UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 11, 2012

Mr. Randall K. Edington
Executive Vice President Nuclear/
Chief Nuclear Officer
Mail Station 7602
Arizona Public Service Company
P.O. Box 52034
Phoenix, AZ 85072-2034

SUBJECT: PALO VERDE NUCLEAR GENERATING STATION, UNITS 1, 2, AND 3 - REVIEW OF 60-DAY RESPONSE TO REQUEST FOR INFORMATION REGARDING RECOMMENDATION 9.3 OF THE NEAR-TERM TASK FORCE RELATED TO THE FUKUSHIMA DAI-ICHI NUCLEAR POWER PLANT ACCIDENT (TAC NOS. ME8588, ME8589, AND ME8590)

Dear Mr. Edington:

By letter dated March 12, 2012, the U.S. Nuclear Regulatory Commission (NRC or Commission) issued a Request for Information pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), paragraph 50.54(f) which included the Near-Term Task Force (NTTF) Recommendation 9.3 for Emergency Preparedness (EP). Specifically, licensees were requested to assess their means to power communications equipment onsite and offsite during a prolonged Station Blackout (SBO) event and to perform a staffing study to determine the staff required to fill all necessary positions in response to a multi-unit event. If a licensee could not meet the requested 90-day response, then that licensee was required to provide a response within 60 days of the issuance of the letter describing an alternative course of action and estimated completion date.

By letter dated May 11, 2012, Arizona Public Service Company, the licensee for Palo Verde Nuclear Generating Station, Units 1, 2, and 3, submitted its 60-day response proposing an alternative course of action based upon the higher priority to complete the implementation of the revised EP Rule. As discussed in the enclosed NRC staff evaluation, the licensee's alternative approach outlined in its 60-day response letter is consistent with the guidance of industry document Nuclear Energy Institute (NEI) 12-01, "Guidance for Assessing Beyond Design Basis Accident Response Staffing and Communications Capabilities,"[1] and the direction of the Commission.

In addition, the NRC staff concludes that the licensee provided an adequate basis for its proposed alternative to responding to the 50.54(f) Request for Information regarding communications and staffing for NTTF Recommendation 9.3. In its letter dated May 11, 2012, the licensee identified the regulatory commitments provided in the attachment to the enclosure to this letter.

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[1] NRC staff determined NEI 12-01 to be an acceptable approach in a letter dated May 15, 2012 (ADAMS Accession No. ML12131A043).

If you have any questions, please contact me at 301-415-3016 or via e-mail at Balwant.Singal@nrc.gov.

Sincerely,

Balwant K Singal

Balwant K. Singal, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-528, 50-529, and 50-530

Enclosure:
Staff Evaluation

cc w/encl: Distribution via Listserv

NUCLEAR REGULATORY COMMISSION STAFF EVALUATION

INFORMATION REQUEST MADE UNDER 10 CFR 50.54(f)

REGARDING NEAR-TERM TASK FORCE RECOMMENDATION 9.3

ARIZONA PUBLIC SERVICE COMPANY, ET AL.

PALO VERDE NUCLEAR GENERATING STATION, UNITS 1, 2, AND 3

DOCKET NOS. 50-528, 50-529, AND 50-530

By letter dated March 12, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12073A348), the U.S. Nuclear Regulatory Commission (NRC or Commission) issued a Request for Information pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), paragraph 50.54(f) which included the Near-Term Task Force (NTTF) Recommendation 9.3 for Emergency Preparedness (EP). Specifically, licensees were requested to assess their means to power communications equipment onsite and offsite during a prolonged Station Blackout (SBO) event and to perform a staffing study to determine the staff required to fill all necessary positions in response to a multi-unit event. If a licensee could not meet the requested 90-day response, then that licensee was required to provide a response within 60 days of the issuance of the letter describing an alternative course of action and estimated completion date.

By letter dated May 3, 2012 (ADAMS Accession No. ML12125A410), the Nuclear Energy Institute (NEI) submitted NEI 12-01, "Guideline for Assessing Beyond Design Basis Accident Response Staffing and Communications Capabilities," Revision 0, May 2012. The NRC staff reviewed NEI 12-01 and found it to be an acceptable method for licensees to use when responding to the NRC's 10 CFR 50.54(f) Request for Information regarding communications and staffing for EP. This staff evaluation is focused specifically on the licensee's response to the 10 CFR 50.54(f) letters and not on the associated Orders.

By letter dated May 11, 2012 (ADAMS Accession No. ML12139A324), Arizona Public Service Company, the licensee for Palo Verde Nuclear Generating Station, Units 1, 2, and 3 submitted its 60-day response to the 10 CFR 50.54(f) Request for Information proposing an alternative course of action based upon the higher priority to complete the implementation of the revised EP Rule. The NRC staff reviewed the licensee's proposed alternative against the guidance contained in NEI 12-01. In addition, the NRC staff also considered the direction given by the Commission in the Staff Requirements Memorandum (SRM) to SECY 12-0025, "Proposed Orders and Requests for Information in Response to Lessons Learned from Japan's March 11, 2011, Great Tohoku Earthquake and Tsunami," dated March 9, 2012 (ADAMS Accession No. ML120690347). This SRM stated, in part, that

> Completing implementation activities associated with the rule we have already promulgated has greater safety significance and also involves the coordinated actions of our partners in State and local governments. Substantial public credibility benefits accrue from continuing these activities as a priority.

