

ORIGINAL

UNITED STATES NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:

DOCKET NO:

NRR MEETING

LOCATION: DECATUR, ALABAMA

PAGES: 1 - 24

DATE: THURSDAY, JUNE 4, 1987

ACE-FEDERAL REPORTERS, INC.

Official Reporters
444 North Capitol Street
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NATIONWIDE COVERAGE

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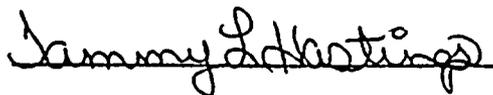
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STATE OF ALABAMA
MORGAN COUNTY

I hereby certify that the above and foregoing deposition was taken down by me in stenotype and the questions and answers thereto were reduced to typewriting under my supervision; that the foregoing represents a true and correct transcript of the deposition given by said witness upon said hearing.

I further certify that I am neither of counsel nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.



Tammy L. Hastings
Commissioner



BROWNS FERRY NUCLEAR POWER PLANT

TENNESSEE VALLEY AUTHORITY

RESTART CRITERIA

* * * * *

The following matter came to be heard on the 4th day of June, 1987, at the Browns' Ferry Nuclear Power Plant Visitor Center Auditorium, Limestone County, Alabama, at or around 12:30 P.M. before Tammy L. Hastings, Court Reporter, for the State of Alabama at Large.



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P R O C E E D I N G S

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MR. S.A. WHITE: Let me start out by welcoming you to Browns' Ferry. As you can tell, I'm not in the best of health. Bear with me. I would ask first whether Mr. Keppler has any opening remarks or anything he would like to start out with before we introduce the various people.

MR. J.G. KEPPLER: No. I would I say it's nice to be back to Browns' Ferry. I think I was here about 18, 19 years ago. The plant was still under construction. I had not seen it since and since discussions you and I have had that indicated that we may be considering putting this unit on the line after Sequoyah, I wanted to get down here to see the site with some of my staff and I'm looking forward to a briefing by TVA of what's to be done before the plant goes back into operation. So, I look at this a little bit like the first meeting we had at Sequoyah, and I barely knew how to spell the word, and I think that it's time for me to do this at Browns' Ferry. I guess we're



1 going want to try to clean up and get to the Restart
2 Criteria.

3

4 MR. S.A. WHITE: That's part of the
5 general --

6

7 MR. J.G. KEPPLER: Proceed however you
8 want to go.

9

10 MR. S.A. WHITE: Well, I thought it
11 might be appropriate to -- if you would like to
12 introduce your people and we'll introduce ours.

13

14 MR. J.G. KEPPLER: Why don't we just
15 go down the table.

16

17 MR. S.A. WHITE: Yeah, I think so
18 that's the best way.

19

20 Charles Patterson

21 Al Ignatonis

22 Gary Zech

23 Stewart Ebnetter

24 J. G. Keppler

25 John Zwolinski



1 Gerry Gears
2 John Stang
3 Cordell Williams
4 G. Paulk
5 Bob Lewis
6 Ronnie Young
7 Paul Speidel
8 John Walker
9 Charlie Fox
10 S. A. White
11 Chuck Mason
12 R. L. Gridley
13 Mike May
14 Hugo Pomrehn

15

16 MR. S.A. WHITE: Again, Mr. Keppler,
17 we welcome you and your team to Browns' Ferry.

18 Based on the very successful meetings we've
19 had at Sequoyah which were mentioned, at least from
20 our perspective, these meetings are clearing the air
21 of a lot of issues. I think they were very
22 productive and we hope that today will be as
23 productive. We are going to talk about two topics
24 today: The Restart Criteria, and secondly, to give
25 you an update on where we are at Browns' Ferry, Unit



11 11 11

1 Two. First, to discuss the Restart Criteria, we
2 have the manager of licensing from Sequoyah, Mike
3 Harding.

4
5 MR. MIKE HARDING: Thank you. TVA has
6 recognized the need and the importance to establish
7 a consistent set of Restart Criteria. Restart
8 Criteria would be to evaluate potential problem
9 areas and to determine if the problem areas needed
10 resolved prior to restart. The criteria has been
11 developed and established and it's being used both
12 at Sequoyah and Browns' Ferry to evaluate issues.

