

NRR-PMDAPem Resource

From: Tate, Travis
Sent: Tuesday, August 16, 2016 12:50 PM
To: Dave Lochbaum; Venkataraman, Booma
Cc: Banic, Merrilee; Dean, Bill; pine@jonesriver.org; Lampert, Mary; Gunter, Paul; Grinnell, Debbie; Diane Turco; gogreens@comcast.net; timj@nirs.org; Wilson, George; Boland, Anne; Benner, Eric
Subject: RE: RE: 2.206 Petition regarding Pilgrim current licensing basis for flooding (OEDO-15-00479)(CAC NO. MF6460) - 60 DAY STATUS

Dear Mr. Lochbaum,

I am writing in response to your email reply to Booma Venkataraman regarding the NRC's periodic update on your June 24, 2015, petition filed in accordance with 10 CFR 2.206. Your petition is related to the current licensing basis flooding analysis for the Pilgrim Nuclear Power Station. The purpose of this response is to attempt to clear up confusion expressed by you in your email reply following the NRC's recent issuance of "Interim Staff Response To Reevaluated Flood Hazards Submitted In Response To 10 CFR 50.54(f) Information Request – Flood-Causing Mechanism Reevaluation" for Pilgrim dated August 4, 2016, and the staff process for the evaluation of your 2.206 petition.

In our acknowledgement letter issued to you on February 11, 2016, the NRC communicated that the issues you raised in your petition are being addressed by the March 12, 2012, 10 CFR 50.54(f) letter; using the graded approach described in COMSECY-15-0019, "Closure Plan for the Reevaluation of Flooding Hazards for Operating Nuclear Power Plants," and associated NRC reviews and actions related to postulated beyond-design-basis events. In COMSECY-15-0019, the staff indicated its plans to issue letters to licensees to confirm the appropriateness of flood hazard information needed to support the assessment of mitigation strategies. Consistent with this approach, the purpose of the August 4, 2016, letter is to provide information to enable the licensee (Entergy) to complete an assessment of its mitigation strategies to the reevaluated flood hazard, and to complete any additional assessments for NTF Recommendation 2.1 at Pilgrim. The August 4, 2016, letter is not the final assessment of the reevaluated flood hazard for Pilgrim, rather, it just indicates that the inputs are suitable for assessing mitigation strategies. The staff's consideration of modification of the Pilgrim licensing basis regarding flooding, including the inclusion of local intense precipitation, is ongoing. The NRC staff will use the results of Entergy's integrated assessments, if required, to determine whether additional regulatory actions (beyond those associated with mitigating strategies) are necessary.

The staff has not reached resolution in the on-going reviews for Pilgrim that are related to your petition. Once resolution is achieved, the staff will reconvene the petition review board to discuss the petition and prepare a proposed Director's Decision in accordance with the 10 CFR 2.206 process.

I apologize for the confusion. Our August 8, 2016, periodic update on your 10 CFR 2.206 petition did not provide details to address the relationship between the August 4, 2016, letter, the on-going reviews, and the review of your petition. We hope the above clarification clears the confusion. We have made note to attempt to better communicate on this topic in the future.

Travis L. Tate, Chief
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Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
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From: Dave Lochbaum [mailto:DLochbaum@ucsusa.org]

Sent: Tuesday, August 09, 2016 10:22 AM

To: Venkataraman, Booma

Cc: Banic, Merrilee ; Tate, Travis ; Dean, Bill ; pine@jonesriver.org; Lampert, Mary ; Gunter, Paul ; Grinnell, Debbie ; Diane Turco ; gogreens@comcast.net; timj@nirs.org

Subject: [External_Sender] RE: 2.206 Petition regarding Pilgrim current licensing basis for flooding (OEDO-15-00479)(CAC NO. MF6460) - 60 DAY STATUS

Dear Ms. Venkataraman:

Thanks for the update, but I am very confused.

I read the NRC's letter dated August 4, 2016 (ADAMS ML16215A086) conveying the staff interim position on the flooding hazard re-evaluation submitted by Entergy for Pilgrim.

The paragraph at the top of page 2 refers to Table 1 and the local intense precipitation scenario not being included within the current design basis for Pilgrim -- the very heart of our petition. The first sentence of the second paragraph on page 2 conveys the NRC staff's conclusion that Entergy's re-evaluation is suitable. In other words, the measures we sought in our petition will not be taken by the NRC staff.

But rather than issuing a draft Director's Decision and giving us as petitioners up to 25 days to explain why we disagree with it, the NRC staff is stonewalling us. By dragging its feet on the draft Director's Decision for our petition, the NRC is denying us our legal right to appeal the decision the staff has clearly already made. Instead, the NRC staff is keeping our petition on the back burner while it concludes its virtually secret negotiations with Entergy about the safety precautions not being taken to protect the public from flooding at Pilgrim.

That's disappointing. But becoming more and more the norm at the NRC.

It is irksome that the NRC staff will tell Entergy on August 4, 2016, that it won't require any additional flood protection measures and then tell us on August 8, 2016, that the matter is still under review. The attached August 4 letter makes it very, very, very clear that the matter is NOT still under review despite the August 8 claims to the contrary.

We look forward to the Director's Decision on our petition, if and when Entergy ever allows it to be issued.

Thanks,
Dave Lochbaum
UCS

From: Venkataraman, Booma [Booma.Venkataraman@nrc.gov]

Sent: Monday, August 08, 2016 2:57 PM

To: Dave Lochbaum

Cc: Banic, Merrilee; Tate, Travis

Subject: 2.206 Petition regarding Pilgrim current licensing basis for flooding (OEDO-15-00479)(CAC NO. MF6460) - 60 DAY STATUS

Mr. Lochbaum,

In accordance with MD 8.11, I am writing to provide you the periodic update on your 2.206 petition dated June 24, 2015 regarding the current licensing basis on flooding for the Pilgrim Nuclear Power Station (Pilgrim).

On February 11, 2016, NRC issued an acknowledgement letter for this petition. The Director of the Office of the Nuclear Reactor Regulation partially granted for review your concern that the current licensing basis be revised to include specific beyond-design-basis flood events at Pilgrim. The next step in the 2.206 process is to issue a proposed Director's Decision after the NRC staff achieves resolution on the ongoing reviews on the subject.

Sincerely, Booma

Booma Venkataraman, P.E.

Project Manager, NRR/DORL/LPL1-1

Office of Nuclear Reactor Regulation

Booma.Venkataraman@nrc.gov

301.415.2934

Hearing Identifier: NRR_PMDA
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Subject: RE: RE: 2.206 Petition regarding Pilgrim current licensing basis for flooding (OEDO-15-00479)(CAC NO. MF6460) - 60 DAY STATUS
Sent Date: 8/16/2016 12:50:16 PM
Received Date: 8/16/2016 12:50:18 PM
From: Tate, Travis

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MESSAGE	6611	8/16/2016 12:50:18 PM

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