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CP-201200832
Log # TXNB-12027

Ref. # 10 CFR 52

July 24, 2012

U. S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555
ATTN: David B. Matthews, Director
Division of New Reactor Licensing

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4
DOCKET NUMBERS 52-034 AND 52-035
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION NO. 6493
(SECTION 1) AND 6527 (SECTION 1.05)

Dear Sir:

Luminant Generation Company LLC (Luminant) submits herein the response to Requests for Additional Information (RAIs) No. 6493 (CP RAI #260) and No. 6527 (CP RAI #261) for the Combined License Application for Comanche Peak Nuclear Power Plant Units 3 and 4. The RAIs address a decommissioning funding plan and three Fukushima Near-Term Task Force recommendations, respectively.

A table of commitments made in this letter is provided on page 2.

Should you have any questions regarding the response, please contact Don Woodlan (254-897-6887, Donald.Woodlan@luminant.com) or me.

I state under penalty of perjury that the foregoing is true and correct.

Executed on July 24, 2012.

Sincerely,

Luminant Generation Company LLC


Rafael Flores *for*

- Attachments: 1. Response to Request for Additional Information No. 6493 (CP RAI #260)
2. Response to Request for Additional Information No. 6527 (CP RAI #261)

DD9D
NRD

Regulatory Commitments in this Letter

This letter contains the following new or revised commitments which will be completed or incorporated into the CPNPP licensing basis as noted. The Commitment Number is used by Luminant for internal tracking.

<u>Number</u>	<u>Commitment</u>	<u>Due Date/Event</u>
8373	In the response to RAI 261-6527 Question 01.05-1, Luminant committed to submit a supplement to the response describing the activities completed to address the updated EPRI guidance on earthquake sources in the CEUS.	60 days after submittal of FSAR Rev 3 UTR Rev 1 (current estimate April 29, 2013)
8374	In the response to RAI 261-6527 Question 01.05-2, Luminant committed to provide a supplement to the response and include necessary changes to the COLA describing implementation of the procedure and training provisions of Recommendation 7.1 regarding new spent fuel pool instrumentation.	90 days after MHI submittal of US-APWR DCD revisions (current estimate May 29, 2013)
8375	In the response to RAI 261-6527 Question 01.05-3, Luminant committed to provide the results of an evaluation of the offsite communication equipment provisions in accordance with NEI 12-01, Revision 0 in a supplement to the response and include necessary changes to the COLA.	90 days after MHI submittal of US-APWR DCD revisions (current estimate May 29, 2013)
8377	In the response to RAI 261-6527 Question 01.05-3, Luminant committed that with respect to Recommendation 9.3 item 3, offsite communications improvements identified by an evaluation of the offsite communications equipment provisions in accordance with NEI 12-01, Revision 0 that are applicable to CPNPP Units 3 and 4 will be implemented.	Before Full Participation Exercise

Electronic distribution w/ attachments:

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U. S. Nuclear Regulatory Commission
CP-201200832
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7/24/2012

Attachment 1

Response to Request for Additional Information No. 6493 (CP RAI #260)

RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Comanche Peak, Units 3 and 4

Luminant Generation Company LLC

Docket Nos. 52-034 and 52-035

RAI NO.: 6493 (CP RAI #260)

SRP SECTION: 01 - Introduction and Interfaces

QUESTIONS for USAPWR Projects Branch (NMIP)

DATE OF RAI ISSUE: 6/25/2012

QUESTION NO.: 01-12

Luminant is requested to address the financial assurance for decommissioning requirements stated in 10 CFR 30.35, and 10 CFR 40.36. For a Part 30 and 40 license, 10 CFR 30.35 and 10 CFR 40.36 do not provide an option for a COL applicant to defer submitting financial assurance for decommissioning funding until after issuance of the COL. Therefore, Luminant is requested to provide a response to the following questions:

If Luminant is requesting to possess unsealed byproduct material and sealed sources or plated foils in the amounts specified in 10 CFR 30.35, then Luminant is requested to provide a decommissioning funding plan (DFP) and cost estimate in accordance with the requirements of 10 CFR 30.35. After the NRC completes the review of DFP and cost estimate, and finds them to be acceptable, Luminant is then requested to provide an appropriate instrument in support of the financial assurance (FA) for decommissioning as required in 10 CFR 30.35. As an alternative, Luminant may inform the staff that the amount of unsealed byproduct material and sealed sources or plated foils will be below the amounts specified in 10 CFR 30.35(a) and (b).

