

Group C

FOIA/PA NO: 2014-0065

RECORDS BEING RELEASED IN PART

The following types of information are being withheld:

- Ex. 1: Records properly classified pursuant to Executive Order 13526
- Ex. 2: Records regarding personnel rules and/or human capital administration
- Ex. 3: Information about the design, manufacture, or utilization of nuclear weapons
 Information about the protection or security of reactors and nuclear materials
 Contractor proposals not incorporated into a final contract with the NRC
 Other _____
- Ex. 4: Proprietary information provided by a submitter to the NRC
 Other _____
- Ex. 5: Draft documents or other pre-decisional deliberative documents (D.P. Privilege)
 Records prepared by counsel in anticipation of litigation (A.W.P. Privilege)
 Privileged communications between counsel and a client (A.C. Privilege)
 Other _____
- Ex. 6: Agency employee PII, including SSN, contact information, birthdates, etc.
 Third party PII, including names, phone numbers, or other personal information
- Ex. 7(A): Copies of ongoing investigation case files, exhibits, notes, ROI's, etc.
 Records that reference or are related to a separate ongoing investigation(s)
- Ex. 7(C): Special Agent or other law enforcement PII
 PII of third parties referenced in records compiled for law enforcement purposes
- Ex. 7(D): Witnesses' and Allegers' PII in law enforcement records
 Confidential Informant or law enforcement information provided by other entity
- Ex. 7(E): Law Enforcement Technique/Procedure used for criminal investigations
 Technique or procedure used for security or prevention of criminal activity
- Ex. 7(F): Information that could aid a terrorist or compromise security

Other/Comments: _____

From: Sebrosky, Joseph
To: Sebrosky, Joseph
Subject: RE: internal meeting to discuss next steps regarding diablo canyon seismic license amendment review
Date: Tuesday, December 03, 2013 7:25:50 AM

-----Original Appointment-----

From: Sebrosky, Joseph
Sent: Monday, March 12, 2012 9:01 AM
To: Sebrosky, Joseph; Markley, Michael; Murphy, Martin; Manoly, Kamal; Li, Yong; OKeefe, Neil; Farnholtz, Thomas
Cc: Kammerer, Annie
Subject: internal meeting to discuss next steps regarding diablo canyon seismic license amendment review
When: Monday, March 19, 2012 2:00 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: phone call - headquarters people meeting in Mike Markley's office

A conference bridge has been arranged for the meeting. The bridge number is 888-677-0690 and the passcode is (b)(6)

Purpose: To gain alignment for a recommendation for senior management regarding the next steps for the Diablo seismic license amendment review

Outcome: Alignment on recommendation

Process:

- I. Background
 - a. Headquarters SES management met on 3/6/12 to discuss Diablo seismic LAR
 - i. General alignment on approach developed (see item II below)
 - ii. Two action items from meeting
 - a. Develop a schedule for issuing the RIL
 - b. Engage appropriate branch chiefs in RIV to get feedback on approach and revise approach accordingly
 - a. NRR senior managers will reengage RIV senior managers after branch chiefs reach alignment on approach going forward
 - b. Feedback from 3/2/12 phone call with licensee regarding whether or not they still want to pursue a license amendment given the pending 50.54(f) letter
- II. Proposed headquarters path forward (at the branch chief reviewer level)
 - a. Have licensee withdraw the license amendment request and rely on process outlined in SECY 12-0025 as articulated in enclosure 7 of SECY 12-0025 regarding recommendation 2.1

C11

"A hazard evaluation consistent with Recommendation 2.1 will be implemented in two phases as follows:

• Phase 1: Issue 50.54(f) letters to all licensees to request they reevaluate the seismic and flooding hazards at their sites using updated seismic and flooding hazard information and present-day regulatory guidance and methodologies and, if necessary, to request they perform a risk evaluation. The evaluations associated with the requested information in this letter do not revise the design basis of the plant. This letter implements Phase 1.

• Phase 2: Based upon the results of Phase 1, the NRC staff will determine whether additional regulatory actions are necessary (e.g., update the design basis and SSCs important to safety) to provide additional protection against the updated hazards."

