APPENDIX 19.A LOSS OF LARGE AREAS OF THE PLANT DUE TO EXPLOSIONS OR FIRES

19.A.1 Introduction

In a letter to the U.S. Nuclear Regulatory Commission (NRC), dated July 7, 2009, Progress Energy Florida, Inc. (PEF) submitted Revision 0 of the Loss of Large Areas of the Plant Due to Explosions or Fire Mitigative Strategies Description and Plans (MSD) for Levy Nuclear Plant (LNP) Units 1 and 2.

In the submittal, the applicant describes how the requirements to address loss of large areas (LOLAs) of the plant due to explosions or fires from a beyond-design-basis event (BDBE) are met. These requirements are in Title 10 of the *Code of Federal Regulations* (10 CFR) 52.80(d) and 10 CFR 50.54(hh)(2). It should be noted that the attachment to this safety evaluation (SE) section (Attachment A), as well as some documents referenced in this SE section, include security-related or safeguards information, and are not publicly available.

The provisions of 10 CFR 52.80(d) require an applicant for a combined operating license (COL) to submit a description and plans for implementation of the guidance and strategies intended to maintain or restore core cooling, containment, and spent fuel pool (SFP) cooling capabilities under the circumstances associated with the LOLAs of the plant due to explosions or fire as required by 10 CFR 50.54(hh)(2).

The provisions of 10 CFR 50.54(hh)(2) require licensees to develop and implement guidance and strategies for addressing the LOLAs of the plant due to explosions or fires from a BDBE. Specifically, guidance and strategies are intended to maintain or restore core cooling, containment, and SFP cooling capabilities including:

- fire fighting
- operations to mitigate fuel damage
- actions to minimize radiological release

19.A.2 Summary of Application

In a letter dated July 7, 2009, the applicant for the LNP COL submitted its "Loss of Large Areas of the Plant Due to Explosions or Fire – Mitigative Strategies Description and Plans." The applicant will incorporate the full, non-redacted version of the MSD, including any applicable changes identified in response to NRC requests for additional information (RAIs), in a future revision to Part 9 of the LNP COL application. The redacted version of this MSD will be incorporated into a future revision to Part 11 of the LNP COL application. The applicant stated that the LOLA mitigative strategies, including implementation of operational and programmatic aspects of responding to LOLA events, would be implemented prior to initial fuel load.

<u>License Conditions</u>

- Part 10, License Condition 6

The applicant proposed a license condition in Part 10 of the LNP COL application to provide a schedule to support the NRC's inspection of operation programs including the programmatic

elements of responding to an event associated with LOLAs of the plant due to explosions or fire, prior to initial fuel load.

19.A.3 Regulatory Basis

The regulatory basis of the information incorporated by reference is addressed in NUREG-1793, "Final Safety Evaluation Report Related to Certification of the AP1000 Standard Design," and its supplements.

The applicable regulatory requirements for LOLAs of the plant due to explosions or fires are as follows:

- 10 CFR 50.54(hh)(2)
- 10 CFR 52.80(d)

The applicable regulatory guidance include Interim Staff Guidance (ISG) DC/COL-ISG-016, "Compliance with 10 CFR 50.54(hh)(2) and 10 CFR 52.80(d) Loss of Large Areas of the Plant due to Explosions or Fires from a Beyond-Design-Basis Event" (not publically available), which provides an acceptable means of meeting the requirements of 10 CFR 50.54(hh)(2) and 10 CFR 52.80(d). The ISG-016 references the February 25, 2005, guidance letter (not publically available) to operating reactor licensees for Phase 1 and the Nuclear Energy Institute (NEI) document NEI 06-12, "B.5.b Phase 2 & 3 Submittal Guideline," Revision 3, for Phases 2 and 3 (not publically available). The DC/COL-ISG-016 takes exception to a few areas of NEI 06-12, and provides additional clarification and enhancement of NEI 06-12 and the staff's guidance letter issued February 25, 2005, based on NRC inspections of operating reactor implementation. The DC/COL-ISG-016 has two attachments: Attachment 1 is titled, "Supplementary Guidance for Implementing Mitigation Strategies," and Attachment 2 is titled, "Experience Gained from Implementation of Temporary Instruction 2515/171 at Currently Licensed Power Reactor Sites and Related Staff Positions."