13 The Restart Criteria has also been docketed
14 in the Sequoyah and the Browns' Ferry nuclear
15 performance plants. The slide here is a summary of
16 the Restart Criteria. Criterions one and two are
17 aimed at technical specification system operability
18 concerns both from a specific standpoint and a
19 programmatic perspective. Criterion three and four
20 were developed to address compliance with NRC
21 regulations and commitments to the NRC and criterion
22 five, I think it's worth pointing out, weren't
23 developed and aren't aimed at specifically
24 addressing issues required by NRC regulations, but
25 there are additional areas that TVA feels are very

1 important to us and we've identified those. Those
2 criteria address primarily industrial safety
3 concerns, as well as plant reliability issues.
4 Slide two, please.

5 This slide summarizes the key
6 implementation aspects with respect to the Restart
7 Criteria. I won't read them -- go down and read
8 them, but I think it's important to point out that
9 the key elements assure a consistent and a
10 disciplined approach in determining what issues or
11 corrective actions require resolution or completion
12 prior to plant restart. That's -- Thank you, that's
13 all I have to indicate on the Restart Criteria. Are
14 there any questions?

15

16 MR. J. G. KEPPLER: Don't go away.

17 Go back to your Restart Criteria.

18 Item number three. TVA and its submittal to NRC
19 made an interpretation that that did not need to
20 include a deviation from the FSAR, and I guess I'd
21 like to know, if that's the case, how many examples
22 would pass that definition so that they could be
23 exempted from having to meet that criteria. Do you
24 know where I'm coming from with that question?

25

1 MR. MIKE HARDING: Yes, sir. Yes,
2 sir.

3

4 MR. J. G. KEPPLER:: Okay.

5

6 MR. MIKE HARDING: I think I'd like to
7 start off first by saying that it's TVA's intention
8 to meet all of its regulatory commitments and
9 applicable requirements for restart. Okay. There
10 are -- and if a FSAR deviation were to be
11 identified, that deviation would result in a CAQR
12 being prepared.

13

14 MR. J. G. KEPPLER:: What's that?

15

16 MR. MIKE HARDING: That's a Condition
17 Adverse to Quality Report. And that is our program
18 where anything that -- any condition or event that
19 would result in or is a condition adverse to
20 quality, is -- results in a generation of a report.
21 That report would go through an evaluation to
22 determine its safety significance. It would go
23 through an evaluation to determine its operability,
24 its reportability, and it would also be evaluated
25 against the Restart Criteria itself specifically,

1 and we feel that that program and process would be
2 sure to capture anything that would be required for
3 restart that was a deviation from the FSAR.

4 I would also point out that anything that
5 deviates from the FSAR would receive an unreviewed
6 safety question evaluation, Tennessee FR-5059
7 evaluation, to be sure we evaluate it for safety
8 impact on the plant.

9
10 MR. J. G. KEPPLER:: That let me draw
11 two examples. When you received your license
12 back -- and let's talk Sequoyah -- when you receive
13 a license, the regulations permit you to make
14 changes to the FSAR consistent with the criteria of
15 Tennessee FR-5059 and you have to go through certain
16 things. You've got to make sure that's not an
17 unreviewed safety question and you've got to make
18 sure that it's got the appropriate reviews and
19 what-have-you.

20 If today you found something not in
21 compliance with the FSAR and it had been reviewed by
22 that process, then I have no question about it, but
23 I'm looking today at, are there examples as part of
24 TVA's review that you find something today not in
25 compliance with the FSAR, but which did not go

1 through a valid 5059 process, would you then put
2 that to a 5059 process and say, therefore, we don't
3 need to have it meet the criteria for restart or
4 would you say, 'Hey, that wasn't reviewed properly.
5 We need to make sure that's taken care of prior to
6 restart'? Do you understand my question?

7

8 MR. MIKE HARDING: Yes, sir. We would
9 put it through the review process. It would go
10 through the process to evaluate it and see if it was
11 required for restart. If there were an item that
12 were discovered that we felt did not meet the
13 regulations, if it did not pass those tests, then
14 that would be brought to the NRC, it would be
15 reported to the NRC, and we would let you know
16 either our intentions of correcting that problem for
17 restart or we would tell you what we thought was
18 appropriate for restart, but you would have the
19 final say one way or the other.

20

21 MR. J. G. KEPPLER:: So it would be
22 your intention to bring that kind of matter to
23 the --

24

25 MR. MIKE HARDING: Yes, sir, yes, sir.

1 And an example of that would be the interim
2 acceptance criteria on the alternate analysis
3 program. That was an area where we declined --
4 where we realized some civil counts on Sequoyah
5 didn't meet the full requirements and that was
6 submitted to the staff, discussed with the staff and
7 we got to the point where we could agree on what
8 would be required for restart.

