

Doerflein, Lawrence

From: Russell, Andrea
Sent: Friday, March 16, 2012 1:29 PM
To: Lee, Samson; Ulses, Anthony; Dennig, Robert; Fretz, Robert; Monninger, John; MorganButler, Kimyata; Bickett, Brice; Jennerich, Matthew; Doerflein, Lawrence; Eul, Ryan; Safford, Carrie
Subject: Action: Request for Review of G20120172 (Fitzpatrick 2.206): PRB Internal Meeting Notes on the Request For Immediate Action Only (TAC ME 8189)
Attachments: G20120172 Fitzpatrick Immediation Action MTG Notes 3 14 12 FINAL.docx

Good afternoon,

On behalf of Bhalchandra, I am providing you with PRB internal meeting notes on the request for immediate action, for your review. Please provide your comments to myself and Bhalchandra by noon Monday March 19th.

Thank you for your time,
Andrea
2.206 Coordinator

Andrea Russell
Project Manager
Nuclear Regulatory Commission
NRR/DPR/PGCB
Ph: 301-415-8553

10 CFR 2.206

PRB Closed Meeting Notes on Immediate Action- 03/20/12

SUBJECT: GUNTER ET AL. 2.206 REQUESTING ENFORCEMENT ACTION
AGAINST JAMES A. FITZPATRICK PLANT (G20120172) (TAC ME8189)

PETITIONER: Paul Gunter, et al

DATE: March 9, 2012

PRB MEMBERS & ADVISORS

Samson Lee	(PRB Chair – Deputy Director, NRR, Division of Risk Assessment)
Bhalchandra Vaidya	(Petition Manager – NRR, Division of Operating Reactor Licensing)
Anthony Ulises	(Branch Chief – NRR, Division of Safety Systems, Reactor Systems Branch)
Robert Dennig	(Branch Chief – NRR, Division of Safety Systems, Containment and Ventilation Branch)
Robert Fretz	(Senior Project Manager – NRR, Japan Lessons Learned Project Directorate, Projects Management Branch)
John Monninger	(Associate Director – NRR, Japan Lessons Learned Project Directorate)
Andrea Russell	(Agency 2.206 Coordinator – NRR, Division of Policy and Rulemaking)
Kim MorganButler	(Branch Chief(A) – NRR, Division of Policy and Rulemaking, Generic Communications Branch)
Brice Bickett	(Senior Project Manager – Region 1, Branch 2, Division of Reactor Projects)
Mathew Jennerich	(Project Engineer – Region 1, Branch 2, Division of Reactor Projects)
Lawrence Doerflein	(Branch Chief – Region 1, Branch 2, Division of Reactor Safety)
Carrie Safford	(Deputy Assistant General Counsel Materials Litigation and Enforcement – Office of General Counsel)
Ryan Eul	(Enforcement Specialist – Office of Enforcement)

SUMMARY OF REQUEST FOR IMMEDIATE ACTIONS:

The joint petitioners request that the FitzPatrick operating license be immediately suspended as the result of the undue risk to the public health and safety presented by the operator's reliance on non-conservative and wrong assumptions that went into the analysis of the capability of FitzPatrick's pre-existing ductwork containment vent system. The joint petitioners state that the risks and uncertainty presented by FitzPatrick's assumptions and decisions, in regard to NRC

Generic Letter 89-16, as associated with the day-to-day operations of this nuclear power plant now constitute an undue risk to public health and safety. The joint petitioners request that the suspension of the operating license be in effect pending final resolution of a public challenge to the adequacy of the pre-existing vent line in light of the Fukushima Daiichi nuclear accident. The joint petitioners do not seek or request that FitzPatrick operators now install the Direct Torus Vent System (DTVS) as it is demonstrated to have experienced multiple failures to mitigate the severe nuclear accidents at Fukushima Daiichi. 5/11/13

The joint petitioners are requesting that the NRC take action to suspend the FitzPatrick operating license immediately until the following emergency enforcement actions are enacted, completed, reviewed and approved by the NRC and informed by independent scientific analysis:

- 1) Entergy Nuclear Operations' FitzPatrick nuclear power plant shall be subject to public hearings with full hearing rights on the continued operation of the Mark I BWR and the adequacy and capability of a pre-existing containment vent which is not a fully hardened vent line as recommended by NRC Generic Letter 89-16. As such, the FitzPatrick operator uniquely did not make containment modifications and did not install the DTVS, otherwise known as "the hardened vent," as requested by NRC Generic Letter 89-16 and as installed on every other GE Mark I in the US;
- 2) Entergy Nuclear Operations shall publicly document for independent review its post-Fukushima re-analyses for the reliability and capability of the FitzPatrick pre-existing containment vent system as previously identified as "an acceptable deviation" from NRC Generic Letter 89-16 which recommended the installation of the Direct Torus Vent System and as outlined in the NRC Safety Evaluation Report dated September 28, 1992. The publicly documented post-Fukushima analysis shall include the reassessment of all assumptions regarding the capability and reliability of the pre-existing containment venting and specifically address non-conservative assumptions regarding:
 - a) the FitzPatrick cost-benefit analysis used to justify not installing a fully hardened vent system and;
 - b) "unlikely ignition points" as claimed in the FitzPatrick pre-existing vent line system that would otherwise present increased risks and consequences associated with the detonation of hydrogen gas generated during a severe accident.

BASIS FOR THE REQUEST

As a basis for the request, the joint petitioners state that in light of the multiple failures of the GE Mark I containment and hardened vent systems at the Fukushima Daiichi nuclear power station in the days following the March 11, 2011, station black out event, the joint petitions seek the prompt and immediate suspension of the FitzPatrick operations because:

- The GE Mark I BWR pressure suppression containment system is identified as inherently unreliable and likely to fail during a severe accident.
- The capability of FitzPatrick's pre-existing containment vent as approved for severe accident mitigation is not a fully "hardened vent" system.
- The capability of FitzPatrick's pre-existing containment vent as approved relies upon non-conservative and faulty assumptions.
- The capability of FitzPatrick's pre-existing containment vent system uniquely allows for a severe nuclear accident to be released at ground level.
- The Fukushima Daiichi nuclear catastrophe dramatically and exponentially changes the FitzPatrick cost-benefit analyses.

- The continued day-to-day reliance upon the significantly flawed pre-existing containment vent system as would be relied upon to mitigate a severe accident at the FitzPatrick Mark I reactor presents an undue risk to the public health and safety.
- The identified containment vulnerability, the non-conservative if not false assumption of "no likely ignition sources" in the pre-existing vent line and the unacceptable consequences of failure of the FitzPatrick pre-existing containment vent place both greater uncertainty and undue risk on public health and safety and are not reasonably justified by arbitrarily assigning a low probability of the occurrence of a severe accident.

(b)(5)