

# License Renewal Meeting with the NRC

Dominion, Duke and Exelon  
12-12-01

Attachment 2

# Discussion Topics

- Observations by Duke, Exelon and Dominion
- Discussion of technical issues:
  - Station Blackout scoping
  - Criterion §54.4(a)(2) scoping
  - Concrete Aging Management
  - Aging Management of Non-EQ Instrument Cables

# Observations - Duke

- NRC has many smart reviewers with a few reviewers still on the learning curve
- Unique plant designs complicate tough issues
- Recent issues have been communicated in a variety of ways
- Better to broach issues through NEI
- No hiding: If there's time to raise an issue, there's time to fully explain it.
- It's our job to manage our way through issues

# Observations - Exelon

- Communications and relations are good
- Changing NRC positions indicate the process is not stable and predictable
- Challenges to CLB are of concern
- NRC experience level is not consistently improving
- Need a process to handle new issues
- BWRs appear to be having new and different issues – are they unique to BWRs?

# Observations - Dominion

- Review is going very well.
- Observations related to predictability and stability:
  - Reviewers think that GALL is the only way
  - Challenges in keeping reviewers on track
  - Line between creep and the evolution of understanding
  - Multiple lines of communicating issues
- Letters to NEI; public meetings are good.

# SBO Scoping

- Source: NRC Discussions with Dominion and Duke; 11/14/01 Grimes (NRC) to Nelson (NEI) letter
- New NRC Position - The plant system portion of the offsite power system should be included in scope for license renewal. "It is therefore not appropriate to accept alternate ac sources as a means of recovering from a station blackout and to limit the scope of equipment in license renewal which demonstrates compliance with the SBO rule to such alternate source."
- Class of 2001 Position - The individual plant NRC approved SERs define the plant CLB. Including any plant systems portion of the offsite power system extends LR beyond the plant CLB and the NRC approved SER.

## Criterion §54.4(a)(2)

- Source: 12/03/01 Grimes (NRC) to Nelson (NEI) letter
- New NRC Position: “Some applicants have only considered seismicity in determining whether seismic II/I piping should be included within the scope of license renewal.”
- Class of 2001 Position: This issue is a misnomer. The piping of concern is non-safety piping that could interact with safety related equipment. Determining the relation of this interaction must be done within the CLB. Care must be taken not to start with the aging mechanisms for materials / environments and then use the results to scope additional equipment into LR.

# Concrete Aging

- Source: NRC discussions with Dominion; NRC letter to FP&L; 11/23/01 Grimes (NRC) to Nelson (NEI) letter
- New NRC Position - All concrete structures within the scope of license renewal require aging management.
- Class of 2001 Position - Our evaluations have shown that, consistent with NUREGs 1557 and 1611, concrete structures determined to meet specified criteria, environments, and code and testing requirements have no aging effects requiring management.



# Non-EQ Instrument Cables

- Source: NRC Discussions with Dominion & Duke
- New NRC Position - The presence in GALL of the BG&E instrument calibration program for certain non-EQ instrument cables has led NRC reviewers to require this program in addition to an inspection program for all applicants.
- Class of 2001 Position - Our plants do not credit a calibration program. Aging of these components in our plants is managed by an inspection program which looks at mechanical and physical properties and which will detect and manage aging earlier than the calibration program.

# **License Renewal Appeals Process and Rules of Engagement**

Alan Nelson

December 12, 2001



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## **Define the Process**

- Develop a process that is clearly defined, fair, expedient, useful
- Expected outcome of the process will be final
- Provide a reduction in uncertainty
- Straight forward and timely



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## Ongoing Dialog

- Prior to appeal there would be ongoing dialog
- Industry represented by applicant or NEI (generic issue)
- Appeals use only when it is clear the issue cannot be resolved



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## Underlying Principles

- Both parties accept final decision
- Process will be well documented
- Changes to guidance documents be made in a timely fashion



