

U.S. Nuclear Regulatory Commission Public Meeting Summary

Title: The Performance-Based Emergency Core Cooling Systems Cladding Acceptance Criteria (Title 10 of The *Code of Federal Regulations* Section 50.46c) Proposed Rule

Meeting Identifier: 20151549

Date of Meeting: October 22, 2015

Location: Teleconference and Webinar only

Type of Meeting: Category 3

Purpose of the Meeting(s): The purpose of the meeting was to discuss draft preliminary changes from the Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.46c proposed rule (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12283A174) to the draft final rule. Specifically, the webinar served the following objectives:

- Inform stakeholders of the draft preliminary changes to the 10 CFR 50.46c rule since it was published for comment
- Help the U.S. Nuclear Regulatory Commission (NRC) and stakeholders prepare for an Advisory Committee on Reactor Safeguards (ACRS) subcommittee meeting on November 3, 2015
- Discuss implementation as described in the draft final rule, fulfilling the Cumulative Effects of Regulation guidelines

The NRC did not accept formal written comments during the meeting.

General Details: The meeting was attended by 64 individuals including industry representatives, members of the public, and NRC staff, all of whom participated through audio teleconferencing and webinar.

Summary of Presentations: The meeting slides and handouts are available in the ADAMS package under Accession No. ML15294A488. In addition to the material presented in the slides, the major areas of discussion are summarized below.

Public Participation Themes:

The NRC staff presented a high-level overview of changes made to the draft preliminary 10 CFR 50.46c rule in response to public comments. The staff addressed changes in the rule language, as well as in four regulatory guides. The staff's presentation is available in ADAMS under Accession No. ML15294A495.

Following the staff's presentation, public participants were provided an opportunity to ask questions and engage in open discussion with the staff. The questions and discussion focused on a few common themes.

First, industry representatives wanted to know if the NRC staff was still planning to work with the industry to create standard templates for the various submittals related to 10 CFR 50.46c—the letters outlining each licensee's implementation plan and schedule due 6 months after the implementation date of the rule, the Type I, II, and III license amendment request (LAR) letters, etc. The staff confirmed that the development of templates for the various 50.46c related submittals was still envisioned to be a critical tool for effective implementation of the rule and confirmed their interest in working with the industry to develop templates. Further, representatives from industry wanted to discuss how the 10 CFR 50.46c rulemaking's multi-year implementation schedule would impact the schedule and expectations of other LARs. The staff explained that the 6 month implementation plan and schedule would be treated as a regulatory commitment and therefore LARs not related to 10 CFR 50.46c could cite those commitments as part of their implementation and compliance discussion.

Second, industry representatives wanted more information to understand how compliance would be demonstrated for legacy fuel and current fuel manufactured before the effective date of the 50.46c rule. The staff agreed to revisit the language to ensure that it addressed the variety of scenarios expected.

Third, industry representatives wanted more information to understand the expectations of the revised 10 CFR 50.46c reporting requirements. The staff explained that clarifying expectations of reporting requirements was addressed in great detail in the draft Regulatory Issue Summary (RIS) found under ADAMS Accession No. ML15057A346; however many industry representatives indicated that the RIS had not adequately addressed their questions and in particular, their questions stemming from the language changes provided in the 10 CFR 50.46c draft preliminary rule language.

Fourth, industry representatives expressed that they perceived inconsistency in the staff's explanation of the performance based features of the draft preliminary rule relative to the residual prescriptive requirements of the draft preliminary rule. An industry representative identified a few specific examples of perceived inconsistency in the staff's public comment-response document. The staff agreed to revisit the referenced examples in the comment-response document.

