

October 17, 2005

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

Before the Atomic Safety and Licensing Board

October 17, 2005 (12:19pm)

In the Matter of

)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Nuclear Management Company, LLC

)

Docket No. 50-263-LR

)

ASLBP No. 05-841-02-LR

)

(Monticello Nuclear Plant)

)

**NUCLEAR MANAGEMENT COMPANY'S RESPONSE TO NORTH AMERICAN  
WATER OFFICE'S MOTION TO FIND THE APPLICATION INCOMPLETE**

**I. INTRODUCTION**

Pursuant to 10 C.F.R. § 2.323(c), Nuclear Management Company ("NMC") hereby responds to the North American Water Office's ("NAWO") "Motion to Find the Application for Re-Licensing the Monticello Nuclear Generation Plant Incomplete and Request for Information" ("NAWO's Motion") dated September 30, 2005. As discussed below, NAWO's Motion should be denied because: (1) it asks that the Atomic Safety and Licensing Board ("Board") overturn a finding made by the Staff in the exercise of its exclusive jurisdiction, i.e., that NMC's license renewal application is sufficiently complete to permit review; (2) it seeks relief that the current Board has no jurisdiction to grant; (3) it incorrectly presupposes that Requests for Additional Information ("RAIs") signify that an application is incomplete, and (4) it misinterprets the significance of two Requests for Additional Information in this proceeding.

Also, and apart from these substantive deficiencies, NAWO's Motion must be rejected for failure to comply with the requirement in 10 C.F.R. § 2.323(b) that it "include a certification by the attorney or representative of the moving party that the movant has made a sincere effort to

contact other parties in the proceeding and resolve the issue(s) raised in the motion, and that the movant's efforts to resolve the issue(s) have been unsuccessful." No such certification is included with NAWO's Motion, because no NAWO representative contacted NMC or its counsel before the Motion was filed. Indeed, NMC first learned of the motion when its counsel received it in the mail on October 4, 2005.<sup>1</sup>

## II. BACKGROUND

On March 16, 2005, NMC submitted an application for renewal of Operating License DPR-22 for the Monticello Nuclear Generation Plant (the "Application"). On May 12, 2005, the Nuclear Regulatory Commission ("NRC" or "Commission") staff ("Staff") published a Notice of Acceptance for Docketing of the Application and Notice of Opportunity for Hearing ("Notice") regarding NMC's application. 70 Fed. Reg. 25,117 (May 12, 2005). The Notice stated that the Staff "has determined that [NMC] has submitted sufficient information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23 and 51.53(c) that is acceptable for docketing." Id. The Notice indicated that "[t]he docketing of the renewal application does not preclude requesting additional information as the review proceeds . . . ." Id. The Notice indicated that any person whose interest may be affected may file a request for hearing and petition for leave to intervene within 60 days of the notice, and provided information on the required contents of any such petition. Id. at 25,118.

On July 9, 2005, NAWO submitted a "Request for Hearing and Petition for Leave to Intervene" ("Petition") seeking to intervene in the license renewal proceeding and raising seven

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<sup>1</sup> NMC's Counsel was contacted by telephone on October 5, 2005 by NAWO's Executive Director in what apparently was a belated attempt to resolve the issues that are the subject of NAWO's Motion. Such a belated consultation does not meet the requirements of the regulation or its objective, which is to obviate the need for filing a motion by having the parties seek to resolve the issues amicably *before* a motion needs to be filed.

proposed contentions. On August 3, 2005, NMC and the NRC Staff filed answers to the Petition opposing the intervention petition on the grounds that NAWO had failed to demonstrate standing and had failed to plead an admissible contention.<sup>2</sup> On August 12, 2005, the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel gave notice that a Licensing Board had been established to adjudicate the Petition.<sup>3</sup>

On September 15, 2005, the Staff transmitted to NMC a set of four RAIs regarding the Application.<sup>4</sup> The following day, the Staff transmitted to NMC a set of seventeen additional RAIs.<sup>5</sup> Two weeks later, NAWO filed its Motion, in which it requests that the Board declare the Application to be incomplete and order the Application to be withdrawn and the proceeding “stayed until such a time as a complete application has been prepared, resubmitted and approved as complete.”<sup>6</sup> The Motion is grounded on the theory that the RAIs identify more than 30 components not addressed in the Application and thus they provide “firm, uncontroversial, and sufficient evidence that the Application is not complete.”<sup>7</sup>

NAWO’s Motion evidences a misunderstanding of the Commission regulatory process, the respective roles of the Staff and the Atomic and Safety Licensing Boards, and the role of RAIs as part of the Staff’s review of license applications. In addition, NAWO misreads the intent of these RAIs and their significance. In short, NAWO’s Motion is groundless.

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<sup>2</sup> Nuclear Management Company’s Answer to Request for Hearing and Petition to Intervene by the North American Water Office (Aug. 3, 2005); NRC Staff Answer to Petition to Intervene and Request for Hearing of the North American Water Office (Aug. 3, 2005).

<sup>3</sup> “Establishment of Atomic Safety and Licensing Board,” 70 Fed. Reg. 48,607 (Aug. 18, 2005).

<sup>4</sup> Letter from Daniel J. Merzke (NRC) to John T. Conway (NMC) dated September 15, 2005.

<sup>5</sup> Letter from Daniel J. Merzke (NRC) to John T. Conway (NMC) dated September 16, 2005.

<sup>6</sup> NAWO’s Motion at 1.

<sup>7</sup> Id. at 2.

### III. ARGUMENT

#### A. The Staff Has the Exclusive Responsibility for Determining the Completeness of License Renewal Applications

Under the long-standing procedure governing the handling of applications for licensing action by the Commission (including license renewal applications),<sup>8</sup> such an applications are treated as “tendered applications” for purposes of determination as to whether they are “complete and acceptable for docketing.”<sup>9</sup> The Staff conducts an “acceptance review” of each application and, when it determines that the tendered application is complete and acceptable for docketing, it assigns the application a docket number and advises the applicant of the docketing action so that it can distribute sufficient number of copies to various interested parties.<sup>10</sup> Conversely, if the Staff determines that the application is incomplete, it notifies the applicant of that determination and the respects in which the document is deficient.<sup>11</sup>

Once the application is docketed, the Staff initiates its detailed review of the application, in the course of which the Staff may request that the applicant supply additional information.<sup>12</sup> Such requests are an integral and expected part of the review process, and do not imply that the application is incomplete or deficient.<sup>13</sup> The Staff’s review continues until it determines whether the licensing action should be approved.

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<sup>8</sup> See 10 C.F.R. § 2.100.

<sup>9</sup> 10 C.F.R. § 2.101(a)(2).

<sup>10</sup> 10 C.F.R. § 2.101(a)(3).

<sup>11</sup> 10 C.F.R. § 2.101(a)(4).

<sup>12</sup> 10 C.F.R. § 2.102(a)(2). Such requests are the RAIs.

<sup>13</sup> Baltimore Gas & Electric Co. (Calvert Cliffs Nuclear Power Plant, Units 1 and 2), CLI-98-25, 48 N.R.C. 325, 349 (1998), aff’d, Nat’l Whistleblower Ctr. v. NRC, 208 F.3d 256 (D.C. Cir. 2000), cert. denied, 531 U.S. 1070 (2001); Duke Energy Corp. (Oconee Nuclear Station, Units 1, 2 and 3), CLI-99-11, 49 N.R.C. 328, 336 (1999).

It is clear from the regulations and the cases that it is the exclusive province of the Staff to determine whether an application is sufficiently complete for docketing and detailed review.<sup>14</sup> A Licensing Board plays no role in determining whether a licensing application is sufficiently complete to be docketed.<sup>15</sup>

NAWO's request that the Board "declare the Application to be incomplete and order the Application to be withdrawn and the proceeding stayed" is thus inappropriate and must be denied. A Licensing Board has no authority to direct the Staff in the performance of its independent responsibilities.<sup>16</sup>

**B. This Licensing Board's Jurisdiction is Limited to Ruling on the Petition to Intervene and Request for Hearing Filed by the Petitioners**

Even if a Licensing Board had the authority to rule on whether an application is sufficiently complete for review (which it does not), this Board would lack jurisdiction to consider NAWO's Motion.

Prior to taking action on a docketed application, the Staff provides notice by publication in the Federal Register of its pending review.<sup>17</sup> Such a notice advises of the proposed action and alerts interested parties of the opportunity of seeking a hearing on the application.<sup>18</sup> If a timely

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<sup>14</sup> Baltimore Gas & Electric Co. (Calvert Cliffs Nuclear Power Plant, Units 1 and 2), LBP-98-26, 48 N.R.C. 232, 242 (1998), aff'd, CLI-98-25, 48 N.R.C. at 349-50; New England Power Co. (NEP, Units 1 and 2), LBP 78-9, 7 N.R.C. 271, 280 (1978).

<sup>15</sup> Calvert Cliffs, LBP-98-26, 48 N.R.C. at 242.

