

September 20, 2012

MEMORANDUM TO: Meena Khanna, Chief  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

FROM: Peter Bamford, Project Manager */ra/*  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

SUBJECT: BEAVER VALLEY POWER STATION, UNIT NOS. 1 AND 2 -  
ELECTRONIC TRANSMISSION, DRAFT REQUEST FOR ADDITIONAL  
INFORMATION REGARDING REVISION OF REGULATORY  
COMMITMENT FOR SUBMITTAL OF 10 CFR 50.48(c) LICENSE  
AMENDMENT REQUEST (TAC NOS. ME9015 AND ME9016)

The attached draft request for additional information (RAI) was transmitted by electronic transmission on September 19, 2012, to Mr. Henry Hegrat, at FirstEnergy Nuclear Operating Company, LLC (FENOC, the licensee). This draft RAI was transmitted to facilitate the technical review being conducted by the Nuclear Regulatory Commission (NRC) staff and to support a public meeting with FENOC in order to clarify the licensee's notification of a commitment change for the submittal of a license amendment request implementing 10 CFR 50.48(c), as well as a corresponding request for extension of enforcement discretion. The draft RAI is related to the licensee's submittal dated August 29, 2012. The draft questions were sent to ensure that they were understandable, the regulatory basis was clear, and to determine if the information was previously docketed. Additionally, review of the draft RAI would allow FENOC to evaluate and agree upon a schedule for an upcoming public meeting to discuss their proposed response to the RAI. This memorandum and the attachment do not represent an NRC staff position.

Docket Nos. 50-334 and 50-412

Enclosure: As stated

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LPL1-2 R/F

**Accession No.: ML12263A420** \* via email

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DATE	9/20/12	09/07/12	09/19/12

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# DRAFT

REQUEST FOR ADDITIONAL INFORMATION  
REGARDING REVISION OF REGULATORY COMMITMENT RELATING TO  
SUBMITTAL OF 10 CFR 50.48(c) LICENSE AMENDMENT REQUEST  
FIRST ENERGY NUCLEAR OPERATING COMPANY  
BEAVER VALLEY POWER STATION, UNITS 1 AND 2  
DOCKET NOS. 50-334 & 50-412

By letter dated August 29, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12243A245), First Energy Nuclear Operating Company (FENOC, the licensee) submitted a notification of a change in a regulatory commitment for the submission of a license amendment request (LAR) for a transition to National Fire Protection Association Standard (NFPA) 805 at Beaver Valley Power Station (BVPS), Unit Nos. 1 and 2. The projected LAR submission date and the associated commitment were changed from September 30, 2012, to December 31, 2013. Consistent with the revised commitment date, FENOC also requested continuation of the current enforcement discretion for certain fire protection issues for BVPS, Units Nos. 1 and 2, until an acceptable application for license amendment is submitted, through the revised commitment date of December 31, 2013.

The U.S. Nuclear Regulatory Commission (NRC) staff is currently reviewing the submittal. The NRC staff has determined that the additional information requested below is needed to complete its review.

## General/Plant Configuration and Modifications

1. In Attachment 3 of the letter dated August 29, 2012, for each task or milestone with an incomplete or "Not Started" status, provide an explanation and justification of why that item is not complete.
2. Attachment 2 of the letter dated August 29, 2012, contains a list of ongoing and conceptual design modifications. Within this listing, six modifications indicate that the conceptual design package is not to be completed until various dates beyond the date for which the Fire Probabilistic Risk Assessment (Fire PRA) evaluation is complete, in September 2013. The LAR must provide a detailed, proposed configuration, including a description of all proposed modifications sufficient for risk analysis purposes. According to the FENOC definition provided in Attachment 2, a conceptual design package is a documented analysis of one or more alternative solutions, with an identified preferred solution. To evaluate the feasibility of FENOC providing an acceptable LAR by December 31, 2013, the NRC staff needs assurance that the LAR, as supported by the PRA, will contain the details necessary to evaluate the request fully. Accordingly, the LAR and PRA should include the particular design features of the plant, not a set of alternatives.

Enclosure

## DRAFT

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Therefore, provide an explanation as to how the proposed schedule for ongoing and conceptual design modifications supports the submission of a complete and acceptable LAR on December 31, 2013, or modify the August 29, 2012, request accordingly.

3. In accordance with SECY-12-0031, "Enforcement Alternatives for Sites That Indicate Additional Time Required to Submit Their License Amendment Requests to Transition to 10 CFR 50.48(c) National Fire Protection Association Standard 805," the NRC's evaluation of the justification provided by the licensee for the issuance of a confirmatory order that would extend enforcement discretion will consider, but not be limited by, the status of plant modifications. Attachment 2 describes an extended timeline for installing certain modifications.

In order to determine whether the scheduled modifications are being installed in a timely manner, the NRC staff requests that FENOC provide an explanation of how the current schedule demonstrates that modifications will be installed in a timely manner, through any enforcement discretion extension period. Alternatively, if further review of the modification schedule indicates that the timeline does not reflect timely installation of each of the necessary modifications, provide a revised modification milestone schedule.

### Probabilistic Risk Assessment

According to the licensee's letter dated August 29, 2012, the BVPS, Unit No. 1, Fire PRA had a full-scope peer review in April 2011. BVPS, Unit No. 2, had their review in April 2012. These are significant milestones to complete, but completion of the resolution of the Finding and Observations (F&Os) is needed prior to submitting the LAR. Based on the information provided by the licensee, the fire models have been updated and the F&Os are 80% resolved and will be considered complete in May 2013.

4. What is the justification for another 7 to 8 months to complete the last 20% of the F&Os and another 4-5 months for final closure?
5. If developing the Fire PRA is considered complete in September 2013, how can it be useful for the NFPA 805 LAR and Transition Report, which must be completed at the same time?
6. Provide a more detailed timeline for completing the Fire PRA and the Fire Risk Evaluation (FRE) effort.

### Classical Fire Protection

According to their letter dated August 29, 2012, the licensee indicated that they had not developed all their additional existing engineering equivalencies evaluations (EEEEEs) for BVPS, Unit No. 1 and had not started to develop the additional EEEEEs for BVPS, Unit No. 2.

7. Please provide more detail on how FENOC will finish this work and update the B-1 Table by June 2013.

Completion of LAR and Transition Report

8. According to the licensee's letter dated August 29, 2012, the LAR preparation will be complete in September 2013. Once the LAR is completed, what is the justification for another 3 to 4 months final review and concurrence?