

APR 30 1990

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations
FROM: Edward L. Jordan, Chairman
Committee to Review Generic Requirements
SUBJECT: MINUTES OF CRGR MEETING NUMBER 184

The Committee to Review Generic Requirements (CRGR) met on Wednesday, April 18, 1990 from 1:00-5:30 p.m. A list of attendees is provided in Enclosure 1. The following item was addressed at the meeting:

- 1. W. Minners, K. Kniel and G. Sege (RES) presented for CRGR review a proposed rule on nuclear power plant license renewal. CRGR review of this matter had begun at Meeting No. 182. The package had been revised to address CRGR comments from that meeting as well as to address comments from other ongoing reviews. The Committee recommended in favor of issuing the proposed rule, subject to some comments and qualifications. This matter is discussed in Enclosure 2.

In accordance with the EDO's July 18, 1983 directive concerning "Feedback and Closure of CRGR Reviews," a written response is required from the cognizant office to report agreement or disagreement with CRGR recommendations in these minutes. The response, which is required within five working days after receipt of these minutes, is to be forwarded to the CRGR Chairman and if there is disagreement with CRGR recommendations, to the EDO for decisionmaking.

Questions concerning these meeting minutes should be referred to Dennis Allison (492-4148).

Original Signed by:
E. L. Jordan

Edward L. Jordan, Chairman
Committee to Review Generic
Requirements

Enclosures:
As stated

cc: See next page

OFC	: CRGR: AEOD	: DD: CRGR	: C/CRGR: AEOD	:	:	:
NAME	: DA11ison: sm	: Dross	: E. Jordan	:	:	:
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James M. Taylor

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cc w/enclosures:

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A. Vietti-Cook

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J. Craig

G. Gears

B. Borchard

J. Shea

D. Ross

J. Conran

D. Allison

ATTENDANCE LIST

CRGR Meeting No. 184

April 18, 1990

CRGR Members

E. Jordan
G. Arloto
J. Moore
F. Miraglia
B. Sheron
L. Reyes

CRGR Staff

J. Conran
D. Allison

NRC Staff

W. Minners
K. Kniel
G. Sege
G. Mizuno
P. Norian
F. Akstuleweiz
J. Vora
D. Cleary
G. Gears
J. Craig
A. Vietti-Cook
J. Shea
B. Travers
S. W. Long
B. Borchard
M. Finkelstein
C. J. Heltemes

Enclosure 2 to the Minutes of CRGR Meeting No. 184
Proposed Rule on Nuclear Power Plant License Renewal

April 18, 1990

TOPIC

W. Minners, K. Kniel, and G. Sege (RES) presented for CRGR review a revised package regarding a proposed rule that would amend the Commission's regulations to provide considerable guidance on power reactor license renewal. CRGR review of this matter had begun at Meeting No. 182. The package had been revised to address CRGR comments from Meeting No. 182 as well as to address Commission guidance and to address comments received in OGC's ongoing review.

Current regulations provide for license renewal, but do not specify details on how it is to be accomplished. Some of the principal features of the proposed new rule were:

- (1) Application at least 3 years before license expiration, with timely renewal provisions to continue the current license in effect until a decision is made on the renewal application.
- (2) Renewal terms extending up to 20 years beyond the expiration date of the current license.
- (3) Immediately effective renewed licenses (which may run for periods up to 20 years plus the remaining time on current license).
- (4) Definition of the current licensing basis.
- (5) Definition of the screening process used to define measures necessary to manage aging during the renewal term.
- (6) Definition of the standard for license renewal as maintenance of the current licensing basis during the renewal term.
- (7) Stipulation that licensees/applicants would be required to identify and compile (but not submit) the current licensing basis.

A copy of the slides used by the staff in its presentation is provided as an attachment to this enclosure.

STATUS

The RES staff stated that they had, in essence, obtained NRR concurrence for the revised package. OGC had provided a memorandum on the revised package indicating that OGC would be able to provide concurrence subject to a good number of revisions and comments. The memorandum, which summarized OGC's principal comments, was provided to the CRGR at the meeting. In addition, some of OGC's other comments were described to the CRGR during the meeting. ACRS review was ongoing; the ACRS letter had not yet been received.

BACKGROUND

The revised review package was transmitted by a memorandum dated April 11, 1990 from E. Beckjord to E. Jordan. The package included:

- (1) Draft Minutes of CRGR Meeting No. 182 marked to show the locations of the responses to CRGR comments.
- (2) Proposed Commission paper with five enclosures:
 - (a) Federal Register notice (Proposed Rule with Statement of Considerations)
 - (b) Foundation for the Adequacy of Licensing Bases
 - (c) Disposition of License Renewal Workshop Comments
 - (d) Environmental Assessment
 - (e) Regulatory Analysis

One additional document was requested by the CRGR staff and provided to the Committee:

- (1) A staff requirements memorandum from the Secretary of the Commission, dated April 6, 1990.

The following document was provided at the meeting:

- (1) A memorandum from M. Malsch to E. Beckjord, dated April 17, 1990, subject: License Renewal Rule Concurrence Package.

