

RULES AND DIRECTIVES
BRANCH
LC 150

As of: 5/13/15 11:02 AM
Received: May 12, 2015
Status: Pending Post
Tracking No. 1jz-8ita-fehc
Comments Due: May 12, 2015
Submission Type: Web

PUBLIC SUBMISSION

2015 MAY 13 PM 12:41

Docket: NRC-2014-0137
Technical Basis for Regulatory Guidance on the Alternate PTS Rule

RECEIVED

Comment On: NRC-2014-0137-0001
Draft Guidance Regarding the Alternate Pressurized Thermal Shock Rule

Document: NRC-2014-0137-DRAFT-0008
Comment on FR Doc # 2015-05754

Submitter Information

3/13/2015
@ FR 13449
7

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General Comment

Dear NRC,

Please see the attached file, DECLARATION OF PIERMAN, KAMPS AND KEEGAN CONCERNING COUPON AVAILABILITY FOR PTS TESTING, dated December 1, 2014. It was submitted as a part of the Beyond Nuclear-Don't Waste MI-MSEF Shoreline Chapter-NEIS intervention against Entergy Nuclear Palisades' LAR for 10CFR50.61a regulatory relief. Please accept this document as public comment in this proceeding.

We object to 10CFR50.61a's dismissing and ignoring existing, readily available hard physical data, and relying largely to exclusively instead on probabilistic risk assessment.

Palisades, for example, has four capsules remaining, which could be pulled and tested. But instead of accessing this readily available physical data, a scheduled 2007 capsule pull and test was simply canceled. A full 16 years between capsule pulls and tests (2003 to 2019) will have passed, with no reality check in between. Apparently, Entergy has no plans to access three capsules at all, during the 2019 to 2031 (extended license expiration in 2031) time period. This is unacceptable.

NRC's rationale, as documented in the attached affidavit, that physical capsules can't be pulled and tested, because then there would be no physical capsules left to pull and test, is absurd and unacceptable from a

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Template = ADM-013*

*E-RIDS = ADM-03
Call = W. Stevens (glsk) - M. Kirk (mtk) -
S. Miller (sxb)*

perspective of protecting public health, safety, and the environment from a scientific, physical reality-based regulatory approach. Over- to exclusive-reliance on PRA is unacceptable, and such aspects of 10CFR50.61a, as embodied in DG-1299 and NUREG-2163, cannot be allowed to stand in NRC regulations, regulatory guides, and their technical bases documents.

Sincerely,

Kevin Kamps, Beyond Nuclear (and Don't Waste MI board member, representing the Kalamazoo chapter)

Attachments

12 1 14 Coupon Decl COMPLETE-1

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before the Atomic Safety and Licensing Board**

| | | |
|---|---|-------------------|
| In the Matter of: |) | Docket No. 50-255 |
| Entergy Nuclear Operations, Inc. (Palisades Nuclear Plant) |) | |
| Operating License Amendment Request |) | December 1, 2014 |
| |) | |

* * * * *

**DECLARATION OF PIERMAN, KAMPS AND KEEGAN
CONCERNING COUPON AVAILABILITY FOR PTS TESTING**

1. Bette Pierman, Kevin Kamps and Michael Keegan make the following statements under penalty of perjury.
2. On June 5, 2014, we attended a meeting in Benton Harbor, Michigan, between about a dozen concerned local residents and environmental group representatives and the Chairman of the U.S. Nuclear Regulatory Commission, Dr. Allison Macfarlane, regarding Entergy Nuclear's Palisades atomic reactor.
3. Michael Keegan, a board member of Don't Waste Michigan, addressed the coalition's concerns regarding the embrittlement of the Palisades reactor pressure vessel. He asked Chairman Macfarlane why remaining metal coupons within Palisades' reactor pressure vessel had not been pulled and tested in so many years, in order to determine the extent of neutron-bombardment embrittlement of the reactor pressure vessel.
4. NRC Chairman Macfarlane asked one of her staff members to respond to the question. Alex Garmoe, Senior Resident Inspector at Palisades, responded that coupons had not been pulled and tested in so long because so few were left. To do so would mean there would be no more to pull and test during the 2014 to 2031 extended operating license period which the NRC had granted Palisades in 2007.
5. As neither Dr. Macfarlane nor any other NRC staff member present at the meeting, including

the Region III Administrator Cynthia Pederson, spoke up to contradict Mr. Garmoe's statement, we took the statement to be the official position of the NRC. In fact, Dr. Macfarlane's written correspondence to us to follow up the in-person meeting did not mention, let alone contradict, her staff member's response.

[The remainder of this page is deliberately left blank.]

I hereby declare under penalty of perjury that the foregoing facts are true and correct and that any expressions of opinion are based on my judgment.

November 30, 2014
[date]

Bette Pierman
Bette Pierman

I hereby declare under penalty of perjury that the foregoing facts are true and correct and that any expressions of opinion are based on my judgment.

Dec. 1, 2014
[date]

Kevin John Kamps
Kevin Kamps

I hereby declare under penalty of perjury that the foregoing facts are true and correct and that any expressions of opinion are based on my judgment.

12/1/2014
[date]

Michael Keegan
Michael Keegan