



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, DC 20555 - 0001**

February 6, 2012

MEMORANDUM TO: ACRS Members

FROM: Sherry Meador **/RA/**
 Technical Secretary, ACRS

SUBJECT: CERTIFICATION OF THE MEETING MINUTES FROM
 THE ADVISORY COMMITTEE ON REACTOR
 SAFEGUARDS 589th FULL COMMITTEE MEETING
 HELD ON DECEMBER 1-3, 2011 IN ROCKVILLE, MARYLAND

The minutes of the subject meeting were certified on December 21, 2011 as the official record of the proceedings of that meeting. A copy of the certified minutes is attached.

Attachment:
As stated



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, DC 20555 - 0001**

December 21, 2011

MEMORANDUM TO: Sherry Meador, Technical Secretary
Advisory Committee on Reactor Safeguards

FROM: Cayetano Santos, Chief */RA/*
Technical Support Branch
Advisory Committee on Reactor Safeguards

SUBJECT: MINUTES OF THE 589th MEETING OF THE ADVISORY
COMMITTEE ON REACTOR SAFEGUARDS (ACRS),
DECEMBER 1-3, 2011

I hereby certify, to the best of my knowledge and belief, that the minutes of the subject meeting are an accurate record of the proceedings for that meeting.

OFFICE	ACRS	ACRS:RSB/Sunsi
NAME	SMeador	CSantos/sam
DATE	12/21/11	12/21/11

OFFICIAL RECORD COPY

MINUTES OF THE 589th MEETING OF THE
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

ROCKVILLE, MARYLAND

The 589th meeting of the Advisory Committee on Reactor Safeguards (ACRS) was held in Conference Room T2B1, Two White Flint North Building, 11545 Rockville Pike, Rockville, Maryland, on December 1-3, 2011. A copy of the meeting agenda is attached.

The summary report from the ACRS Chairman to the NRC Chairman contains the following information for this meeting: (1) an accurate description of each matter discussed and (2) a list of all the documents issued or approved by the Committee. A copy of the summary report is attached. The documents received by the Committee are listed in the references of each committee letter associated with this meeting.

A transcript of selected portions of the meeting is available in the NRC's public document room (pdr.resource@nrc.gov or 1-800-397-4209), or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS), or at <http://www.nrc.gov/reading-rm/doc-collections/acrs/agenda/>. The presentation slides and handouts used during the meeting are attached to these transcripts.

ATTENDEES

ACRS Members

Dr. Said Abdel-Khalik (Chairman), Dr. J. Sam Armijo (Vice-Chairman), Mr. John Stetkar (Member-at-Large), Dr. Sanjoy Banerjee, Dr. Dennis Bley, Mr. Charles Brown, Dr. Michael Corradini, Dr. Dana A. Powers, Mr. Harold Ray, Mrs. Joy Rempe, Dr. Michael Ryan, Dr. William Shack, and Mr. John Sieber.

ACRS Staff

E. Hackett
C. Santos
W. Wang
D. Widmayer
C. Antonescu

A list of other attendees is attached.



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WASHINGTON, DC 20555 - 0001**

**AGENDA
589th ACRS MEETING
DECEMBER 1-3, 2011**

**THURSDAY, DECEMBER 1, 2011, CONFERENCE ROOM T-2B1, 11545 ROCKVILLE PIKE,
ROCKVILLE, MARYLAND**

- 1) 8:30 AM - 8:35 AM Opening Remarks by the ACRS Chairman (Open) (SAK/EMH)
 1.1) Opening Statement
 1.2) Items of Current Interest
- 2) 8:35 AM - 10:30 AM Levy County, Units 1 and 2, Combined License (COL) Application
(Open/Closed) (HBR/WW)
 2.1) Remarks by the Subcommittee Chairman
 2.2) Briefing by and discussions with representatives of the
 NRC staff and Progress Energy Florida regarding the
 subsequent COL application for Levy County, Units 1 and
 2, and the NRC staff's associated safety evaluation report.

