As of: 5/12/16 2:08 PM
Received: May 09, 2016
Status: Pending_Post
Tracking No. 1k0-8piy-8ceo
Comments Due: May 13, 2016
Submission Type: Web

PUBLIC SUBMISSION

Docket: NRC-2016-0076
Proposed Emergency Preparedness Frequently Asked Questions

Comment On: NRC-2016-0076-0001
Proposed Emergency Preparedness Frequently Asked Questions

Document: NRC-2016-0076-DRAFT-0007
Comment on FR Doc # 2016-08466

4/13/2016
81FR21907
1

RECEIVED
2016 MAY 12 PM 2:08
RULES AND DIRECTIVES
BRANCH

Submitter Information

Name: David Young
Address:
1201 F St. NW
Suite 1100
Washington, DC, 20004
Email: dly@nei.org

General Comment

See attached comments (pdf document) developed by NEI and the industry.

Attachments

Industry Comments on Docket ID 2016-0076 - Submitted

SUNSI Review Complete
Template = ADM – 013
E-RIDS= ADM-03
Add= D. A. Jackson (dag3)

3. EP FAQ 2015-012

Contrary to the proposed NRC Response, industry Operating Experience (e.g., inspection findings) has indicated that the material in NRC Interim Staff Guidance (ISG) NSIR/DPR-ISG-01, "Emergency Planning for Nuclear Power Plants," is insufficient for licensees to understand staff expectations concerning the use of remote or local indications in EALs. In addition, licensees typically refer to NEI 99-01 (all revisions), and related EP FAQs, when seeking staff-endorsed technical guidance related to the development of EALs. The EP FAQ Question and Proposed Solution were framed to specifically address Operating Experience and the industry recommends that the staff provide a direct answer to the question and, if necessary, include supporting references to the ISG.

To ensure predictable inspection results, the industry believes that the final NRC Response should also specifically address the use of wide-range spent fuel pool level instrumentation (required by NRC Order EA-12-051) as an EAL indication. Again, references to the ISG may be appropriate but are not a substitute for providing an answer that directly addresses the points identified in the Proposed Solution. There is a potential for unnecessary inspection findings if the NRC staff does not take this opportunity to clarify its expectations on this topic.

Finally, the industry notes that this question was previously submitted and then rejected for consideration by the staff. It was subsequently resubmitted at the request of the staff. Given the current proposed NRC Response, it is unclear why the industry was asked to resubmit the question since the answer is the same as that provided for the rejection basis, and little to no value is being realized by this answer.

4. EP FAQ 2015-013

The industry agrees with the conclusion of the proposed NRC Response that "given the confusion these redundant EALs had on EAL decision-making at the General Emergency level, consideration can be given to not include HG1 in a site-specific EAL scheme." This agreement notwithstanding, the following points are offered for consideration in crafting the final NRC Response.

- The industry believes that the most relevant Initiating Condition (IC) bounding the circumstances under which an emergency declaration could occur based on IC HG1, and thus providing a significant part of the rationale for its elimination, is IC FG1. ICs SG1 and SG8 would also be applicable following an attack leading to an Extended Loss of AC Power (ELAP). It is recommended that the final NRC Response acknowledge the bounding aspects of ICs FG1, SG1 and SG8.
- The industry agrees that the aspect of IC HG1 related to spent fuel is bounded by IC AG1; however, IC HG7 is focused on the status of the reactor core and

containment, and not spent fuel stored in a pool. The final NRC Response should also consider the fact that the wide-range spent fuel pool level instrumentation referenced in IC AG2 may not be available at all times (e.g., plant FLEX response procedures may call for making the instrumentation functional following an ELAP) and/or may not have indications installed in the Control Room (e.g., the indications are read remotely/locally). [*Note – the acceptable use of this instrumentation in EALs should be addressed in the response to EP FAQ 2015-012.*] In addition, it is recommended that the NRC Response acknowledge the bounding aspects of ICs SG1 and SG8 when the threat to spent fuel is a result of an attack-induced ELAP.

5. EP FAQ 2015-014

No comments.

6. EP FAQ 2015-015

After review of the proposed NRC Response, the following points are offered for consideration during development of the final response.

- A licensee should have the freedom to specify acceptable power sources in an EAL and/or Basis if it is felt that such information will promote accurate and timely emergency classification. For example, the NRC staff has stated that a power source is acceptable if it is adequately maintained in an appropriate maintenance program and is able to assume the full load of an emergency bus within approximately 15-minutes. EAL developers can identify power sources meeting these criteria (and, if needed, power sources that do not) and include this information within an EAL or the associated Basis section. Similarly, EAL developers can also assess the information in the applicable Developer Notes of NEI 99-01 and add the information needed to ensure that emergency classifications are made in accordance with NRC-endorsed guidance (e.g., operation of a power source is controlled in accordance with abnormal or emergency operating procedures, or beyond design basis accident response guidelines, and generally meets the definition of an "Alternate ac source" in 10 CFR 50.2 and/or the requirements of 10 CFR 50.63). Shift Managers and other emergency classification decision-makers should not be placed in a position of determining which power sources meet EAL acceptability criteria at the time of the event.
- The EAL developer guidance in NEI 99-01, Revision 6, for ICs CA2, SS1, SG1 and SG8 do not call for a list/table of power sources applicable for consideration; therefore, it is unclear why not including one would be considered a "deviation" (or even a "difference") in accordance with Regulatory Issue Summary (RIS) 2003-18, Supplement 2, Use of Nuclear Energy Institute (NEI) 99-01, "Methodology for Development of Emergency Action Levels," Revision 4, dated January 2003.