<sup>16</sup> NEP, LBP 78-9, 7 N.R.C. at 278-79; Carolina Power & Light Co. (Shearon Harris Nuclear Power Plant, Units 1, 2, 3 and 4), CLI-80-12, 11 N.R.C. 514, 516-17 (1980).

<sup>17</sup> 10 C.F.R. § 2.105(a).

<sup>18</sup> 10 C.F.R. § 2.105(d).

hearing request is filed, a Licensing Board or presiding officer is appointed pursuant to the provisions in 10 C.F.R. § 2.308 to rule on the request.<sup>19</sup>

The jurisdiction of the Board or presiding officer appointed to rule on the hearing request is defined and limited by the Federal Register notice. In this instance, the Board's jurisdiction is defined by the Notice as follows:

If a request for hearing or a petition for leave to intervene is filed within the 60-day period, the Commission or presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge or the Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.<sup>20</sup>

Thus, the jurisdiction of this Board is limited to ruling on whether the Petition should be granted or denied, *i.e.*, whether NAWO has standing to request a hearing and, if so, whether it has proffered an admissible contention.<sup>21</sup> Since NAWO's Motion is not related to the Petition and does not seek to raise new contentions, the Board must reject it for lack of jurisdiction.

**C. The Issuance of RAIs Does not Evidence Deficiencies or Incompleteness in the Application**

As noted above, "RAIs are a standard and ongoing part of NRC licensing reviews."<sup>22</sup> As the Commission has explained,

They are a routine means for our Staff to request clarification or further discussion of particular items in the application. What would be unusual in a

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<sup>19</sup> 10 C.F.R. § 2.308 reads: "Upon receipt of a request for hearing or a petition to intervene, the Secretary will forward the request or petition and/or proffered contentions and any answers and replies either to the Commission for a ruling on the request/petition and/or proffered contentions or to the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel for the designation of a presiding officer under § 2.313(a) to rule on the matter."

<sup>20</sup> 70 Fed. Reg. at 25,118.

<sup>21</sup> Wisconsin Electric Power Co. (Point Beach Nuclear Plant, Units 1 and 2), LBP-78-23, 8 N.R.C. 71, 73 (1978); Commonwealth Edison Co. (Byron Station, Units 1 and 2), LBP-81-30-A, 14 N.R.C. 364, 366 (1981); Pacific Gas & Electric Co. (Stanislaus Project, Unit 1), ALAB-400, 5 N.R.C. 1175, 1177-78 (1977); Arizona Public Service Co. (Palo Verde Nuclear Generating Station, Units 1, 2 and 3), LBP-91-18, 33 N.R.C. 394, 395-96 (1991).

<sup>22</sup> Calvert Cliffs, CLI-98-25, 48 N.R.C. at 349; Oconee, CLI-99-11, 49 N.R.C. at 336.

license renewal case is if by now no RAIs had been issued, not that some have been.

Oconee, CLI-99-11, 49 N.R.C. at 336. Indeed, such requests were anticipated in the Notice in this proceeding.<sup>23</sup>

The issuance of RAIs is not evidence that an application is either incomplete or defective, as the Commission and the Licensing Boards have repeatedly ruled.<sup>24</sup>

The NRC Staff's mere posing does not suggest that the application is incomplete. . . . Questions by the NRC regulatory staff simply indicate that the Staff is doing its job: making sure that the application, if granted, will result in safe operation of the facility.

Calvert Cliffs, CLI-98-25, 48 N.R.C. at 349. Accord, Oconee, CLI-99-11, 49 N.R.C. at 336.

Likewise, RAIs are not matters that give any cause for delaying a proceeding,<sup>25</sup> or for staying a proceeding.<sup>26</sup>

In cases where petitioners have raised contentions making claims essentially identical to NAWO's, the Commission has held that a Petitioner "must do more than attach a list of RAIs and declare an application 'incomplete.' It is their job to review the application and to identify *what* deficiencies exist and to explain *why* the deficiencies raise material safety concerns."<sup>27</sup> Here, NAWO "has done nothing like this, offering no specific safety concerns arising out of the RAIs but choosing instead to rest on their mere existence."<sup>28</sup> If NAWO's claims are insufficient to raise a contention (as the Commission's precedents indicate), they are certainly insufficient to

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<sup>23</sup> 70 Fed. Reg. at 25,117.

<sup>24</sup> Oconee, CLI-99-11, 49 N.R.C. at 336, affirming LBP-98-33, 48 N.R.C. 381, 387 (1998); Calvert Cliffs, CLI-98-25, 48 N.R.C. at 349.

<sup>25</sup> Calvert Cliffs, LBP-98-26, 48 N.R.C. at 243.

<sup>26</sup> Oconee, LBP-98-33, 48 N.R.C. at 393.

<sup>27</sup> Oconee, CLI-99-11, 49 N.R.C. at 337 (emphasis in original).

<sup>28</sup> Calvert Cliffs, CLI-98-25, 48 N.R.C. at 350.

support a motion for a summary rejection of NMC's application. Thus, NAWO's motion must be denied.

**D. The Nature of the Specific RAIs Issued by the Staff  
Does Not Imply that the Application is Incomplete**

The September 15 and 16 RAIs (attached hereto) seek clarification whether particular components are within the scope of the Application and, if not, why not. Thus, in issuing these initial RAIs, the NRC Staff is properly probing the scope of the Application and requiring NMC to explain and justify its scope determinations. Such questions do not imply any deficiencies in the Application. Indeed, NMC's responses to the RAIs (also attached hereto) show that, with only minor clarifications, its determinations on the questioned components are correct. Accordingly, NAWO's Motion must be denied for lack of substance.

**CONCLUSION**

For the reasons stated above, the Board should deny NAWO's Motion.

Respectfully submitted,



David R. Lewis  
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Counsel for Nuclear Management Company, LLC

Dated: October 17, 2005



**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
Nuclear Management Company, LLC	)	Docket No. 50-263-LR
	)	ASLBP No. 05-841-02-LR
(Monticello Nuclear Plant)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of "Nuclear Management Company's Response to North American Water Office's Motion to Find the Application Incomplete," dated October 17, 2005, were served on the persons listed below by deposit in the U.S. Mail, first class, postage prepaid, and where indicated by an asterisk by electronic mail, this 17th day of October, 2005.

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A handwritten signature in black ink, appearing to read "D. R. Lewis", written over a horizontal line.

David R. Lewis

September 15, 2005

Mr. John T. Conway  
Site Vice President  
Nuclear Management Company, LLC  
2807 West County Road 75  
Monticello, MN 55362-9637

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION FOR THE REVIEW OF THE  
MONTICELLO NUCLEAR GENERATING PLANT LICENSE RENEWAL  
APPLICATION (TAC NO. MC6440)

Dear Mr. Conway:

By letter dated March 16, 2005, Nuclear Management Company, LLC, (NMC or the applicant) submitted an application pursuant to Title 10 of the *Code of Federal Regulations* Part 54 (10 CFR Part 54) to renew the operating license for Monticello Nuclear Generating Plant (MNGP), for review by the U.S. Nuclear Regulatory Commission (NRC). The NRC staff is reviewing the information contained in the license renewal application (LRA) and has identified, in the enclosure, areas where additional information is needed to complete the review.

These questions were discussed with your staff, Mr. Patrick Burke, and a mutually agreeable date for this response is within 30 days from the date of this letter. If you have any questions, please contact me at 301-415-3777 or e-mail [DXM2@nrc.gov](mailto:DXM2@nrc.gov).

Sincerely,

/RA/

Daniel J. Merzke, Project Manager  
License Renewal Section A  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket No.: 50-263

Enclosure: As stated

cc w/encl: See next page

September 15, 2005

Mr. John T. Conway  
Site Vice President  
Nuclear Management Company, LLC  
2807 West County Road 75  
Monticello, MN 55362-9637

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Sincerely,  
/RA/

Daniel J. Merzke, Project Manager  
License Renewal Section A  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket No.: 50-263

Enclosure: As stated

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Monticello Nuclear Generating Plant

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Monticello Nuclear Generating Plant

-2-

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DISTRIBUTION: Letter to Mr. John T. Conway, Site VP, NMC, re: Request for additional information for the review of the Monticello Nuclear Generating Plant LRA, Dated: September 15, 2005.

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**MONTICELLO NUCLEAR GENERATING PLANT  
LICENSE RENEWAL APPLICATION (LRA)  
REQUEST FOR ADDITIONAL INFORMATION (RAI)**

**Reactor Systems Scoping and Screening**

**RAI 2.3.1-1**

Page 3-30 of the license renewal application (LRA) states the jet pump sensing lines internal to the reactor vessel are not in scope of license renewal at Monticello. However, it is unclear as to whether the portion of the jet pump sensing line that is external to the reactor vessel, which can provide a pressure boundary and structural support, is included in scope. Please indicate if the external jet pump sensing line piping has been included in scope and identify the LRA Table and subcomponent group that includes the subject component. If the component is not in scope, please justify the exclusion, or if the component is in scope, please submit an aging management review and program for the component.

