

PSEGESPeRAIPEm Resource

From: Chowdhury, Prosanta
Sent: Friday, February 10, 2012 2:52 PM
To: 'PSEGRAIResponses@pseg.com'
Cc: PSEGESPeRAIPEm Resource; 'James.Mallon@pseg.com'; 'David.Robillard@pseg.com'; Segala, John; Silvia, Andrea; Roach, Kevin; Clark, Phyllis; Canova, Michael; McLellan, Judith; Tammara, Seshagiri; Schaaf, Robert; McCoppin, Michael
Subject: PSEG Site ESPA DRAFT RAI 58 (eRAI 6250) SRP-02.01.02 (RPAC-RSAC)
Attachments: PSEG Site ESPA Draft RAI 58 (eRAI 6250).doc

Please find attached DRAFT RAI No. 58 for the PSEG Site ESP application. You have ten working days to review this request and to decide whether you need a conference call to discuss it. Please notify me of your decision in this regard.

After the call, or after ten days, the RAI will be finalized and issued to you. You will then have 30 calendar days to respond. These durations are factored into your review schedule. If additional time is required to respond, please inform me of your proposed schedule to respond at your earliest opportunity.

If you have any questions, please contact me.

Prosanta Chowdhury
Project Manager
Licensing Branch 1 (LB1)
Division of New Reactor Licensing
Office of New Reactors
301-415-1647

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From: Chowdhury, Prosanta

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Options

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Request for Additional Information No. 58

Application Revision 0

DRAFT

2/10/2012

PSEG Site ESP
PSEG Power LLC, PSEG Nuclear LLC
Docket No. 52-043
SRP Section: 02.01.02 - Exclusion Area Authority and Control
Application Section: 2.1.2

QUESTIONS for Siting and Accident Conseq Branch (RSAC)

02.01.02-4

[Follow up to RAI 10, Question 02.01.02-1]

The staff reviewed the applicant's responses to RAI 10, Question 02.01.02-1, for the PSEG Site Early Site Permit Application (PSEG Site ESPA), Site Safety Analysis Report (SSAR), submitted on March 22, 2011 (ML110880442), regarding various aspects of the Exclusion Area Boundary (EAB), including the discussion of activities unrelated to plant operation and the authority to control activities within the EAB.

The applicant's response contains clarifications as stated below:

- Item (c) – of the difference, if any, between the phrases “controlled by the USACE” and “owned by the USACE” (as used in SSAR Subsections 2.1.2.1, 2.1.2.2, and 2.1.1.2), and of the orientation of 146 acres of land within the EAB with respect to the existing and proposed PSEG site property; and
- Item (d) – of the description of public use of the 146 acres of U.S. Army Corps of Engineers (USACE)-owned or –controlled land within the EAB for recreational purposes, where such uses or activities may take place, and ingress to and egress from this area in relation to the expected time for evacuation if it were to become necessary.

Similarly, the applicant's response to Items (a), (b), (e), and (f) of RAI 10, Question 02.01.02-1, contains the following clarification:

- Item (a) – of an area, designated as “Dike Area,” shown in SSAR Figure 1.2-3 (Site Utilization Plan) with respect to its use by the USACE for disposal of dredged material, points of access to that area relative to the EAB, and the relationship of that area to where cooling towers and a portion of the power block for the proposed facility are also to be located;
- Item (b) – of the number and kinds of persons engaged in the USACE's disposal of dredged materials during the construction and operational phases of the proposed facility and their locations with respect to the EAB, and the frequency and length of time that these activities are expected to occur;
- Item (e) – for an indication of the number of persons that may be engaged in hunting, fishing, or other recreational activities on USACE-owned or –controlled land within the EAB and when these activities are expected to occur; and

- Item (f) – of the USACE’s and the U.S. Coast Guard’s responsibilities for evacuation of the land within the EAB on which public use for recreational purposes may occur and, in particular, identification of the other unspecified “agencies” with similar responsibilities.

However, the applicant has also identified numerous actions that must occur and provisions that are yet to be incorporated into various agreements with federal and state agencies (not only in the responses to the questions in RAI 10, Question 02.01.02-1, but also in RAI 10, Questions 02.01.02-2 and 02.01.02-3) before it can demonstrate Exclusion Area authority and control consistent with 10 CFR 100.3. Therefore, pursuant to NUREG-0800, SRP Section 2.1.2, Subsection II (Acceptance Criteria), SRP Acceptance Criteria 1, 2, and 3, the staff believes that the narrative discussions in the responses to Items (a), (b), (e), and (f) of RAI 10, Question 02.01.02-1, should be integrated into the appropriate subsections under SSAR Section 2.1.2. This information will help the staff to evaluate whether the applicant will acquire the appropriate legal authority and control over the designated Exclusion Area, including the exclusion or removal of personnel or property from the EAB in the event of an accident.

