

NUCLEAR REGULATORY COMMISSION

ORIGINAL

COMMISSION MEETING

In the Matter of: PUBLIC MEETING

AFFIRMATION SESSION 80-46

POOR ORIGINAL

DATE: October 23, 1980

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AT: Washington, D. C.

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
PUBLIC MEETING
AFFIRMATION SESSION 80-46

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Nuclear Regulatory Commission
Room 1130
1717 H Street, N.W.
Washington, D.C.

Thursday, October 23, 1980

The Commission met, pursuant to notice, at 2:00 p.m.

PRESENT:

JOHN F. AHEARNE, Chairman of the Commission
VICTOR GILINSKY, Commissioner
PETER A. BRADFORD, Commissioner

STAFF PRESENT:

SAMUEL J. CHILK, Secretary

POOR ORIGINAL

DISCLAIMER

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The transcript is intended solely for general informational purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determinations or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of or addressed to any statement or argument contained herein, except as the Commission may authorize.

P R O C E E D I N G S

1
2 CHAIRMAN AHEARNE: The Commission meets this
3 afternoon for an affirmation session. The secretary will
4 lead us through it.

5 MR. CHILK: The first one is SECY-80-354A,
6 proposed revision to 80-365, fees for withdraw applications
7 for CPs, OLs, and other approvals or reviews. The
8 Commission unanimously has approved for publication in the
9 Federal Register a proposed interpretive rule which
10 clarifies what fees will be collected when a review is
11 completed, of an application is completed, or the
12 application is withdrawn.

13 Would you please affirm your votes?

14 (Chorus of ayes)

15 MR. CHILK: The second one is 80-223A. The
16 Commission has unanimously approved an amendment to its
17 rules of practice to conform the regulations regarding
18 adjudicatory reviews with its internal operating procedures,
19 which authorize the Commissioners ten working days to review
20 decisions, and so forth.

21 Would you please affirm your votes?

22 (Chorus of ayes)

23 MR. CHILK: The third one is 80-375. The
24 Commission has unanimously approved a Federal Register
25 notice for a proposed rule which amends the NRC regulations

1 that specify fracture toughness requirements for nuclear
2 power reactors and requirements for reactor vessel material
3 surveillance programs.

4 Would you please affirm your votes?

5 (Chorus of ayes)

6 MR. CHILK: Thank you, gentlemen. That completes
7 it.

8 (Whereupon, at 2:04 p.m., the meeting was concluded.)

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NUCLEAR REGULATORY COMMISSION

This is to certify that the attached proceedings before the
Commission Meeting

in the matter of: Public Meeting - Affirmation Session 80-46

Date of Proceeding: October 23, 1980

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.

Linda Behrens

Official Reporter (Typed)

Linda Behrens

Official Reporter (Signature)

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

September 15, 1980

CONSENT CALENDAR ITEM

SECY-80-223A

For: The Commissioners

From: James A. Fitzgerald
Assistant General Counsel

Subject: CONFORMING AMENDMENTS TO 10 CFR 2.786(a)
AND 2.206(c)

Purpose: To solicit Commission approval for an amend-
ment to 10 CFR 2.876(a) and 2.206(c) to
conform the regulation regarding adjudi-
catory review time with the internal Com-
mission procedures.

Discussion: On April 30, CGC submitted proposed amend-
ments to 10 CFR Part 2 to extend generally
the times for Commissioner action on deci-
sions under 10 CFR 2.206(c), 2.786(a), and
2.786(b). SECY 80-223 (April 30, 1980).
Upon consideration, the Commission approved
only the amendments to 2.786(b) to provide
30 days (instead of 20 days) for Commission
action when a petition to review is filed
and to 2.786(a) to clarify that action under
10 CFR 2.786(a) is automatically coextensive
with 10 CFR 2.786(b). Those amendments are
now effective. 45 Fed. Reg. 45890 (July 8,
1980) (Attachment 1).

Since those changes were approved, the Com-
mission has expressed a desire to have ten
working days (i.e., two weeks) to consider
items in the normal course of Commission re-
view and action. We believe that the recent
amendment to 10 CFR 2.786(b) will be suffi-
cient in the normal case to permit receipt
of answer drafts
the Comm
the matt
for CGC
existing
2.206(c)

dup
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August 7, 1980

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SECY-80-375

CONSENT CALENDAR ITEM

For: The Commissioners

From: Robert B. Minogue, Director, Office of Standards Development

Thru: Executive Director for Operations *Li J. Fisher*

Subject: 10 CFR Part 50--GENERAL REVISION OF APPENDICES G AND H, FRACTURE TOUGHNESS AND REACTOR VESSEL MATERIAL SURVEILLANCE REQUIREMENTS

Purpose: Inform the Commission of the need to amend Appendices G and H, and obtain Commission approval of a notice of proposed rulemaking.

Issue: Proposed modification of NRC regulations involving the requirements for fracture toughness of the reactor coolant pressure boundary, including surveillance of neutron radiation embrittlement of the reactor vessel beltline materials.

Discussion: Appendix G, "Fracture Toughness Requirements", and Appendix H, "Reactor Vessel Material Surveillance Program Requirements," have undergone only limited revision in over six years of use. In this proposed general revision, the requirements of Appendices G and H have been updated to be more consistent with current technology and pertinent National Standards. Some of the proposed amendments are intended to clarify the applicability of these requirements to old plants, those built to an ASME Code earlier than the Summer 1972 Addenda to the 1971 Edition, which often require consideration of proposed alternatives to specific requirements. Two of the proposed amendments modify requirements that have proved to be unduly conservative, and a number of other amendments shorten and simplify these regulations by replacing technical detail with references to appropriate National Standards.

The proposed amendments also address a procedural issue involving the need for an exemption when a licensee proposes an alternative action to that described in the regulation. These amendments describe two routes that may be followed. In § 50.47, which would take the place of § 50.55a(i) in making Appendices G and H a part of the regulations, the exemption route is described. Proposed alternatives may be used when an exemption is granted by the Commission. The applicant must demonstrate that his request meets the requirements of §50.12, and he must demonstrate that (a) the specified requirement would result in hardship without a compensating increase in quality and safety, and (b) the proposed alternative would provide an equivalent level of safety. The keyword, "adequate," is achieved by the proposed alternative, which would be achieved by following the specified requirement, nevertheless acceptable. The proposed alternative, which a

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