CONCLUSIONS/RECOMMENDATIONS

The committee recommended in favor of the proposed rule, subject to the comments and qualifications discussed below.

1. Current Licensing Basis (CLB)

The Committee discussed the Current Licensing Basis (CLB) a great deal and some members would recommend a different approach. However, the Committee did not reach a consensus to do so. It was agreed to recommend in favor of the proposed rule and, in that recommendation, inform the EDO of the issues that had been discussed. These issues are summarized below.

The proposed definition of the CLB would include modifications and commitments made by the licensee that are part of the docket for the facility's licensee. Commitments would include written commitments made in docketed licensing correspondence such as licensee responses to NRC bulletins, generic letters and enforcement actions. The Committee agreed with the basic definition, provided that commitments would be defined as current, or ongoing commitments. (Many specific commitments may have been changed under the licensee's authority to change procedures and/or may have become meaningless with the passage of time.) The staff agreed to modify the definition accordingly.

The major issues revolved around the requirement for the licensee to identify and compile but not submit the CLB. Many elements such as regulations, and updated FSARS would be straightforward. However, in other areas it would be necessary to apply judgement as to what documents (or parts of documents) to include, e.g., letters, responses to bulletins, responses to enforcement actions and perhaps licensee event reports.

The requirement for the licensee to identify and compile the CLB was presented as a necessary first step in conducting the screening process. However, it appeared that the screening could also be accomplished using the entire docket as a starting point. On this basis, some members believed it would be preferable to drop the requirement that licensees identify and compile the CLB.

Some members commented that requiring the licensees to write down what they specifically consider to be in the CLB but not requiring that they submit it was a halfway measure that would not prove satisfactory. It might be better to either drop the requirement or to require submittal.

Another reason for requiring licensee identification and compilation might be to allow for staff review or audit so that the staff could make a finding that the CLB had been properly identified. Some members believed this would be necessary and the staff would in fact perform such reviews or audits, at the licensee's offices if necessary.

Some members indicated that licensees should be required to submit the identification of the CLB at the outset for staff review. (This could be a listing of the elements, not the actual documents which have previously been submitted.) In this way, the staff and licensee could reach agreement on the contents of the CLB rather than proceeding with possibly different notions. (The purpose of the review would be to verify that the CLB has been properly identified, not to reconsider the acceptability of past licensee commitments.)

It was noted that the Commission's guidance in the April 6 SRM indicated that licensees should not be required to submit the CLB as part of licensee renewal applications; however, if there were reasons other than enforceability for requiring submittal, the staff should provide a discussion of those reasons. The committee asked if this guidance would apply to a listing of the elements. The RES staff indicated that it believed this instruction was intended to apply to a listing of CLB as well as the full documentation.

It was also noted that the staff could construct its own CLB for a facility but this would be very labor intensive and was not considered an appropriate option in view of the limited safety benefit.

2. OGC Comments

It was noted that OGC comments may lead to some significant changes in the package. RES was requested to continue coordinating all changes, including those made as a result of OGC comments, with the CRGR staff. If changes impacted on issues the CRGR had discussed the CRGR staff would inform the members.

3. Specific Revisions

The Committee recommended a number of specific detailed revisions which the RES staff agreed to make. They are summarized below:

(a) Proposed rule

- (i) p6, delete item 54.19(b)
- (ii) p7, clarify item 54.21(a)(2)
- (iii) p7, delete "at" from item 54.21(a)(3)

(b) Statement of Considerations

- (i) p10, say "current licensing basis" in the last sentence of the first paragraph
- (ii) p12, add "maintenance..." in the first sentence of the second paragraph
- (iii) p13, make and discuss the conclusion that we don't need to reopen generic issues that have been previously decided because of the potential effect on cost benefit analyses of an additional 20 years of operation.
- (iv) p16, delete "since NRC review...is not contemplated" in the third paragraph of the insert.
- (v) p18, delete "effective" in insert SOC18.
- (vi) p19, delete "However, PRA use is at... perhaps increasingly useful" in insert SOC19.
- (vii) p23, delete "Most importantly, the Commission...originally provided", and strike "complete and" in the first paragraph. (OGC comment)
- (viii) p24, delete the second "although" and divide that sentence in two in the first paragraph
- (ix) p26, delete "to the extent this study is successful" in the first paragraph.
- (x) p26, delete all of "Backfit Considerations" up to insert 30. (OGC comment)
- (xi) p30, delete "rule" in insert 30 (CRGR staff comment)
- (xii) p30, revise to indicate hearings will be formal, by policy, but they are not required to be formal by legislation. (OGC comment)
- (xiii) p33, security and emergency planning hardware items should not require aging management programs because they are used frequently and replaced as needed.
- (xiv) p39, delete "submission of an application...section 50.82" and clarify discussion.

(c) Enclosure 2

- (i) Chapter 1, p10, discussion of reexamination of 27 regulatory topics, check to see where conforming changes are needed later in the document.
- (ii) Chapter 2, p6, delete reference to inspection procedure 30702B.

