

## NRR-PMDAPEm Resource

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**From:** Feintuch, Karl  
**Sent:** Wednesday, June 26, 2013 3:54 PM  
**To:** Craig D Sly; Richard P Repshas; Jack Gadzala  
**Cc:** Jones, Heather  
**Subject:** MF1771 (and part of MF1952) - KPS - Record of Clarification Call and associated Request for Additional Information (RAI) Re: Deletion of License Condition 2.C.(15)

===== Update 2013-06-25-1642 ET =====

The conference call occurred with the following participation:

For NRC: Karl Feintuch; Heather Jones

For Dominion Energy Kewaunee (DEK): Jack Gadzala; William Zipp

The discussion centered on interpreting how best to justify the deletion of the license condition by justifying DEK's planned treatment of the affected license renewal commitments. DEK will present information in a convenient form for NRC staff review. If practical, they may send draft(s) to illustrate how they plan to respond on the docket. During the course of review of docketed submittals, additional information may be requested by NRC staff as its needs are identified.

Based on a consensus that the draft RAI and the needed response are mutually understood, the draft RAI is firm. In discussions between Jack Gadzala of DEK and Karl Feintuch of USNRC, it was agreed that DEK would respond to the RAI within 45 days, corresponding to July 9, 2013.

The RAI attachment is reproduced below except that the word "DRAFT" has a strikethrough to indicate that the RAI item is firm.

Karl Feintuch  
Project Manager  
USNRC  
301-415-3079

===== Invitation and reference information =====

**From:** Jack Gadzala [<mailto:jack.gadzala@dom.com>]  
**Sent:** Tuesday, June 25, 2013 10:21 AM  
**To:** Feintuch, Karl  
**Subject:** RE: MF1771 (and part of MF1952) - Kewaunee Power Station - Request for Additional Information (RAI) Re: Deletion of License Condition 2.C.(15)

Karl,

Tuesday [June 25, 2013] call 2:30 – 3:00 pm EDT to discuss this RAI.

Bridge Line:

Phone No 866-740-1260  
Pass Code 388 8424 #

Jack

===== RAI cover email message =====

**From:** Feintuch, Karl [<mailto:Karl.Feintuch@nrc.gov>]  
**Sent:** Monday, June 24, 2013 7:00 PM  
**To:** Jack Gadzala (Generation - 4); Craig D Sly (Generation - 6); Richard P Repshas (Generation - 4)  
**Cc:** Jones, Heather

**Subject:** MF1771 (and part of MF1952) - Kewaunee Power Station - Request for Additional Information (RAI)  
**Re:** Deletion of License Condition 2.C.(15)

By letter dated April 16, 2013 (ADAMS Accession No. ML13113A368), Dominion Energy Kewaunee, Inc (DEK, the licensee) requested changes to the renewed facility operating license condition (RFOLC) 2.C.(15)(a), (b), and (c) for Kewaunee Power Station (KPS). The proposed change would revise the renewed facility operating license by deleting the license renewal conditions. Our tracking number for this action is TAC MF1771.

NRC staff has reviewed and evaluated the information provided by the licensee and has determined that additional information is needed in order to complete its review of the requested action. The request for additional information (RAI) is provided as a draft, subject to any need to clarify what is being requested of DEK and to confirm a date for the expected response. With confirmation that the requested item is understood and the response date is agreed, the item is considered to be firm. As a frame of reference, we would like a response based on a nominal 30 calendar days. I recognize that cognizant staff may have scheduled leave during this period and request that you consider this in confirming a practical date for your response. Please confirm a response date or request a clarification conference call as soon as practical.

Although this request is specific to your letter dated April 16, 2013, the same draft RAI is needed to address information contained in your letter dated May 29, 2013 (ADAMS Accession No. ML13156A037), which requests a license and technical specifications amendment for the permanently defueled KPS facility and is assigned our tracking number TAC MF1952. Therefore, please address your response, under oath or affirmation, to both licensing actions.

The draft RAI is attached.

Contact me with any questions.