ANSWER:

10 CFR 30.35(a)(1) states:

Each applicant for a specific license authorizing the possession and use of unsealed byproduct material of half-life greater than 120 days and in quantities exceeding 10^5 times the applicable quantities set forth in appendix B to part 30 shall submit a decommissioning funding plan as described in paragraph (e) of this section.

Per FSAR Subsection 12.2.1.1.10, "Sources brought on site by contractors for activities such as the servicing or calibration of plant instrumentation or the performance of radiography are maintained and used in accordance with the provisions of the licensed utility group or contractor." This includes miscellaneous sources used prior to initial fuel load for system checks, equipment standardization and calibration, process control, gauging and quality assurance testing and teaching.

The following quantities and types of byproduct material may be on site under the CPNPP Units 3 and 4 licenses prior to initial fuel load, and the quantities of byproduct material are much less than 10^5 times the limits found in Appendix B to Part 30.

Type of Equipment	Use of Equipment	Byproduct Source Used	Amount of Byproduct Used (μCi)	Appendix B x 10^5 Limit (μCi)
Calibration Source for NaI Detector - Fuel Shipping Inspection	Calibration Source	Co-60, Cs-137, Ba-132	TBD ⁽¹⁾	Co-60 - 10^5 Cs-137 - 10^6 Ba-132 - 10^4
LLW Inspection Equipment	1) Proofreading radiation measurement equipment 2) Measurement of the upper space drum	Co-60 Cs-137 Co-58 Ba-133	Co-60 - 43.24 Cs-137 - 110.8 Co-58 - 2.70 Ba-133 - 135.1	Co-60 - 10^5 Cs-137 - 10^6 Co-58 - 10^6 Ba-133 - 10^6
Box-type Clearance Equipment	Proofreading radiation measurement equipment	Co-60 Cs-137	Co-60 - 13.51 Cs-137 - 27	Co-60 - 10^5 Cs-137 - 10^6
Tray-type Clearance Equipment	Proofreading radiation measurement equipment	Co-60	2.70	Co-60 - 10^5
Reactor Vessel Surveillance Capsule	Dosimeter	U-238 Np-237	Not considered Byproduct material as defined by 10 CFR Part 30 Schedule B	N/A
Primary Source Assembly	Neutron Source	Cf-252	Not considered Byproduct material as defined by 10 CFR Part 30 Schedule B	N/A

⁽¹⁾ This will be similar to the amounts used in the LLW Inspection equipment.

Looking at the unity rule established in 10 CFR 30.35(a)(1) for the items above:

Type of Equipment	Unity Rule Equation
LLW Inspection Equipment	$(43.24/1 + 110.8/10 + 2.70/10 + 135.1/10) / 100000 = 6.81 \text{ E-}04 \lllll 1$
Calibration Source for NaI Detector - Fuel Inspection	TBD $\lll 1$
Box-type Clearance Equipment	$(13.51/1 + 27.0/10) / 100000 = 1.38 \text{ E-}05 \lllll 1$
Tray-type Clearance Equipment	$(2.70/1) / 100000 = 2.7 \text{ E-}05 \lllll 1$

10 CFR 30.35(a)(2) states:

Each holder of, or applicant for, any specific license authorizing the possession and use of sealed sources or plated foils of half-life greater than 120 days and in quantities exceeding 10^{12} times the applicable quantities set forth in appendix B to part 30... shall submit a decommissioning funding plan as described in paragraph (e) of this section.

No sealed sources or plated foils with half-lives greater than 120 days other than those listed in the table will be used on site under the CPNPP Units 3 and 4 Part 30 license. Since these quantities were much less than 10^5 times the quantities in Appendix B, they are also much less than 10^{12} times the Appendix B quantities. Therefore, no additional decommissioning funding plan is required for CPNPP Units 3 and 4.

This information has been added to COLA Part 11 as an enclosure entitled "Byproduct Material Possessed or Used by CPNPP Units 3 and 4 Prior to Initial Fuel Load".