Attachment to Enclosure 2

1200

LICENSE RENEWAL RULEMAKING

2ND CRGR MEETING

APRIL 18, 1990

STATUS OF LICENSE RENEWAL RULEMAKING

- o MARKED-UP COPIES OF THE FOLLOWING DOCUMENTS SHOWING CORRECTIONS, DELETIONS AND ADDITIONS WERE PROVIDED TO THE CRGR MEMBERS ON 04/11/89:
 - COMMISSION PAPER
 - FRN: PROPOSED RULE WITH STATEMENT OF CONSIDERATIONS
 - FOUNDATION FOR THE ADEQUACY OF THE LICENSING BASIS
 - DISPOSITION OF LICENSE RENEWAL WORKSHOP COMMENTS
 - ENVIRONMENTAL ASSESSMENT
 - REGULATORY ANALYSIS

- o RESPONSES TO THE CRGR CONCERNS AS DISCUSSED AT THE MEETING ON 03/28/90 AS SUMMARIZED IN THE DRAFT MINUTES HAVE BEEN INCLUDED IN THE ABOVE DOCUMENTS AS APPROPRIATE. AN ANNOTATED COPY OF THE MINUTES HAS BEEN PROVIDED WITH REFERENCES TO THE APPROPRIATE DOCUMENT AND PAGE PROVIDED IN THE MARGIN

- o A COMMISSION SRM WAS ISSUED ON 04/06/90 AND THE DIRECTIVES OF THE COMMISSION HAVE BEEN IMPLEMENTED IN THE LICENSING DOCUMENTS, RESPONSE DESCRIBED IN THE COMMISSION PAPER

- o AN ACRS LETTER WAS ISSUED ON 04/11/90 WHICH CONCURS IN THE APPROACH BEING PROPOSED BY THE STAFF.

- o NRR CONCURRENCE

- o OGC NO LEGAL OBJECTION WITH QUALIFICATIONS

ACRS REVIEW

- o SUBCOMMITTEE MTG. 3/26/90
- o FULL COMMITTEE MTG. 4/6/90

- o ACRS LETTER 4/11/90
 - CONCURS IN APPROACH BEING PROPOSED BY STAFF
 - "EMPHASIZES ATTENTION TO AGING PHENOMENA"
 - "AVOIDS THE TEMPTATION TO TREAT LICENSE EXTENSIONS AS RELICENSING"
 - "TIMELY START TOWARD PROVIDING AN INTEGRATED POLICY FOR DEALING WITH AGING PHENOMENA"
 - "OBSERVATIONS" ABOUT PRESSURE VESSEL & CLB

- o PRESSURE VESSEL: "LACK OF EMPHASIS" IN BRIEFING.
 - SUBCOM. REVIEW OF PLANT AGING 5/8/90: VESSEL WILL BE PROMINENTLY ADDRESSED.
 - INDUSTRY REPORT ON BWR VESSEL UNDER STAFF REVIEW (SER 2/91). REPORT ON PWR VESSEL IMMINENT (SER 5/91).

- o CLB: "AMBIGUITY" IN INTERPRETATION.
 - RULE CLARIFIED (REF. TO DOCKET)
 - FURTHER CLARITY FROM REVISIONS IN SOC & CLB DOCUMENT; REG. GUIDE; LEAD PLANTS EXPERIENCE.

CRGR CONCERNS AS PRESENTED IN THE
CRGR MEETING MINUTES

- o POTENTIAL FOR INCONSISTENCY IN TREATMENT OF AGE RELATED DEGRADATION DEPENDING ON PLANT AGE WHEN IT APPLIES FOR A RENEWAL LICENSE. - SOC p.16
 - ONGOING REGULATORY PROGRAMS AND PROCESS ARE PRIMARY MECHANISM FOR ASSURANCE THAT AGE RELATED DEGRADATION IS TREATED APPROPRIATELY DURING THE 40 YEAR PLANT LICENSE
 - REQUIREMENT FOR AGE RELATED DEGRADATION MANAGEMENT IS PRIMARILY DIRECTED AT THE RENEWAL PERIOD BEYOND 40 YEARS AND WOULD REFLECT THE CURRENT LICENSING BASIS WHICH DIFFERS AMONG PLANTS
 - ASSURANCE OF UNIFORMITY IN AGE RELATED DEGRADATION MANAGEMENT WOULD BE ADDRESSED IN MORE DETAILED REGULATORY GUIDANCE AND REVIEW OF INDUSTRY TOPICAL REPORTS.

- o MECHANISM FOR INCORPORATING THE CLB INTO THE RENEWED LICENSE WITH POTENTIAL FOR CONVERTING LICENSE COMMITMENTS INTO LICENSE CONDITIONS. - RULE 54.19(b) AND 54.33(a)(1)
 - WORDING CHANGES IN THE RULE PROVIDE THAT "EACH APPLICATION SHALL BE DEEMED TO INCORPORATE THE CLB" AND THAT "THE CLB SHALL BE INCORPORATED INTO AND SHALL BE DEEMED PART OF THE LICENSING DOCKET FOR THE RENEWAL LICENSE." THERE IS NO CHANGE IN STATUS FOR THE CLB IN THE RENEWED LICENSE.