Finally, industry representatives expressed that the language in the Statements of Consideration (SOC) related to the revised long-term cooling requirement may be too subjective. The industry representative asked about specific legacy methods and expressed concern that the staff would reconsider their acceptability once the new rule went into place. The discussion continued on a related issue that Appendix K methods continue to be used to evaluate long-term cooling even though the requirements in Appendix K weren't intended for this application. The industry representative asked if the staff still considered that the industry's proposal to develop guidance on acceptable methods for long-term cooling evaluation for NRC endorsement was valuable. The staff confirmed they still believe this industry effort is valuable and needed, but pointed out that the new requirements for long-term cooling evaluation under

re-heat conditions were not subject to the implementation schedule for 10 CFR 50.46c. The staff reiterated that such analysis were associated with resolution of GSI-191, which has its own separate time-line.

The staff presentation included details of the draft preliminary language for the risk-informed alternative for the evaluation of debris on long-term cooling and updates made to RG 1.229 in response to public comments. The staff specifically asked if there were questions or points of discussion related to this topic. A representative from the Nuclear Energy Institute responded to say that the knowledgeable industry representatives were not available for this call.

Attachments:

- Meeting agenda/notice – ML15279A338
- ADAMS accession number to NRC staff presentation – ML15294A495

Enclosure:

- Meeting Attendees

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NRC Presentation: ML15294A495;

NRC-001

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NAME	ABone	GLappert	TInverso	ABone
DATE	11/17/2015	11/17/2015	11/17/2015	11/17/2015

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**List of 50.46c Public Meeting Attendees
October 22, 2015**

Name		Organization
Paul	Clifford	NRC
C.J.	Fong	NRC
Ashley	Smith	NRC
Steve	Smith	NRC
Michelle	Bales	NRC
Tara	Inverso	NRC
Howard	Benowitz	NRC
Jessica	Kratchman	NRC
Steven	Laur	NRC
Darius	Ahrar	Xcel Energy
Charles	Albury	South TX Project
John	Alvis	Anatech
Miguel	Armenta	Energy Northwest
Jana	Bergman	Curtis Wright
Greg	Broadbent	Entergy
Jason	Castro	TN Valley Authority
Sheldon	Clark	NRC
Gordon	Cleifton	NEI
Bert	Dunn	Areba
Tom	Eichenberg	TVA
Kurt	Flaig	Dominion
Robert	Florian	Southern Nuclear
Kenneth	Frederick	First Energy Nuclear Operating Company
Lisa	Gerken	Areva
Kathy	Halvey-Gibson	NRC
Mark	Handrick	Duke Energy
Gerald	Head	GE Hitachi
Robert	Hicks	Arizona Public Service
Gregory	Hill	American Electric Power
Theodore	Hilston	First Energy
Gerold	Holmes	Areva
Korey	Hosack	Westinghouse Electric Company
Shane	Jurek	Ecel Energy
Colin	Keller	First Energy
Jeffrey	Kobelak	Westinghouse Electric Co
Glenna	Lappert	NRC
Paul	Leonard	Enercom
Stanley	Levinson	AREVA
Marvin	Lewis	Self Employed
Robert	Leyse	Individual
Shanlai	Lu	NRC
David	Medek	Arizona Public Service Company
Alan	Meginnis	Areba

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David	Mitchell	Westinghouse Electric
Andrew	Mueller	Westinghouse
Kurshad	Muftuoglu	GE Hitachi Nuclear Energy
Randy	Newton	New Skill Power Licensing
Andy	Olson	Exelon
Jonna	Partezana	Westinghouse
Thomas	Remick	AZ Public Service
Robin	Ritzman	First Energy
Lindsay	Robinson	NRC
Tim	Sande	Entercom
Harold	Scott	NRC
Phil	Sharpe	GE Hitachi
James	Smith	Westinghouse Electric Company
Kenneth	Smolisnske	Excel Energy
Chris	Staum	Exelon
Alfred	Strasser	Aquarius Services Corp
Greg	Swindlehurst	GS Nuclear
Martin	Van Haltern	Westinghouse
Don	Williamson	Scana
Linda	Woosley	Columbia Generating Station
Ken	Yueh	EPRI