9
10 MR. J. G. KEPPLER:: Do you have any
11 feel at this stage of the game of your reviews for
12 both Sequoyah and Browns' Ferry, how many fit that
13 category?

14
15 MR. MIKE HARDING: I guess the only
16 ones that I am personally aware of that would fit
17 that category on Sequoyah would be the interim
18 acceptance criteria.

19
20 MR. C. C. MASON: On alternate
21 analysis --

22
23 MR. MIKE HARDING: On an alternate
24 analysis and cable trace supports. Those are the
25 only ones that I am aware of right now and both of

1 those were identified to the staff.

2

3 MR. J. G. KEPPLER: So you are saying
4 your review were the items that you're separating
5 out pre-restart versus post-restart. You actually
6 found very few of that type of category?

7

8 MR. MIKE HARDING: Very few of the
9 category that says we don't meet the requirements or
10 regulations as defined in the FSAR. That's right.

11

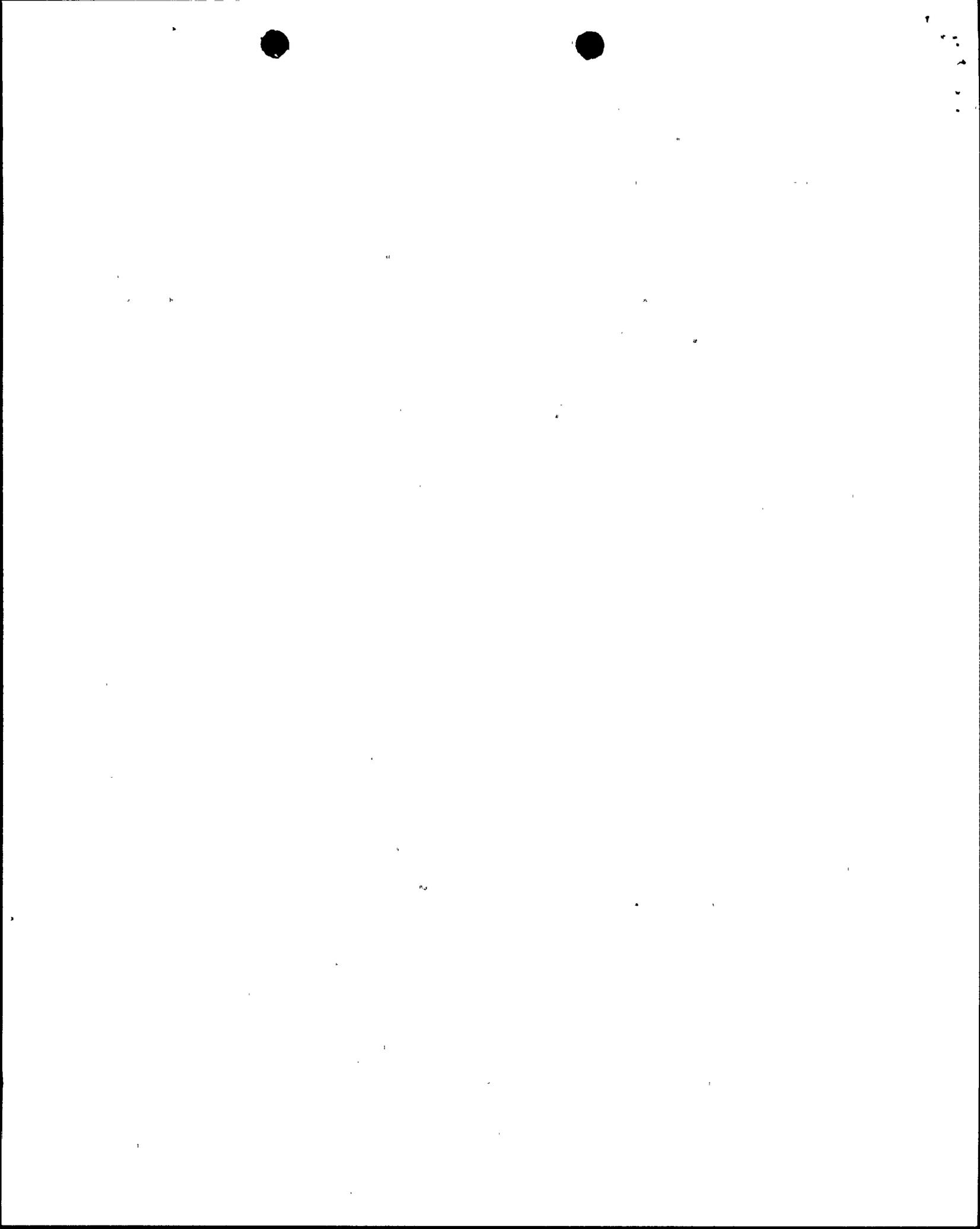
12 MR. C. C. MASON: Mike, you are just
13 speaking for Sequoyah. I don't know if Brown's
14 Ferry --