In summary, based upon the quantities of byproduct material possessed or used by CPNPP Units 3 and 4 prior to initial fuel load, a decommissioning funding plan is not required for Luminant to possess a Part 30 byproduct material license. Prior to fuel load, a decommissioning funding plan will be in place for CPNPP Units 3 and 4 per 10 CFR 50.75 as discussed in Part 1 of the COLA to satisfy the decommissioning funding plan requirements for an operating plant.

Impact on R-COLA

See attached new COLA Part 11 enclosure "Byproduct Material Possessed or Used by CPNPP Units 3 and 4 Prior to Initial Fuel Load", Revision 0 (cover sheet and two pages) and a revised cover sheet for COLA Part 11.

Impact on S-COLA

None.

Impact on DCD

None.

**Comanche Peak Nuclear Power Plant
Units 3 and 4**

COL Application

Part 11

COLA Enclosures

Revision 3

Quality Assurance Program Description (QAPD)	Revision 2
Special Nuclear Material (SNM) Control and Accounting (MC&A) Program Description	Revision 1
Negation Action Plan	Revision 0
Technical Specification Methodology for Risk-Managed Technical specifications and Surveillance Frequency Control Program	Revision 1
<u>Byproduct Material Possessed or Used by CPNPP Units 3 and 4 Prior to Initial Fuel Load</u>	<u>Revision 0</u>

RCOL2_
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Comanche Peak Nuclear Power Plant Units 3 and 4

Byproduct Material Possessed or Used
by CPNPP Units 3 and 4 Prior to Initial Fuel Load

Revision 0

July 2012

**Byproduct Material Possessed or Used
by CPNPP Units 3 and 4 Prior to Initial Fuel Load**

RCOL2_01
-12

10 CFR § 30.35(a)(1) Financial assurance and recordkeeping for decommissioning requires that the quantities of byproduct materials need to be $< 10^5$ times the quantities of byproduct materials found in Appendix B to Part 30. For the US-APWR, the following quantities and types of byproduct material are provided and may be on site prior to initial fuel load:

<u>Type of Equipment</u>	<u>Use of Equipment</u>	<u>Byproduct Source Used</u>	<u>Amount of Byproduct Used (μCi)</u>	<u>Appendix B x 10⁵ Limit (μCi)</u>
<u>Calibration Source for NaI Detector - Fuel Shipping Inspection</u>	<u>Calibration Source</u>	<u>Co-60, Cs-137, Ba-132</u>	<u>TBD⁽¹⁾</u>	<u>Co-60 - 10⁵ Cs-137 - 10⁶ Ba-132 - 10⁴</u>
<u>LLW Inspection Equipment</u>	<u>1) Proofreading radiation measurement equipment</u> <u>2) Measurement of the upper space drum</u>	<u>Co-60 Cs-137 Co-58 Ba-133</u>	<u>Co-60 - 43.24 Cs-137 - 110.8 Co-58 - 2.70 Ba-133 - 135.1</u>	<u>Co-60 - 10⁵ Cs-137 - 10⁶ Co-58 - 10⁶ Ba-133 - 10⁶</u>
<u>Box-type Clearance Equipment</u>	<u>Proofreading radiation measurement equipment</u>	<u>Co-60 Cs-137</u>	<u>Co-60 - 13.51 Cs-137 - 27</u>	<u>Co-60 - 10⁵ Cs-137 - 10⁶</u>
<u>Tray-type Clearance Equipment</u>	<u>Proofreading radiation measurement equipment</u>	<u>Co-60</u>	<u>2.70</u>	<u>Co-60 - 10⁵</u>
<u>Reactor Vessel Surveillance Capsule</u>	<u>Dosimeter</u>	<u>U-238 Np-237</u>	<u>Not considered Byproduct material as defined by 10 CFR Part 30 Schedule B</u>	<u>N/A</u>
<u>Primary Source Assembly</u>	<u>Neutron Source</u>	<u>Cf-252</u>	<u>Not considered Byproduct material as defined by 10 CFR Part 30 Schedule B</u>	<u>N/A</u>

⁽¹⁾ This will be similar to the amounts used in the LLW Inspection equipment.