02.01.02-5

[Follow up to RAI 10, Question 02.01.02-2]

The staff reviewed the applicant’s responses to RAI 10, Question 02.01.02-2 for the PSEG Site Early Site Permit Application (PSEG Site ESPA), Site Safety Analysis Report (SSAR), submitted on March 22, 2011 (ML110880442), regarding potential activities unrelated to plant operation in that portion of the Delaware River within the Exclusion Area Boundary (EAB).

The applicant’s response to Item (a) of RAI 10, Question 02.01.02-2, contains explanation regarding the requested reconciliation of the difference, if any, between the phrases “maritime exclusion zone” (as used in SSAR Subsection 2.1.2.2) and “security zone” as designated in 33 CFR Part 165, Subpart F, Section 165.553 for the waters of the Delaware River in the vicinity of the existing Salem and Hope Creek Generation Stations.

In addition, the applicant’s responses to Items (b) and (c) of RAI 10, Question 02.01.02-2, contain information regarding the requested:

- clarification in Item (b) of SSAR Figure 1.2-3 (or the addition of other figure(s)) to illustrate the area(s), relative to the EAB, that are expected to be covered by the existing maritime exclusion zone and/or the current security zone (as mandated by regulation), and the Applicant’s planned extension of the maritime exclusion zone and/or security zone to be adjacent to the new plant location; and
- explanation in Item (c), of the plans (including the timelines for doing so relative to the project schedule) for agency interaction regarding establishment of the extended “maritime exclusion zone” and for promulgating revisions to any associated regulations for an extension to the “security zone” currently specified at 33 CFR Part 165, Subpart F, Section 165.553;

and the applicant’s plan to defer development of the security plan for the proposed facility until the combined license application stage after a reactor technology has been selected.

In addition to the action items indicated above, the responses to the questions in RAI 10, Questions 02.01.02-1 and 02.01.02-3, identify other actions that must occur and provisions that are yet to be incorporated into various agreements with federal and state agencies before the applicant can demonstrate authority and control over the Exclusion Area consistent with 10 CFR 100.3. Therefore, pursuant to NUREG-0800, SRP Section 2.1.2, Subsection II (Acceptance Criteria), SRP Acceptance Criteria 2 and 3, the staff believes that the narrative discussions in the responses to Items (a), (b), and (c) of RAI 10, Question 02.01.02-2, should be integrated into the SSAR Subsection 2.1.2.2. This information will help the staff to evaluate whether the applicant will acquire the appropriate legal authority and control over the designated Exclusion Area, including the exclusion or removal of personnel or property from the EAB in the event of an accident.

02.01.02-6

[Follow up to RAI 10, Question 02.01.02-3]

The staff reviewed the applicant's response to RAI 10, Question 02.01.02-3, for the PSEG Site Early Site Permit Application (PSEG Site ESPA) Site Safety Analysis Report (SSAR), submitted on March 22, 2011 (ML110880442), regarding whether the planned acquisition of an additional 85 acres of land within the Exclusion Area Boundary (EAB) from the U.S. Army Corps of Engineers (USACE) will include the purchase of the associated mineral rights. The applicant stated in its response, that the "land will be acquired from the USACE by PSEG with the same ownership characteristics as the existing property, including mineral rights."

In addition to this action item, the responses to the questions in RAI 10, Questions 02.01.02-1 and 02.01.02-2, identify other actions that must occur (including the promulgation of regulations under 33 CFR Part 165, Subpart F) and provisions that are yet to be incorporated into various agreements with federal and state agencies before the applicant can demonstrate authority and control over the Exclusion Area consistent with 10 CFR 100.3. Therefore, pursuant to NUREG-0800, SRP Section 2.1.2, Subsection II (Acceptance Criteria), SRP Acceptance Criterion 1 (Establishment of Authority), the staff believes that SSAR Subsection 2.1.2.1 should clearly indicate that mineral rights will be conveyed as part of this 85-acre land purchase. This information will help the staff to evaluate whether the applicant will acquire the appropriate legal authority and control over the designated Exclusion Area, including the exclusion or removal of personnel or property from the EAB in the event of an accident.