15

16 MR. MICHAEL MAY: My name is Michael
17 May and I think we can make the same statement as
18 Sequoyah in terms of numbers, the same area the size
19 of this unit, calculations, those kinds of things,
20 very few. It's -- generally we have the same
21 problem.

22

23 MR. MIKE HARDING: So, that's why
24 today we feel confident that we've uncovered and
25 identified those as it should be and for the future



1 we believe that the CAQR process will definitely
2 put -- identify them and get them out in the open
3 and have them evaluated.

4

5 MR. J. G. KEPPLER: Can I rephrase
6 what they say? Can I infer that the mammoth review
7 of all the items for restart attest to the fact that
8 TVA is in compliance with the FSAR?

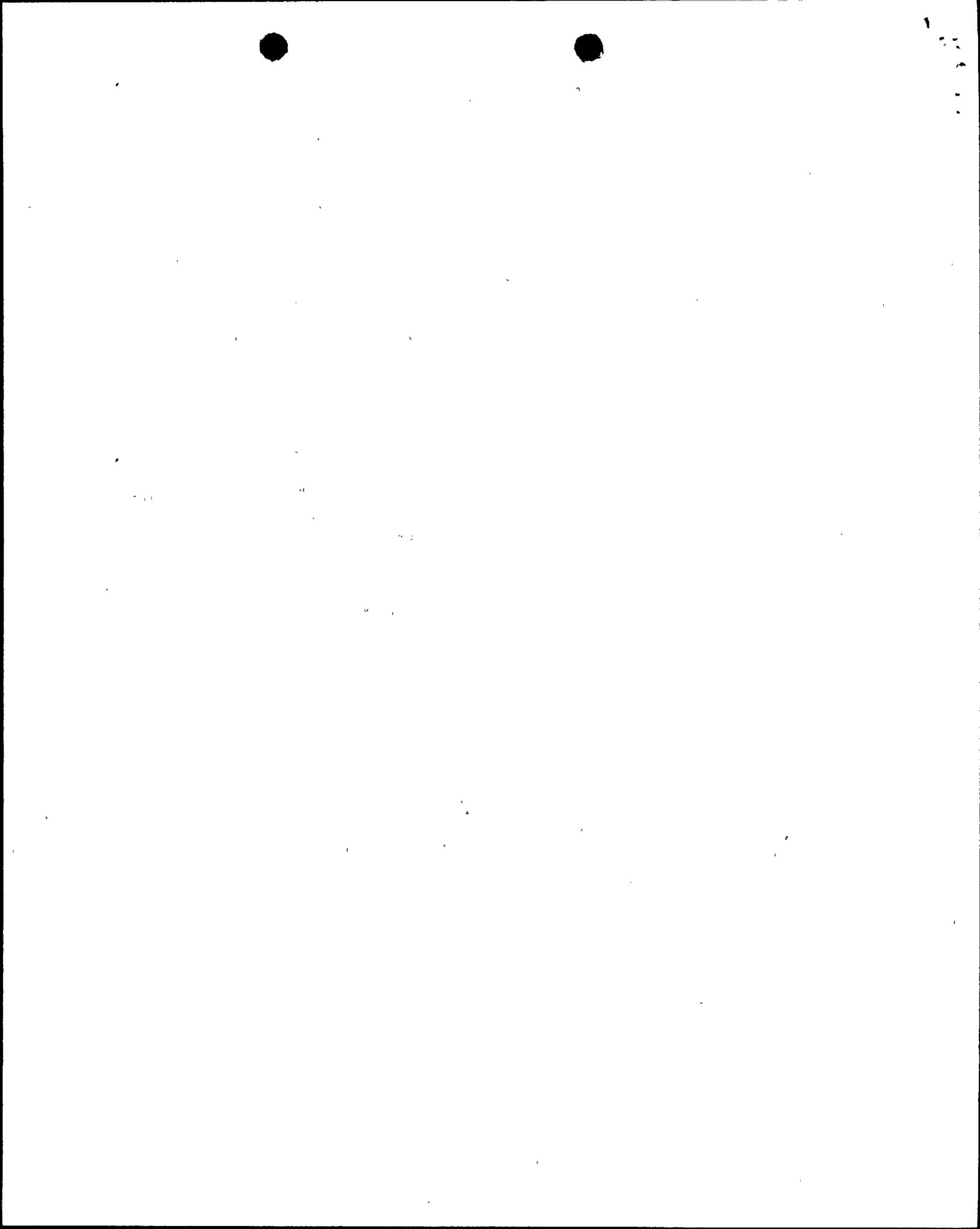
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10 MR. MIKE HARDING: I guess -- all of
11 the programs that have been, being implemented do
12 not specifically go back to all of the FSAR
13 requirements, but many of the important ones do.
14 For instance, the design baseline verification
15 program and the engineering calculations program
16 specifically went back and evaluated all our
17 regulatory commitments, all our FSAR requirements,
18 identified those, developed a criteria based on
19 those and then evaluated the systems and the
20 calculations against that criteria. So in some of
21 the very important items that has specifically been
22 done. Now some of the other programs may not have
23 specifically went back and compared the FSAR to the
24 programs, okay, but the mechanism was there that if
25 something were identified and it was recognized to