- b. Proposed 50.54(f) language establishes methodology and process for reevaluating design basis
 - i. Renders the original need for the license amendment moot
 - ii. Reviewing the license amendment and the responses to the 50.54(f) letter would stress NRC resources and offer little gain
- c. Near term operability issues would be addressed by cover letter issued with updated RIL 09-01
 - i. RIL to be issued in April 2012 will provide staff's assessment of the shoreline fault in the near term
 - ii. Letter transmitting RIL to make a statement comparing shoreline fault to Hosgri as an "extreme" event in the near term
- d. Licensee withdrawal letter of the amendment would reference both the 50.54(f) letter and the RIL transmittal letter as a basis for obviating the need for the license amendment
 - i. Withdrawal letter to include milestones to address timeliness
- III. Region IV feedback on approach

IV. Next steps

V. Adjourn

a. Have licensee withdraw the license amendment request and rely on process outlined in SECY 12-0025 as articulated in enclosure 7 of SECY 12-0025 regarding recommendation 2.1

"A hazard evaluation consistent with Recommendation 2.1 will be implemented in two phases as follows:

• Phase 1: Issue 50.54(f) letters to all licensees to request they reevaluate the seismic and flooding hazards at their sites using updated seismic and flooding hazard information and present-day regulatory guidance and methodologies and, if necessary, to request they perform a risk evaluation. The evaluations associated with the requested information in this letter do not revise the design basis of the plant. This letter implements Phase 1.

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d. Licensee withdrawal letter of the amendment would reference both the 50.54(f) letter and the RIL transmittal letter as a basis for obviating the need for the license amendment

- i. Withdrawal letter to include milestones to address timeliness

From: Sebrosky, Joseph
To: Sebrosky, Joseph
Subject: RE: Internal meeting to discuss next steps regarding diablo seismic license amendment review
Date: Tuesday, December 03, 2013 7:21:31 AM
Attachments: FW: direction from Eric on DC.msg

-----Original Appointment-----

From: Sebrosky, Joseph
Sent: Monday, February 27, 2012 8:52 AM
To: Sebrosky, Joseph; Markley, Michael; Manoly, Kamal; Kammerer, Annie; Li, Yong; OKeefe, Neil; Murphy, Martin
Cc: Lund, Louise
Subject: internal meeting to discuss next steps regarding diablo seismic license amendment review
When: Wednesday, February 29, 2012 9:30 AM-10:30 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Mike's office (O-8E12)

Update: start time changed due to availability issue

Update: meeting time moved to accommodate a key person and to include bridge line number - 888-677-0690 and passcode (b)(6)

Purpose: To develop a recommendation for senior management regarding the next steps for the Diablo seismic license amendment review

Outcome: Alignment on recommendation

Process:

I. Background

- a. Email below provides projects recommendation going forward including a draft POP
- b. As discussed in email DORL/LPL4 has some issues with some of the proposals

II. Options

- a. Stay with options outlined in attached POP
- b. Modify options in attached POP as follows:
 - i. Delete expectation that shoreline fault be added to FSAR through license amendment
 1. Not sure what would require this to be done
 2. Inconsistent with current approach which is to treat new shoreline information through development of RIL that is transmitted to the licensee by a cover letter with

NRR's safety evaluation attached.

ii. Delete Hosgri being identified as SSE through license amendment

1. Although the Hosgri is in the Diablo licensing basis there is general consensus among the staff that the Hosgri was treated as a "beyond the design basis" event

2. Requiring the Hosgri to become the safe shutdown earthquake would seem to require a backfit and more information that the 50.54(f) fukushima letters are trying to develop (see below)

a. Possibility as a result of the 50.54(f) process that Hosgri becoming the SSE may be an outcome

iii. Resubmit license amendment when seismic PRA has been peer reviewed so that methodology is reviewed

1. Would provide a license amendment process for stakeholder interactions that the 50.54(f) process would not.

iv. Rely on 50.54(f) letter in part to address longer term concerns (need to understand if the 50.54(f) letter would be redundant to the methodology license amendment above)

1. Enclosure 7 of SECY 12-0025 (Fukushima paper) states the following regarding recommendation 2.1, regarding seismic reevaluations:

"A hazard evaluation consistent with Recommendation 2.1 will be implemented in two phases as follows:

• Phase 1: Issue 50.54(f) letters to all licensees to request they reevaluate the seismic and flooding hazards at their sites using updated seismic and flooding hazard information and present-day regulatory guidance and methodologies and, if necessary, to request they perform a risk evaluation. The evaluations associated with the requested information in this letter do

not revise the design basis of the plant. This letter implements Phase 1.

• Phase 2: Based upon the results of Phase 1, the NRC staff will determine whether additional regulatory actions are necessary (e.g., update the design basis and SSCs important to safety) to provide additional protection against the updated hazards.”

c. Other options

i. Retain some element of the Hosgri as the SSE as part of a resubmitted license amendment (e.g., as part of the methodology review, stipulate that new seismic information would only be reviewed against the Hosgri and not the DE and DDE. If new seismic information is bounded by the Hosgri then the plant is within its licensing basis.)

