



Changes During Construction NEI 96-07 Appendix C Revision 0C

February 14, 2012

Don A. Dube, Earl R. Libby, Jerry N. Wilson
Office of New Reactors



Background Information: ISG-025

- DC/COL-ISG-025 “Changes During Construction Under 10 CFR Part 52” (ADAMS Accession No ML111530026) issued for use and comment 77 FR 1749
 - Docket ID NRC-2011-0288
- Public comment period closes on March 26, 2012



Background Information: NEI 96-07, Appendix C Revision 0C

- NEI 96-07, Appendix C Draft Revision 0C, “Guideline for Implementation of Change Control Processes for New Nuclear Power Plants Licensed Under 10 CFR Part 52”
- ADAMS Accession No. ML113220426
- New Section 4.1.1 “Construction Change Applicability”
- ADAMS Accession No. ML113390052
- Revised Section 4.4.2.2 “Evaluation of Departures From Tier 2 Information That Do Not Affect Ex-Vessel Severe Accident Criteria”
- ADAMS Accession No. ML113390051

NRC staff comments NEI 96-07, Appendix C Revision 0C

Comments under staff discussion from January 17th 2012
CdC meeting:

- Severe Accidents, Ex-Vessel and In-Vessel
- Screening Criteria 50.59 vs. DCR Section VIII
- Tier 1 and Tier 2* changes, DWGs context change criteria
- Section 4.7.3 Conformal License Amendment Requests (LARs)
- Operational Requirements – Definition
- Investment Protection Equipment, Regulatory Treatment of Non-Safety Systems (RTNSS)

- NRC Staff has not yet come to a decision internally on all matters related to NEI 96-07 Appendix C

NRC staff comments NEI 96-07, Appendix C Revision 0C

Comments under staff discussion from January 17th 2012
CdC meeting:

- Severe Accidents, Ex-Vessel and In-Vessel
- DCR VIII.B.5.c “A proposed departure from Tier 2 affecting resolution of an ex-vessel severe accident design feature identified in the plant specific DCD...”
- In-vessel severe accident mitigation design features are contained within Tier 1 for the current DCRs. NRC will revise SRP to specifically capture in-vessel severe accident mitigation design features in Tier 1

NRC staff comments NEI 96-07, Appendix C Revision 0C

Comments under staff discussion from January 17th 2012
CdC meeting:

- Screening Criteria 50.59 vs. DCR Section VIII
- 50.59 language not contained in DCR Section VIII – . . . conduct tests or experiments . . .
- DCR Section VIII.B.5.a - ... may depart from Tier 2 information without prior NRC approval unless...
- DCR Section VIII – focus is on changes to the Plant Specific DCD



NRC staff comments NEI 96-07, Appendix C Revision 0C

Comments under staff discussion from January 17th 2012
CdC meeting:

- Screening Criteria 50.59 vs. DCR Section VIII
- Staff position for discussion: Any departure from Tier 1 or Tier 2* information requires NRC approval even if other change process could apply. By making information Tier 1 or Tier 2*, the NRC clearly intended that NRC approval would be required before the information could be changed.

NRC staff comments

NEI 96-07, Appendix C Revision 0C

Comments under staff discussion from January 17th 2012
CdC meeting:

- Tier 1 and Tier 2* changes, DWGs context change criteria
- Staff position for discussion: License Amendment Request and DCD exemption request are required. Bases is the preservation of the operational function arrangement information required to support the Safety Evaluation Report finding. Preserve the communications within design center working group.

NRC staff comments

NEI 96-07, Appendix C Revision 0C

Comments under staff discussion from January 17th 2012
CdC meeting:

- Section 4.7.3 Conformal License Amendment Requests (LARs)
- Staff position for discussion: License Amendment Request and possible DCD exemption request required to conform to a plant modification that, by itself, does not require a LAR. LAR technical content may be limited in scope, however it must support the NRC safety evaluation finding.

NRC staff comments NEI 96-07, Appendix C Revision 0C

Comments under staff discussion from January 17th 2012
CdC meeting:

- Operational Requirements – definition work in progress
- Staff position for discussion: Operational requirements do not have finality in the DCD.
- Commission changed DCR “operational issues” in “operational requirements” (71 FR at 4472) “However, changes to other operational requirements, such as inservice testing and inservice inspection programs, post-fuel load verifications activities, and requirements governing shutdown risk that do not require a design change would not be restricted by 10 CFR 52.63 (see paragraph VIII.C of this appendix)”



NRC staff comments NEI 96-07, Appendix C Revision 0C

Comments under staff discussion from January 17th 2012
CdC meeting:

- Investment Protection Equipment, Regulatory Treatment of Non-Safety Systems (RTNSS) (AP-1000 specific Section 16.3)
- Staff position for discussion: Operational programs, engineering design configuration controls are the controlling mechanism.

NRC staff comments

NEI 96-07, Appendix C Revision 0C

Under staff consideration:

- Were any updates to NEI 99-04 “Guidelines for Managing NRC Commitment Changes” and 98-03 “Guidelines for Updating Final Safety Analysis Reports” considered by NEI to address part 52 applicability? (see also ISG-015 discussion)
- Staff position: NEI 99-04 and NEI 98-03 “Guidelines for Updating Final Safety Analysis Reports” does not specifically call out controlling mechanisms reflecting UFSAR “Plant Specific Design Control Document (DCD).”



Next Steps, NEI 96-07, Appendix C Revision 0C

Completion Task Sequence

- NRC staff – compile comments and transmit to NEI
- NRC staff - continue Part 52 applicability review of NEI 98-03 “Guidelines for Updating Final Safety Analysis Reports” and RG 1.181 “Content of the Updated Final Safety Analysis Report in Accordance with 10 CFR 50.71(e)”
- NEI consider and incorporate comments
- Next round of NRC comments with Public Meeting
- Objective - NRC endorsement of NEI 96-07 Appendix C as an acceptable method for controlling plant changes or modifications under Part 52