Karl Feintuch  
Project Manager  
USNRC  
301-415-3079

===== RAI Attachment (converted from draft to firm per Update 2013-06-25-1642 ET message)  
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~~DRAFT~~ REQUEST FOR ADDITIONAL INFORMATION  
REGARDING LICENSE AMENDMENT REQUEST TO  
DELETE LICENSE RENEWAL CONDITIONS  
DOMINION ENERGY KEWAUNEE, INC. (DEK)  
KEWAUNEE POWER STATION  
DOCKET NO. 50-305

BACKGROUND

By application dated August 12, 2008 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML082341020), Dominion Energy Kewaunee, Inc. (DEK) requested renewal of its operating license in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 54 for Kewaunee Power Station (KPS) for a period of 20 years beyond the December 21, 2013, expiration date. The U.S. Nuclear Regulatory Commission's (NRC's) review of the license renewal application (LRA) is contained in NUREG-

1958, "Safety Evaluation Report Related to the License Renewal of Kewaunee Power Station," dated January 2011 (ADAMS Accession Nos. ML110340148 and ML110340149). Appendix A of NUREG-1958 contains a list of 54 commitments made by the applicant as part of the license renewal review. These commitments are related to completing license renewal-related inspections and implementing, modifying or enhancing aging management programs that manage the aging effects of systems, structures, and components (SSCs) prior to and during the period of extended operation (PEO). The NRC issued the renewed operating license for KPS on February 24, 2011 (ADAMS Accession No. ML110100575).

By letter dated February 25, 2013 (ADAMS Accession No. ML13058A065), DEK submitted a certification to the NRC indicating it would permanently cease power operations at KPS on May 7, 2013.

By letter dated April 16, 2013 (ADAMS Accession No. ML13113A368), DEK requested changes to the renewed facility operating license condition (RFOLC) 2.C.(15)(a), (b), and (c) for KPS. The proposed change would revise the renewed facility operating license by deleting the license renewal conditions.

## ISSUE

RFOLC 2.C.(15)(b) states,

The USAR supplement, as revised, describes certain future activities to be completed prior to and/or during the period of extended operation. The licensee shall complete these activities in accordance with Appendix A of NUREG-1958, "Safety Evaluation Report Related to the Kewaunee Power Station," dated January 2011. The licensee shall notify the NRC in writing when activities to be completed prior to the period of extended operation are complete and can be verified by NRC inspection.

The license condition above requires specific actions to be accomplished by the licensee. The first action requires the completion of the activities listed in Appendix A of NUREG-1958. The second action requires notifying the NRC when the activities to be completed before the PEO are complete and can be verified by inspection.

The licensee's April 16 submittal states that RFOLC 2.C.(15)(b) is no longer relevant because the nuclear power plants that have been decommissioned in the U.S. do not contain license renewal conditions in the decommissioning license. However, the licensee does not provide a substantive basis for removing the condition. Specifically, the licensee does not explain why each of the commitments from Appendix A of NUREG-1958 do not need to be completed.

## REQUEST FOR ADDITIONAL INFORMATION (RAI)

Please provide the basis for not completing each of those commitments listed in Appendix A of NUREG-1958.

===== end RAI Attachment =====

**Hearing Identifier:** NRR\_PMDA  
**Email Number:** 736

**Mail Envelope Properties** (Karl.Feintuch@nrc.gov20130626155400)

**Subject:** MF1771 (and part of MF1952) - KPS - Record of Clarification Call and associated Request for Additional Information (RAI) Re: Deletion of License Condition 2.C.(15)  
**Sent Date:** 6/26/2013 3:54:12 PM  
**Received Date:** 6/26/2013 3:54:00 PM  
**From:** Feintuch, Karl

**Created By:** Karl.Feintuch@nrc.gov

**Recipients:**

"Jones, Heather" <Heather.Jones@nrc.gov>  
Tracking Status: None  
"Craig D Sly" <craig.d.sly@dom.com>  
Tracking Status: None  
"Richard P Repshas" <richard.p.repshas@dom.com>  
Tracking Status: None  
"Jack Gadzala" <jack.gadzala@dom.com>  
Tracking Status: None

**Post Office:**

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	7724	6/26/2013 3:54:00 PM

**Options**

**Priority:** Standard  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
**Recipients Received:**