**RAI 2.3.1-2**

In LRA Table 2.3.1-3, "Reactor Pressure Vessel Internals" (RPVI), core spray lines and spargers have been identified as a component type within the scope of license renewal. However, for these components, pressure boundary was identified as the only intended function requiring aging management, not their function of providing adequate flow in a properly distributed spray pattern. The staff requests the applicant to clarify why the spray pattern function, in addition to pressure boundary, was not also identified as one of the intended functions which needs to be maintained during the extended period of operation.

**RAI 2.3.1-3**

In LRA Table 2.3.1-4, "Reactor Recirculation System" (RRS), and for a few other systems (for example Core Spray and Control Rod Drive systems), heat exchangers have been identified as a component type within the scope of license renewal. However for these heat exchangers, pressure boundary was identified as the only intended function requiring aging management, not their heat transfer function. The staff requests the applicant to clarify why the heat transfer function, in addition to pressure boundary, was not also identified as one of the intended functions which needs to be maintained during the extended period of operation.

**Containment Systems Scoping and Screening**

**RAI 2.3.3.11-1**

Monticello Nuclear Generating Plant (MNGP), "Heating and Ventilation System" (HVS) as described in LRA Section 2.3.3.11 and in Table 2.3.3-11, HVS identifies the component group requiring aging management review (AMR) and their intended functions. However, LRA Table 2.3.3-11 does not list all the components of the "heating ventilation and air conditioning (HVAC) units" as highlighted on drawings LR-36263 (V-AH-2) and LR36807 (V-AC-4, V-AC-5, V-AC-8A, and 8B). For example, while the LRA table lists "HVAC UNITS," it does not list the associated components such as ductwork (equipment frames and housing), filters (housing and supports), ventilation seals, cooling coils, instrumentation and controls, etc. Clarify whether these

Enclosure



components and all other associated components of the system, are within the scope of license renewal in accordance with Part 54.4(a) of Title 10 of the *Code of Federal Regulations* (10 CFR 54.4(a)), and subject to an AMR in accordance with 10 CFR 54.21(a)(1). If these components are excluded from the scope of license renewal and not subject to an AMR, provide justification for the exclusion.

September 16, 2005

Mr. John T. Conway  
Site Vice President  
Nuclear Management Company, LLC  
2807 West County Road 75  
Monticello, MN 55362-9637

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION FOR THE REVIEW OF THE  
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APPLICATION (TAC NO. MC6440)

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Sincerely,  
/RA/  
Daniel J. Merzke, Project Manager  
License Renewal Section A  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket No.: 50-263

Enclosure: As stated

cc w/encls: See next page

September 16, 2005

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APPLICATION

Dear Mr. Conway:

By letter dated March 16, 2005, Nuclear Management Company, LLC, (NMC or the applicant) submitted an application pursuant to Title 10 of the *Code of Federal Regulations* Part 54 (10 CFR Part 54) to renew the operating license for the Monticello Nuclear Generating Plant (MNGP), for review by the U.S. Nuclear Regulatory Commission (NRC). The NRC staff is reviewing the information contained in the license renewal application (LRA) and has identified, in the enclosure, areas where additional information is needed to complete the review.

These questions were discussed with your staff, Mr. Patrick Burke, and a mutually agreeable date for this response is within 30 days from the date of this letter. If you have any questions, please contact me at 301-415-3777 or e-mail [DXM2@nrc.gov](mailto:DXM2@nrc.gov).

Sincerely,

/RA/

Daniel J. Merzke, Project Manager  
License Renewal Section A  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket No.: 50-263

Enclosure: As stated

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Monticello Nuclear Generating Plant

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Monticello Nuclear Generating Plant

- 2 -

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DISTRIBUTION: Ltr to J. Conway, re: RAI for Monticello LRA, Dated: September 16, 2005

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**MONTICELLO NUCLEAR GENERATING PLANT  
LICENSE RENEWAL APPLICATION (LRA)  
REQUEST FOR ADDITIONAL INFORMATION (RAI)**

**RAI 2.3.3.1-1**

License renewal (LR) Drawing LR-36049-10 at location B-8 and C-8 shows the nitrogen supply bottles as being within the scope of license renewal. However, these nitrogen supply bottles are not listed in LRA Table 2.3.3-1 as a component type subject to an aging management review (AMR). These nitrogen supply bottles provide a pressure boundary intended function and are passive and long-lived. Clarify whether these nitrogen supply bottles are included with another component type (i.e. tanks). If not, justify why they are not listed in Table 2.3.3-1, or update the table to include these components.

**RAI 2.3.3.6-1**

The Diesel Generator System (DGN) includes a diesel oil (DOL) subsystem which stores and supplies diesel fuel oil for the operation of the plant diesel generators, diesel fire pump, and heating boiler. The DOL subsystem (with the exception of portions of the DOL subsystem, such as the heating boiler oil storage tank and its associated day tank) is safety-related and is within the scope of LR. However, LR Drawing LR-36051, sheet 1 shows the truck fill connection at location B-5 and the diesel oil receiving tank (T-83) system (including pump, piping, etc.) at location A-7 as not within the scope of LR. Clarify that these components are within the scope of LR and subject to an AMR in accordance with the applicable requirements of 10 CFR 54.4(a) and 10 CFR 54.21(a), respectively, or justify their exclusion.

**RAI 2.3.3.10-1**

LR Drawing LR-36256 at location D-2 shows the adjustable weir and associated connecting surfaces to the south skimmer surge tank, T-48B, to be within the scope of LR. LR Drawing LR-36256 at location D-4 shows similar components, adjustable weir and connecting surfaces to the north skimmer surge tank, T-48A, as not within scope of LR. Justify why Drawing LR-36256 classifies similar components, adjustable weirs and connecting surfaces to the north and south skimmer surge tanks, T-48A and T-48B, differently with regard to the scope of license renewal.

**RAI 2.3.3.10-2**

As shown on LR Drawing LR-36256 at location D-4, diffusers A and B serve as a distribution point for returning cooling water for the fuel pool cooling (FPC) system to the fuel storage pool. Their failure could affect the capability of safety-related systems, structures and components (SSCs) to perform their safety function. Justify why these diffusers are not within the scope for LR.

**RAI 2.3.3.10-3**

LR Drawing LR-36256 shows an unisolable pipe (FPW17B-3"-MR) between the fuel storage pool and the skimmer surge tank T-48B as not within the scope of LR. All other piping and components entering the skimmer tank within the same apparent area of the plant are shown as within the scope of LR. Failure of this unisolable section of pipe could have an effect on the intended LR pressure boundary function for the skimmer tank. Justify why this pipe is not within the scope of LR.

Enclosure

#### **RAI 2.3.3.13-1**

The following cases represent unisolable piping that is defined as not within the scope of LR; however, the piping is attached or interfaces with components that are defined as within the scope of LR and provide a pressure boundary function. Failure of these out-of-scope components could adversely impact the intended pressure boundary function of the components within scope. Justify why the following unisolable components are not within the scope of LR:

- LR Drawing LR-36043 at location C-6 shows a 3 inch vent line on the top of machine shop drain tank T-103.
- LR Drawing LR-36043 at location C-6 shows a 4 inch vent line on the top of reactor building floor drain sump S-37.
- LR Drawing LR-36043 at location C-6 shows line RWN46-4"-MR entering the reactor building floor drain sump S-37 from the equipment drain sump S-42 overflow.
- LR Drawing LR-36043 at location C-3 shows a 4 inch vent line on the top of drywell floor drain sump S-38.
- LR Drawing LR-36044 at location C-2 shows a 4 inch vent line on the top of drywell equipment drain sump S-43.
- LR Drawing LR-36044 at location C-2 shows a 4 inch vent line on the top of drywell equipment drain sump S-43.
- LR Drawing LR-36044 at location A-3 shows a 4 inch vent line on the top of turbine building normal waste sump S-45.
- LR Drawing LR-36044 at location C-5 shows piping to an obsolete sensing line on the top of reactor building equipment drain tank T-56.
- LR Drawing LR-36044 at location A-5 shows a 4 inch vent line and piping to an obsolete sensing line on the top of the condensate drip tank T-22.
- LR Drawing LR-36044 at location A-7 shows a 4 inch vent line and RWN48-4"-MR exiting the turbine building equipment drain sump S-44.
- LR Drawing LR-36044 at location C-7 shows a 4 inch vent line and RWN46-4"-MR exiting the reactor building equipment drain sump S-42.

#### **RAI 2.3.3.13-2**

LR Drawing LR-36044 at location D-7 identifies a 10 CFR 54.4(a)(2) boundary for the RAD system as the section of piping before a normally open isolation valve, CRW-1 (not within the scope of license renewal), from the condensate storage tank overflow tank T-67. Failure of the non-isolated piping can adversely impact the LR pressure boundary function for the radwaste



solid and liquid system. Justify the location of the LR scope boundary at Valve CRW-1 with respect to the applicable requirements of 10 CFR 54.4(a).

