

February 17, 2014

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
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CHARLISSA C. SMITH)	Docket No. 55-23694-SP
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(Reactor Operator License for Vogtle)	
Electric Generating Plant))	

C. SMITH'S RESPONSE TO THE NRC'S MOTION REQUESTING THAT THE BOARD TAKE
OFFICIAL NOTICE OF ADDITIONAL RELEVANT FACTS

INTRODUCTION

C Smith opposes the NRC's request to take official notice of additional facts related to the Vogtle pressure protection system. The petitioner opposes the request due to info provided that is incomplete, and contains handpicked information that does not encompass all supporting details with respect to the Vogtle pressure protection system. The information presented by the NRC staff provides incomplete details that would cause an increased misunderstanding of the information.

The information presented is taken from various sections of various documents, and “piece meal” together. In other words, random pieces of information are selected that provide an incomplete explanation. This does not constitute complete information. The FSAR contains a large volume of information, requiring extensive explanations, definitions, analysis, etc. to explain various system information, components, usage, etc. The info selected by the NRC staff is not stand alone facts that require concurrence or non-concurrence. The excerpts of information from the FSAR, basis, etc..... are simply “sound bites” of information, using keywords to dispute previous documents presented in this hearing. Incomplete sound bites of information will cause confusion and can be misrepresented.

The Board presented standalone information to identify specific set points that would be the same in any document. The NRC staff’s information is originated from various documents or sections of the FSAR that provides more or less explanation of a system/component based on the section the info originated (based on the analysis described). The NRC staff statement is “subject to reasonable dispute” based on a lack of details needed to completely and accurately describe the presented information. The NRC staff selected documents/info and determined that other supporting info was immaterial or irrelevant. In actuality, info is omitted/not discussed although more supporting facts exist (that may exist in a different section).

DISCUSSION

C Smith disputes the NRC staff's request to take official notice of the statement in Vogtle technical specification bases, 3.4.11:

Block valve's, which are normally open, are located between the pressurizer and the PORV's. The block valves are used to isolate the PORV's in case of excessive leakage or a stuck open PORV. Block valve closure is accomplished manually using controls in the control room. A stuck open PORV is, in effect, a small break loss of coolant accident (LOCA). As such, block valve closure terminates the RCS depressurization and coolant inventory loss.

The NRC staff identified in their motion that they are citing information that is relevant to the facts in this proceeding because it "tends to make more or less probable Ms. Smith's statement regarding her taken the PORV hand switch to the wrong position that a loss of coolant accident was not in progress because the PORVs valves created a path to the PRT and they are of consequence in determining Ms. Smith argument that this error was not a critical task". If the motivating factor is to determine that the PORV created a LOCA, then certain pieces of information must be considered with regard to the technical specification bases 3.4.11. (1) There was no stuck open PORV in C Smith's scenario – this is a use of keywords that are being misrepresented. This statement allows the NRC staff to represent this scenario as a stuck open PORV. C Smith's scenario contained a PORV that responded to an instrument error. (2) The PORV in C Smith's scenario was operational and successfully manipulated from the (simulator) control room. The fact that the PORV could be manipulated, further supports that the PORV was not stuck open. (3) Defining a PORV that was open due to an instrument failure and not immediately closed (within seconds) would also mean that each time an

instrument failure occurs that a LOCA is in progress. Allowing this statement to be taken as official notice could provide an unrealistic correlation to a stuck open PORV that is inaccurate and classifying conditions that are not defined as a LOCA. (4) The PORV in this hearing is not a stuck open PORV but if the assessment of the above statement were considered, there is still reasonable dispute that exist for the selection of the statement as standalone information. The use of the words “in effect”, leads to question the point at which it (stuck open PORV) is considered or compared to a small break LOCA. FSAR 15.6.5 describes a loss of coolant accident (LOCA) is the result of a pipe rupture of the reactor coolant system pressure boundary. Consider that the piping was not ruptured, to create a radioactive pathway to containment. Instead the open PORV’s discharge is directed to the PRT that does not create a path to containment until pressure in the PRT exceeds 100 PSIG. There is reasonable dispute to determine when the opening of a “stuck open PORV” is “in effect” a small break loss of coolant accident.