1 be a deficiency against the FSAR, that would have
2 been brought out.

3
4 MR. J. G. KEPPLER:: I guess I'm a
5 little bit confused. We went through all of these
6 safety systems as part of your review efforts. You
7 did all of those programs, design reviews and all
8 these other programs that point them to potential
9 areas of concern. I guess I'm -- I don't know what
10 it is that causes you to hedge a little bit on that
11 comment, that position. You're not -- wouldn't your
12 reviews by necessity compare the plant design
13 intent, operability intent with its tech specs and
14 everything else? I don't understand the --

15
16 MR. MIKE HARDING: Yes, it would. I
17 guess what I was trying to indicate was that a
18 specific programmatically defined comparison with
19 the FSAR to what we were finding wasn't
20 programmatically defined in all of the programs. It
21 was clearly part of the program for design based on
22 verification and the calculations program and is
23 part of the calculations program. And that's where
24 you would be looking at the design and the design
25 basis of the safety systems and you would be



1 verifying that those systems did meet all of the
2 FSAR and regulatory commitments and requirements.
3 That was the only -- the distinction I was making
4 was that I know, specifically in those programs,
5 there was a -- it was part of the program to go back
6 and pick up all of the FSAR and other commitments.
7 And the other programs -- I'm not saying that that
8 evaluation wasn't done, but it wasn't clearly part
9 of the program.

10

11 MR. J. G. KEPPLER: With regard to
12 criteria one and two, the offer of potential for
13 lack of agreement between TVA and the staff because
14 of the words 'significant probability', 'high
15 probability' and those types of things can mean
16 different things to different people. I -- my staff
17 has dreamed up their own criteria to check yours
18 with, and I guess has done so without turning up any
19 discrepancies, but I would say to you, why wouldn't
20 you write those without those -- Why wouldn't you
21 call number one, "Specific deficiency with
22 probability of system inoperability as measured by
23 technical specification requirements"?

24

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MR. MIKE HARDING: I think it --



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MR. J. G. KEPPLER:: You see, I have a lot of people who help me with my decision-making process --

MR. MIKE HARDING: Yes, sir, and I think it would --

MR. J. G. KEPPLER:: And I have to answer questions like this.

MR. MIKE HARDING: I think it could have been written that way, but --

MR. J. G. KEPPLER:: To me --

MR. MIKE HARDING: To go back to your analyzer, we have tested our criteria and the way we're implementing it with the analyzer that your staff has developed, and we believe that the way we're commanding criteria and the way our people are identifying items, that we are pretty much in line with that and even identifying items that the analyzer would not identify.

1 MR. KEPPLER: Well, and I understand
2 that and I don't want to make a big point of it, but
3 to me, when you use the words, "As measured by
4 technical specification requirements", that sort of
5 replaces the word 'significant' because I assume, or
6 like to assume there wouldn't be any tech specs if
7 they weren't significant, you know, debate that a
8 little bit, but is it your intent --

9
10 MR. S.A. WHITE: There has to be --
11 let me try this -- There has to be some method to
12 preclude any deficiency, no matter how
13 insignificant, from becoming insignificant
14 probability, I think is opposite of that, of
15 deficiency, insignificant probability, which would
16 then become a restart item. There has to be some
17 way, whether it's judgmental, it's a system set up
18 with checks and balances, but there has to be some
19 way in which you could screen out things that are
20 truly insignificant and then check your system
21 through its checks and balances to make sure that
22 that is your problem and that's what we've tried to
23 do. And I might add in a very conservative fashion.