CRGR CONCERNS AS PRESENTED IN THE
CRGR MEETING MINUTES (CONTINUED)

- o NEED TO COMPILE THE CLB AND STATUS OF ITS AVAILABILITY. - SOC p.16
 - CLB NEEDS TO BE COMPILED TO ASSURE SCREENING PROCESS STARTS WITH THE CORRECT INPUT
 - CLB REVIEW NOT CONTEMPLATED BUT AVAILABLE FOR AUDIT BY THE STAFF

- o CRGR RECOMMENDS THAT STAFF AUDIT THE CLB FOR THE TWO LEAD PLANTS AND PROVIDE ANY FURTHER GUIDANCE WITH RESPECT TO CLB IF NEEDED. - COMMISSION PAPER p.6
 - STAFF HAS COMMITTED TO REVISIT THE RULE AND GUIDANCE AFTER REVIEW OF THE TWO LEAD PLANT APPLICATIONS IS COMPLETED.

- o UPDATING OF SITING FACTORS FOR THE CLB. ENC. 2 CHAPT. 1 p.13 CHAPT 2 pp.4-8
 - LICENSEE HAS RESPONSIBILITY FOR ADDRESSING OFFSITE CHANGES THAT REPRESENT A POTENTIAL THREAT AND DOCUMENT ANY CHANGES BY THE CURRENT REQUIREMENT OF PERIODIC UPDATES
 - UPDATES FOR POPULATION CHANGES REQUIRED IF CONCLUSIONS OF SAFETY ANALYSIS RELATIVE TO PUBLIC HEALTH AND SAFETY ARE AFFECTED
 - COMMISSION HAS INDEPENDENT SOURCES OF SITE INFORMATION INCLUDING THE RESIDENT INSPECTOR

CRGR CONCERNS AS PRESENTED IN THE
CRGR MEETING MINUTES (CONTINUED)

- o CLB ADEQUACY OF OLDER PLANTS NOT SUBJECT TO SEP. ENCL. 2 CHAPT 1 p.10
 - STAFF REVIEWING HOW SEP LESSONS LEARNED HAVE BEEN FACTORED INTO CLB OF ALL OPERATING PLANTS OR INTO ONGOING REGULATORY PROGRAMS

- o BACKFIT DISCIPLINE (AS IN THE BACKFIT RULE) SHOULD APPLY TO PLANT RENEWAL LICENSE REVIEWS - SOC p.30, 45, 46
 - THE BACKFIT RULE WILL APPLY AS DIRECTED BY THE COMMISSION. AGE RELATED REQUIREMENTS NECESSARY TO ENSURE ADEQUATE PROTECTION OR CONFORMANCE TO THE CURRENT LICENSING BASIS WILL BE IMPOSED WITHOUT RESPECT TO COST. REQUIREMENTS BEYOND WHAT IS NECESSARY TO MAINTAIN THE CLB WILL HAVE TO BE JUSTIFIED BY COST/BENEFIT

- o REASON FOR NOT SPECIFYING A MINIMUM TIME FOR THE RENEWAL TERM: - SOC-24
 - NEED FOR LONG TERM PLANNING WILL MOTIVATE LICENSEES IN GENERAL TO SEEK LONG TERM RENEWAL PERIODS. SETTING OF MINIMUM TIME WOULD BE AN UNNECESSARY CONSTRAINT ON FLEXIBILITY

CRGR CONCERNS AS PRESENTED IN THE
CRGR MEETING MINUTES (CONTINUED)

- o INCONSISTENCY BETWEEN TIME WHEN RENEWAL APPLICATION MUST BE FILED (3 YEARS PRIOR TO EXPIRATION) AND TIME WHEN INITIAL DECOMMISSIONING APPLICATION MUST BE FILED (5 YEARS PRIOR TO EXPIRATION) SOC-p.39
 - BECAUSE OF NEED FOR LONG RANGE PLANNING LICENSEES ARE EXPECTED TO FILE 10-12 YEARS BEFORE EXPIRATION. INITIAL DECOMMISSIONING APPLICATION TO ASSURE AVAILABILITY OF FUNDS NEEDS TO REMAIN AT 5 YEARS SO THAT ADDITIONAL FUNDS CAN BE SET ASIDE DURING REMAINING LICENSE IF NECESSARY.

- o LICENSEES SHOULD BE ENCOURAGED TO USE PRA: - SOC-19
 - RULE ALLOWS USE OF PRA AND SOC ENCOURAGES ITS USE PARTICULARLY WITH THE USE OF ACCEPTABLE AGING MODELS BEING DEVELOPED AS A RESULT OF AGING RESEARCH

- o RENEWAL UNDER THE CURRENT RULE SHOULD BE THE BASE CASE FOR THE ENVIRONMENTAL ASSESSMENT (EA). SOC-p. 40-42, ENCL. 4
 - THE EA HAS BEEN REWRITTEN TO MAKE IT CLEAR THAT THE CURRENT RULE IS THE BASE CASE.