**RAI 2.3.3.13-3**

LR Drawings LR-36044 at locations A-7, C-7, C-3, and A-3 and LR-36043 at locations A-6, A-5, C-6, and C-3 show the turbine building equipment drain sump (S-44), reactor building equipment drain sump (S-42), drywell equipment drain sump (S-43), turbine building normal waste sump (S-45), condensate pump area sump (S-53), turbine building floor drain sump (S-40), reactor floor drain sump (S-37), and drywell floor drain sump (S-38) as not within the scope of LR. LRA Section 2.3.3.13, Radwaste Solid and Liquid System, page 2-147 states that all radwaste solid and liquid system components existing in either the turbine or reactor buildings, and constituting a liquid pressure boundary, are within the scope of LR. Failure of the liners for these sumps can negatively impact the intended liquid pressure boundary function of the components. Clarify that the sumps and their associated liners are within the scope of LR and subject to an AMR in accordance with the applicable requirements of 10 CFR 54.4(a) and 10 CFR 54.21(a), respectively, or justify their exclusion.

**RAI 2.3.3.15-1**

LR Drawing LR-36254 at location C-8 contains two references (line REW3-4" EBD from reactor recirculation loop B, and line REW31-2"-ED from reactor vessel drain) to LR Drawing LR-36243 at location C-5. However, LR Drawing LR-36243 only shows one reference (line REW31-2"-ED which is also capped) to LR Drawing LR-36254. Clarify this discrepancy and confirm which portions of the piping are within the scope of LR and subject to an AMR in accordance with the requirements of 10 CFR 54.4(a) and 10 CFR 54.21(a), respectively, or justify their exclusion.

**RAI 2.3.4.1-1**

The high pressure coolant injection pump is normally lined up to the condensate storage tanks and the suction is switched to the suppression pool when the level in either tank falls to the Technical Specification low level in either condensate storage tank (CST) or a high water level is sensed in the suppression pool. LRA Section 2.3.4.1 states that the in-scope portion of the condensate storage system consists of piping and valves, which supply the fuel storage pool, high pressure coolant injection, reactor core isolation cooling, residual heat removal, control rod drive, condensate, feedwater, core spray, main condenser, and radwaste systems. In addition, the instrumentation associated with the automatic transfer from the condensate storage tank to the suppression pool is safety-related, the components are within the scope of LR in accordance with 10 CFR 54.4(a)(1). LRA Table 2.3.4-1 shows that the intended function for all condensate storage system component groups is "pressure boundary."

The piping that is within scope of license renewal associated with the safety-related level instrumentation for the north and south condensate storage tanks, is shown on LR Drawing LR-36039 at locations B-3 and B-6. For each CST, the portion within scope includes the portion of the CST connection piping C22-4"-HJ and C23-4"-HJ between the reactor building and the CST level instruments. The remaining portion of these lines from the reactor building to the CST is not shown as being within the scope of license renewal. Since failure of this out-of-scope piping would have the same effect as a pressure boundary failure of the portion within the scope of license renewal, justify why the portion of lines C22-4"-HJ and C23-4"-HJ between the reactor building and the CST is not also within the scope of LR.

#### **RAI 2.3.4.2-1**

LRA Table 2.3.4-2 identifies "Pressure Boundary" as the intended function for all the heat exchangers in the condensate and feedwater (CFW) system within the scope of license renewal. LR Drawings LR-36034 and LR-36035 show that the shells for feedwater heaters E-11A, E-11B, E-12A and E-12B are non-safety-related and are included within the scope of license renewal in accordance with 10 CFR 54.4(a)(2) criteria. However, several turbine and extraction steam lines connected to the heat exchanger shell pressure boundary are not shown within the scope of LR. These lines include:

- Lines E9-26"-HCD, E10-26"-HCD, E11-26"-HCD, and E12-26"-HCD for L.P. Heater E-11A on LR-36034 (Quadrant B4)
- Lines E1-20"-HCD and E2-20"-HCD for L.I.P. Heater E-12A on LR-36034 (Quadrant B4)
- Lines E13-26"-HCD, E14-26"-HCD, E15-26"-HCD, and E16-26"-HCD for L.P. Heater E-11B on LR-36035 (Quadrant B-6)
- Lines E2-20"-HCD and E4-20"-HCD for L.I.P. Heater E-12B on LR-36035 (Quadrant C-6)

Justify why the turbine generator system piping connected to the CFW system heaters are not within the scope of LR relative to the components intended function defined in LRA Table 2.3.4-2 and the scoping criteria specified in 10 CFR 54.4(a)(2).

#### **RAI 2.3.4.2-2**

LR Drawing LR-36036 at locations C-5, C-6, D-5, and D-6 identifies the shells for feedwater heaters E-11A, E-11B, E-12A and E-12B as non-safety-related and within the scope of LR in accordance with 10 CFR 54.4(a)(2) criteria. However, the drawing also shows a connecting steam line to each heater shell as not within scope with references to LR-36035 (C-5), LR-36035 (B-5), LR-36034 (B-4), and LR-36034 (C-4). The aforementioned references could not be found on the indicated LR drawings. Please identify the correct drawing reference and location for these references. In addition, justify the determination that the steam piping connected to the CFW system heaters are not within the scope of LR relative to the components intended function defined in LRA Table 2.3.4-2 and the scoping criteria specified in 10 CFR 54.4(a)(2).

#### **RAI 2.3.4.3-1**

LR Drawing LR-36035-2 at location B-2 pipe section line number OG6-8"-HC at separator T-72 and downstream piping is not within the scope of LR. All other piping and components within the apparent plant area are within the scope of LR. Failure of this unisolable section of pipe could have an effect on the LR intended pressure boundary function for the main condenser (CDR) system. Justify why these sections of unisolable piping and components were left out of scope.

#### **RAI 2.3.4.3-2**

LR Drawing LR-54817-4 at location A-7 is not listed in LRA Section 2.3.4.3 as a LR drawing for the CDR system. Clarify why LR-54817-4 is not included in LRA Section 2.3.4.3 as a LR drawing for the CDR system.

**RAI 2.3.4.4-1**

LR Drawing LR-36035-2 at locations D-7 and B-7 indicate pipe line numbers D109-1"-EF and D108-1"-EF (steam supply lines to Air Ejectors E-2B and E-2A) are not within the scope of LR. The Monticello LRA Table 2.3.4-4 states that piping, fittings and valves are in scope with intended function of pressure boundary. Failure of this section of pipe could have an effect on the LR intended function of pressure boundary for the main steam system piping. Please justify why these sections of unisolable piping and components are not within the scope of LR.

**RAI 2.3.4.5-1**

LR Drawing LR-36034 at location B-4 shows a portion of the sensing line to PT-1217 attached to pipe E2-20"-HCD as within the scope of LR; however, the remaining portion of the sensing line and pressure transmitter is shown as not within scope. In addition, LR Drawing LR-36035 at location D-7 shows pressure transmitters PT-1222 and PT-1223 and portions of the sensing lines to these transmitters as within the scope of LR; however, the remaining portions of the sensing line to pipes E3-20"-HCD and E16-26"-HCD are shown as not within scope. LRA Section 2.3.4.5, Turbine Generator System, page 2-188 states that the LR function for turbine generator piping and gauges is maintaining a pressure boundary and LRA, page 2-187, states that non-safety-related structures and/or components of the turbine generator system that could affect safety-related SSCs must maintain sufficient integrity such that the intended function of the safety-related SSCs is not adversely affected. Failure of the sensing lines noted above could affect the LR intended function for this turbine generator piping and possibly have a negative impact on the safety-related SSCs. Justify why portions of the sensing lines and associated pressure transmitters are not within the scope of LR.

**RAI 2.3.4.5-2**

LRA Section 2.3.4.5, Turbine Generator System, page 2-188 states that the LR function for turbine generator piping is maintaining a pressure boundary and LRA, page 2-187, states that non-safety-related structures and/or components of the turbine generator system that could affect safety-related SSCs must maintain sufficient integrity such that the intended function of the safety-related SSCs is not adversely affected.

LR Drawings LR-36034 at location B-4 and LR-36035 at location B-6, B-7 and C-7 show piping to LIP Heater 12-A&B and LP Heater 11-A&B (E9-26"-HCD, E10-26"-HCD, E11-26"-HCD, E12-26"-HCD, E1-20"-HCD, E2-20"-HCD, E14-26"-HCD, E13-26"-HCD, E15-26"-HCD, E16-26"-HCD, E4-20"-HCD, E3-20"-HCD) as not within the scope of LR. However, the sensing lines to pressure transmitters attached to these pipes are shown as within the scope of LR. Failure of the above cited pipes could effect the LR intended function of pressure boundary for the turbine generator piping and possibly have a negative impact on the safety-related SSCs. Justify why the above cited pipes are not within the scope of LR.



