Union of Concerned Scientists

Subsequent License Renewal

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Issues

1) One-time SAMA evaluations

2) Safety by queue position

3) Public engagement

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Preface

Neither license renewal nor subsequent license renewal is inherently unsafe.

Improperly maintained and operated reactors can get into trouble in less than 40 years.

Properly maintained and operated reactors can avoid trouble beyond 40 years.

One-time SAMA evaluations

Severe accident mitigating alternative (SAMA) evaluations are required with initial license renewal application, unless already done for another reason, and are not required to be re-done for subsequent license renewal.

One-time SAMA evaluations

SAMA evaluations are good ideas for ALL license renewals:

- **safety innovations may have emerged during the past two decades**
- **populations may have changed during the past two decades**
- **costs just may have changed during the past two decades**

One-time SAMA evaluations

07-13-1999: NEI submits PRM seeking to delete the requirement for SAMA with license renewal applications

02-13-2001: NRC denied the PRM (ML010450132) citing its need to consider "new and significant information"

One-time SAMA evaluations

"In the case of license renewal, it is the Commission's responsibility under NEPA to consider all environmental impacts stemming from its decision to allow the continued operation of the entire plant for an additional 20 years."

66 FR 10836 February 20, 2001

Safety by queue position

05-19-2004 NRC relicensed Ginna

09-30-2005 GALL/SRP Rev. 1 issued

12-23-2005 NRC relicensed Point Beach

Point Beach had to develop an Alloy 600 aging management program (AMP) before NRC relicensed it.

Ginna was relicensed without an Alloy 600 AMP being required.

§50.100 is black and white:

"A license, permit, or standard design approval under parts 50 or 52 of this chapter may be revoked, suspended, or modified, in whole or in part, … because of conditions revealed by the application or statement of fact of any report, record, inspection, or other means which would warrant the Commission to refuse to grant a license, permit, or approval on an original application …"

NRC is cheating somebody

If the increased safety measures in GALL/SRP Rev. 1 are truly needed to assure safety (as §50.109 requires), then the people living around Ginna got cheated.

If the increased safety measures are NOT needed, then the shareholders and ratepayers of Point Beach got cheated.

So, whom did you all cheat?

NRC is cheating many

05-08-1995 10 CFR 50.54 issued

6 operating licenses renewed

07-31-2001 GALL/SRP Rev. 0 issued

29 operating licenses renewed

09-30-2005 GALL/SRP Rev. 1 issued

26 operating licenses renewed

12-31-2010 GALL/SRP Rev. 2 issued

27 operating licenses renewed

Safety by queue position

Position in line must not continue to determine which reactor has what safety measures and what owner pays which costs.

50.100 and 50.109 collectively must result in owners paying the same for renewed licenses and in communities receiving the same protections.

Public engagement

By memo dated 09-12-2016, the NRC staff addressed public comments about subsequent license renewal during meetings it conducted May 9, November 1, November 13, and November 14, 2012 (ML16194A222).

I attended the May 5th 2012 meeting. My issues are addressed in Enclosure 3 to the 2016 memo.

Public engagement

The NRC staff responded to my "safety by queue position" concern thusly:

"Reactors that … wish to renew their licenses for 60-80 years of operation will most likely follow the guidance in the updated GALL and SRP when they prepare their applications but are not required to do so. Any applicant has the option to address the requirements through other means. In such cases, the staff will review the information and make a safety determination. In the end, all licensees must meet NRC regulations and demonstrate the ability to operate their plants safely during the SLR period."

Public engagement

If raising license renewal standards was justified, NRC met 50.109 for Point Beach but violated 5.100 for Ginna.

If raising standards was unjustified, NRC violated 50.109 for Point Beach but met 50.100 for Ginna.

Atomic Abe might have said “you can’t meet all the regulations all the time this way.”

Public engagement?