Byproduct Material Possessed or Used
by CPNPP Units 3 and 4 Prior to Initial Fuel Load

RCOL2_01
-12

Looking at the unity rule established in 30.35(a)(1) for the items above:

<u>Type of Equipment</u>	<u>Unity Rule Equation</u>
<u>LLW Inspection Equipment</u>	$(43.24/1 + 110.8/10 + 2.70/10 + 135.1/10) / 100000 = 6.81 \text{ E-}04 \lllll 1$
<u>Calibration Source for NaI Detector – Fuel Inspection</u>	TBD $\lll 1$
<u>Box-type Clearance Equipment</u>	$(13.51/1 + 27.0/10) / 100000 = 1.38 \text{ E-}05 \lllll 1$
<u>Tray-type Clearance Equipment</u>	$(2.70/1) / 100000 = 2.7 \text{ E-}05 \lllll 1$

As shown in the tables above, CPNPP does not possess or use unsealed byproduct material of half-life greater than 120 days and in quantities exceeding 10^5 times the applicable quantities set forth in appendix B to Part 30, prior to initial fuel load. In addition, for the combination of isotopes, R divided by 10^5 is much less than 1. As such, CPNPP is not required to have a decommissioning funding plan per 10 CFR § 30.35(a)(1).

10 CFR § 30.35(a)(2) requires applicants to put aside decommissioning funds for the authorization to possess and use sealed sources or plated foils of half-lives greater than 120 days and in quantities exceeding 10^{12} times the applicable quantities set forth in appendix B to part 30. No other sealed sources or plated foils with half-lives greater than 120 days other than those listed in the table will be used at CPNPP. Since these quantities were much less than 10^5 times the quantities, they are also much less than 10^{12} the Appendix B quantities. Similarly, because the R divided by 10^5 is much less than 1, the R divided by 10^{12} is also much less than 1. As such, CPNPP Units 3 and 4 is not required to have a decommissioning fund per 10 CFR § 30.35(a)(2).

In summary, based upon the quantities of byproduct material possessed or used by CPNPP Units 3 and 4 prior to initial fuel load, a decommissioning funding plan is not required for Luminant to possess a Part 30 byproduct material license per 10 CFR Part 30. Prior to fuel load, a decommissioning funding plan will be in place for CPNPP Units 3 and 4 per 10 CFR 50.75.

RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Comanche Peak, Units 3 and 4

Luminant Generation Company LLC

Docket Nos. 52-034 and 52-035

RAI NO.: 6493 (CP RAI #260)

SRP SECTION: 01 - Introduction and Interfaces

QUESTIONS for USAPWR Projects Branch (NMIP)

DATE OF RAI ISSUE: 6/25/2012

QUESTION NO.: 01-13

For the quantities of dispersible source material requested, Luminant is requested to provide a decommissioning funding plan (DFP) and cost estimate in accordance with 10 CFR 40.36. After the NRC completes the review of DFP and cost estimate, and finds them to be acceptable, Luminant is requested to provide an appropriate instrument in support of the financial assurance (FA) for decommissioning as required in 10 CFR 40.36. As an alternative, Luminant may confirm that 10 CFR Part 40 specifically licensed source material would not be received, possessed, or used during the period between issuance of the COL and the Commission's 10 CFR 52.103(g) finding for each of the Comanche Peak Nuclear Power Plants, Units 3 and 4. In its letter dated March 9, 2012, Luminant stated on COLA FSAR page 12.2-3, that it will not to receive, possess, or use 10 CFR Part 40 specifically licensed source material, including natural uranium, depleted uranium, and uranium hexafluoride prior to initial fuel load.

ANSWER:

Luminant confirms that source material specifically licensed under 10 CFR 40 will not be received, possessed or used during the period between the issuance of the COL and the Commission's 10 CFR 52.103(g) finding as stated in FSAR Subsection 12.2.1.1.10. Therefore, a decommissioning funding plan is not required for Luminant to possess a Part 40 source material license prior to fuel load. A decommissioning funding plan will be in place for CPNPP Units 3 and 4 per 10 CFR 50.75 prior to fuel load as discussed in Part 1 of the COLA.

Impact on R-COLA

None.

Impact on S-COLA

This response is standard.

Impact on DCD

None.

