

RULES AND DIRECTIVES
BRANCH
LEADS

As of: 3/18/15 4:23 PM
Received: March 18, 2015
Status: Pending_Post
Tracking No. 1jz-8hsh-nfn2
Comments Due: March 24, 2015
Submission Type: Web

PUBLIC SUBMISSION

2015 MAR 18 PM 4: 26

RECEIVED

Docket: NRC-2011-0011
Issuance and Availability of Draft Regulatory Guide

Comment On: NRC-2011-0011-0005
Design and Inspection Criteria for Water-Control Structures Associated with Nuclear Power Plants; Request for Comment on Draft Regulatory Guide

Document: NRC-2011-0011-DRAFT-0005
Comment on FR Doc # 2015-01155

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80 FR 3661
1/23/2015

Submitter Information

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General Comment

V. C. Summer Nuclear Station Unit 1 Comments on DG-1245 (Proposed Revision 2 to RG1.127) "Design and Inspection Criteria for Water-Control Structures Associated with Nuclear Power Plant."

Attachments

DG-1245_Comments

SUNSI Review Complete
Template = ADM - 013
E-RIDS= ADM -03
Add= R. Pettis (RLP4)
M. Orr (MPOI)

V. C. Summer Nuclear Station Unit 1
Comments on DG-1245, "Design and Inspection Criteria for Water-Control Structures Associated with Nuclear Power Plants"

1. *DG-1245 includes under A. Introduction a new sub header titled Related Guidance that is not present in the previous Revision 1 of Regulatory Guide 1.127 nor in the previous Draft DG 1245 January 2011. The documents listed under Related Guidance are not listed only under References as previously, but instead are listed up front in the document as the new category called "Related Guidance". There is no information in the DG which defines what is meant by "Related Guidance" and how it is to be used by NRC when reviewing applications or changes to CLB. The Related Guidance includes the following NRC-Inspection Procedures: 71111.01 "Adverse Weather Protection", 71111.06 "Flood Protection Measures", 71111.07 "Heat Sink Performance", and 62002 "Inspection of Structures, Passive Components, and Civil Engineering Features at Nuclear Power Plants." Does the incorporation NRC Inspection Procedures under Related Guidance mean that the NRC expects the design and inspection criteria for water-controlled structures associated with power plants must also consider and comply with the NRC Inspection Procedures to meet what previously was called the C. Regulatory Position of the guide? Why not just incorporate the relevant information from the NRC Inspection Procedures into the new DG-1245 in section C. Staff Regulatory Guidance (previously called C. Regulatory Position) and then just list the Inspection Procedures in the back under references. What is the significance of listing the NRC Inspection Procedures under A. Introduction, Related Guidance, but not under C. Staff Regulatory Guidance?
2. *None of the NRC Inspection Procedures listed as References 6,7,8,9 have a date or a revision level associated with the reference. This means that if these are treated as Related Guidance, the content of the DG-1245 will be changed every time one of these Inspection Procedures is revised without a corresponding revision to the DG-1245 (RG 1.127 Rev 2). Significant changes to the Inspection Procedures can be made which can change the DG-1245 without consideration under the Backfit Rule which would apply if the DG itself had to be revised to incorporate revisions to NRC Inspection Procedures.
3. *Similar to comment 5, Regulatory Guide 3.11 is listed as Related Guidance. The corresponding Reference 3 for the RG 3.11 does not list an effective Revision level and date for RG 3.11.
4. *The RG 1.127 Rev. 1 (and also draft DG-1245 dated January 2011) section entitled C. Regulatory Position is replaced by a section called C. Staff Regulatory Guidance. The regulatory guide format has always been C. Regulatory Position as the standard format header since RGs were promulgated many years ago. Would like to see an explanation of the NRC intended significance for making this change in the header for this key section of Regulatory Guides.
5. *B. Discussion, p. 4 includes a section titled Harmonization with International Standards. This is a new section not previously included in RG 1.127 Rev. 1 (nor in draft DG-1245 dated January 2011). This section identifies the International Standards, characterizing them as having effective guidance to achieve high levels of safety. NRC has apparently compared this RG to the IAEA guides and states that this RG incorporates similar and consistent guidance as the IAEA guides. Not clear what safety value/guidance is intended by including this information and comparison statement, which was not present previously. International

Standards are not applicable to domestic nuclear power plants licensed by the NRC. Request insert an explanation in the RG for why this new information which has no bearing on regulatory guidance for the subject is being incorporated for the first time.