C Smith also disputes the NRC staff’s request to take official notice of the statement in the FSAR, whereas. 17, section 5.4.11.3:

The pressurizer relief discharge system does not constitute part of the reactor coolant pressure boundary in accordance with 10 CFR 50.2, since all of its components are downstream of the RCS safety and relief valves; thus, general design criteria 14 and 15 are not applicable. Furthermore, complete failure of the auxiliary system serving the PRT will not impair capability for safe plant shutdown.

The NRC staff’s above statement can be misrepresented due to a lack of details. This statement comes from FSAR section 5.4.11 pressurizer relief discharge system. This section

identifies that the system consists of the pressurizer relief tank (PRT), pressurizer safety and relief valve **discharge piping**, the relief tank internal spray header and associated piping, the tank nitrogen supply, and the drain to the liquid waste processing system.

This statement identifies that the PRT is not a part of the “RCS pressure boundary”. It also mentions that “general design criteria 14 and 15 are not applicable”. The statement is specific to the PRT (pressurizer relief discharge system). There is still reasonable dispute that exist for the selection of the statement as standalone information. The NRC staff can easily misrepresented this information because it is not complete in its presentation. (1) The use of the first portion of the statement that the PRT is not a part of the RCS pressure boundary is to disqualify that a LOCA was not in progress (because it was routed to the PRT). Recall that FSAR 15.6.5 describes a loss of coolant accident (LOCA) is the result of a pipe rupture of the reactor coolant system pressure boundary. Consider that the piping was not ruptured, to create a radioactive pathway to containment. Instead the open PORV’s discharge is directed to the PRT that does not create a path to containment until pressure in the PRT exceeds 100 PSIG. (2) The next portion of the statement identifies that “general design criteria 14 and 15 are not applicable”. This can also cause confusion and misunderstanding on what portions of the FSAR is applicable. If presented improperly an argument can be made (that is not accurate) to disqualify the information that is contained in sections 14 and 15. The importance of sections 14 and 15 is that those sections include the information that discusses LOCA’s (15.6.5), and provides a safety analysis on inadvertent opening of a pressurizer safety or relief valve (15.6.1). Confusion of this information removes the ability to reference that section. 15.6.1 safety analysis identifies that it is classified as an ANS condition II incident. ANS

Condition II is defined as (15.0.1.2) FAULTS OF MODERATE FREQUENCY - it states “these faults, at worst, result in the reactor trip with the plant being capable of returning to operation. By definition, these faults (or event) do not propagate to cause a more serious fault”....”

Condition II events are not expected to result in fuel rod failures, reactor coolant system failures, where secondary system over pressurization.” The conclusion (15.6.1.3) identifies that the reactor protection system provides adequate protection against an RCS depressurization. The identification of INADVERTENT OPENING OF A PRESSURIZER SAFETY OR RELIEF VALVE (subsection 15.6.1) does not provide a discussion that is consistent with a loss of coolant accident and it is specifically discussing the inadvertent opening of a relief/safety valve. The NRC Staffs information is subject to reasonable dispute due to information that is not completely accurate as a standalone statement or the potential to cause confusion if improperly presented.

Conclusion

C Smith respectfully opposes the staff’s request that the Board take official notice of the additional facts as disputed. This information is subject to reasonable dispute due to a lack of completeness. It is requested that this information not be accepted as official notice.

Sincerely

Charlissa Smith

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing C. SMITH'S RESPONSE TO THE NRC'S MOTION REQUESTING THAT THE BOARD TAKE OFFICIAL NOTICE OF ADDITIONAL RELEVANT FACTS was provided to the NRC's Electronic Information Exchange for service to those individuals on the service list for this proceeding.

[Original signed by Charlissa Smith]

Dated at Grovetown, Ga
this 17th day of February 2014