U. S. Nuclear Regulatory Commission
CP-201200832
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7/24/2012

Attachment 2

Response to Request for Additional Information No. 6527 (CP RAI #261)

RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Comanche Peak, Units 3 and 4

Luminant Generation Company LLC

Docket Nos. 52-034 and 52-035

RAI NO.: 6527 (CP RAI #261)

SRP SECTION: 01.05 - Other Regulatory Considerations

QUESTIONS for USAPWR Projects Branch (NMIP)

DATE OF RAI ISSUE: 6/25/2012

QUESTION NO.: 01.05-1

This request for additional information (RAI) specifically addresses Recommendation 2.1, of the Fukushima Near-Term Task Force recommendations contained in SECY-12-0025 as it pertains to the seismic hazard evaluation. This recommendation specifies the use of NUREG-2115, "Central and Eastern United States Seismic Source Characterization for Nuclear Facilities," (CEUS-SSC) in a site probabilistic seismic hazard analysis (PSHA). Consistent with Recommendation 2.1, as well as the need to consider the latest available information in the (PSHA) for Comanche Peak Nuclear Power Plant, Units 3 and 4 planned reactor site, the NRC staff requests that Luminant:

- a) Evaluate the potential impacts of the newly released CEUS-SSC model, with potential local and regional refinements as identified in the CEUS-SSC model, on the seismic hazard curves and the site-specific ground motion response spectra (GMRS)/foundation input response spectra (FIRS). For re-calculation of the PSHA, please follow either the cumulative absolute velocity (CAV) filter or minimum magnitude specifications outlined in Attachment 1 to Seismic Enclosure 1 of the March 12, 2012 letter "Request for information pursuant to Title 10 of the *Code of Federal Regulations* 50.54(f) regarding Recommendations 2.1, 2.3, and 9.3, of the near-term task force review of insights from the Fukushima Dai-Ichi accident." (ML12053A340).
- b) In your response, please identify the method you selected from the above choices to perform the evaluation. Modify and submit the site-specific GMRS and FIRS changes, as necessary, given the evaluation performed in part (a) above. Provide the basis supporting your position.

ANSWER:

Luminant provided the CPNPP Units 3 and 4 Integrated Seismic Closure Plan (ISCP) in a letter to the NRC dated April 16, 2012 (ML12109A154), which described, in part, the strategy for addressing the new EPRI guidance on earthquake sources in the CEUS. As part of this activity, Luminant is evaluating the potential impacts of the newly released CEUS-SSC model on the seismic hazard curves and the site-specific GMRS/FIRS. Additionally, the CAV filter will be used to re-calculate the PSHA.

A schedule for submitting COLA changes related to these seismic re-evaluations was included in the ISCP. Consistent with the ISCP schedule, Luminant will submit FSAR Revision 3 UTR Revision 1 that will reflect the updated EPRI guidance for the CEUS earthquake sources in FSAR Section 2.5.

Luminant will submit a supplement to this response within 60 days following the submittal of FSAR Revision 3 UTR Revision 1, describing the activities completed to address this question.

Impact on R-COLA

None.

Impact on S-COLA

None; this response is site-specific.

Impact on DCD

None.

RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Comanche Peak, Units 3 and 4

Luminant Generation Company LLC

Docket Nos. 52-034 and 52-035

RAI NO.: 6527 (CP RAI #261)

SRP SECTION: 01.05 - Other Regulatory Considerations

QUESTIONS for USAPWR Projects Branch (NMIP)

DATE OF RAI ISSUE: 6/25/2012

QUESTION NO.: 01.05-2

By letter dated May 16, 2012, (ML12124A036), the NRC staff informed you that the NRC staff has been directed by the Commission to implement the Fukushima Near-Term Task Force recommendations contained in 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 February 17, 2012. This request for additional information (RAI) specifically addresses Recommendation 7.1, "Reliable Spent Fuel Pool Instrumentation." The NRC staff requests that you address each of the provisions for monitoring key spent fuel pool parameters as described in the March 12, 2012 Order, EA-12-051 (ML12054A679), including any proposals for changes to your current application.

