of these documents will be implemented by UUSA procedures or other means.

UUSA Clarification:

Actually, UUSA specifically stated that penetration seals will be bounded in accordance with the guidance contained in GL 86-10, Supplement 01, and IN 88-04, not tested. Bounding seal designs is necessary to ensure design function and performance during fire exposure and to ensure IROFS35 requirements are met, as well as property loss prevention and insurance requirements. Specification LES-S-M-00016 is the vehicle that bounds our designs and evaluates unique configurations or fire barrier attributes.

2. Section 23.4, "Procurement Document Control," of the QAPD mark-up provided in the RAI response to LAR 10-08 states that, "The elements of the LES QA Program described in this section and associated procedures implement the requirements of Criterion 4, Procurement Document Control, of 10 CFR 50, Appendix B, and the commitment to Basic Requirement 4 and Supplement 4S-1 of NQA-1-1994." Please clarify the intent of this statement in terms of whether or not it is a commitment to compliance with the identified documents. Please also clarify similar statements made in Sections 23.7, "Control of Purchased Material, Equipment, and Services," and 23.8, "Identification and Control [of] Material, Parts, and Components."

Procurement Response:

The first paragraph of this section will be removed as it was not the intent of UUSA, for QL-1F procurements, to commit to Criterion 4, Procurement Document Control, of 10 CFR 50, Appendix B, or to Basic Requirement 4 and Supplement 4S-1 of NQA-1-1994.

3. Section 23.4, "Procurement Document Control," of the QAPD states that, "Basic components for use in QL-1F will be procured as QL-3 with the procurement document stipulating the requirement for the material to meet one or more applicable fire protection industry standards. Please identify in the QAPD the industry standards that UUSA will invoke in procurement documents (i.e., the information provided in RAI Response 3 under the section, "Site Specifications and Technical Requirements," for fire dampers, doors, penetration seals, etc.).

Procurement Response:

In an effort to be consistent, it has been determined that the references to the applicable fire protection industry standards will be placed in the Summary Analysis Report (SAR). LES committed to providing direction in the QAPD to identify the applicable lists of codes and standards and where they can be found in the SAR.

4. Section 23.4, "Procurement Document Control," of the QAPD describes the UUSA process for procurement document review and approval. Please describe in this section

who will be responsible for the performance of these reviews (i.e., Section 4 of the QAPD states that, "Reviewers shall include representatives from the Procurement and QA organizations. The QA review shall assure compliance with quality assurance requirements.")

Procurement Response:

As the QL-1F procurements will be very similar to existing safe-by-design or commercial grade dedication program procurements, the procurement procedures will be revised to address QL-1F procurements and add a check box on the procurement form to ensure that a QA review is performed. This will include a Receipt Inspection Plan to assure that the requirements of the Purchase Order have been met by the received items. In Section 23.4, under the paragraph titled, "Procurement Document Review and Approval," the statement, "Reviewers shall include representatives from the Procurement and QA organizations. The QA review shall assure compliance with quality assurance requirements," shall be added at the end of the paragraph.

5. Section 23.7, "Control of Purchased Material, Equipment, and Services," states the following regarding Source Evaluation and Selection: "Supplier Selection shall be based on an evaluation, performed before the contract and/or purchase order is awarded, of the supplier's capability to provide items or services in accordance with procurement document (technical and quality) requirements." Please describe the evaluation process.

Procurement Response:

The QL-1F purchases will require the material to meet one or more applicable fire protection industry standards in accordance with typical commercial industry business practice. Typically, the QL-1F procurements are from vendors who are not the manufacturers of the items; and the vendor is not involved in any aspect of the manufacturing or certification of the material. Thus, evaluation of QL-1F vendors will not be as stringent as QL-1 or QL-2 purchases. The evaluations performed may include supplier history review, Dunn and Bradstreet rating report, and to assure that the vendor is licensed to do business in the State of New Mexico. The evaluations that are performed on the vendors are documented in the purchase order file.

Also, please identify if supplier performance evaluations or any other aspect of the QL-1F QA Program will implement periodic reviews to monitor the continued acceptability of fire safety components purchased from a UL or Factory Mutual supplier, such as by periodically checking for recalls.

Procurement Response:

UL and the National Fire Protection Association (NFPA) both provide recall information on their Web sites. Operating Experience from the Institute of Nuclear Power Operations and notifications provided by the NRC are evaluated by UUSA to determine applicability. The Corrective Action Program is utilized to perform corrective actions if required.

UUSA will generate an annual PM to search the UL and NFPA recall databases for potential applicability to installed components.

PRINCIPAL CONTRIBUTOR

Ty Naquin