19.A.4 Technical Evaluation

The staff reviewed the applicant's submittal consistent with the requirements of 10 CFR 52.80(d) and 10 CFR 50.54(hh)(2). The staff also used the guidance in DC/COL-ISG-016 to perform its review. The DC/COL-ISG-016 references the February 25, 2005, guidance letter for Phase 1, and NEI 06-12 for Phases 2 and 3. A discussion of the staff's technical evaluation of the LNP Units 1 and 2 submittal is found in Attachment A to Appendix 19.A.

The LNP COL applicant provided the LOLA event evaluation via a three-phased approach similar to existing plants and consistent with the NEI 06-12 guidance, Phases 1, 2, and 3. The applicant's MSD, dated July 7, 2009, was written at the programmatic level for licensing approval, and the implementation details and documentation will be made available for inspection by the NRC prior to initial fuel load. In response to the NRC staff's RAIs, the applicant submitted additional information to clarify the MSD. The applicant's responses to these RAIs are evaluated by the NRC staff in Attachment A to this SE section.

In its submittal of the MSD, the applicant provided a Mitigative Strategies Table (MST), which follows the template guidance in Appendix D to NEI 06-12. The MST addresses various areas and issues pertinent to LOLAs and describes commitments, including completion dates, for

areas that are best resolved closer to the completion of building LNP Units 1 and 2. All commitments made in the submittal will be implemented prior to the initial fuel load of the units.

The MST addresses the three phases considered in NEI 06-12. The phases as described in the guidance documents can be mapped to the regulatory requirements and are as follows:

- Phase 1 – Fire Fighting Response Strategy
- Phase 2 – Spent Fuel Pool Cooling
- Phase 3 – Reactor Core Cooling and Fission Product Release Mitigation

Phases 1, 2, and 3 of NEI 06-12 are similar to the three areas included as part of the requirements in 10 CFR 50.54(hh)(2): fire fighting, operations to mitigate fuel damage, and actions to minimize radiological release. However, the three phases are categorized differently. In 10 CFR 50.54(hh)(2), the category of operations to mitigate fuel damage includes both the reactor core and the SFP, and the category of actions to minimize radiological release is separate. In NEI 06-12, SFP and reactor core cooling are found in separate phases, and reactor core cooling and fission product release mitigation are combined. Despite the change in the categorization of the phases in NEI 06-12 and the areas of the regulatory requirements, the staff finds all of the necessary information is included in the submittal.

The guidance for Phases 1, 2, and 3 suggests development of certain strategies or processes to mitigate the consequences of a LOLA event. The applicant addressed all of these suggested strategies or processes. In evaluating each plant-specific mitigating strategy against its functional objective[1], the staff weighed whether the strategy reasonably can be expected to successfully provide SFP cooling, or maintain or restore the key safety functions necessary to protect the reactor core and containment. The staff's review considered the expected effectiveness of strategies and the ease and timeliness of strategy implementation.

While some strategies needed to meet 10 CFR 50.54(hh)(2) can be developed and implemented in the near future, some strategies and planning efforts cannot be effectively determined or implemented until the plant is further along in construction. To identify such commitments for future action, the applicant documented areas that would be more appropriately completed prior to the initial fuel load. The staff reviewed the commitments made by the applicant in its submittal and is satisfied that the timing of all procedural or strategy development was appropriately scheduled prior to the initial fuel load.

The MSD has been reviewed by the NRC staff for content using DC/COL-ISG-016, and found to include all strategies considered essential for such a program, and is acceptable. The staff finds that the regulatory requirements of 10 CFR 52.80(d) and 10 CFR 50.54(hh)(2) are met.

The NRC staff has identified as **Confirmatory Item 19.A-1** the revisions to Parts 9 and 11 of the LNP COL application to include the MSD proposed by the applicant in its July 7, 2009, letter, as modified in its August 3, 2010 revised COL application, and further modified in a letter dated March 7, 2011. The specific modifications to the MSD are discussed in detail in Attachment A to Appendix 19.A of this safety evaluation report (SER).

[1] As used here, the functional objective is the basic description of the capabilities of the conceptual strategy(s) as proposed for Phase 2 and 3 by NEI and accepted by the NRC.