ANSWER:

In its response to RAI 944-6516, Question 01.05-1, in letter UAP-HF-12206 dated July 18, 2012, MHI stated that the evaluation of any new spent fuel pool instrumentation per Recommendation 7.1 would be addressed within the scope of the standard plant and necessary changes to the US-APWR DCD. In that letter, MHI also stated that new COL items would be included in the DCD for COL applicants to address the procedure (testing, calibration, and operation) and training provisions of Recommendation 7.1.

Design description changes made to the DCD with respect to Recommendation 7.1 will be incorporated by reference in the COLA. Luminant will provide a supplement to this response and include necessary changes to the COLA describing the implementation of the procedure and training provisions of Recommendation 7.1 within 90 days following the submittal of the related DCD revisions.

Impact on R-COLA

None.

Impact on S-COLA

None; this response is site-specific.

Impact on DCD

None

RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Comanche Peak, Units 3 and 4
Luminant Generation Company LLC
Docket Nos. 52-034 and 52-035

RAI NO.: 6527 (CP RAI #261)

SRP SECTION: 01.05 - Other Regulatory Considerations

QUESTIONS for USAPWR Projects Branch (NMIP)

DATE OF RAI ISSUE: 6/25/2012

QUESTION NO.: 01.05-3

By letter dated May 16, 2012, (ML12124A036), the NRC staff informed you that the NRC staff has been directed by the Commission to implement the Fukushima Near-Term Task Force recommendations contained in 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 February 17, 2012. This request for additional information (RAI) specifically addresses Recommendation 9.3, "provisions for enhancing emergency preparedness." The NRC staff requests that you address each of the provisions for enhancing emergency preparedness as described in Enclosure 7 of SECY-12-0025, including any proposals for changes to your current application.

ANSWER:

Communications

In its response to RAI 944-6516 Question 01.05-2 in letter UAP-HF-12206 dated July 18, 2012, MHI stated that the evaluation of any new onsite communications equipment per Recommendation 9.3 item 1 would be addressed within the scope of the standard plant and necessary changes to the US-APWR DCD. In that letter, MHI also stated that new COL items would be included in the DCD for COL applicants to address the offsite communications equipment and staffing provisions of Recommendation 9.3, item 1. Design description changes regarding the onsite communications system made to the DCD with respect to Recommendation 9.3 will be incorporated by reference in the COLA.

With respect to the implementation of the offsite communication equipment provisions of Recommendation 9.3 item 1, Luminant is undertaking an evaluation in accordance with NEI 12-01, Revision 0 coordinated with a similar evaluation for CPNPP Units 1 and 2. Luminant will provide the results of this evaluation in a supplement to this response and include necessary changes to the COLA within 90 days following the submittal of the related DCD revisions.

With respect to Recommendation 9.3 item 3, offsite communications improvements identified by this evaluation that are applicable to CPNPP Units 3 and 4 will be implemented before the full participation exercise milestone in FSAR Table 13.4-201.

The request for interim actions described in item 2 of the Recommendation's requested information is not applicable to CPNPP Units 3 and 4 because the units will not begin initial fuel load prior to completion of actions associated with this Recommendation.

Staffing

Luminant is undertaking a staffing evaluation for CPNPP Units 3 and 4 in response to the emergency planning staffing provisions of Recommendation 9.3. This evaluation is being coordinated with a similar evaluation for CPNPP Units 1 and 2.

This staffing evaluation will be an onsite and augmented staffing assessment of beyond design basis accidents considering the requested functions described in Recommendation 9.3, items 1 through 4 and 6, including those related to NTTF Recommendation 4.2. This evaluation will be performed consistent with NEI 12-01. In order to complete this evaluation, emergency plan implementing procedures are needed to perform a detailed analysis demonstrating that on-shift personnel assigned emergency plan implementation functions are not assigned collateral duties or additional responsibilities that would prevent the timely performance of their assigned functions as specified in the emergency plan. As described in FSAR Table 13.4-201, the emergency plan implementing procedures will not be developed until after COL issuance. Furthermore, the ability to perform initial emergency plan implementing duties is assessed during operations training and emergency response drills and exercises. Time/motion studies may be performed to determine if assigned duties are acceptable. These studies employ direct performance observation in a drill or exercise.

