

## 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:** 20151711

**Date of Meeting:** November 23, 2015

**Location:** Teleconference and Webinar only

**Type of Meeting:** Category 3

**Purpose of the Meeting(s):** The purpose of the meeting was to discuss deterministic reporting provisions in the Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.46c draft final rule. The 10 CFR 50.46c proposed rule was published for comment on March 24, 2014 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12283A174). Specifically, the webinar served the following objectives:

- Inform stakeholders of the draft preliminary changes to the 10 CFR 50.46c deterministic reporting provisions since the draft package was made public in October 2015
- Help the NRC and stakeholders prepare for an Advisory Committee on Reactor Safeguards (ACRS) subcommittee meeting on December 3, 2015

The U.S. Nuclear Regulatory Commission (NRC) did not accept formal written comments during the meeting.

**General Details:** The meeting was attended by 58 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. ML15313A090. 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 draft changes made to the deterministic reporting provisions in the 10 CFR 50.46c rule in response to public comments. These comments had been reiterated during a November 3, 2015, ACRS subcommittee meeting. This November 23<sup>rd</sup> meeting served to facilitate continued discussion of these comments. Additionally, prior to the meeting, the NRC made publicly available draft preliminary changes to the deterministic reporting provisions. This document is in ADAMS at ML15320A362 and available on regulations.gov under Docket ID NRC-2008-0032. The staff's presentation is available in ADAMS at ML15324A294. Following the staff's presentation, public participants were provided an opportunity to ask questions and engage in open discussion with the staff.

The nuclear industry provided a presentation, which can be found in ADAMS at ML15336A925. The major themes from the industry presentation are as follows:

- **NRC approved fuel:** The industry expressed a concern that “strict interpretation of proposed rule language in paragraph k would suggest that fuel manufactured before implementation of NRC-approved breakaway oxidation testing programs would, at some point in time, be unacceptable for use in reactor cores.” In this respect, the industry described a “donut hole” with regards to regulation of legacy fuels. The industry noted that they don’t want to disincentive industry from upgrading cladding types due to the challenges regarding use of NRC approved fuel requirements. The NRC requested confirmation that this industry “donut hole” concern was specific to breakaway oxidation testing, to which the industry confirmed that this was not a concern with long term cooling requirements.
- **Reporting Requirements:** The industry expressed that the revised language found in the draft NRC document made available prior to the meeting (ML15320A362) added clarity and would be acceptable to the industry. The industry noted that this document restores NRC expectations for annual reporting (i.e., option 2 found on slide 12 of industry presentation). The industry emphasized the need to work with the NRC to establish guidance. The NRC staff emphasized that they continue to maintain willingness to work with industry on such guidance.
- **Significant Change:** The industry provided suggested changes to the rule language regarding the definition of a significant change, found in paragraph n. This language specifically relates to the basis of quantitative impacts on Peak Cladding Temperature and Equivalent Cladding Reacted. The NRC provided the informal feedback that they are not currently favorable to the industry-proposed language, found on slide 20 of the industry presentation.
- **Evaluation Model Interpretation:** The industry expressed concern with a perceived “inconsistent interpretation of ‘plant-specific information.’” The industry recommended working with NRC staff to develop guidance to clarify what this specific information contains.
- **Long Term Core Cooling:** The industry questioned whether Appendix K applies to long term core cooling.

During the time allotted for members of the public to provide feedback, a member of the public expressed the concern that changes in reporting requirements would lead to a lack of transparency for the public. The NRC staff emphasized the importance of transparency and public involvement in the 50.46c public meetings.

#### **Action Items/Next Steps:**

#### **Attachments:**

- Meeting agenda –ML15313A092
- ADAMS accession number to NRC staff presentation – ML15324A294
- ADAMS accession number to industry presentation – ML15336A925

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<b>OFFICE</b>	DPR/PRMB/PM*	DPR/PRMB/RS*	DPR/PRMB/BC	DPR/PRMB/PM
<b>NAME</b>	(JKratchman for) ABone	GLappert	(AGomez for) TInverso	(JKratchman for) ABone
<b>DATE</b>	12/24/2015	12/24/2015	12/24/2015	12/24/2015

**List of 50.46c Public Meeting Attendees  
November 23, 2015**

<b>Name</b>		<b>Organization</b>
Alysia	Bone	NRC
Tara	Inverso	NRC
Geary	Mizuno	NRC
Paul	Clifford	NRC
Michelle	Bales	NRC
Steve	Smith	NRC
CJ	Fong	NRC
Glenna	Lappert	NRC
Jessica	Kratchman	NRC
Shanlai	Lu	NRC
Jennifer	Whitman	NRC
Gordon	Cleifton	NDI
Tom	Eichenberg	TN Valley Authority
Charles	Albury	South Texas Project
John	Alvis	Anatech
Kristen	Benney	NRC
Jana	Birdman	Curtis-Wright
Christopher	Carey	TN Valley
Jason	Castro	PVA
Keith	Drudy	Southern Nuclear
Paul	Duke	PSEG Nuclear
Burt	Dunn	Areva
David	Fink	Westinghouse Electric Company
Kurt	Flaig	Dominion
Robert	Florian	Southern Nuclear Operating Co.
Kenneth	Fredrick	First Energy
Stephen	Geier	Nuclear Energy Institute
Lisa	Gerken	Areva
Tony	Gomez	NRC
Mark	Handrick	Duke Energy
Gregory	Hill	American Electric Power
Theodore	Hilton	Fenoc
Ron	Holloway	Wolf Creek
Jerald	Holm	Areva
Shane	Jurek	Excel Energy
Jeffrey	Kobelak	Westinghouse Electric Co
Sam	Lafountain	Scana
Steven	Laur	NRC
Marvin	Lewis	Private Citizen
Lee	Marabella	PSEG Nuclear
David	Medek	AZ Public Service
Alan	Meginnis	Areva
Seung	Min	ACRS NRC
David	Mitchell	Westinghouse Electric Co.

Aby	Mohseni	NRC
Kurshad	Muftuoglu	GE Hitachi
Mitch	Nissely	Westinghouse
Andy	Olson	Exelon
Benjamin	Parks	NRC NRR DSS
Aaron	Sanders	NRC
Ashley	Smith	NRC
Jim	Smith	Westinghouse Electric Company
Kenneth	Smolinske	Xcel Energy
Chris	Staum	Exelon
Jim	Stavely	PSEG Nuclear
Doug	Weaver	Westinghouse
Don	Williamson	Scana
Ken	Wueh	Electro Power Research Institute