**[NOTE: A portion of this session may be closed in order to
protect information designated as proprietary pursuant to 5
U.S.C. 552b (c)(4).]**

10:30 AM - 10:45 AM * BREAK *****

- 3) 10:45 AM - 12:45 PM Revised Branch Technical Position Regarding Concentration
Averaging and Encapsulation of Low-Level Radioactive Waste
(Open) (MTR/DAW)
 3.1) Remarks by the Subcommittee Chairman
 3.2) Briefing by and discussions with representatives of the
 NRC staff regarding Revised Branch Technical Position on
 Concentration Averaging and Encapsulation of Low-Level
 Radioactive Waste.

12:45 PM - 1:45 PM * LUNCH *****

- 4) 1:45 PM - 3:45 PM Proposed Requirements for Maintenance of Inspections, Tests,
Analyses, and Acceptance Criteria (ITAAC) and the associated
Regulatory Guide (Open) (DCB/CEA)
 4.1) Remarks by the Subcommittee Chairman
 4.2) Briefing by and discussions with representatives of the
 NRC staff regarding proposed requirements for
 maintenance of ITAAC and the associated Regulatory
 Guide.

3:45 PM - 4:00 PM * BREAK *****

- 5) 4:00 PM – 7:00 PM Preparation of ACRS Reports (Open/Closed)
- 5.1) Levy County, Units 1 and 2, Combined License Application (HBR/WW)
 - 5.2) Revised Branch Technical Position Regarding Concentration Averaging and Encapsulation of Low-Level Radioactive Waste (MTR/DAW)
 - 5.3) Proposed Requirements for Maintenance of ITAAC and the associated Regulatory Guide (DCB/CEA)
 - 5.4) Response to the October 28, 2011, EDO Letter Regarding GE Hitachi Nuclear Energy Licensing Topical Report NEDC-33173P-A, Supplement 2, Parts 1, 2, and 3, “Analysis of Gamma Scan Data and Removal of Safety Limit Minimum Critical Power Ratio (SLMCPR) Margin” (SB/AFD)

[NOTE: A portion of this session may be closed in order to protect information designated as proprietary pursuant to 5 U.S.C. 552b (c)(4).]

FRIDAY, DECEMBER 2, 2011, CONFERENCE ROOM T-2B1, 11545 ROCKVILLE PIKE, ROCKVILLE, MARYLAND

- 6) 8:30 AM - 8:35 AM Opening Remarks by the ACRS Chairman (Open) (SAK/EMH)
- 7) 8:35 AM - 10:00 AM Future ACRS Activities/Report of the Planning and Procedures Subcommittee (Open/Closed) (SAK/EMH)
- 7.1) Discussion of the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the Full Committee during future ACRS meetings.
 - 7.2) Report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, including anticipated workload and member assignments.

[NOTE: A portion of this meeting may be closed pursuant to 5 U.S.C. 552b (c) (2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.]

- 8) 10:00 AM – 10:15 AM Reconciliation of ACRS Comments and Recommendations (Open) (SAK/EMH/CS)
- Discussion of the responses from the NRC Executive Director for Operations to comments and recommendations included in recent ACRS reports and letters.

10:15 AM - 10:30 AM * BREAK *****

- 9) 10:30 AM – 11:30 AM Draft Report on the Biennial ACRS Review of the NRC Safety Research Program (Open) (MLC/HPN)
Discussion of the draft report on the biennial ACRS review of the NRC Safety Research Program.

11:30 AM - 12:30 PM * LUNCH *****

- 10) 12:30 PM – 7:00 PM Preparation of ACRS Reports (Open/Closed)
Continue discussion of the proposed ACRS reports listed under Item 5. There may be a 15 break at some point during this activity.

[NOTE: A portion of this session may be closed in order to protect information designated as proprietary pursuant to 5 U.S.C. 552b (c)(4).]