Therefore, Luminant commits to complete the staffing evaluation in accordance with the NEI guidance, implement its findings (including any needed modifications), and submit the evaluation results to the NRC before the full participation exercise milestone in FSAR Table 13.4-201. Luminant has attached a proposed license condition regarding this commitment. This proposed license condition is included in COLA Part 10 to reflect this commitment. This commitment is also included in FSAR Section 13.3.

The request for interim actions described in item 5 of the Recommendation's requested information is not applicable to CPNPP Units 3 and 4 because the units will not begin initial fuel load prior to completion of actions associated with this Recommendation.

Impact on R-COLA

See attached marked-up FSAR Revision 3 pages 13.3-1 and 13.3-2, and COLA Part 10 Revision 3, pages 3 and 7.

Impact on S-COLA

None; this response is site-specific.

Impact on DCD

None.

Comanche Peak Nuclear Power Plant, Units 3 & 4
COL Application
Part 2, FSAR

13.3 EMERGENCY PLANNING

This section of the referenced DCD is incorporated by reference with the following departures and/or supplements.

- STD COL 13.3(1) Replace the fourth sentence of the first paragraph in the **DCD Subsection 13.3** with the following.

Interfaces of design features with site specific designs and site parameters are addressed in Combined License Application Part 5 "Emergency Plan".

- STD COL 13.3(7) Add the following paragraph to the end of **DCD Section 13.3**.

The description of the operation support center is provided in Combined License Application Part 5 "Emergency Plan".

13.3.1 Combined License Application and Emergency Plan Content

- CP COL 13.3(2) Replace the first and second sentence of the first paragraph in the **DCD Subsection 13.3.1** with the following.

The Emergency Plan for the CPNPP Units 3 and 4 is provided in Combined License Application Part 5 "Emergency Plan". The Emergency Plan is developed in accordance with 10 CFR 50.47 Appendix E and 10 CFR 52.

- STD COL 13.3(3) Replace the second paragraph in the **DCD Subsection 13.3.1** with the following.
STD COL 13.3(4)

Emergency classifications and action levels, and the security-related aspects of emergency planning are addressed in Combined License Application Part 5 "Emergency Plan".

13.3.2 Emergency Plan Considerations for Multi-Unit Site

- CP COL 13.3(5) Replace the sentence in the **DCD Subsection 13.3.2** with the following.

The interface between the Emergency Plan for CPNPP Units 3 and 4 and the Emergency Plan for CPNPP Units 1 and 2 is addressed in the CPNPP Units 3 and 4 Combined License Application Part 5 "Emergency Plan".

Prior to the full participation exercise milestone in Table 13.4-201, an evaluation will be completed and implemented in accordance with NEI 12-01 (Ref. 13.3-201), including changes to the Emergency Plan and FSAR, as necessary.

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13.3.3 Emergency Planning Inspections, Tests, Analyses, and Acceptance Criteria

CP COL 13.3(6) Replace the sentence in the **DCD Subsection 13.3.3** with the following.

Emergency planning inspections, tests, analyses, and acceptance criteria are addressed in the CPNPP Units 3 and 4 Combined License Application Part 5 "Emergency Plan" and are provided in the CPNPP Units 3 and 4 Combined License Application **Part 10** "ITAAC and ITAAC Closure".

13.3.4 Combined License Information

Replace the content of **DCD Subsection 13.3.4** with the following.

STD COL 13.3(1) **13.3(1)** *Interfaces of design features with site specific designs and site parameters*
This COL item is addressed in Section 13.3.

CP COL 13.3(2) **13.3(2)** *Comprehensive emergency plan*
This COL item is addressed in Subsection 13.3.1.

STD COL 13.3(3) **13.3(3)** *Emergency classification and action level scheme*
This COL item is addressed in Subsection 13.3.1.

STD COL 13.3(4) **13.3(4)** *Security-related aspects of emergency planning*
This COL item is addressed in Subsection 13.3.1.

CP COL 13.3(5) **13.3(5)** *Multi-unit site interface plan depending on the location of the new reactor on, or near, an operating reactor site with an existing emergency plan*
This COL item is addressed in Subsection 13.3.2.

CP COL 13.3(6) **13.3(6)** *Emergency planning inspections, tests, analyses, and acceptance criteria*
This COL item is addressed in Subsection 13.3.3.