The staff determined that there were two versions of site-specific Confirmatory Item 19.A-1 used in Appendix 19.A. For clarification and as referenced in this SE, site-specific Confirmatory Item 19.A-1(A) will be used. Confirmatory Item 19.A-1(A) is now closed as discussed below.

Resolution of Site-Specific Confirmatory Item 19.A-1(A)

Confirmatory Item 19.A-1(A) is an applicant commitment to revise its MSD under Parts 9 and 11 to its COL application to incorporate the described changes. The staff verified that the MSD under Parts 9 and 11 of the LNP COL application was appropriately revised. As a result, Confirmatory Item 19.A-1(A) is now closed.

License Conditions

- Part 10, License Condition 6

In RAI 19-95, the staff asked Vogtle Electric Generating Plant (VEGP) to provide a draft license condition to be added to Part 10 of the VEGP Units 3 and 4 COL application related to implementation of mitigative strategies and to submitting schedules to support planning for and conduct of NRC inspections. In its response dated May 24, 2010, VEGP provided a license condition in Part 10 of the VEGP COL application to provide a schedule to support the NRC's inspection of operational programs, including the programmatic elements of responding to an event associated with LOLAs of the plant due to explosions or fire, prior to initial fuel load. Although this program is not identified as an operational program in SECY-05-0197, "Review of Operational Programs in a Combined License Application and Generic Emergency Planning Inspections, Tests, Analyses, and Acceptance Criteria," the proposed license condition is consistent with the policy established in SECY-05-0197 for operational programs in general, and is acceptable. LNP endorsed this response as standard material in a letter dated September 23, 2010. Thus, this RAI is closed.

- Managing MSD Commitments

In RAI 19-96, the staff asked VEGP to describe its plans for managing changes to the commitments included in the MSD. In its response dated May 24, 2010, VEGP included a revision to the MSD that states that commitments in the MSD will be captured in the licensee's commitment management program and managed in accordance with the guidance in NEI 99-04, Revision 0, "Guidelines for Managing NRC Commitment Changes," July 1999. This is similar to the approach followed by the operating fleet licensees commitments made under Section B.5.b of the 2002 Interim Compensatory Measures. In its September 23, 2010 letter, LNP endorsed this response as standard material.

The NRC staff reviewed specific commitments in the MSD and used these commitments as the basis for the staff's safety conclusion. The staff finds that a commitment management program conforming to the guidance in NEI 99-04, Revision 0, is appropriate for managing the commitments in the MSD. However, the staff is proposing that a license condition be included requiring the licensee to use a commitment management program, which conforms to the guidance in NEI 99-04, Revision 0. Subsequently, the staff decided that the most appropriate way to handle the commitments and maintenance of the MSD was to ensure that the licensee maintains the guidance and strategies developed in accordance with 10 CFR 50.54(hh)(2). This language was included in the staff proposed License Condition 19.A-1. Thus, this RAI is closed.

19.A.5 Post Combined License Activities

For the reasons discussed in the technical evaluation section above, the staff proposes to include the following license condition:

- License Condition (19.A-1) - Prior to initial fuel load, the licensee shall implement the operational and programmatic elements of its mitigative strategies for responding to a LOLA event developed in accordance with 10 CFR 50.54(hh)(2). No later than 12 months after issuance of the COL, the licensee shall submit to the Director of the Office of New Reactors a schedule that supports planning for and conduct of NRC inspection of the operational and programmatic elements of responding to an event associated with a loss of large areas of the plant due to explosions or fires. The schedule shall be updated every 6 months until 12 months before scheduled fuel load, and every month thereafter until these operational and programmatic elements have been fully implemented. The licensee shall maintain the guidance and strategies developed in accordance with 10 CFR 50.54(hh)(2).

19.A.6 Conclusion

The NRC staff reviewed the information provided by the applicant under 10 CFR 52.80(d). The staff concludes that the applicant has adequately followed the guidance of DC/COL-ISG-016; NEI 06-12; and the February 25, 2005, guidance letter. The staff finds that the applicant provided sufficient information at the COL application stage, including commitments made in the LNP COL application, to meet the requirements of 10 CFR 52.80(d) and to provide reasonable assurance that the requirements in 10 CFR 50.54(hh)(2) will be met prior to the initial fuel load of LNP Units 1 and 2, respectively.