The NRC staff considers the existing EP framework and regulations provides reasonable assurance of adequate protection of public health and safety in the event of a radiological emergency. The revised EP rule that was promulgated on November 23, 2011, initiated a number of activities that will enhance EP programs, including conducting a staffing analysis and enhancing public notification systems. The implementation of the EP rule was given priority by the Commission and the NTTF recommendations should not displace ongoing work that has greater safety benefit, higher priority, or is necessary for continued safe operation of nuclear power plants. The NTTF Report concluded that continued operation and continued licensing activities do not pose an imminent risk to the public health and safety and are not inimical to the common defense and security.

The phased approach to responding to the 10 CFR 50.54(f) letters, combined with the definition of new response requirements associated with Fukushima NTTF Recommendation 4.2, as subsequently modified by the NRC staff and issued as NRC Order EA-12-049 (ADAMS Accession No. ML12054A736), will ensure that enhancements will be made to staffing and communications by licensees. It should be noted that the 10 CFR 50.54(f) letter and implementation of the Order includes completion of actions related to response assignments, staffing changes, issuance of new or revised procedures or guidelines, and training. Activities are ongoing by both the NRC and industry to initiate interim actions as a result of lessons learned from the events which will be provided in the 90-day response such as:

- Methods to access the site
- Notification of staff
- Interim actions taken to date

Given the above and that the licensee's approach was found to be consistent with the guidance of NEI 12-01 and the direction of the Commission, the NRC staff concludes that the licensee has provided an adequate basis for its proposed alternative responding to the 10 CFR 50.54(f) letters regarding communications and staffing for Recommendation 9.3.

In its letter dated May 11, 2012, the licensee identified the regulatory commitments provided in the attachment to this staff evaluation.

Attachment

LIST OF REGULATORY COMMITMENTS PROVIDED IN
ARIZONA PUBLIC SERVICE COMPANY'S LETTER DATED MAY 11, 2012

COMMITMENT	RCTSAI NUMBER*	SCHEDULED COMPLETION DATE
1. Provide an assessment of the current communications systems and equipment used during an emergency event to identify any enhancements that may be needed to ensure communications are maintained during a large scale natural event meeting the conditions described.	4157234	10/31/2012
2. Provide an implementation schedule of the time needed to conduct and implement the results of the communications assessment.	4157289	10/31/2012
3. Conduct and provide results for an onsite and augmented staffing assessment considering all requested functions except those related to NTTF Recommendation 4.2. [Phase 1 staffing assessment for Staffing Request #1]	4157309	4/30/2013
4. Conduct and provide results for an onsite and augmented staffing assessment considering functions related to NTTF Recommendation 4.2. [Phase 2 staffing assessment for Staffing Request #1]	4157351	4 months prior to beginning of 1R18 refueling outage (estimated June 2014)
5. Provide information requested in Communications Request #2 and Staffing Requests #3, #4, and #5.	4157395	4/30/2013
6. Provide a schedule of the time needed to implement changes associated with the Phase 1 staffing assessment [for Staffing Request #2].	4157451	4/30/2013
7. Provide a schedule of the time needed to implement changes associated with the Phase 2 staffing assessment. [for Staffing Request #2]	4157467**	4 months prior to beginning of 1R18 refueling outage (estimated June 2014)
8. Identify changes associated with the Phase 1 staffing assessment that have been made or will be made to your emergency plan regarding the on-shift or augmented staffing changes necessary to respond to a loss of all AC power, multi-unit event, including any new or revised agreements with offsite resource providers [for Staffing Request #6].	4157477	4/30/2013
9. Identify changes associated with the Phase 2 staffing assessment that have been made or will be made to your emergency plan regarding the on-shift or augmented staffing changes necessary to respond to a loss of all AC power, multi-unit event, including any new or revised agreements with offsite resource providers [for Staffing Request #6].	4157485	4 months prior to beginning of 1R18 refueling outage (estimated June 2014)

*Regulatory Commitment Tracking System Action Item Number
**RCTSAI Number corrected by e-mail dated June 6, 2012 (ADAMS Accession No. ML12159A059)

Attachment

If you have any questions, please contact me at 301-415-3016 or via e-mail at Balwant.Singal@nrc.gov.

Sincerely,

/RA/

Balwant K. Singal, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-528, 50-529, and 50-530

Enclosure:
Staff Evaluation

cc w/encl: Distribution via Listserv

DISTRIBUTION:
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CMurray, NSIR
JShea, NRR/JLD
JKratchman, NRR/JLD

ADAMS Accession No. ML12158A362 *concurrence via email

OFFICE	NRR/DORL/LPL4/PM	NRR/DORL/LPL4/LA	NSIR/DPR/DDEPE/NRLB/BC
NAME	BSingal	JBurkhardt	KWilliams*
DATE	6/6/12	6/6/12	5/24/12
OFFICE	NRR/JLD/PMB/BC	NRR/DORL/LPL4/BC	NRR/DORL/LPL4/PM
NAME	RPascarelli	MMarkley	BSingal
DATE	6/7/12	6/11/12	6/11/12

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