**Monticello Nuclear Generating Plant**  
Operated by Nuclear Management Company, LLC

October 14, 2005

L-MT-05-108  
10 CFR Part 54

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

Monticello Nuclear Generating Plant  
Docket 50-263  
License No. DPR-22

**Response to Two Requests for Additional Information Regarding the Monticello Nuclear Generating Plant License Renewal Application (TAC No. MC6440)**

- References: 1) NMC letter to NRC, "Application for Renewed Operating License," dated March 16, 2005 (ADAMS Accession No. ML050880241)
- 2) NRC letter to NMC, "Request for Additional Information for the Review of the Monticello Nuclear Generating Plant License Renewal Application (TAC No. MC6440)," September 15, 2005 (ADAMS Accession No. ML052620622)
- 3) NRC letter to NMC, "Request for Additional Information (RAI) for the Review of the Monticello Nuclear Generating Plant License Renewal Application (TAC No. MC6440)," September 16, 2005 (ADAMS Accession No. ML052620629)

Pursuant to 10 CFR Part 54, the Nuclear Management Company, (NMC) LLC submitted a License Renewal Application (LRA) (Reference 1) to renew the operating license for the Monticello Nuclear Generating Plant (MNGP).

On September 15, 2005 and September 16, 2005 the U.S. Nuclear Regulatory Commission (NRC) issued Requests for Additional Information (RAIs) regarding the LRA for the MNGP (References 2 and 3).

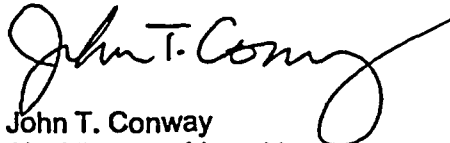
NMC responses to References 2 and 3 are provided in their entirety in Enclosures 1 and 2, respectively.

This letter contains no new commitments or changes to any existing commitments.

USNRC  
Page 2

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 14, 2005.

A handwritten signature in black ink, appearing to read "John T. Conway". The signature is fluid and cursive, with a large loop at the end.

John T. Conway  
Site Vice President, Monticello Nuclear Generating Plant  
Nuclear Management Company, LLC

Enclosures (2)

cc: Administrator, Region III, USNRC  
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License Renewal Project Manager, Monticello, USNRC  
Resident Inspector, Monticello, USNRC  
Minnesota Department of Commerce  
Pillsbury, Winthrop, Shaw, Pittman; LLP (David Lewis)  
North American Water Office (George Crocker)

## **ENCLOSURE 1**

### **RESPONSE TO NRC REQUEST FOR ADDITIONAL INFORMATION DATED SEPTEMBER 15, 2005**

#### **A. NRC RAI 2.3.1-1**

##### **Reactor Systems Scoping and Screening**

Page 3-30 of the license renewal application (LRA) states the jet pump sensing lines internal to the reactor vessel are not in scope of license renewal at Monticello. However, it is unclear as to whether the portion of the jet pump sensing line that is external to the reactor vessel, which can provide a pressure boundary and structural support, is included in scope. Please indicate if the external jet pump sensing line piping has been included in scope and identify the LRA Table and subcomponent group that includes the subject component. If the component is not in scope, please justify the exclusion, or if the component is in scope, please submit an aging management review and program for the component.

##### **NMC Response**

Jet Pump Sensing Lines external to the vessel are in scope for license renewal. The sentence on page 3-30 of the LRA was intended to indicate that only internal lines are outside scope. The sensing lines are 1-inch stainless steel pipes in the Reactor Vessel Instrumentation (RVI) system. The aging management for the internal (Treated Water) environment is shown in LRA Table 3.1.2-5 Reactor Coolant System - Reactor Vessel Instrumentation, on Page 3-82. The applicable aging effects are cracking and loss of material which are managed by American Society of Mechanical Engineers (ASME) Section XI Subsections IWB, IWC, and IWD, the Plant Chemistry Program, and the One-Time Inspection Program. No aging management is required for the external surfaces of the stainless steel sensing lines exposed to primary containment and plant indoor air.

#### **B. NRC RAI 2.3.1-2**

In LRA Table 2.3.1-3, "Reactor Pressure Vessel Internals" (RPVI), core spray lines and spargers have been identified as a component type within the scope of license renewal. However, for these components, pressure boundary was identified as the only intended function requiring aging management, not their function of providing adequate flow in a properly distributed spray pattern. The staff requests the applicant to clarify why the spray pattern function, in addition to pressure boundary, was not also identified as one of the intended functions which needs to be maintained during the extended period of operation.

## ENCLOSURE 1

### **NMC Response**

The Monticello Nuclear Generating Plant (MNGP) Updated Safety Analysis Report (USAR) in Section 3.6.2.10, 'Core Spray Spargers,' states, "The supply line pairs terminate at a common vessel nozzle. Each half has distribution nozzles pointed radially inward and downward at a slight angle to achieve a specified distribution pattern."

Therefore, an intended function of 'Spray Pattern' is assigned to the Core Spray Lines and Spargers by revision to License Renewal Application (LRA) Table 2.3.1-3, Reactor Pressure Vessel Internals, (Page 2-59) and Table 3.1.2-3, Reactor Coolant System-Reactor Pressure Vessel Internals, (Page 3-58). There are no changes to the aging effects or the aging management programs.

The Component Intended Function "Spray Pattern - To provide adequate flow in a specified distribution spray pattern" is added by revising Table 2.1-1, Intended Function Definitions, LRA Page 2-31.

### **C. NRC RAI 2.3.1-3**

In LRA Table 2.3.1-4, "Reactor Recirculation System" (RRS), and for a few other systems (for example Core Spray and Control Rod Drive systems), heat exchangers have been identified as a component type within the scope of license renewal. However for these heat exchangers, pressure boundary was identified as the only intended function requiring aging management, not their heat transfer function. The staff requests the applicant to clarify why the heat transfer function, in addition to pressure boundary, was not also identified as one of the intended functions which needs to be maintained during the extended period of operation.

### **NMC Response**

The heat exchangers in scope for the Reactor Recirculation (REC) system are:

- The No. 11 and No.12 REC Motor/Generator Set Oil Coolers - These heat exchangers are shown on License Renewal (LR) drawing LR-36041 and are in scope for non-safety related components that could adversely affect safety related systems, structures, and components (SSCs) and are only required to maintain a pressure boundary. Therefore, no heat transfer function is required for these components to meet their intended functions.
- The REC Pump Lower Seal Cooler and REC Pump Upper Seal Cooler - These heat exchangers are shown on drawing LR-36243-1. The heat exchanger tubes serve as a reactor coolant pressure boundary, whereas the shells are in scope for non-safety related components that could adversely affect safety related SSCs and are only required to maintain a

## **ENCLOSURE 1**

pressure boundary. Therefore, no heat transfer function is required for these components to meet their intended functions.

The heat exchangers in scope for the Core Spray (CSP) System are:

- The CSP Pump Motor Oil Coolers - The heat exchangers are shown on drawing LR-36664. An analysis concluded that the core spray motors are operable if motor cooling water is reduced to zero under worst case room temperatures. Therefore the heat exchanger does not have an intended function of providing heat transfer. The heat exchanger serves only a pressure boundary function.

The heat exchangers in scope for the Control Rod Drive (CRD) system are:

- The CRD Pump Thrust Bearing Cooler and the Lube Oil Cooler for the CRD Pump Speed Increaser Assemblies - These heat exchangers are shown on drawing LR-36244. The heat exchangers are in scope as non-safety related components that could adversely affect safety related SSCs. They are only required to maintain a pressure boundary. Therefore, no heat transfer function is required for these components to meet their intended safety functions.

### **D. NRC RAI 2.3.3.11-1**

#### **Containment Systems Scoping and Screening**

Monticello Nuclear Generating Plant (MNGP), "Heating and Ventilation System" (HVS) as described in LRA Section 2.3.3.11 and in Table 2.3.3-11, HVS identifies the component group requiring aging management review (AMR) and their intended functions. However, LRA Table 2.3.3-11 does not list all the components of the "heating ventilation and air conditioning (HVAC) units" as highlighted on drawings LR-36263 (V-AH-2) and LR-36807 (V-AC-4, V-AC-5, V-AC-8A, and 8B). For example, while the LRA table lists "HVAC UNITS," it does not list the associated components such as ductwork (equipment frames and housing), filters (housing and supports), ventilation seals, cooling coils, instrumentation and controls, etc. Clarify whether these components and all other associated components of the system, are within the scope of license renewal in accordance with Part 54.4(a) of Title 10 of the *Code of Federal Regulations* (10 CFR 54.4(a)), and subject to an AMR in accordance with 10 CFR 54.21(a)(1). If these components are excluded from the scope of license renewal and not subject to an AMR, provide justification for the exclusion.

#### **NMC Response**

Certain components as indicated on the LR boundary drawings for the HTV System are in scope to license renewal in accordance with 10 CFR 54.4(a)(1). Certain air conditioners and many of the unit heaters with their associated steam



## **ENCLOSURE 1**

and/or hot water supply lines are in scope to license renewal in accordance with 10 CFR 54.4(a)(2). In addition, certain air handling units and exhaust fans are in scope to license renewal for the Fire Protection and Environmental Qualification regulated events in accordance with 10 CFR 54.4(a)(3). Other components within the HTV System are excluded from the scope of license renewal since they do not perform any license renewal intended function(s).