- o OGC COMMENTS: SOC-p.16, RULE pp 3, 6, 8, ENCL. 2
 - ADDITIONAL MODIFICATIONS WILL BE MADE TO ADDRESS OGC QUALIFICATIONS

CRGR CONCERNS AS PRESENTED IN THE
CRGR MEETING MINUTES (CONTINUED)

- o SOC IMPLIED THAT WE UNDERSTAND TECHNOLOGY WELL ENOUGH TO STATE THAT 40 YEAR RENEWAL TERM WOULD BE UNACCEPTABLE. SOC-24
 - NO SUCH JUDGEMENT INTENDED. CHANGED TO REMOVE AMBIGUITY
- o TIMELY RENEWAL SHOULD BE CONDITIONED ON RECEIPT OF A SUFFICIENT APPLICATION. RULE p.11
 - CHANGE MADE IN THE RULE p.11
- o NO REASON FOR NON-POWER REACTORS NOT BEING INCLUDED IN THE RULE. - SOC-21
 - NON-POWER REACTORS DIFFER AS A CLASS FROM NUCLEAR POWER PLANTS AND THEREFORE ARE NOT COVERED. ADDED TO SOC p.21
- o ADEQUACY OF ASME SUBSECTION IWE TO DETECT CORROSION IN STEEL CONTAINMENT STRUCTURES. ENCL 3 p.54
 - CHANGE MADE TO MAKE IT CLEAR THAT WE AGREE WITH CRGR POSITION THAT ASME SUBSECTION IWE IS NOT ADEQUATE FOR THIS PURPOSE.

COMMISSION SRM

1. CURRENT LICENSING BASIS
 - o CLB SHOULD NOT BE REQUIRED AS PART OF APPLICATION
 - o RULE SHOULD PROVIDE ALTERNATE MEANS TO ENSURE CLB IS ENFORCEABLE
 - o STAFF SHOULD EVALUATE WHETHER PILOT PLANTS SHOULD DOCUMENT CLB TO VERIFY THAT SCREENING IS ADEQUATELY PERFORMED.
2. BACKFIT RULE
 - o BACKFIT RULE SHOULD NOT APPLY TO LICENSE RENEWAL RULEMAKING
 - o BACKFIT RULE SHOULD APPLY TO BACKFITS IMPOSED AS CONDITIONS FOR LICENSE RENEWAL (3 CONDITIONS GIVEN)
3. SCOPE LIMITED TO AGE-RELATED DEGRADATION
4. SEVERE ACCIDENT ISSUES SHOULD NOT BE DISCUSSED IN THE RULE OR IN THE SOC
5. INCORPORATE AS MUCH SCREENING METHODOLOGY AS POSSIBLE INTO THE RULE
6. SCHEDULE FOR REGULATORY GUIDE AND REVIEW OF INDUSTRY TECHNICAL REPORTS
7. ADEQUATE RESOURCES, COORDINATION BETWEEN RES, NRR AND OGC, AND HIGH LEVEL MANAGEMENT INVOLVEMENT

REQUEST FOR CRGR VIEWS

- o THE SAFETY STANDARD SOUGHT FOR THE RENEWAL TERM IS NOW STATED AS THE "CURRENT LICENSING BASIS" (E.G., IN SECTION 54.29 OF THE PROPOSED RULE). COULD THERE BE DIFFICULTIES IN INTERPRETING THIS STANDARD WITH SUFFICIENT FLEXIBILITY TO ALLOW FOR EROSION OF SAFETY MARGINS THAT WE CONSIDER ACCEPTABLE? (e.g., A 1/2-INCH CORROSION ALLOWANCE BECOMES 3/8 INCHES AFTER 40 YEARS, BUT THE APPLICANT CAN PROVIDE JUSTIFICATION FOR ITS ADEQUACY.) WOULD RETURN TO THE PHRASE "LEVEL OF SAFETY OF THE CURRENT LICENSING A BASIS," OR SOME OTHER PHRASING, HELP IN THIS REGARD WITHOUT INTRODUCING WORSE PROBLEMS?
- o ON PAGE 14 OF THE STATEMENT OF CONSIDERATIONS WE REFER TO THE EXPECTED IPE PRAs. IT SEEMS THAT THIS IS USEFUL IN THIS CONTEXT AND DOES NOT VIOLATE THE COMMISSION GUIDANCE TO AVOID INTRODUCING SEVERE ACCIDENT CLOSURE CONSIDERATIONS INTO THE LICENSE RENEWAL RULEMAKING. WHAT ARE YOUR VIEWS ON THIS?
- o ON PAGES 33 TO 35 OF THE STATEMENT OF CONSIDERATIONS, WE PRESENT INFORMATION SUPPORTING THE VIEW THAT EMERGENCY PLANNING AND PLANT PHYSICAL SECURITY ISSUES NEED NOT BE REVISITED IN THE LICENSE RENEWAL CONTEXT. HOWEVER, WE SAY THAT THE HARDWARE INVOLVED SHOULD BE SUBJECT TO AGE-RELATED DEGRADATION SCREENING AND ACTIONS, IN THE MANNER PRESCRIBED FOR SSCs IMPORTANT TO LICENSE RENEWAL. IS THIS EXCEPTION NECESSARY? IS IT LIKELY TO BRING THE ENTIRE EMERGENCY PLANNING AND SECURITY ISSUES INTO CONTENTION? DOES THE DEFINITION OF SSC'S IN THE RULE INCLUDE THIS HARDWARE (i.e., IS IT USED TO "PREVENT OR MITIGATE")? 54.3(a))