24
25 MR. J. G. KEPPLER: If it's in the

1 tech specs, does it meet your definition of
2 significant and high?

3
4 MR. MIKE HARDING: If there was an
5 item identified to create a deviation from the tech
6 specs or there was a system or component in the tech
7 specs which we identified a deficiency, specific
8 deficiency, with that complement, absolutely it
9 would meet that criteria. I think the important
10 thing is that not only do we identify things that
11 are inoperable or are deficiencies, but we've
12 identified things that even have the probability of
13 being a deficiency. Okay. So if there was
14 something in the tech specs that a component or
15 something in the tech specs which we specifically
16 did not meet, clearly we meet that, but we've even
17 gone an extra step and identified something that
18 just has the probability of not meeting it. It may,
19 you know, we not even have identified a specific
20 instance where it doesn't meet it; we have said,
21 'Hey, even if it has the probability, we are going
22 to put it on as a Restart Criteria, so, we've purely
23 gone beyond --

24
25

MR. J. G. KEPPLER: If I were to write

1 you a letter approving your Restart Criteria and
2 took out the word 'significant' and took out the
3 word 'high', would that be contrary to what your
4 intent is?

5

6 MR. C. C. MASON: Again, there will
7 always be some measurable probability --

8

9 MR. J. G. KEPPLER: I'm not trying to
10 be cute with the comments.

11

12 MR. S.A. WHITE: No, I understand I
13 just --

14

15 MR. J. G. KEPPLER: There are people
16 who wonder what is the intent of those words and I'm
17 trying to avoid a problem.

18

19 MR. C. C. MASON: To reiterate what
20 Mike said, the origin of these first two criteria
21 really grew out of a desire to treat it like an
22 operating point. If we were operating and found a
23 deficiency, we would evaluate that deficiency and if
24 that deficiency caused the tech spec system to be
25 unable to perform its intended functions, we would

1 take the action required to eliminate this problem
2 and complaint, but you only do that once you
3 determine that it actually made the system
4 inoperable. In other words, we put the significant
5 and the high probability in the criteria because
6 most of the things we are looking at require a lot
7 of evaluation before we get to that point. If we
8 had said, okay, you only look at them if in fact
9 they cause the system to be inoperable, we would end
10 up waiting until the very last to really get in and
11 evaluate. With 'significant' in there, we evaluate
12 them, identify they have a significant probability,
13 to evaluate them to see what falls out of them. And
14 that's conservative on our point, on our part. If we
15 took that totally out and just said 'probability',
16 anybody can argue that there is always some
17 probability, no matter how small the deficiency,
18 there is some probability, it may be close to
19 infinitely small, but that that would cause an LCO.
20 We feel like the 'significant' makes it conservative
21 from our standpoint as far as considering it as an
22 operating point.

23

24 MR. J. G. KEPPLER: I think it doesn't
25 do that. I think it makes it non-conservative in



1 terms of what's going to be required for restart.
2 That's my problem.

3

4 MR. S.A. WHITE: Well, let me ask
5 this. If --

6

7 MR. J. G. KEPPLER: Maybe we're making
8 more out of it than what needs to be because my
9 people tell me that how they would interpret it is
10 consistent with what you are doing, but I guess the
11 only point I'm making is that that, those need to be
12 interpreted conservatively.

13

14 MR. S.A. WHITE: And I believe that
15 the record will show that they are.

16

17 MR. J. G. KEPPLER: Yeah.

18

19 MR. S.A. WHITE: And my comment is the
20 proof of the pudding is in the eating.

21

22 MR. J. G. KEPPLER: That's right.

23

24 MR. S.A. WHITE: And if you audit this
25 and look at it and don't find the hardened fact --

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MR. J. G. KEPPLER:: That's why I
don't want to bitch about it.