Component groups such as ductwork, filters, instrumentation, etc, that are listed in Table 2.3.3.11 include those associated with the HVAC units within scope for license renewal in accordance with the scoping criteria listed above.

## ENCLOSURE 2

### RESPONSE TO NRC REQUEST FOR ADDITIONAL INFORMATION DATED SEPTEMBER 16, 2005

#### A. NRC RAI 2.3.3.1-1

License renewal (LR) Drawing LR-36049-10 at location B-8 and C-8 shows the nitrogen supply bottles as being within the scope of license renewal. However, these nitrogen supply bottles are not listed in LRA Table 2.3.3-1 as a component type subject to an aging management review (AMR). These nitrogen supply bottles provide a pressure boundary intended function and are passive and long-lived. Clarify whether these nitrogen supply bottles are included with another component type (i.e. tanks). If not, justify why they are not listed in Table 2.3.3-1, or update the table to include these components.

#### NMC Response

The nitrogen supply bottles shown on License Renewal (LR) boundary drawing LR-36049-10 at location B-8 and C-8 are periodically replaced and therefore are not long-lived and not subject to aging management review per the requirements of 10 CFR 54.21(a). Consequently, these nitrogen supply bottles are not listed in LRA Table 2.3.3-1.

The text description of the Alternate Nitrogen (AN2) system components subject to AMR, in the last paragraph of LRA Section 2.3.3.1 (System Description), is therefore clarified to state that the bottles are not subject to AMR.

#### B. NRC RAI 2.3.3.6-1

The Diesel Generator System (DGN) includes a diesel oil (DOL) subsystem which stores and supplies diesel fuel oil for the operation of the plant diesel generators, diesel fire pump, and heating boiler. The DOL subsystem (with the exception of portions of the DOL subsystem, such as the heating boiler oil storage tank and its associated day tank) is safety-related and is within the scope of LR. However, LR Drawing LR-36051, sheet 1 shows the truck fill connection at location B-5 and the diesel oil receiving tank (T-83) system (including pump, piping, etc.) at location A-7 as not within the scope of LR. Clarify that these components are within the scope of LR and subject to an AMR in accordance with the applicable requirements of 10 CFR 54.4(a) and 10 CFR 54.21(a), respectively, or justify their exclusion.

#### NMC Response

The diesel oil receiving tank (T-83) and truck fill connection are utilized for receiving, storing, and sampling of diesel fuel oil prior to the fuel oil being transferred to the diesel oil storage tank (T-44). These components are not safety related. The components shown as in scope to license renewal on

## **ENCLOSURE 2**

LR drawing LR-36051-1 are located inside the diesel fuel oil transfer house (pump house) and are in-scope since they are non-safety related components that could impact the intended function(s) of safety-related structures and components (diesel fuel oil transfer pump and the pump house itself). The diesel oil receiving tank system (including pump, piping, etc.) and the truck fill connection are located outside of the pump house and could not impact the intended function of safety-related structures and components. The tank and fill connection do not perform a license renewal function as defined by 10 CFR 54.4(a) and, therefore, are not within the scope of license renewal.

### **C. NRC RAI 2.3.3.10-1**

LR Drawing LR-36256 at location D-2 shows the adjustable weir and associated connecting surfaces to the south skimmer surge tank, T-48B, to be within the scope of LR. LR Drawing LR-36256 at location D-4 shows similar components, adjustable weir and connecting surfaces to the north skimmer surge tank, T-48A, as not within scope of LR. Justify why Drawing LR-36256 classifies similar components, adjustable weirs and connecting surfaces to the north and south skimmer surge tanks, T-48A and T-48B, differently with regard to the scope of license renewal.

#### **NMC Response**

Only the portions of skimmer surge tanks T-48A and T-48B which are not embedded in concrete are in scope for license renewal.

The adjustable weir for south skimmer surge tank T-48B on drawing LR-36256 at location D-2 was incorrectly shown in scope for license renewal.

In addition, the connecting portion of skimmer tank T-48A at location D-3 is in scope for license renewal from the skimmer tank up to the concrete wall.

The adjustable weir is a non-safety-related component and is located inside the concrete wall adjacent to the spent fuel pool. Its failure could not impact the intended function of safety-related systems, structures, and components (SSCs). Therefore, the adjustable weir for south skimmer surge tank T-48B is not within the scope of license renewal.

### **D. NRC RAI 2.3.3.10-2**

As shown on LR Drawing LR-36256 at location D-4, diffusers A and B serve as a distribution point for returning cooling water for the fuel pool cooling (FPC) system to the fuel storage pool. Their failure could affect the capability of safety-related systems, structures and components (SSCs) to perform their safety function. Justify why these diffusers are not within the scope for LR.

## **ENCLOSURE 2**

### **NMC Response**

LRA Section 2.3.3.10, Fuel Pool Cooling and Cleanup System, states, "Components in the Fuel Pool Cooling and Cleanup System are non-safety related and their failure could affect the capability of safety related SSCs to perform their safety function; therefore, they are in-scope in accordance with 10 CFR 54.4(a)(2)." The system is only in scope for the reason that it contains non-safety-related components which must maintain sufficient integrity to prevent spray, leakage, or spatial interaction such that the intended functions of the safety-related SSCs are not adversely affected. The diffusers are located underwater (Spent Fuel Pool) and, therefore, the failure of these non-safety related diffusers would not impact the intended functions of safety related SSCs.

The diffusers are not Fuel Pool Cooling and Cleanup System components that could affect the capability of safety related SSCs to perform their safety function and are therefore not in scope for license renewal.

### **E. NRC RAI 2.3.3.10-3**

LR Drawing LR-36256 shows an unisolable pipe (FPW17B-3"-MR) between the fuel storage pool and the skimmer surge tank T-48B as not within the scope of LR. All other piping and components entering the skimmer tank within the same apparent area of the plant are shown as within the scope of LR. Failure of this unisolable section of pipe could have an effect on the intended LR pressure boundary function for the skimmer tank. Justify why this pipe is not within the scope of LR.

### **NMC Response**

As discussed in RAI 2.3.3.10-1, the adjustable weir for the south skimmer surge tank, T-48B on drawing LR-36256 at location D-2, was incorrectly shown in scope for license renewal. Only the connecting portions of both of the skimmer surge tanks T-48A and T-48B which are not embedded in concrete are in scope for license renewal. The skimmer surge tanks are in scope for the reason that they are non-safety-related components which must maintain sufficient integrity to prevent spray, leakage, or spatial interaction such that the intended function of the safety-related SSCs is not adversely affected.

Pipe FPW17B-3"-MR shown on LR drawing LR-36256 is a drain for the wave suppression scupper. The pipe is located along side the spent fuel pool and is embedded in concrete. It drains the wave suppression scupper into the portion of the skimmer surge tank which is embedded in concrete. This non-safety related component could not impact the intended function of safety-related SSCs and, therefore, is not within the scope of license renewal.

## ENCLOSURE 2

### F. NRC RAI 2.3.3.13-1

The following cases represent unisolable piping that is defined as not within the scope of LR; however, the piping is attached or interfaces with components that are defined as within the scope of LR and provide a pressure boundary function. Failure of these out-of-scope components could adversely impact the intended pressure boundary function of the components within scope. Justify why the following unisolable components are not within the scope of LR:

- LR Drawing LR-36043 at location C-6 shows a 3 inch vent line on the top of machine shop drain tank T-103.
- LR Drawing LR-36043 at location C-6 shows a 4 inch vent line on the top of reactor building floor drain sump S-37.
- LR Drawing LR-36043 at location C-6 shows line RWN46-4"-MR entering the reactor building floor drain sump S-37 from the equipment drain sump S-42 overflow.
- LR Drawing LR-36043 at location C-3 shows a 4 inch vent line on the top of drywell floor drain sump S-38.
- LR Drawing LR-36044 at location C-2 shows a 4 inch vent line on the top of drywell equipment drain sump S-43.
- LR Drawing LR-36044 at location C-2 shows a 4 inch vent line on the top of drywell equipment drain sump S-43.
- LR Drawing LR-36044 at location A-3 shows a 4 inch vent line on the top of turbine building normal waste sump S-45.
- LR Drawing LR-36044 at location C-5 shows piping to an obsolete sensing line on the top of reactor building equipment drain tank T-56.
- LR Drawing LR-36044 at location A-5 shows a 4 inch vent line and piping to an obsolete sensing line on the top of the condensate drip tank T-22.
- LR Drawing LR-36044 at location A-7 shows a 4 inch vent line and RWN48-4"-MR exiting the turbine building equipment drain sump S-44.
- LR Drawing LR-36044 at location C-7 shows a 4 inch vent line and RWN46-4"-MR exiting the reactor building equipment drain sump S-42.

## **ENCLOSURE 2**

### **NMC Response**

The vent lines for the drain tanks, floor drain sumps, equipment drain tanks, normal waste sumps, drip tanks, and equipment drain sumps are non-safety related, open to the atmosphere and not relied upon for a pressure boundary. Their failure would not adversely affect the intended function of safety-related SSCs. Therefore they are not in scope for license renewal.