STD COL 13.3(7) **13.3(7)** *Operation support center*
This COL item is addressed in Section 13.3.

13.3.5 References

Add the following reference after the last reference in **DCD Subsection 13.3.5**.

13.3-201 Guideline for Assessing Beyond Design Basis Accident Response Staffing and Communications Capabilities, NEI 12-01, Revision 0, Nuclear Energy Institute, May 2012.

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potential condition to the license. The EPP has typically been an appendix to the operating license and that precedent may be followed for COLs as well. No plant specific environmental items have been identified which are not adequately controlled by regulations, the appropriate permits, etc. and thus an EPP has not been proposed and is not needed.

2.5 Technical Specifications

Implementation of Technical Specifications prior to fuel load could also constitute a potential condition to the license. The Technical Specifications have typically been an appendix to the operating license and that precedent may be followed for COLs as well.

2.6 Emergency Planning Actions

Execution of Letters of Agreement with State and local entities identifying the specific nature of arrangements in support of emergency preparedness and certifying the agency's concurrence with the emergency action levels prior to the full-participation exercise is a potential condition to the license. A proposed license condition is provided in section 3 below.

Submittal of a fully developed set of site-specific Emergency Action Levels (EALs) to the NRC in accordance with NEI 99-01, Revision 5 at least 180 days prior to initial fuel load is a potential condition to the license. A proposed license condition is provided in section 3 below.

Implementation of the results of an emergency planning staffing assessment of the onsite and augmented staffing capability to satisfy the staffing recommendations in Recommendation 9.3 of the Fukushima Near-Term Task Force as described in SECY-12-0025 prior to the first full participation exercise is a potential condition to the license. A proposed license condition is provided in section 3 below.

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2.7 Others

The current operating licenses have some typical license conditions in areas such as security, fire protection and others. These current license conditions may or may not apply to COLs.

3. Specific Proposed License Conditions

The license conditions identified thus far during the COL development and review are:

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Proposed License Condition	Source
<p>(iii) The licensee shall submit a fully developed set of site-specific Emergency Action Levels (EALs) to the NRC in accordance with NEI 99-01, Revision 5, with few differences or deviations. The fully developed site-specific EAL scheme shall be submitted to the NRC for confirmation at least 180 days prior to initial fuel load.</p> <p>(iv) Prior to commencing construction and throughout the term of the license, the Licensees shall implement the Comanche Peak provisions of the Nuclear Power Plant Units 3 and 4, Negation Action Plan dated December 15, 2010 relating to the terms of Amended and Restated Limited liability Company Agreement (LLC Agreement) for CPNPC and Luminant's authority pursuant to the Construction and Operating Services Agreement (COSA). The provisions of Section 5.1(g) of the LLC Agreement and Section 2.1.2 of the COSA relating to authority regarding safety and security issues may not be modified in any material respect without first giving 30 days prior written notice to the Director, Office of Nuclear Reactor Regulation.</p> <p><u>(v) Prior to the full participation exercise conducted in accordance with Appendix E to 10 CFR Part 50, the licensee shall:</u></p> <p><u>a. Complete and implement the results of an assessment of the onsite and augmented staffing capability to satisfy the staffing recommendations in Recommendation 9.3 of the Fukushima Near-Term Task Force as described in SECY-12-0025. This emergency planning staffing assessment will be performed in accordance with NEI 12-01, Revision 0.</u></p> <p><u>b. Revise the Emergency Plan and FSAR, as necessary, to include:</u></p> <p style="padding-left: 40px;"><u>(1) Incorporation of corrective actions identified in the staffing assessment described above.</u></p> <p style="padding-left: 40px;"><u>(2) Identification of how the augmented staff will be notified given degraded communications capabilities.</u></p> <p><u>c. Submit the results of the staffing assessment to the NRC.</u></p>	<p>Answer to RAI 3295 (CP RAI #70) question 13.03-1 and RAI 3327 (CP RAI #78) questions 13.03-2 and 13.03-8.</p> <p>COLA Part 1, Administrative and Financial Information, RAI response issued: 10/14/2010</p> <p><u>Answer to RAI 6527 (CP RAI #261) question 01.05-3</u></p>

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