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MR. JOHN ZWOLINSKI: So the roots of
success is through the CAQR and how your staff
utilizes the CAQR process and then the question is,



11-11-11

1 is that process being implemented effectively?
2

3 MR. MIKE HARDING: Yes.
4

5 MR. C. C. MASON: Corporate process.
6

7 MR. JOHN ZWOLINSKI: Yes, sir. And if
8 I understand, on Sequoyah you feel that it may be
9 overly conservative.
10

11 MR. MIKE HARDING: Right now we are
12 being conservative.
13

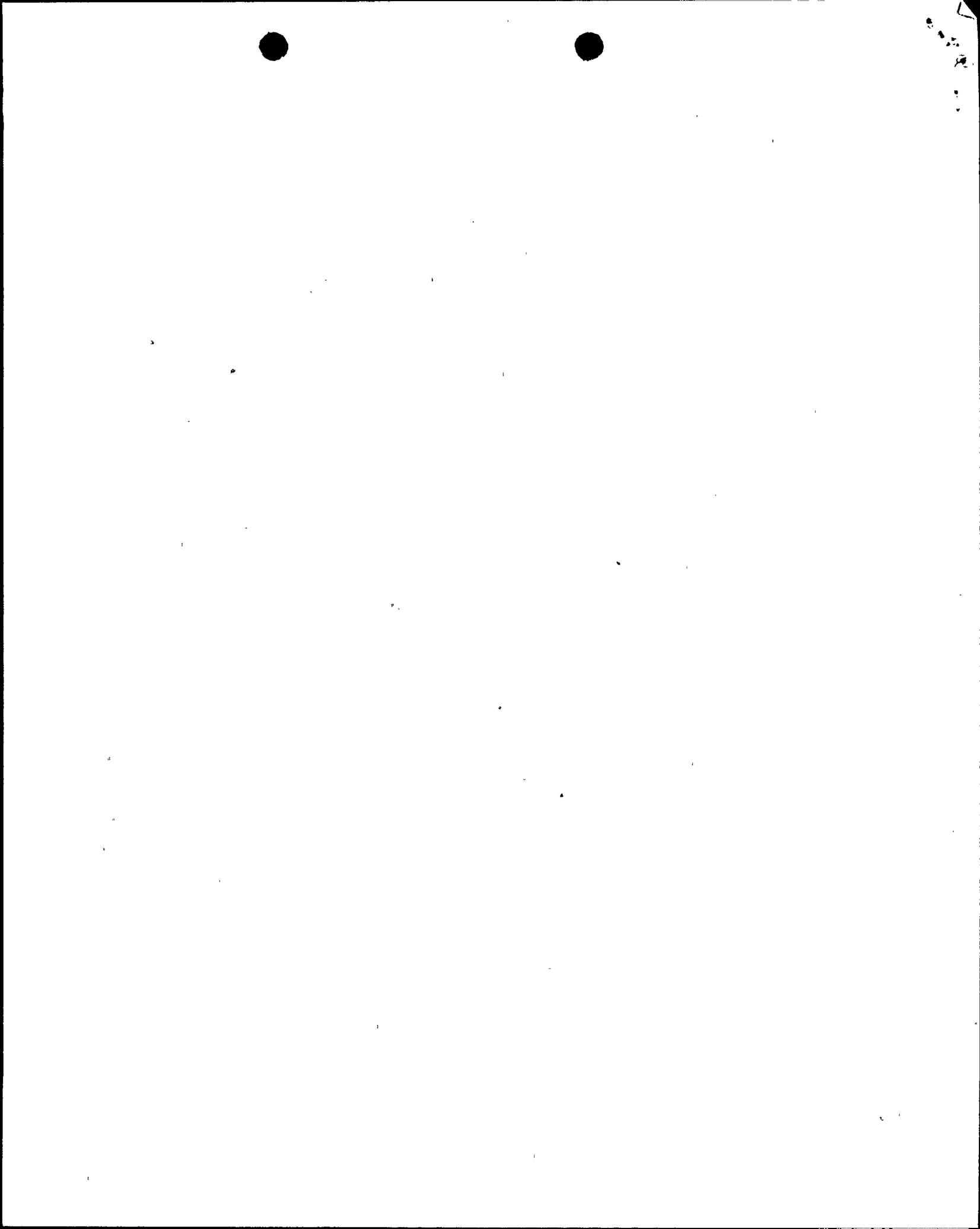
14 MR. J. G. KEPPLER: Are you using the
15 same thing for both of these projects?
16

17 MR. S.A. WHITE: Yes.
18

19 MR. MIKE HARDING: Uh-huh, it's a
20 corporate program, the CAQR program.
21

22 MR. C. C. MASON: And the Restart
23 Criteria are the same.
24

25 MR. MIKE HARDING: And the Restart



1 Criteria are the same.

2

3

MR. J. G. KEPPLER: Okay, all right.

4

Thank you.

5

6

MR. MIKE HARDING: Thank you.

7

8

MR. J. G. KEPPLER: We'll go ahead and

9

I want to get the Restart Criteria approved on the

10

table.