Piping RWN46-4"-MR and RWN48-4"-MR are embedded in concrete and act as overflows between sumps. This piping is non-safety-related and their failure could not impact the intended function of safety-related SSCs.

The sensing lines located on top of the tanks are for level indication and are filled with air. These sensing lines are non-safety-related and their failure could not impact the intended function of safety-related SSCs.

### **G. NRC RAI 2.3.3.13-2**

LR Drawing LR-36044 at location D-7 identifies a 10 CFR 54.4(a)(2) boundary for the RAD system as the section of piping before a normally open isolation valve, CRW-1 (not within the scope of license renewal), from the condensate storage tank overflow tank T-67. Failure of the non-isolated piping can adversely impact the LR pressure boundary function for the radwaste solid and liquid system. Justify the location of the LR scope boundary at Valve CRW-1 with respect to the applicable requirements of 10 CFR 54.4(a).

### **NMC Response**

Valve CRW-1 and the connecting piping to the condensate storage tank overflow tank T-67, as shown on LR drawing LR-36044 at location D 7, are non-safety related. Valve CRW-1 is located outside the Reactor Building near the CST Tanks.

The piping connecting to valve CRW-1, which is shown in scope for license renewal on drawing LR-36044, is located inside the HPCI Building. The HPCI Building houses safety-related components. Failure of this connecting piping could impact the intended function of safety-related SSCs. However, failure of valve CRW-1, located outside the building, could not impact the intended function of safety-related SSCs. Therefore, valve CRW-1 and the connecting piping to the condensate storage tank overflow tank T-67 are not in scope for license renewal per the requirements of 10 CFR 54.4(a).

## ENCLOSURE 2

### H. NRC RAI 2.3.3.13-3

LR Drawings LR-36044 at locations A-7, C-7, C-3, and A-3 and LR-36043 at locations A-6, A-5, C-6, and C-3 show the turbine building equipment drain sump (S-44), reactor building equipment drain sump (S-42), drywell equipment drain sump (S-43), turbine building normal waste sump (S-45), condensate pump area sump (S-53), turbine building floor drain sump (S-40), reactor floor drain sump (S-37), and drywell floor drain sump (S-38) as not within the scope of LR. LRA Section 2.3.3.13, Radwaste Solid and Liquid System, page 2-147 states that all radwaste solid and liquid system components existing in either the turbine or reactor buildings, and constituting a liquid pressure boundary, are within the scope of LR. Failure of the liners for these sumps can negatively impact the intended liquid pressure boundary function of the components. Clarify that the sumps and their associated liners are within the scope of LR and subject to an AMR in accordance with the applicable requirements of 10 CFR 54.4(a) and 10 CFR 54.21(a), respectively, or justify their exclusion.

#### NMC Response

The sumps are non-safety related and embedded in concrete. The sumps are located at the lowest elevations of the Turbine and Reactor Buildings. Their failure could not impact the intended function of safety-related SSCs; therefore, they are not in the scope of license renewal per the requirements of 10 CFR 54.4(a). In addition, none of these sumps contain liners.

### I. NRC RAI 2.3.3.15-1

LR Drawing LR-36254 at location C-8 contains two references (line REW3-4" EBD from reactor recirculation loop B, and line REW31-2"-ED from reactor vessel drain) to LR Drawing LR-36243 at location C-5. However, LR Drawing LR-36243 only shows one reference (line REW31-2"-ED which is also capped) to LR Drawing LR-36254. Clarify this discrepancy and confirm which portions of the piping are within the scope of LR and subject to an AMR in accordance with the requirements of 10 CFR 54.4(a) and 10 CFR 54.21(a), respectively, or justify their exclusion.

#### NMC Response

The convergence of the two lines REW3-4"-EBD and REW31-2"-ED are shown on both LR drawings LR-36254 (C8) and LR-36243 (C6). The line on LR drawing LR-36243 is shown as dashed, instructing the reviewer to look at LR drawing LR-36254 for the details on that pipe. The drawings are correct. Both lines are in scope for license renewal and subject to an AMR in accordance with the requirements of 10 CFR 54.4(a) and 10 CFR 54.21(a).

## ENCLOSURE 2

### J. NRC RAI 2.3.4.1-1

The high pressure coolant injection pump is normally lined up to the condensate storage tanks and the suction is switched to the suppression pool when the level in either tank falls to the Technical Specification low level in either condensate storage tank (CST) or a high water level is sensed in the suppression pool. LRA Section 2.3.4.1 states that the in-scope portion of the condensate storage system consists of piping and valves, which supply the fuel storage pool, high pressure coolant injection, reactor core isolation cooling, residual heat removal, control rod drive, condensate, feedwater, core spray, main condenser, and radwaste systems. In addition, the instrumentation associated with the automatic transfer from the condensate storage tank to the suppression pool is safety-related, the components are within the scope of LR in accordance with 10 CFR 54.4(a)(1). LRA Table 2.3.4-1 shows that the intended function for all condensate storage system component groups is "pressure boundary."

The piping that is within scope of license renewal associated with the safety-related level instrumentation for the north and south condensate storage tanks, is shown on LR Drawing LR-36039 at locations B-3 and B-6. For each CST, the portion within scope includes the portion of the CST connection piping C22-4"-HJ and C23-4"-HJ between the reactor building and the CST level instruments. The remaining portion of these lines from the reactor building to the CST is not shown as being within the scope of license renewal. Since failure of this out-of-scope piping would have the same effect as a pressure boundary failure of the portion within the scope of license renewal, justify why the portion of lines C22-4"-HJ and C23-4"-HJ between the reactor building and the CST is not also within the scope of LR.

### NMC Response

Line segments C22-4"-HJ and C23-4"-HJ, shown on LR boundary drawing LR-36039, include the level switches for the north and south condensate storage tanks (CSTs). The level instrumentation is safety-related because of the automatic transfer feature from the non-safety-related condensate storage tanks to the safety-related suppression pool.

Portions of the line segments connecting to lines C22-4"-HJ and C23-4"-HJ located between the Reactor Building wall and just prior to valves CST-1-1 and CST-1-2 on LR drawing LR-36039 are buried and are in scope for license renewal. The buried piping is in scope for the reason that it serves as an equivalent anchor for the attached safety related piping. For the purposes of clarification of LR drawing LR-36039, this in scope buried piping is now included in the highlighted segments for C22-4"-HJ/HK and C23-4"-HJ/HK.



## ENCLOSURE 2

The remaining line segments which include valves CST-1-1 and CST-1-2 and continue to the CSTs between the Reactor Building and the CSTs are above ground and outside the Reactor Building. This piping is considered non-safety related and its failure would only cause the level instrumentation to fail in a safe position by switching suction to the safety-related suppression pool. Therefore, this portion of the CST piping is not in the scope of license renewal.

### K. NRC RAI 2.3.4.2-1

LRA Table 2.3.4-2 identifies "Pressure Boundary" as the intended function for all the heat exchangers in the condensate and feedwater (CFW) system within the scope of license renewal. LR Drawings LR-36034 and LR-36035 show that the shells for feedwater heaters E-11A, E-11B, E-12A and E-12B are non-safety-related and are included within the scope of license renewal in accordance with 10 CFR 54.4(a)(2) criteria. However, several turbine and extraction steam lines connected to the heat exchanger shell pressure boundary are not shown within the scope of LR. These lines include:

- Lines E9-26"-HCD, E10-26"-HCD, E11-26"-HCD, and E12-26"-HCD for L.P. Heater E-11A on LR-36034 (Quadrant B4)
- Lines E1-20"-HCD and E2-20"-HCD for L.I.P. Heater E-12A on LR-36034 (Quadrant B4)
- Lines E13-26"-HCD, E14-26"-HCD, E15-26"-HCD, and E16-26"-HCD for L.P. Heater E-11B on LR-36035 (Quadrant B-6)
- Lines E2-20"-HCD and E4-20"-HCD for L.I.P. Heater E-12B on LR-36035 (Quadrant C-6)

Justify why the turbine generator system piping connected to the CFW system heaters are not within the scope of LR relative to the components intended function defined in LRA Table 2.3.4-2 and the scoping criteria specified in 10 CFR 54.4(a)(2).

### NMC Response

The shells for feedwater heaters E-11A, E-11B, E-12A and E-12B are non-safety related and are included within the scope of license renewal in accordance with 10 CFR 54.4(a)(2). These heaters are mounted in the "neck" of the condenser with only a portion of the heater protruding from the condenser. It is only the ends of the feedwater heater shells which protrude outside of the condenser and have the capability of impacting the intended function of safety-related SSCs due to potential leakage or spray that are of concern. The turbine extraction steam lines connected to these heat exchanger shells are located inside the condenser

## ENCLOSURE 2

and, therefore, do not pose a potential leak or spray hazard. The failure of these non-safety related components could not impact safety-related SSCs per the criteria specified in 10 CFR 54.4(a)(2) and, therefore, are not included in the scope of license renewal.