OGC CONCERNS

1. ADEQUACY OF THE CLB
2. NON-SEP PLANTS
3. APPLICATION OF NEW REQUIREMENTS TO OLD PLANTS
4. COMPLIANCE WITH CLB
5. BASIS FOR PART 51 CHANGES
6. SITING
7. RESOLUTION/IMPLEMENTATION USI/GSI
8. RELIANCE ON OTHER FUTURE RESOLUTIONS

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Date

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PDR

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REMARKS

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MATERIAL RELATED TO CR6R

MEETING NO. 184

*CC (LIST ONLY) JEAN NATAJE,
PDR L STREET*

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MATERIAL RELATED TO CRGR MEETING NO. 184
TO BE MADE PUBLICLY AVAILABLE

1. MEMO FOR J. TAYLOR FROM E. JORDAN DATED 4-30-90
SUBJECT: MINUTES OF CRGR MEETING NUMBER 184
INCLUDING THE FOLLOWING ENCLOSURES WHICH WERE NOT
PREVIOUSLY RELEASED:

a. ENCLOSURE 2
A SUMMARY OF DISCUSSIONS OF A PROPOSED Rule on
Nuclear Power Plant License Renewal

b. ENCLOSURE _____
A SUMMARY OF DISCUSSIONS OF A PROPOSED

c. ENCLOSURE _____
A SUMMARY OF DISCUSSIONS OF A PROPOSED

2. MEMO FOR E. JORDAN FROM E. Bradford DATED 7-11-90
FORWARDING REVIEW MATERIALS ON A PROPOSED Rule on
Nuclear Power Plant License Renewal

3. MEMO FOR E. JORDAN FROM _____ DATED _____
FORWARDING REVIEW MATERIALS ON A PROPOSED

4. MEMO FOR E. JORDAN FROM _____ DATED _____
FORWARDING REVIEW MATERIALS ON A PROPOSED





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

APR 11 1990

MEMORANDUM FOR: Edward L. Jordan, Chairman
Committee to Review Generic Requirements

FROM: Eric S. Beckjord, Director
Office of Nuclear Regulatory Research

SUBJECT: COMPLETION OF CRGR REVIEW OF PROPOSED RULE ON
NUCLEAR POWER PLANT LICENSE RENEWAL

At the March 28, 1990 CRGR review of the proposed rule on nuclear power plant license renewal, the Committee scheduled the completion of the review for April 18, 1990. The enclosed review package shows, by markups, the changes made since the March 14, 1990 submittal in response to the March 28 CRGR comments as well as changes resulting from the Commission's Staff Requirements Memorandum (SRM) of April 6, 1990 and further staff (RES, NRR, and OGC) reviews.

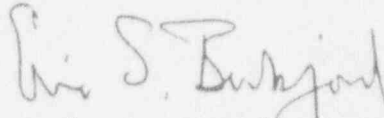
At the front of the enclosed review package we have included, for the Committee's convenience, a copy of the draft minutes of the March 28 CRGR meeting with marginal notations showing where the response (or main part of the response) to each of the Committee's comments is located. Responses to the SRM are noted in the revised Commission paper.

We have not yet received the ACRS letter based on the April 6 ACRS review, but we understand that the letter is in the final stages of preparation and that its dispatch is imminent. We further understand that, in the draft letter, the ACRS indicates its general agreement with the staff's approach. We plan to send you copies of the letter when we receive it.

The problem of the still open SEP issues that was raised by OGC is currently being addressed by the staff, as noted in Enclosure 2 of the review package at p. 10. We expect to have a definitive approach established within the next few days and reflect it in the Commission paper and, as necessary, in the statement of considerations and the current-licensing-basis document (Enclosures 1 and 2 of the review package). We plan to update the CRGR on this matter at the April 18 meeting.

440-3230201 72:sp.

The enclosed material is pre-decisional and is intended for NRC internal use only.



Eric S. Beckjord, Director
Office of Nuclear Regulatory Research

Enclosures:

- (1) Draft "Minutes of CRGR Meeting Number 182," marked.
- (2) Staff requirements memorandum, "SECY-90-021, Report on License Renewal Workshop and Proposed Revisions to the Program Plan and Schedule for Rulemaking," S. Chilk to J. Taylor, April 6, 1990.
- (3) Draft Commission paper, "Proposed Rule on Nuclear Power Plant License Renewal," with its enclosures, marked.

