

NUCLEAR REGULATORY COMMISSION

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COMMISSION MEETING

In the Matter of:

AFFIRMATION/DISCUSSION SESSION

PUBLIC MEETING

DATE: November 24, 1981 PAGES: 1 thru 8

AT: Washington, D. C.

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
AFFIRMATION/DISCUSSION SESSION
PUBLIC MEETING

Nuclear Regulatory Commission
Room 1130
1717 H Street, N.W.
Washington, D.C.
Tuesday, November 24, 1981

The Commission met, pursuant to notice, at 10
11 o'clock a.m.

BEFORE:

- NUNZIO PALLADINO, Chairman
- VICTOR GILINSKY, Commissioner
- PETER BRADFORD, Commissioner
- JOHN AHEARNE, Commissioner
- THOMAS ROBERTS, Commissioner

STAFF PRESENT:

- SAM CHILK, Secretary
- LEONARD BICKWIT, General Counsel
- MARTIN MALSCH
- FORREST REMICK

DISCLAIMER

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P R O C E E D I N G S

1
2 CHAIRMAN PALLADINO: The meeting will please come
3 to order. This is an Affirmation/Discussion Session. I am
4 going to ask the Secretary to walk us through the items
5 listed on the agenda.

6 MR. CHILK: The first one is SECY-81-245A, interim
7 requirements related to hydrogen control (proposed rule).

8 The Commission here is being asked to consider a
9 proposed rule to require improved hydrogen control systems
10 for BWRs with Mark III containments and PWRs with ice
11 condenser type containments; and there are additional
12 requirements related to the functioning of safety systems
13 during and following a hydrogen burn.

14 The Chairman, Commissioners Gilinsky, Ahearne and
15 Roberts have approved the attached draft as a proposed rule,
16 the draft which was circulated to you on the 23rd.

17 Commissioner Bradford has also approved. He has
18 suggested some additional changes on pages 7 and 10 of the
19 draft which have not been supported by a majority of the
20 Commission. The Chairman, Commissioners Roberts and Ahearne
21 are nonconcurring.

22 I do not know Peter, whether that means that you
23 vote for the rule or not.

24 COMMISSIONER BRADFORD: I had not realized that
25 there were three votes against me, I just thought it was on

1 for discussion.

2 Well, I would not oppose the rule going out, but I
3 certainly would not endorse the proposition that the
4 Commission ought to stop with survivability. It seems to me
5 that is less than what we require in other than
6 post-hydrogen burn respects. We do not know how long it is
7 going to take us to get our overall house in order on
8 degraded cores.

9 I think there ought to be a clear-cut commitment
10 to move as quickly as possible to full qualification.

11 COMMISSIONER GILINSKY: Let me just add a point
12 here. I would have preferred that the word "qualification"
13 would be used. Since we are writing the standard here we
14 would in effect be defining what qualification means in this
15 context and since we are dealing with less probable events
16 in other situations where you talk about qualification, you
17 could have a different standard.

18 So, qualification for this need not necessarily
19 mean qualification for other sorts of events. But
20 nevertheless, what concerns me about the word
21 "survivability" is that it kind of opens the back door to
22 doing less than one might otherwise.

23 So, one is just talking about words here, but in
24 one way or another they may affect the outcome. That is all.

25 CHAIRMAN PALLADINO: We are considering the

1 two-step approach. If we change the "may" to "will" and
2 make the other modifications, we in effect would be saying
3 We are not going to have a two-step approach and we are
4 making a judgment right now, that we know enough that we
5 will be able to require these things.

6 I think the reason for the two-step approach is
7 that even if we wanted to, we do not know enough to even
8 specify what some of the conditions would be that some of
9 this equipment would have to meet.

10 COMMISSIONER GILINSKY: Well, whatever those
11 conditions are, we can just as well call them
12 "qualification" for this purpose as "survivability." It is
13 up to us to define whatever it is we want this equipment to
14 do.

15 CHAIRMAN PALLADINO: What I am saying, it does
16 change the whole thrust of the proposed document.

17 COMMISSIONER AHEARNE: No, I do not think Vic's
18 comment changes the whole thrust of the document, Peter's
19 would; Vic's does not.

20 What Vic in fact is saying is that he would have
21 preferred instead of saying the survivability requirements
22 at this date would be a separate set of qualification
23 requirements, a different kind.

24 I guess your concern, Vic, is that by the use of
25 "survivability" it may lead to a weaker set of requirements

1 than if one had called it "qualifications."