SATURDAY, DECEMBER 3, 2011, CONFERENCE ROOM T-2B1, 11545 ROCKVILLE PIKE, ROCKVILLE, MARYLAND

- 11) 8:30 AM - 1:00 PM Preparation of ACRS Reports (Open)
Continue discussion of the proposed ACRS reports listed under Item 5. There may be a 15 break at some point during this activity.
- 12) 1:00 PM - 1:30 PM Miscellaneous (Open) (SAK/EMH)
Discussion of matters related to the conduct of Committee activities and specific issues that were not completed during previous meetings, as time and availability of information permit.

NOTES:

- When appropriate, members of the public and representatives of the nuclear industry may provide their views during the briefings.
- During the meeting, phone number 301-415-7360 should be used in order to contact anyone in the ACRS Office.
- Presentation time should not exceed 50 percent of the total time allocated for a given item. The remaining 50 percent of the time is reserved for discussion.
- Thirty five (35) hard copies and one (1) electronic copy of the presentation materials should be provided to the ACRS in advance of the briefing.
- One (1) electronic copy of each presentation should be emailed to the Designated Federal Official 1 day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Designated Federal Official with a CD containing each presentation at least 30 minutes before the meeting.



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, DC 20555 - 0001**

January 5, 2012

The Honorable Gregory B. Jaczko
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

SUBJECT: SUMMARY REPORT - 589th MEETING OF THE ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, DECEMBER 1-3, 2011

Dear Chairman Jaczko:

During its 589th meeting, December 1-3, 2011, the Advisory Committee on Reactor Safeguards (ACRS) discussed several matters and completed the following reports, letter, and memoranda:

REPORTS

Reports to Gregory B. Jaczko, Chairman, NRC, from Said Abdel-Khalik, Chairman, ACRS:

- Report on the Safety Aspects of the Progress Energy Florida, Inc. Combined License Application for Levy Nuclear Plant, Units 1 and 2, dated December 7, 2011
- Revised Branch Technical Position on Concentration Averaging and Encapsulation of Low-Level Radioactive Waste, dated December 13, 2011
- Proposed Requirements for ITAAC Maintenance and Draft Final Regulatory Guide 1.215, "Guidance for ITAAC Closure Under 10 CFR Part 52," dated December 8, 2011

LETTER

Letter to R. W. Borchardt, Executive Director for Operations, NRC, from Said Abdel-Khalik, Chairman, ACRS:

- Response to the October 28, 2011, EDO Letter Regarding the Advisory Committee on Reactor Safeguards Recommendations on Topical Report NEDC-33173P, Supplement 2, Parts 1, 2, and 3, "Analysis of Gamma Scan Data and Removal of Safety Limit Minimum Critical Power Ratio (SLMCPR) Margin," dated December 12, 2011

MEMORANDA

Memoranda to R.W. Borchardt, Executive Director for Operations, NRC, from Edwin M. Hackett, Executive Director, ACRS:

- ESBWR Design Certification Rulemaking and Supplemental Final Safety Evaluation Report, dated December 6, 2011
- Proposed Revisions to Regulatory Guides 1.140 and 1.185, dated December 6, 2011

HIGHLIGHTS OF KEY ISSUES

1. Levy County, Units 1 and 2, Combined License Application

The Committee met with representatives of the NRC staff and Progress Energy Florida, Inc. (PEF or the applicant) to discuss the Combined License Application (COLA) for the Levy Nuclear Plant (LNP), Units 1 and 2. The LNP COLA incorporates by reference the Westinghouse Electric Company AP1000 Design Certification Amendment and incorporates the standard information found in the Vogtle Electric Generation Plant, Units 3 and 4 reference COLA, with no deviations. The applicant presented LNP site characteristics and foundation design and analysis in the areas of geology, seismology, and geotechnical engineering. In particular, the applicant discussed a nuclear island roller compacted concrete bridging mat design, which is the only safety-related structure outside of the design control document (DCD) scope. It is a Seismic Class 1 structure which is designed to bridge the collapse of solution cavities. The applicant also presented the emergency plan design and on-site emergency facilities. The staff presented its evaluation of the application. In its site evaluation, the staff performed an independent analysis of site response to confirm the applicant's results. For the designs of structures, components, equipment, and systems, the staff presented review issues and their resolutions.