11

12

MR. S.A. WHITE: I do too.

13

14

MR. J. G. KEPPLER: So we'll do this,

15

we're going to tell you how we're interpreting those

16

things as part of our approval process so that there

17

is --

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19

MR. S.A. WHITE: Consistency.

20

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MR. J. G. KEPPLER: Right.

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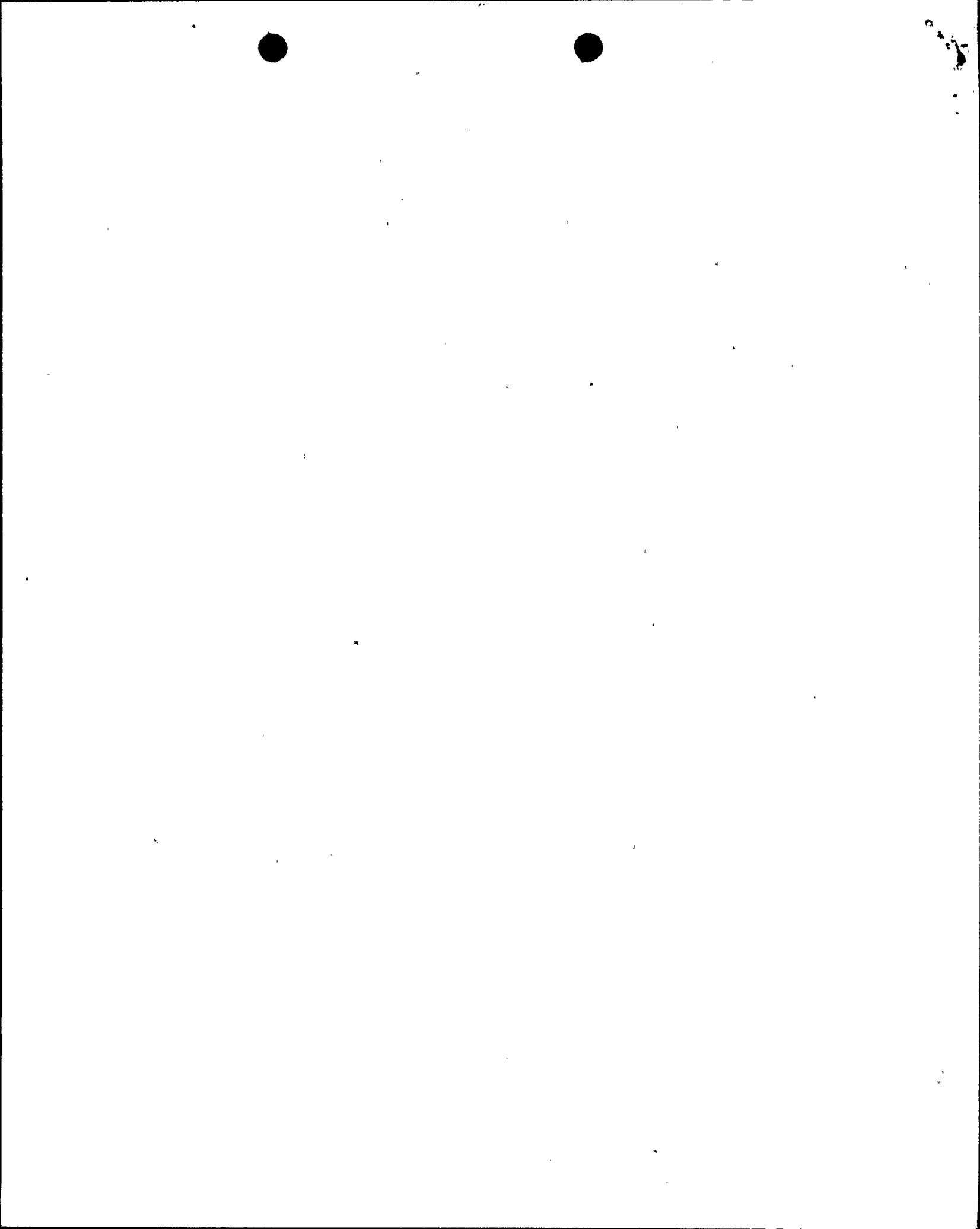
23

MR. WHITE: That's fine. Okay.

24

25

MR. JOHN ZWOLINSKI: Just as an



1 administrative matter, the first meeting was on
2 Restart Criteria. That meeting is over for
3 transcribing purposes. We'll get on to the next
4 meeting.

5

6

END OF PROCEEDINGS

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