III. Decision on which option to recommend going forward

IV. Next steps

V. Adjourn

From: [Sebrosky, Joseph](#)
To: [Sebrosky, Joseph](#)
Subject: RE: meeting to discuss status of Diablo license amendments for seismic
Date: Tuesday, December 03, 2013 7:19:16 AM

-----Original Appointment-----

From: Sebrosky, Joseph
Sent: Wednesday, February 08, 2012 8:53 AM
To: Sebrosky, Joseph; OKeefe, Neil; Wang, Alan; Markley, Michael; Farnholtz, Thomas; Denissen, Christie
Cc: Peck, Michael
Subject: meeting to discuss status of Diablo license amendments for seismic
When: Wednesday, February 08, 2012 1:00 PM-1:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: phone call

The email below provides details regarding a call between Mike Markley and Neil O'Keefe to discuss the status of the Diablo seismic license amendment acceptance review. It is hoped that both Tom Farnholtz and Christie Denissen can also participate. A bridge has been line has been arranged. The number to dial is 888-677-0690 and the passcode is (b)(6)

Purpose:

- 1) To discuss the possibility that the Diablo Canyon 10/20/11 license amendment to revise the seismic licensing basis will be rejected in whole or in part by headquarters
- 2) To gain alignment between RIV DRP, RIV DRS, and NRR DORL branch management regarding the ramifications of rejecting the application
- 3) Identify steps forward

Outcome:

- 1) Clear understanding of the current status of the license amendment acceptance review
- 2) Alignment on ramifications of rejecting the application
- 3) Steps forward identified

Agenda:

1. Background
 - a. Briefing today of DORL senior management to provide them with the status of the acceptance review and other Diablo seismic issues. Agenda for this briefing is found below
 - b. Prior to the briefing DORL branch management would like RIV insights regarding the ramifications of rejecting the Diablo license amendment

- iii. Allegation information
- iv. Non-concurrence on Region IV inspection report associated with seismic operability evaluation
 - b. ongoing licensee efforts
- II. Shoreline report
 - a. Received January 2011
 - b. Center for Nuclear Waste Regulatory Analyses report received 2/3/2012
 - i. Concludes that the PGE report provides a comprehensive summary and assessment of the available geologic, geophysical, and seismological data used to evaluate the seismic hazard the shoreline fault poses to DCPD
 - ii. Report is sufficient to allow PG&E reasonable and defensible technical conclusions
 - iii. Center report will be folded into Research information letter (RIL)
 - c. Target date for RIL issuance is 2/2012
 - i. RIL will serve as basis for public meeting in the Spring time frame
 - III. Status of license amendment to revise seismic licensing basis
 - a. Received 10/20/11
 - i. LAR would provide process for addressing new seismic information
 - ii. Clarify the DCPD safe shutdown earthquake as the 1977 Hosgri earthquake (HE) fault line as the equivalent DCPD safe shutdown earthquake
 - b. Supplemented on December 6, 2011, to provide SRP comparison tables
 - i. Identifies areas where the LAR does not meet current SRP guidance
 - c. Staff plans to reject in whole or in part the LAR on the following bases:
 - i. LAR does not meet the provisions in the new SRP
 - ii. Reevaluation of the RCS for the seismic and LOCA loads not yet completed
 - 1. Inappropriate to complete the LAR review without knowing the results of this reanalysis
 - iii. Licensee has not provided a seismic PRA
 - d. Decision needs to be made on whether to fully reject or partially reject submittal

- i. Rejecting submittal in whole or in part will complicate operability review
 - ii. Fukushima proposed 50.54 letter will address seismic issues
 - 1. Licensee believes the 50.54 requirements will be less restrictive than what they are proposing
 - IV. Allegation – background and status
 - a. Basis for closing out allegation will be RIL and center reports
 - V. Region IV nonconcurrency on Diablo Canyon Seismic operability evaluation
 - a. Non concurrence on inspection report followup associated with a nonconformance documented in IR 2011-005
 - i. Previous nonconcurrency associated with issue resolved on 11/9/11
 - 1. Resolution referenced LAR
 - ii. New nonconcurrency based on proposed RIV inspection report
 - b. Non-concurrency bases is that the licensee's prompt operability determination (POD) of the shoreline fault inadequate
 - i. POD failed to demonstrate that the RCS pressure boundary would be maintained following an DDE (Diablo licensing basis equivalent of a Safe shutdown earthquake)
 - ii. POD failed to demonstrate equipment necessary to prevent or mitigate an accident would remain functional following an SSE
 - iii. States an inoperable conclusion does not necessarily equate to an unsafe condition
 - c. Region IV and headquarters view
 - i. No information to suggest that there is an immediate threat to public health and safety that would necessitate declaring any seismically non-conforming SSC inoperable
 - ii. Licensee's current actions meet the Part 9900 guidance for having reasonable assurance of operability, pending further evaluation
 - iii. Act of gaining NRC approval through above LAR facilitates the ability to assess operability
 - d. If LAR is rejected in whole or in part – path forward to resolve non concurrence is complicated
- VI. Ongoing licensee efforts

a. Licensee continues to work with California Coastal Commission and USGS to update seismic information

b. Status of efforts and interested stakeholders interactions

VII. Next steps

VIII. Wrapup