Committee Action

The Committee issued a report to the NRC Chairman on this matter dated December 7, 2011, concluding that there is reasonable assurance that LNP, Units 1 and 2, can be built and operated without undue risk to the public, subject to the following recommendations: (1) a license condition should be established to require inclusion of a probabilistic evaluation of the tsunami hazard in the site specific, full scope PRA required before fuel load, and (2) prior to approval of the COLA, the staff should verify that inclusion of the adjacent shipping canal and watercourse would not significantly affect the conclusions of its deterministic tsunami hazard evaluation described in the advanced safety evaluation. The Committee also noted that the recommendations described in their January 24, 2011, letter concerning the reference COLA in the following areas are also applicable to LNP: containment interior debris limitation, in-service inspection/in-service testing program requirements for squib valves, and power uncertainty measurement. Likewise, the discussion of site-specific probabilistic risk assessment in their January 24, 2011, letter is also applicable. The Committee recommended that the PEF COLA for LNP be approved following implementation of these recommendations.

2. Revised Branch Technical Position on Concentration Averaging and Encapsulation of Low-Level Radioactive Waste

The Committee met with representatives of the NRC staff and the Department of Energy (DOE) to discuss the draft revised Branch Technical Position (BTP) on Waste Concentration Averaging and Encapsulation. The staff emphasized that the revised BTP was proposed to implement the existing regulatory framework in 10 CFR Part 61. The staff described the incorporation of blending of large quantities of low level waste that included discussions of the removal of the “factor of 10” constraint and inclusion of homogeneity testing. The staff also described alternative approaches allowing for site- and waste-specific approaches to be approved. Radiation worker protection, intruder protection, and period of performance were also discussed.

The representative from DOE commented that DOE supports the proposed changes in the BTP because it provides clearer guidance and greater consistency in the regulation of low-level waste disposal. It also allows for greater flexibility with no increase in risk. The safety requirements, technological limits, ALARA considerations, and process limitations are relevant variables that often make homogeneity of radioactive waste impractical. The representative also commented on the relevancy of inadvertent intruder scenarios and suggested refinement of the alternative approaches.

Committee Action

The Committee issued a report to the NRC Chairman on this matter, dated December 13, 2011, recommending that that revised BTP be issued for public comment after consideration of the following comments: (1) the guidance for blending low level radioactive waste is a good approach but the staff should develop guidance to ensure that constituents in blended wastes are compatible, (2) the use of stylized scenarios used for inadvertent intrusion analysis should be replaced with a more site-specific approach, and (3) if 10 CFR Part 61 constrains the use of a more risk-informed, performance based treatment of intruder scenarios, staff should use the same scenarios used to develop Part 61 without creating additional unrealistic scenarios.

3. Proposed Requirements for Maintenance of Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) and the Associated Regulatory Guide

The Committee met with representatives of the NRC staff to discuss the proposed rule on ITAAC maintenance and draft final Revision 1 to Regulatory Guide (RG), 1.215, “Guidance for ITAAC Closure Under 10 CFR Part 52.” The proposed rule amends 10 CFR 52.99, “Inspections during construction,” to require that licensees (1) report new information that materially alters the basis under which ITAACs were performed and acceptance criteria were met and (2) notify the NRC of completion of all ITAAC activities. RG 1.215, Revision 1, endorses Nuclear Energy Institute (NEI) 08-01, “Industry Guideline for the ITAAC Closure Process under 10 CFR Part 52,” Revision 4, and provides guidance for licensees in standardizing the content and format of their submittals to satisfy the ITAAC notification requirements. Revisions to RG 1.215 are necessary to provide licensees with information they will need to develop (1) quality ITAAC notifications on a timely basis, (2) associated details at levels that meet the staff’s expectations, (3) submittals of required and supporting documentation, and (4) associated licensee ITAAC closure schedules.