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## Underlying Principles

- NRC and industry prepares written paper and supporting documentation
- Identify nature of recommended changes to guidance
- If issues is generic NEI may participate
- Position papers are exchanged



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## Underlying Principles

- LRRB fair and equitable
- Equal time allotted
- LRRB questions both sides for clarification
- LRRB provides written statement of findings, decision rendered, basis, and proceedings transcript



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## Underlying Principles

- Finding criteria based on regulations vs. guidance documents
- If the rule provides latitude the LRRB should determine if the approach by the appellant is permitted

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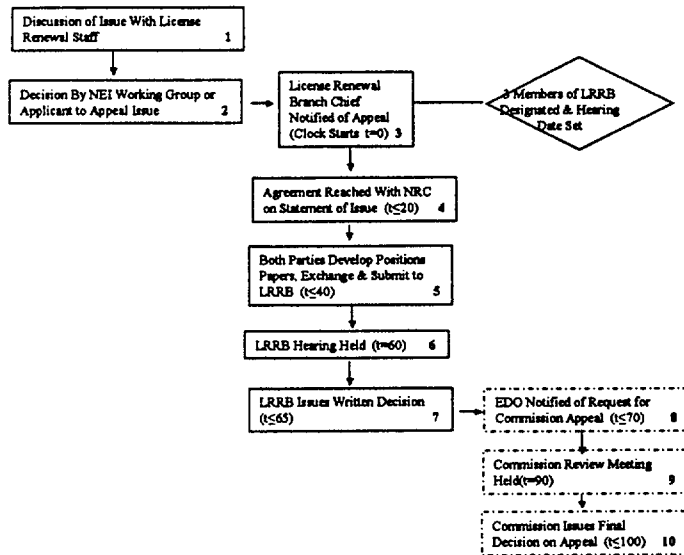
## Flow Chart of the Process

- Flow chart provides high level view
- How issues originate
- Working level discussions to resolve early on

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## License Renewal Appeals Process



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## Flow Chart of the Process Step 1

- Issue may result from RAI or open SER item
- Position developed by NEI
- Specific to applicant or generic
- Discussed at joint meetings
- Efforts made to resolve



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## **Flow Chart of the Process Step 2**

- Appeal will be discussed - NEI WG
- Merits, and importance to applicant/industry would be considered
- Decision to appeal made based on these discussions

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## **Flow Chart of the Process Step 3**

- Process initiated in writing
- Appeals time clock starts
- NRC review of application shall proceed independently of the appeal
- Applicant must formally request review of LRA be placed on hold pending appeal outcome

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## **Flow Chart of the Process Step 4**

- Appellant prepares written statement
- NRC review and concurrence
- Agreement on issue statement within 20 days
- Members of the LRRB confirmed by EDO



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## **Flow Chart of the Process Step 5**

- Applicant and staff prepare written positions
- Submit position papers to each other and LRRB within 40 days of the appeal process



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## **Flow Chart of the Process Step 6**

- LRRB meeting held with 60 days
- Proceedings transcribed

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## **Flow Chart of the Process Step 7**

- LRRB issues written decision with 5 days
- Basis for the decision provided with the finding

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## **Flow Chart of the Process Step 8**

- Once decision issued appellant has 5 days to review and determine if appeal is warranted
- Second appeal request to EDO, along with basis (appellant or staff)
- If EDO finds merit forwards appellant's and staff position to Commission – 90 day
- If EDO denies appeal written notification and reason (appellant or staff)



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## **Flow Chart of the Process Step 9**

- Commission review held within 90 days of original appeal
- Appellant and staff present position
- Commission questions both sides



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## **Flow Chart of the Process Step 10**

- Commission issues final decision within 10 days
- Decision in writing includes basis for finding made



12 / 12 / 01 MEETING

TITLE: Emerging Issues

Participant	Organization	Phone#
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12 / 12 / 01 MEETING

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