DISTRIBUTION:

W/Encl.

CRGR Members:

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F. Miraglia
L. Reyes
G. Arlotto

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W. Russell
J. Partlow
W. Travers (4)
J. Craig
F. Akstulewicz

OGC: M. Malsch

J. Scinto
S. Treby
G. Mizuno (3)

RES: E. Beckjord

J. Heltemes
W. Minners
T. King
K. Kniel
P. Norian (2)
D. Cleary
G. Sege (2)
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RES Circ/Chron

NUDOCS

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

4/12/90

MARKUP SHOWING LOCATION OF RESPONSES

MEMORANDUM FOR: James M. Taylor
Executive Director
for Operations

FROM: Edward L. Jordan, Chairman
Committee to Review Generic Requirements

SUBJECT: MINUTES OF CRGR MEETING NUMBER 182

The Committee to Review Generic Requirements (CRGR) met on Wednesday, March 28, 1990 from 1:00-5:30 p.m. The following item was addressed at the meeting:

1. W. Minners (RES) and K. Kniel (RES) presented for CRGR review a proposed rule on nuclear power plant license renewal. The Committee did not complete its review of this matter but provided a number of comments. The RES staff agreed to revise the package, as appropriate, as a result of CRGR comments, resolving OGC comments and obtaining OGC concurrence, NRP review and ACRS review and provide the revisions one week prior to future meeting (scheduled for April 18, 1990). The Committee expected to complete its review at that meeting. This matter is discussed in Enclosure 2.

In accordance with the EDO's July 18, 1983 directive concerning "Feedback and Closure of CRGR Reviews," a written response is required from the cognizant office to report agreement or disagreement with the CRGR recommendations in these minutes. The response, which is required within five working days after receipt of these minutes, is to be forwarded to the CRGR Chairman and if there is disagreement with CRGR recommendations, to the EDO for decisionmaking.

Questions concerning these meeting minutes should be referred to Dennis Allison (492-4148).

Edward L. Jordan, Chairman
Committee to Review Generic
Requirements

Enclosures:
As stated

cc: See next page

James M. Taylor

- 2 -

cc w/enclosures:

Commission (5)

SECY

J. Lieberman

P. Horry

D. Williams

Regional Administrators

CRGR Members

Enclosure 1

Attendance List for CRGR Meeting
Number 182

CRGR Members

E. Jordan
J. Moore
B. Sheron
F. Miraglia
L. Reyes
G. Arlotto

NRC Staff

J. Conran
D. Allison
K. Knfel
W. Minners
J. Shea
W. Travers
J. Thoma
D. Cleary
J. Bora
M. Vagins
R. Bosnak
F. Akstulewicz
P. Norian
G. Sege
G. Mizuno
J. Heltemes

Enclosure 2 to the Minutes of CRGR Meeting No. 182
Proposed Rule on Nuclear Power Plant License Renewal

March 28, 1990

TOPIC

W. Minners (RES) and K. Kniel (RES) presented for CRGR review a proposed rule that would amend the Commissions regulations to provide considerable guidance on power reactor license renewal. (Current requirements provide for license renewal, but do not specify details on how it is to be accomplished.)

Some of the principal features of the proposed new rule were:

- (1) Application at least 3 years before license expiration.
- (2) Renewal terms extending up to 20 years beyond the expiration date of the current license.
- (3) Immediately effective renewed licenses (which may run for periods up to 20 years plus the remaining time on current license).
- (4) Definition of the current licensing basis.
- (5) Definition of the screening process used to define measures necessary to manage aging during the renewal term.
- (6) Definition of the standard for license renewal as maintenance of the current licensing basis during the renewal term.

The package reviewed by the Committee had not yet received OGC or NRR concurrence. The office staffs were working to resolve issues identified in OGC's review. In addition, the ACRS review was proceeding in parallel with CRGR review.

Copies of the slides used by the staff in its presentation are provided as an attachment to this enclosure.

BACKGROUND

The review package was transmitted by a memorandum dated March 14, 1990, from E. Beckjord to E. Jordan. The package included:

A proposed Commission paper with six enclosures:

- (a) Federal Register notice (Proposed Rule with Statement of Considerations)
- (b) Technical Foundation for the Current Licensing Basis
- (c) License Renewal Workshop Comments
- (d) Environmental Assessment
- (e) Regulatory Analysis
- (f) Changes in Proposed Rule

The following additional documents were requested by the CRGR staff and provided to the Committee:

- (1) A staff requirements memorandum from the Secretary of the Commission, dated March 6, 1990.
- (2) Commissioner vote sheets being used to prepare a second staff requirements memorandum.
- (3) A draft of the second staff requirements memorandum.
- (4) Comments from OGC dated March 14, 1990.