Committee Action

The Committee issued a letter to the NRC Chairman on this matter, dated December 8, 2011, recommending that the proposed ITAAC rule, "Requirements for Maintenance of Inspections, Tests, Analyses, and Acceptance Criteria," be approved. The Committee also recommended that RG 1.215, Revision 1, be issued after the approach in the RG for closing and maintaining ITAAC is revised to include an assessment that ensures a change does not introduce unintended consequences. This assessment should also include an evaluation that confirms the original inspections, tests, and analyses and their acceptance criteria are still valid and assures the functionality originally intended.

4. Draft Report on the Biennial ACRS Review of the NRC Safety Research Program

The Committee discussed the draft 2012 ACRS biennial report to the Commission on its review and evaluation of the NRC safety research program.

Committee Action

The Committee will continue its discussion of the draft final report during its January 19-20, 2012, meeting.

5. ESBWR Design Certification Rulemaking and Supplemental Final Safety Evaluation Report

The Committee considered the Economic Simplified Boiling Water Reactor (ESBWR) design certification rulemaking and supplemental Final Safety Evaluation Report (FSER) and decided not to review it. The Committee has no objection to the staff's proposal to issue the final rule and supplemental FSER.

6. Proposed Revisions to Regulatory Guides 1.140 and 1.185

The Committee considered proposed Revision 3 to RG 1.140 (DG-1280), "Design, Inspection, and Testing Criteria for Air Filtration and Adsorption Units of Normal Atmosphere Cleanup Systems in Light-Water-Cooled Nuclear Power Plants," and proposed Revision 1 to RG 1.185 (DG-1272), "Standard Format and Content for Post-Shutdown Decommissioning Activities Report," and decided not to review them. The Committee has no objection to the staff's proposal to issue these Guides for public comment. The Committee would like to have an opportunity to review the draft final version of these Guides after reconciliation of public comments.

RECONCILIATION OF ACRS COMMENTS AND RECOMMENDATIONS/EDO COMMITMENTS

- The Committee considered the EDO's response of October 28, 2011, to comments and recommendations included in the August 16, 2011, ACRS letter on the General Electric Hitachi Topical Report NEDC-33173P, Supplement 2, Parts 1, 2, and 3, "Analysis of Gamma

Scan Data and Removal of Safety Limit Minimum Critical Power Ratio (SLMCPR) Margin.” The Committee issued a response to the EDO on this matter, dated December 12, 2011, clarifying the ACRS position on the added safety margins. The ACRS agrees with staff for cores operating in Maximum Extended Load Line Limit Analysis Plus (MELLLA+) conditions and at power-to-flow ratios at or below 42 MWth/Mlbm/hr; however, for higher power-to-flow ratios, the additional SLMCPR margin should only be reduced to 0.02 until additional data are available.

- The Committee considered the EDO’s response of October 25, 2011, to comments and recommendations included in the September 22, 2011, ACRS letter on Chapters 2, 5, 8, 10, 11, 12, 13, and 16 of the Safety Evaluation Report with Open Items for Certification of the US-APWR Design. The Committee decided that it was satisfied with the EDO’s response.
- The Committee considered the EDO’s response of November 8, 2011, to comments and recommendations included in the October 17, 2011, ACRS report on Enhancing the Fuel Cycle Oversight Process. The Committee decided that it was satisfied with the EDO’s response.
- The Committee considered the EDO’s response of October 25, 2011, to comments and recommendations included in the September 19, 2011, ACRS letter on draft final Regulatory Guide 1.115, Revision 2, “Protection Against Turbine Missiles.” The Committee decided that it was satisfied with the EDO’s response.
- The Committee considered the EDO’s response of November 3, 2011, to comments and recommendations included in the September 22, 2011, ACRS report on the proposed rulemaking to introduce a site-specific performance assessment and human intrusion analysis requirement to 10 CFR Part 61. The Committee will evaluate this response again after receiving an EDO response to the ACRS report on the revised Branch Technical Position on concentration averaging and encapsulation of low-level radioactive waste.