### **L. NRC RAI 2.3.4.2-2**

LR Drawing LR-36036 at locations C-5, C-6, D-5, and D-6 identifies the shells for feedwater heaters E-11A, E-11B, E-12A and E-12B as non-safety-related and within the scope of LR in accordance with 10 CFR 54.4(a)(2) criteria. However, the drawing also shows a connecting steam line to each heater shell as not within scope with references to LR-36035 (C-5), LR-36035 (B-5), LR-36034 (B-4), and LR-36034 (C-4). The aforementioned references could not be found on the indicated LR drawings. Please identify the correct drawing reference and location for these references. In addition, justify the determination that the steam piping connected to the CFW system heaters are not within the scope of LR relative to the components intended function defined in LRA Table 2.3.4-2 and the scoping criteria specified in 10 CFR 54.4(a)(2).

### **NMC Response**

LR drawings LR-36034 and LR-36035 show the extraction steam details for the feedwater heaters. LR drawing LR-36036 shows the condensate and feedwater details for the feedwater heaters. Consequently, the continuation between the drawings is not required and is only shown for information. The drawing and quadrant information refer to the general area where the extraction steam piping connects to the heaters.

The shells for feedwater heaters E-11A, E-11B, E-12A and E-12B are non-safety related and are included within the scope of license renewal in accordance with 10 CFR 54.4(a)(2). The heaters are mounted in the "neck" of the condenser with only a portion protruding outside the condenser. It is only the ends of the feedwater heater shells that protrude outside of the condenser and have the capability of impacting the intended function of safety-related SSCs due to the potential for leakage and spray. The turbine extraction steam lines connected to the heat exchanger shells are located inside of the condenser and do not pose a potential leak or spray hazard. The failure of these non-safety related components could not impact safety related SSCs per the criteria specified in 10 CFR 54.4(a)(2) and, therefore, are not included in the scope of license renewal.

## ENCLOSURE 2

### **M. NRC RAI 2.3.4.3-1**

LR Drawing LR-36035-2 at location B-2 pipe section line number OG6-8"-HC at separator T-72 and downstream piping is not within the scope of LR. All other piping and components within the apparent plant area are within the scope of LR. Failure of this unisolable section of pipe could have an effect on the LR intended pressure boundary function for the main condenser (CDR) system. Justify why these sections of unisolable piping and components were left out of scope.

#### **NMC Response**

Line number OG6-8"-HC at separator T-72 and the downstream piping lead to the Off Gas and Recombiner System and have an internal environment of air. The failure of these non-safety related components could not impact the intended function of safety related SSCs per the criteria specified in 10 CFR 54.4(a)(2) and, therefore, are not included in the scope of license renewal. All other associated piping and components within the plant area are in scope for license renewal for the reason that they contain water and have the ability to impact the intended function of safety-related SSCs due to the potential for leakage and spray.

### **N. NRC RAI 2.3.4.3-2**

LR Drawing LR-54817-4 at location A-7 is not listed in LRA Section 2.3.4.3 as a LR drawing for the CDR system. Clarify why LR-54817-4 is not included in LRA Section 2.3.4.3 as a LR drawing for the CDR system.

#### **NMC Response**

LR drawing LR-54817-4 shows the flow diagram for the Recombiner Building. There are no CDR components in scope for License Renewal inside the Recombiner Building. The piping outside of the Recombiner Building that is in scope of license renewal and in the CDR System is shown on LR drawings LR-36035 (A-8) and LR-36036 (B-3). Consequently, LR 54817-4 is not included in LRA section 2.3.4.3 as a LR drawing for the CDR system.

## ENCLOSURE 2

### O. NRC RAI 2.3.4.4-1

LR Drawing LR-36035-2 at locations D-7 and B-7 indicate pipe line numbers D109-1"-EF and D108-1"-EF (steam supply lines to Air Ejectors E-2B and E-2A) are not within the scope of LR. The Monticello LRA Table 2.3.4-4 states that piping, fittings and valves are in scope with intended function of pressure boundary. Failure of this section of pipe could have an effect on the LR intended function of pressure boundary for the main steam system piping. Please justify why these sections of unisolable piping and components are not within the scope of LR.

#### NMC Response

On LR boundary drawing LR 36035-2, all components downstream of line PS9-3"-ED after the wall and up to the "MST/CDR" boundary flags are inside the steam jet air ejector room and are in scope for the reason that this piping is listed as high energy (per the USAR) with the exception of lines D109-1"-EF and D108-1"-EF.

Lines D109-1"-EF and D108-1"-EF are also located inside the steam jet air ejector room. These 1-inch pipes are not considered high-energy lines. There are no safety-related components inside the steam jet air ejector room whose intended function could be impacted by this non-safety-related piping. Therefore, line numbers D109-1"-EF and D108-1"-EF are not in the scope of license renewal.

### P. NRC RAI 2.3.4.5-1

LR Drawing LR-36034 at location B-4 shows a portion of the sensing line to PT-1217 attached to pipe E2-20"-HCD as within the scope of LR; however, the remaining portion of the sensing line and pressure transmitter is shown as not within scope. In addition, LR Drawing LR-36035 at location D-7 shows pressure transmitters PT-1222 and PT-1223 and portions of the sensing lines to these transmitters as within the scope of LR; however, the remaining portions of the sensing line to pipes E3-20"-HCD and E16-26"-HCD are shown as not within scope. LRA Section 2.3.4.5, Turbine Generator System, page 2-188 states that the LR function for turbine generator piping and gauges is maintaining a pressure boundary and LRA, page 2-187, states that non-safety-related structures and/or components of the turbine generator system that could affect safety-related SSCs must maintain sufficient integrity such that the intended function of the safety-related SSCs is not adversely affected. Failure of the sensing lines noted above could affect the LR intended function for this turbine generator piping and possibly have a negative impact on the safety-related SSCs. Justify why portions of the sensing lines and associated pressure transmitters are not within the scope of LR.

## ENCLOSURE 2

### NMC Response

The portion of the sensing line to PT-1217 attached to pipe E2-20"-HCD shown on LR drawing LR-36034 at location B-4 should not have been shown as in the scope of license renewal on this drawing. The sensing line is located inside of the condenser. The failure of this non-safety related line could not impact the intended function of safety-related SSCs and therefore is not included in the scope of license renewal.

PT-1222 and PT-1223 and portions of the sensing lines to these transmitters are within the scope of license renewal since they are located on the exterior of the condenser. However, the remaining portions of the sensing line to pipes E3-20"-HCD and E16-26"-HCD are not within scope. These sensing lines are located inside of the condenser. The failure of these non-safety related lines could not impact the intended function of safety-related SSCs and therefore are not included in the scope of license renewal.

Upon investigation it was also noted that the portions of the sensing lines from condenser penetration No. 60 to PT-1216 and PT-1217 should have been shown in scope for license renewal on drawing LR-36034 (C,4). The portions of these sensing lines are in scope since they are located on the exterior of the condenser. This does not result in a change to the LRA, only the drawing.

### **Q. NRC RAI 2.3.4.5-2**

LRA Section 2.3.4.5, Turbine Generator System, page 2-188 states that the LR function for turbine generator piping is maintaining a pressure boundary and LRA, page 2-187, states that non-safety-related structures and/or components of the turbine generator system that could affect safety-related SSCs must maintain sufficient integrity such that the intended function of the safety-related SSCs is not adversely affected.

LR Drawings LR-36034 at location B-4 and LR-36035 at location B-6, B-7 and C-7 show piping to LIP Heater 12-A&B and LP Heater 11-A&B (E9-26"-HCD, E10-26"-HCD, E11-26"-HCD, E12-26"-HCD, E1-20"-HCD, E2-20"-HCD, E14-26"-HCD, E13-26"-HCD, E15-26"-HCD, E16-26"-HCD, E4-20"-HCD, E3-20"-HCD) as not within the scope of LR. However, the sensing lines to pressure transmitters attached to these pipes are shown as within the scope of LR. Failure of the above cited pipes could affect the LR intended function of pressure boundary for the turbine generator piping and possibly have a negative impact on the safety-related SSCs. Justify why the above cited pipes are not within the scope of LR.

## **ENCLOSURE 2**

### **NMC Response**

Portions of the sensing lines to these transmitters are within the scope of license renewal since they are located on the exterior of the condenser and could impact the intended function of safety-related SSCs. However, the remaining portions of the sensing lines to the heater pipes are not within scope of license renewal. These sensing lines and the heater piping they are attached to are located inside of the condenser. The failure of this non-safety related piping could not impact the intended function of safety-related SSCs and therefore are not included in the scope of license renewal.

Upon investigation it was also noted that the portions of the sensing lines from condenser penetration No. 25 to piping E4-20"-HCD and E3-20"-HCD on drawing LR-36035 (C,7) and condenser penetration No. 31 to piping E1-20"-HCD and E2-20"-HCD on drawing LR-36034 (B,4) should not have been shown in scope for license renewal. The portions of these sensing lines are not in scope since they are located on the interior of the condenser. This does not result in a change to the LRA.