

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

ALL OPERATING BOILING WATER)
REACTOR LICENSEES WITH MARK I)
AND MARK II CONTAINMENTS)

) Docket No. 50-397
) License No. NPF-21
) EA-13-109
)

**ENERGY NORTHWEST'S ANSWER TO
COMMISSION ORDER MODIFYING LICENSES
WITH REGARD TO RELIABLE HARDENED CONTAINMENT VENTS
CAPABLE OF OPERATION UNDER SEVERE ACCIDENT CONDITIONS**

I.

On June 6, 2013, the Nuclear Regulatory Commission ("NRC" or "Commission") issued an immediately effective order in the captioned matter entitled Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation under Severe Accident Conditions (Effective Immediately) ("Order") to, *inter alia*, Energy Northwest. Specifically with respect to this Order, the NRC rescinds an Order issued by the NRC on March 12, 2012 (EA-12-050), that required all BWRs with Mark I and Mark II containments to take certain actions to ensure the operability of reliable hardened vent systems to remove decay heat and maintain control of containment pressure following events that result in loss of active containment heat removal capability or prolonged loss of AC power.

The Order requires Energy Northwest to install hardened containment venting systems that can be maintained functional during severe accident conditions, i.e., following significant core damage. The substantive requirements of the Order are contained in Attachment 2. The Order includes two separate implementation phases. Phase 1 includes modification to wetwell venting systems, while Phase 2 includes modifications to drywell venting systems or implementation of a reliable containment strategy that meets regulatory approval.

The Order requires submission of an overall integrated plan including a description of how compliance with Phase 1 will be achieved to the NRC for review by June 30, 2014. In addition, the Order requires full implementation of Phase 1 requirements no later than startup from the second refueling outage that begins after June 30, 2014, or June 30, 2018, whichever comes first.

The Order requires submission of an overall integrated plan including a description of how compliance with Phase 2 will be achieved to the NRC for review by December 31, 2015. In addition, the Order requires full implementation of Phase 2 requirements no later than startup from the first refueling outage that begins after June 30, 2017, or June 30, 2019, whichever comes first.

The Order also states that the Commission anticipates issuing implementation guidance for Phase 1 by October 31, 2013, and for Phase 2 by April 30, 2015. Upon issuance of the implementation guidance, Energy Northwest understands that it will have twenty days to assess the impact of the guidance and

notify the NRC of any challenges with implementation of the Order in accordance with Paragraph IV.C of the Order.

Pursuant to 10 CFR § 2.202 and the terms specified in the Order, Energy Northwest hereby submits its answer to the Order. Energy Northwest consents to the Order and does not request a hearing. However, because implementing guidance is not expected to be available until October 31, 2013, for Phase 1 and April 30, 2015, for Phase 2, there remain significant uncertainties about the scope of the work that will be required by EA-13-109. As a result, Energy Northwest is unable to state with certainty that it will be able to meet all of the specified compliance deadlines in the Order. As such, Energy Northwest's future responses may include requests for schedule relief as warranted by subsequent NRC requirements or implementing guidance or the results of engineering analyses not yet performed. Any such request would be submitted in accordance with the relaxation provision in Section IV of the Order.

Because EA-12-050 is rescinded by EA-13-109, Energy Northwest understands that all implementation deadlines and submittal requirements for EA-12-050 are no longer in force. As such, Energy Northwest considers the integrated plan that was submitted to the NRC on February 28, 2013 to be withdrawn, and no further action is required by Energy Northwest with respect to that submittal or any other requirements specific to EA-12-050.

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "P.A. Swank".

Executed on: 6-20-13