2 COMMISSIONER GILINSKY: Right. After all, it is
3 up to us to decide what it takes to qualify. Ultimately
4 that is what we are doing, we are qualifying equipment. The
5 requirements may be different for different sorts of
6 situations.

7 So just because you use the word "qualification"
8 does not mean it carries with it the full panoply of
9 requirements that apply elsewhere.

10 CHAIRMAN PALLADINO: However, then you would have
11 different kinds of qualifications and the attempt, I
12 thought, here was to identify them as being different by
13 changing the name. I agree, we do not know all the things
14 we should know to really do an intelligent job.

15 But there is a difference implied here, I think,
16 in the qualification for a qualification program and the
17 criteria for survivability.

18 COMMISSIONER BRADFORD: I must say, I would have
19 thought that my comment did less to the document than Vic's
20 does. If I understood Vic correctly, he is saying that we
21 would state that what we were proscribing at this point
22 constituted qualification and therefore it was essentially a
23 one-step process; whereas all that I am saying is that it is
24 a two-step process and there definitely will be a second
25 step. The document as it stands now says that we are taking

1 a first step and there may be a second step.

2 COMMISSIONER AHEARNE: I guess I would go along
3 with the document as written, but I would during the time of
4 comment, think through Vic's point.

5 MR. CHILK: Could I ask the Commission, then, to
6 affirm its vote? As it appears, at least a majority wants
7 to go with the document as written.

8 (Chorus of ayes.)

9 COMMISSIONER GILINSKY: I am going to approve of
10 it this way for comment, but I did want to let you know what
11 was what.

12 CHAIRMAN PALLADINO: Wait a minute, give Peter a
13 chance to vote aye, or nay, or whatever he would like to.

14 COMMISSIONER BRADFORD: Well, I take it what you
15 are really saying, Sam, is there are two votes. There was a
16 whatever-it-was vote not to include my changes, and then I
17 will vote for the document.

18 MR. CHILK: Without the change.

19 COMMISSIONER BRADFORD: Without the change.

20 MR. CHILK: The second item is SECY-81-598,
21 proposed amendments first to 10 CFR 50-54, implementing the
22 immediate ratification requirements mandated in Section 201
23 of NRC's 1980 Authorization Act, and (b) a change to 10 CFR
24 50.72, revising the immediate reporting of significant
25 events at operating nuclear plants.

1 The Commission is being asked to approve for
2 publication proposed amendments concerning immediate
3 notification. All Commissioners have approved the
4 amendments as they were circulated to you on the 23rd.

5 Would you please affirm your votes?

6 (Chorus of ayes.)

7 MR. CHILK: The third one is SECY-81-619, a
8 request for hearing on Big Rock where the Commission is
9 addressing a request by petitioners for a hearing and for
10 staff review of certain safety concerns.

11 All of the Commissioners have approved the
12 proposed order denying the request for hearing. A majority
13 of the Commission, the Chairman, Commissioners Ahearne and
14 Roberts, do not concur in the staff review.

15 Commissioners Bradford and Gilinsky would have
16 approved the staff review.

17 Would you please affirm your votes?

18 (Chorus of ayes.)

19 MR. CHILK: The fourth is SECY-81-620, a request
20 for hearing on Turkey Point. All Commissioners have
21 approved the order which denies a request for hearing, which
22 was circulated.

23 Would you affirm?

24 (Chorus of ayes.)

25 MR. CHILK: The last is SECY-81-632, amendments to

1 Part 2 (express mail; oral responses to motions to compel)
2 where the Commission is being asked to approve amendments to
3 Part 2 which would permit the Licensing Board to require
4 service of documents by express mail and require that
5 answers to motions to compel responses to discovery be
6 provided orally.

7 The Commission has unanimously approved these
8 amendments. Would you please confirm your votes?

9 (Chorus of ayes.)

10 MR. CHILK: That completes the affirmation.

11 CHAIRMAN PALLADINO: Any other questions or items
12 related to affirmation discussion? If not, we will stand
13 adjourned. Thank you.

14 (Whereupon, at 10:10 a.m. the meeting of the
15 Commission was closed.)

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NUCLEAR REGULATORY COMMISSION

This is to certify that the attached proceedings before the

in the matter of: AFFIRMATION/DISCUSSION SESSION

PUBLIC MEETING
Date of Proceeding: 11-24-81

Docket Number: _____

Place of Proceeding: Washington, D. C.

were held as herein appears, and that this is the original transcript thereof for the file of the Commission.

M. E. Hansen

Official Reporter (Typed)

M. E. Hansen

Official Reporter (Signature)