

From: Gilles, Nanette
Sent: Friday, October 04, 2013 3:48 PM
To: paul@beyondnuclear.org
Subject: Follow-up: Meeting with Commissioner Apostolakis

Mr. Gunter,

During the August 23rd meeting between Commissioner Apostolakis, yourself, and members of the GRAMMES organization, the Commissioner committed to getting back to you with information on several issues. We have consulted with the NRC staff and would like to share the additional information that they provided on these issues.

1. Mr. Hal Conley, on the staff of Senator Menendez, requested more information on the issue of the NRC's practice of allowing licensees two fuel cycles to implement post-Fukushima requirements. He said that we could provide the answer to you to relay to him. Here is what we learned from the NRC staff:

In the development of the NRC's post-Fukushima regulatory actions, such as the March 2012 safety Orders, the staff recognized that the work necessary to design and implement the new requirements would require significant engineering and construction time and effort by licensees. Some of the new post-Fukushima requirements necessitate plant modifications to safety-related systems and components at the sites both inside and outside of the containment structure. Major modifications such as these are safely performed when a plant is shut down, thus providing greater access inside containment and the ability to take safety-related systems off line more easily. Two outages are generally needed to complete these kinds of modifications: the first for design and engineering work (including taking measurements) and the second to make the physical modifications and conduct any required system tests. As such, the schedule for the post-Fukushima actions was based on these practical engineering considerations and licensees were therefore allowed two refueling outages to achieve full implementation.

2. Why did the NRC conclude that Oyster Creek and other plants licensed before issuance of 10 CFR Part 50, Appendix A, were not required to comply with the General Design Criteria (GDC)?

In September 1992, the Commission approved an NRC staff proposal to not apply the GDC to plants with construction permits issued prior to May 21, 1971. At the time of promulgation of the GDC in Appendix A to 10 CFR Part 50, the Commission stressed that the GDC were not new regulatory requirements and were promulgated to more clearly articulate the principles behind the licensing requirements and practice in effect at that time. The GDC were not intended, in and of themselves, to constitute the controlling parameters for operation of nuclear power plants.

Enforcement of the GDC was not critical as they were the building blocks for the content of the Safety Analysis Report, for which the most safety significant items are controlled by the Technical Specifications, which are license conditions. The Commission stated that, while compliance with the intent of the GDC was important, each plant licensed before the GDC were formally adopted was evaluated on a plant-specific basis, determined to be safe, and licensed by the Commission. The Commission went on to state that the current regulatory processes were sufficient to ensure that plants continue to be safe and comply with the intent of the GDC. Finally, the Commission

concluded that backfitting the GDC would provide little or no safety benefit while requiring an extensive commitment of resources.

3. What is the pressure rating for the current drywell vent system duct work at Oyster Creek?

The Oyster Creek vent piping inside the reactor building is designed for 100 psig.

The Oyster Creek hardened vent piping installed outside of the reactor building in the early 1990s is designed for 75 psig, but was tested at 90 psig.

I hope that this information is helpful to you. Thank you, again, for taking time to meet with Commissioner Apostolakis.

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