SCHEDULED TOPICS FOR THE 590th ACRS MEETING

The following topics are scheduled for the 590th ACRS meeting, to be held on January 19-20, 2012:

- Turkey Point, Units 3 and 4, Extended Power Uprate Application
- Proposed Revision to 10 CFR 50.46, “Acceptance Criteria for Emergency Core Cooling Systems for Light-Water Nuclear Power Reactors”

- Draft Final Report on the Biennial ACRS Review of the NRC Safety Research Program
- Augmented Inspection Team Report on North Anna

Sincerely,

/RA/

Said Abdel-Khalik
Chairman

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

589th Full Committee Meeting

December 1, 2011

Date

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	<u>NAME</u>	<u>NRC ORGANIZATION</u>
1	Tom Bowers	NSIR/DPR
2	Denise McGovern	NRO/DNRL
3	PAVIN PATEL	NRO/DE
4	CARL COSTANTINO	CJCA
5	Tom DOUSTON	CJCA
6	G. STEREWALT	NRO/DSEA/RGS2
7	Michelle Hart	NRO/DSEA/RPAC/RDAT
8	STEPHANIE DEVLIN	NRO/DSEA/RGS2
9	Brian Hill	NRO/DSEA
10	Mark Tonacci	NRO/DNRL/APICOO
11	LARRY WHEELER	NRO/DSRA/SBP
12	Zuhan Xi	NRO/DSEA/RGS1
13	Vladimir Graizer	NRO/DSEA/RGS2
14	Eileen McKenna	NRO/DSRA/BPTS
15	RAM B. PATEL	NRO/DCIP/COVA
16	Jody Martin	OGC
17	Andrea Silvia	OGC
18	Kevin Quinan	NRO/DSEA/RHMB
19	DON HABIB	NRO/DNRL/NWEI
20	MALCOLM PATTERSON	NRO/DSRA/SPRA
21	Sunwoo Park	NRO/DE/SEB1
22	Milton Valentin	NRO/DE/SEB1
23	Andrea Jones	NSIR/DPR
24	BRET TEEGER	NRO/DE/SEB2
25	Dominique French	NRS
26	Mike Wasen	NRS
27	Jim Kennedy	FSME
28	A.C. Ridge	FSME

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

589th Full Committee Meeting

December 1, 2011

Date

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<u>NAME</u>	<u>NRC ORGANIZATION</u>
1 Jenny Weil	OCA
2 Don Lowman	FSME
3 Jim Garsovic	NRO/DCIP
4 Jim Shaffner	FSME/PHMCP
5 Gregory Subar	FSME
6 Ed Kleach	NRC/NRO
7 Rick Jerry	RES
8 Thomas Fredette	NRO/DCIP
9 JERRY Wilson	NRO/DAR
10 Alan Blamey	NRC/RD/CCI
11 Mark Kowal	NRC/NRO
12 John Tappert	NRC/NRO
13 Mahmoud Jardaneh	NRC/NRO/DCIP
14 Calin Cheung	NRO/DCIP
15 Jim Beardsley	NRO/DCIP
16 Lynn Mrowca	NRO/DSRA/SPRA
17 Eric Oesterle	NRO/DAR/APOB
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ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

589th Full Committee Meeting

December 1, 2011
Date

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	<u>NAME</u>	<u>AFFILIATION</u>
1	PAUL SNEAD	PROGRESS ENERGY
2	DAVE WATERS	Progress Energy
3	John Elitsky	Progress Energy
4	VANN STEPHENSON	Progress Energy
5	Bob Kiteken	Progress Energy
6	Larry Taylor	Progress Energy
7	PAUL RIZZO	RIZZO ASSOCIATES
8	A.K. Singh	Sargent & Lundy
9	John	
10	Vaughn Thomas	NRC/NIO/NEI
11	Luisette Candekovic	NRC/NRO/DSEA/RGS2
12	Jane Schluter	NEI
13	John Cochran	Sandia Nat. Laboratories
14	Chris M. Anderson	NPSA/OSRP
15	Chris McKenney	NRC/FSME/DWMEP
16	Sarah Herness	Radwaste Monitor
17	James Biggins	OGC
18	Linda Sutton	DOE
19	Russ Beele	NEI
20	Clist Medlock	Southern Nuclear
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