

April 26, 2012

Dr. J. Sam Armijo, Chairman
Advisory Committee on Reactor Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555

SUBJECT: DISPOSITION OF THE ADVISORY COMMITTEE ON REACTOR SAFEGUARDS' RESPONSE TO THE STAFF'S FEBRUARY 27, 2012, LETTER REGARDING THE FINAL DISPOSITION OF FUKUSHIMA-RELATED ACRS RECOMMENDATIONS IN LETTERS DATED OCTOBER 13 AND NOVEMBER 8, 2011

Dear Dr. Armijo:

The purpose of this letter is to provide the Advisory Committee on Reactor Safeguards (ACRS) with the results of the U.S. Nuclear Regulatory Commission staff's (NRC or the staff) review and evaluation of the recommendations from the ACRS letter dated March 13, 2012. In that letter, the ACRS recommended that the staff reconsider its disposition of (1) additional hydrogen control and mitigation measures in reactor buildings for plants with Mark I and Mark II containments as a Tier 3 action; and (2) the integration of fire response procedures as a part of Near-Term Task Force (NTTF) Recommendation 3 in lieu of NTTF Recommendation 8.

The staff reviewed the ACRS's recommendations and considered them in its decisionmaking process for prioritizing Fukushima-related items. The staff has determined that the existing prioritization and designation of these items remain valid based the NRC's regulatory framework and various regulatory vehicles available. Notwithstanding, relative to the inclusion of fire response procedures in the scope of Recommendation 8, the staff included the comments from the ACRS's October 13, 2011, letter in the advanced notice of proposed rulemaking (ANPR) for Recommendation 8. Specifically, the ANPR requests stakeholder feedback on whether fire response procedures, or other procedures not originally included in the scope of the recommendation, should be addressed as part of Recommendation 8. This ANPR was published in the *Federal Register* on April 18, 2012, for a 60 day public comment period (*Federal Register Notice 77 FR 23161*). At the conclusion of the public comment period, the staff will assess comments from external stakeholders and, if appropriate, reconsider the decision to maintain resolution of this ACRS recommendation as part of Recommendation 3.

The staff believes it is taking appropriate regulatory action on all of the lessons-learned from the Fukushima Dai-ichi nuclear accident and must remain vigilant to not unnecessarily divert the NRC's or the nuclear industry's focus from other important, ongoing safety-significant activities while addressing the NTTF recommendations.

J. Armijo

- 2 -

The staff appreciates the comments and recommendations ACRS provided and looks forward to continuing to work with the Committee in the future.

Sincerely,

/RA by Martin J. Virgilio for/

R. W. Borchardt
Executive Director
for Operations

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
SECY

J. Armijo

- 2 -

The staff appreciates the comments and recommendations ACRS provided and looks forward to continuing to work with the Committee in the future.

Sincerely,

/RA by Martin J. Virgilio for/

R. W. Borchardt
Executive Director
for Operations

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
SECY

DISTRIBUTION: G20120177/EDATS: OEDO-2012-0150

JLD R/F	ACRS File	MMarkley	JMarshall	RidsResOd	RidsNrrMailCenter
RidsNroMailCenter		RidsEdoMailCenter		RidsNsirMailCenter	
RidsOgcMailCenter		RidsAcrsAcnw_MailCTR		RidsSecyMailCenterResource	

Package.: ML12111A225 **Incoming:** ML12076A131 **Letter:** ML12109A260

*concurrence via e-mail

OFFICE	NRR/JLD/PSB	NRR/JLD/PSB	NRR/JLD	Tech Editor*	NRR	EDO
NAME	MDudek	MMitchell	DSkeen (RTaylor for)	JDougherty	ELeeds	RBorchardt (MVirgilio)
DATE	04/19/2012	04/19/2012	04/20/2012	04/19/2012	04/20/2012	04/26/2012

OFFICIAL RECORD COPY