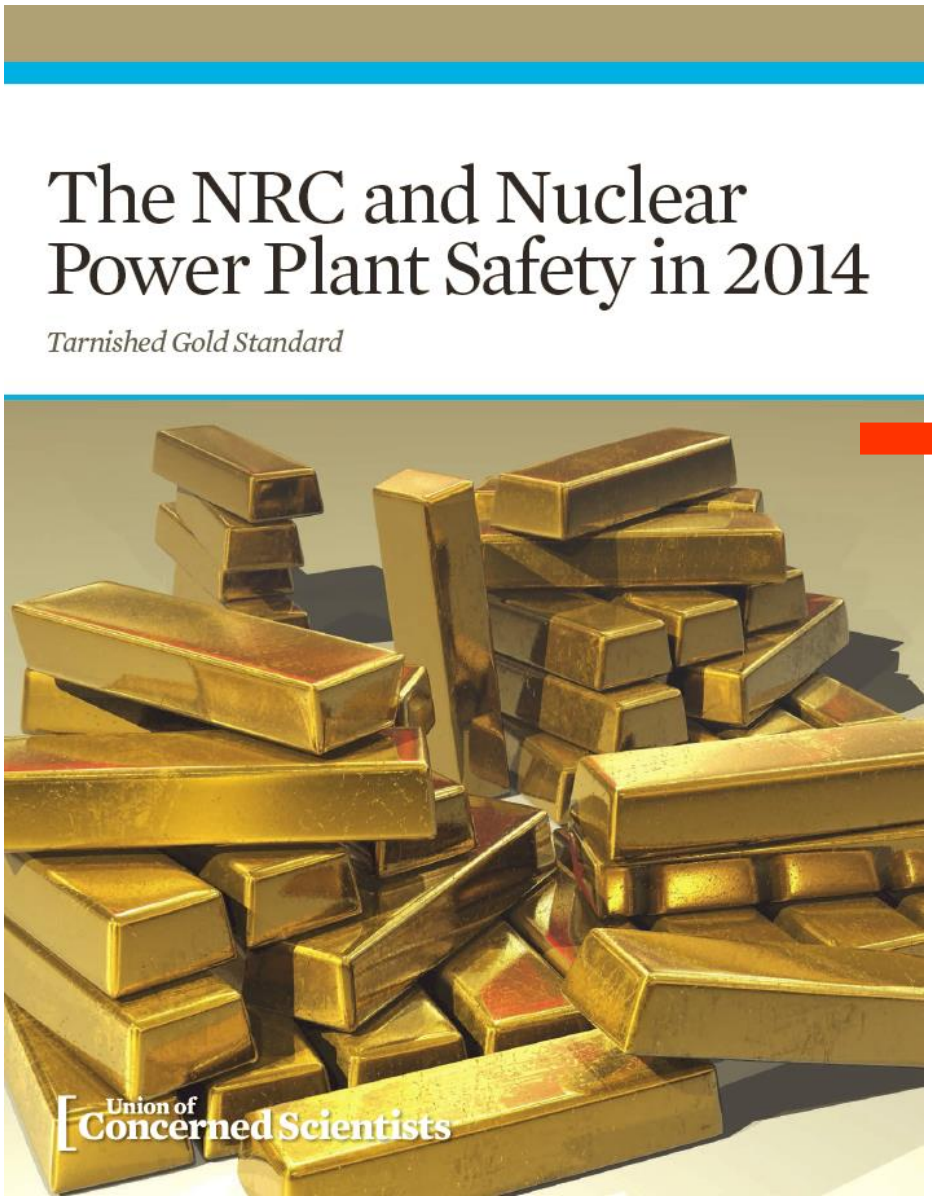
05-09-2012 SLR public meeting
11-01-2012 SLR public meeting
11-13-2012 SLR public meeting
11-14-2012 SLR public meeting

01-31-2014 SLR SECY-04-0016
05-08-2014 SLR Briefing
08-29-2014 SRM SECY-04-0016

09-12-2016 Staff memo resolving comments made during 2012 meetings

Knowledge management

Knowledge management



CHAPTER 4

UCS applauded NRC for undertaking knowledge management efforts a decade earlier.

Knowledge management

Newer reactors have voluminous UFSARs and associated design and licensing bases information.

Older reactors have skimpier UFSARs and associated design and licensing bases information.

And regulations and regulatory bases today are different from the AEC and early NRC days.

Knowledge management

Byron/Braidwood EDO appeal and numerous TIAs in recent years testify to the difficulties in trying to make safety decisions today using decades-old, often detail-lite design and licensing documents.

Knowledge management

Will a 50.59 reviewer in 2060 really be able to ensure a proposed modification doesn't undermine safety margins established in the 1970s?

Will NRC inspectors accept that scantily explained 1970s methods conform with 2060 expectations?