CONCLUSIONS/RECOMMENDATIONS

The Committee did not complete its review and planned to continue reviewing this subject at the meeting scheduled for April 18, 1990. It was expected that the package would undergo a number of revisions as a result of:

- (1) CRGR comments (discussed below).
- (2) Resolution of issues identified by OGC and obtaining OGC concurrence (or non-concurrence and final comments with which to proceed).
- (3) Further Commission direction (expected within a few days in a Staff Requirements Memorandum).

In addition, there might be revisions as a result of:

- (1) Obtaining NRR concurrence (or final comments).
- (2) ACRS review.

RES agreed to provide the revisions in the form of a markup showing the changes and referencing the issues being resolved by the changes. Specific CRGR comments are summarized below.

The Committee questioned an apparent inconsistency in requirements among plants. One plant, that obtains a renewal license at year 33, may have additional aging requirements imposed between years 33 and 40. Similar requirements may not be imposed on a similar plant that did not obtain a renewal license during years 33 to 40. RES indicated that in some cases aging requirements may not be imposed until year 40. In other cases earlier imposition may be warranted because the plant would be operated beyond year 40 or because early imposition would be cost effective. In any event, this would be primarily a matter to be addressed in more detailed regulatory guidance and industry (topical) reports on renewal methodologies. 50C-16

The Committee questioned the mechanism for incorporating the current licensing basis into the renewed license and whether it might convert numerous licensee commitments into license conditions. RES indicated that this was not the staff's intent and agreed to reexamine the wording and make changes if needed. Rule 54.19(b) & 54.33(a)(1)

The Committee questioned why licensees would have to compile and document (but not submit) the current licensing basis and whether licensees would be required to maintain the current licensing basis available for inspection once it was compiled. RES indicated that compilation would be necessary to accomplish the required screening. It was the staff's intent to require that the current licensing basis be maintained available for inspection once it was compiled. That requirement would be added if it was not already included.

50C-16

The Committee reached a consensus that the staff should review the current licensing bases as developed by the two pilot plants and, on the basis of that review, provide any further guidance to industry that may be appropriate to assure that licensees would properly compile current licensing bases. It was noted that, if it appeared necessary for licensees to submit current licensing bases to the staff, this would involve a rule change because the license renewal rule would be issued before applications were completed for the two pilot plants.

Com. paper p. 6

The document justifying the adequacy of the current licensing basis was discussed. The OGC and NRR were working to resolve the issues identified by OGC and the document would be revised in several aspects. Regarding one aspect, the Committee questioned whether the NRC was being informed of all changes in siting factors such as demographics as indicated in the document and how such changes were being handled. The Committee requested further discussions with the staff on this issue. The Committee also questioned the adequacy of the discussion of older plants that were not subject to the Systematic Evaluation Program.

Encl. 2, Ch. 1, pp. 10 & 13, & Ch. 2 & 3. Encl. 2, Ch. 1, p. 10 & Ch. 3

The Committee reached a consensus that the screening process was satisfactory.

The Committee reached a consensus that backfitting discipline should be applied to plant specific license renewal proceedings and that the discipline described by the staff was appropriate. The Committee indicated that it would defer to OGC on the applicability of the current backfit rule (10CFR50.109).

50C-30, 45, 46.

The Committee questioned the reasons given in the statement of considerations for not specifying a minimum time for the renewal term. RES agreed to change the reason to say that licensees were not expected to apply for short renewal terms.

50C-24

The Committee questioned apparent inconsistencies between the time when a renewal application must be filed (3 years prior to license expiration) and the time when a decommissioning application must be filed (5 years prior to license expiration). RES agreed to provide a rational explanation for the times proposed.

50C-39

The Committee commented that licensees should be encouraged to use PRA to obtain insights on aging issues. RES indicated that this was already being encouraged in parts of the package and agreed to consider expanding and strengthening the encouragement.

50C-19

The Committee questioned the apparent base case in the environmental assessment (i.e., no renewal as opposed to renewal under the current rule). RES indicated that document was being rewritten to address confusion regarding base case and the alternatives.

SOC-40
to 42
Encl. 4

The Committee asked about assurance that the issues raised in OGC's comments would be resolved. RES indicated that they would be resolved by either obtaining OGC concurrence or by obtaining non-concurrence and final comments with which to proceed.

SOC-10
Encl. 2;
Rule
pp. 3, 6, 8.

The Committee noted that the text at page 24 of the Statement of Considerations seemed to imply that we understand the technology well enough to say that a 40 year renewal term would not be acceptable. RES agreed to change this, subject to OGC agreement.

SOC-24

The Committee noted that the timely renewal provisions should be conditioned on timely receipt of a sufficient application and sufficient should be defined in accordance with the Administrative Procedures Act.

Rule
p. 11

The Committee noted that the Statement of Considerations, at page 21, did not provide a reason why non-power reactors would not be included in the license renewal rule.

SOC-21

The Committee noted that in the response to workshop comments, at page 54, it was indicated that NRC agreed with NUMARC that ASME Subsection IWE was sufficient to detect corrosion in steel containment structures. However, CRGR had recommended against adoption of subsection IWE (for reasons that included doubts about its adequacy).

Encl. 3,
p. 54