6. *C.5.f (3) The last sentence “Survey methods should also be inspected to evaluate the magnitude and rate of horizontal and vertical deformations of the surface monuments on and at the toes of embankment structures.” This position statement was not previously present in RG 1.127 Rev. 1. The statement was much clearer in the draft DG-1245 dated January 2011 which read: “Survey methods are also used to monitor the magnitude and rate of horizontal and vertical deformations of the surface monuments on and at the toes of embankment dams.” Recommend use the wording in the draft DG-1245 dated January 2011. In addition recommend the word “deformations” be changed to “movements”.
7. *C.5.f (7) This is a new position which states: “Remote-Monitoring Instrumentation: The use of remote-monitoring instrumentation should be considered to provide remote access and alert for a wide variety of instruments.” This statement adds little guidance to the user and has potential to add a large cost to applicant both in terms of initial cost and cost over the life of a plant especially if it is instrumentation which may not be accessible after installation. If this guidance statement is to be added, additional guidance is requested as to what is intended or acceptable. In keeping with other requirements in the proposed draft, this instrumentation would likely have to be Safety Related and Seismic Category 1.
8. *6. Technical Evaluation. The existing RG 1.127 wording for when to perform a Technical Evaluation is when “significant” changes have occurred. The new wording deletes the word “significant” and establishes the new threshold as any changes. However, the words “based on the changes” is added which implies that the extent of the evaluation will be based on the extent of the changes. With that understanding, the new wording is assumed to be basically equivalent to the existing wording. Confirmation of intent with NRC is recommended.
9. *6.c Sustainability Assessments; Changed title from Stability Assessments to Sustainability Assessments. Content of position is similar. Added requirement for post earthquake stability assessments using residual strength of soils composing the embankments. This position as stated is linked to an “earthquake” of undefined magnitude. As a minimum recommend this post-earthquake stability assessment be linked to exceedance of the some minimum earthquake magnitude level and/or some other observation criteria. The assessments using residual strength of soils composing the embankments could involve taking and testing soil samples as well as redoing complex analyses. This level of assessment effort should not be triggered by a seismic event which is barely detectable on site when the structures had to be designed to OBE and SSE.
10. *6.c. RGs 1.208 and 3.11 are not listed in either the References or Bibliography. Recommend adding them to References.
11. *C.7 Operating Experience. This a completely new section which offers vague, undefined, boiler plate language guidance which is inconsistent with the normal NRC format and usage of section C. Regulatory Position. Proposed C.7 states “Inspection and monitoring programs of water-control structures should be established commensurate with safety, and should also take into account industry wide operating experience.” Boiler plate type guidance like this should be placed under A. Introduction or better under B. Discussion, or not included.

12. *C.8 Special Provisions for Dams. This is a completely new section which refers to the Federal Guidelines for Dam Safety for the definitions of instrumentation, monitoring, and inspection of dams as used in this document. There is no reference number inserted for the Federal Guidelines for Dam Safety. If this is meant to be Reference 5 all of the FEMA guidelines, then 5 needs to be inserted.
13. *C.8 Special Provisions for Dams. This is a significant change. This change states that “In addition to the guidance contained herein, instrumentation, monitoring, and inspection of dams (as defined in the federal Guidelines for Dam Safety) should meet the guidance in the Federal Guidelines for Dam Safety.” This guidance section on Special Provisions for Dams was not in the draft DG-1245 dated January 2011. Previously, the RG 1.127 Rev. 1 and the draft DG-1245 January 2011 provided the information as to what was required by NRC guidance for monitoring and inspection of the dam structures related to the Ultimate Heat Sink for the Nuclear Power Plant. Previously there has been no link invoking as guidance the requirements of a separate Federal Agency (FEMA) with different jurisdiction than NRC. This could involve a time consuming comparison. It does not appear consistent with previous practice that the NRC Staff would review applications to the requirements of a separate Federal Agency having no jurisdiction over the structures addressed in this RG.
14. *C.8 Special Inspections. RG 1.127 Rev. 1 and the first Draft of DG-1245 dated January 2011 incorporated the word “significant” before “earthquakes, hurricanes, tornadoes, intense local rainfalls, or other unusual events”. The proposed Draft of DG-1245 dated January 2015 deletes the word “significant” and uses the wording “after the occurrence of unusual events such as earthquakes, hurricanes, tornadoes, intense local rainfalls, etc. “. Why this change in wording to delete the descriptor “significant” ? Any earthquake that is detected on site regardless of magnitude can be considered “unusual” because the occurrence of any earthquake felt on site is not a usual event. Does the new wording mean that “as soon as practical” inspections are required by the guidance for any detected earthquake without respect to magnitude? That does not appear to be justified by safety considerations and would be unnecessarily burdensome.
15. *C.10 Inspection Report. Wording of when reporting is required to NRC of abnormal hazardous conditions observed during an inspection. Wording in the RG 1.127 Rev. 1 and the Draft DG-1245 January 2011 were consistent and required “reported immediately to the NRC staff in accordance with the Commission’s regulations, as summarized in Regulatory Guide 1.16, “Reporting of Operating Information – Appendix A Technical Specifications” The DG-1245 January 2105 proposed wording is: “Any abnormal hazardous conditions observed during the inspection should be reported to the NRC in accordance with the Commission’s regulations, and as required by the plant technical specifications.” This is a vague compared to previous wording and could be significant additional reporting burden. What is meant by “Commission’s regulations”? The existing wording tied “abnormal hazardous condition” with the Technical Specification requirements and reporting as required for Technical Specifications. Is proposed wording intended to lower the bar significantly for reporting to NRC even when it is readily determined there is no safety concern to the plant that impacts Technical Specifications.