

RESPONSE TO PUBLIC COMMENTS ON DRAFT BRANCH TECHNICAL POSITION (BTP) 8-8: ONSITE (EMERGENCY DIESEL GENERATORS) AND OFFSITE POWER SOURCES ALLOWED OUTAGE TIME EXTENSIONS

On May 31, 2011, a Notice of Opportunity for Public Comment was published in the Federal Register (76 FR 31381) on the proposed Revision 4 to NUREG-0800, Standard Review Plan (SRP) Section 8.1. This revision included a draft (new) U.S. Nuclear Regulatory Commission (NRC) staff's Branch Technical Position (BTP) 8-8, "Onsite (Emergency Diesel Generators) and Offsite Power Sources Allowed Outage Time Extensions" to provide guidance for granting extensions for allowed outage time (AOT) for onsite (emergency diesel generators (EDGs) and offsite power sources from deterministic perspective. On July 7, 2011, a Notice was published in the Federal Register (76 FR 39922) extending the comment period to August 31, 2011. Comments were received from two (2) organizations.

1. Nuclear Energy Institute (NEI) 1776 I Street, NW Washington, DC, 20006 (ADAMS Accession No. ML11172A125) (See No. 1 in the following Table)	2. (2-6) Progress Energy, Brunswick Nuclear plant (ADAMS Accession No. ML11180A204) (See Nos. 2-6 in the following Table)	
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The NRC staff's review and disposition of the comments are provided in the following Table.

No.	Section of draft BTP 8-8	Originator	Specific Comment	NRC Resolution
1.	General Comment	NEI	<p>General Comment in the cover letter:</p> <p>Nuclear Energy Institute (NEI) is concerned that this new BTP may be issued at an inappropriate time. In his March 23, 2011 letter to the Commission on Staff actions following the events in Japan, the NRC Executive Director for Operations stated that station blackout would be one of the regulatory issues that will be evaluated in the near term to identify "recommendations, as appropriate, for potential changes to inspection procedures and licensing review guidance..." We are concerned that it is not appropriate to issue this new branch technical position when there is a distinct possibility that this document may be changed again in the near future. Should that occur, licensees who request the associated licensing action in the interim may then have to modify any activities they may have undertaken in response to the Staff position. We would like to avoid this unnecessary burden on NRC stakeholders and Staff and therefore propose that the NRC delay publication of BTP 8-8 until the NRC team that is currently studying the Fukushima event completes its work.</p> <p>In summary, NEI requests that the staff withdraw BTP 8-8 and issue the document for comment at a later time when the lessons learned from the Fukushima event have been</p>	<p>Disagree:</p> <p>NRC staff does not agree with the NEI request that the BTP 8-8 be withdrawn because of the pending staff actions on NTTF (Near Term Task Force) recommendations. Any impact on this BTP as a result of Fukushima Lessons Learned activities will be incorporated, if necessary, in a future revision of this BTP.</p>

No.	Section of draft BTP 8-8	Originator	Specific Comment	NRC Resolution
			identified, evaluated, and appropriate expectations included in the new BTP.	
2.	Background (Section A)	Progress Energy	<p>Background (Section A), last paragraph states, in part:</p> <p><i>NRC staff has been receiving license amendments requesting one-time or permanent extensions for the EDGs and offsite power sources AOT from the current 72 hours to 7-14 days to perform online maintenance of EDGs and offsite power sources.</i></p> <p>Comment 1:</p> <p>Based on the sentence, as written, the BTP is addressing only plants requesting Allowed Outage Time (AOT) extensions from 72-hours to 7-14 days. It is suggested that the sentence be revised to address AOT extensions up to 14 days; regardless of whether the current AOT is 72 hours or 7 days.</p> <p>Comment 2:</p> <p>Provide discussion that unplanned maintenance activities are not restricted from use of the extended AOT.</p>	<p>Agree:</p> <p>The sentence revised to read:</p> <p><i>“NRC staff has been receiving license amendment requests for one-time or permanent AOT extensions for the EDGs and offsite power sources from the current AOT up to 14 days to perform online maintenance of EDGs and offsite power sources.”</i></p> <p>Agree:</p> <p>Following sentence added after the above statement:</p> <p><i>“Maintenance may include both planned and unplanned activities.”</i></p>
3.	Background (Section B)	Progress Energy	<p>Background (Section B), second paragraph states, in part:</p> <p><i>The staff's objective of requiring an extra (i.e., supplemental) power source for an inoperable EDG or offsite power source is to avoid a potential Station Blackout (SBO) event during the period of extended AOT and to enable safe shutdown (cold shutdown) of the unit if normal power sources cannot be restored in a timely manner.</i></p> <p>Comment 3:</p> <p>The supplemental power source would not avoid a potential SBO event, since it is not required to automatically start and load. Rather, it would be available within 1 hour to substitute for an inoperable EDG to mitigate an SBO event.</p>	<p>Agree partially:</p> <p>Staff added the word “extended” to the sentence to read:</p> <p><i>“...to avoid a potential <u>extended</u> Station Blackout (SBO)...”</i></p>
4.	Background (Section B)	Progress Energy	<p>Background (Section B), tenth paragraph (i.e., commitments) states, in part:</p> <p><i>Additionally, the staff expects that the licensee</i></p>	

No.	Section of draft BTP 8-8	Originator	Specific Comment	NRC Resolution
			<p><i>will provide the following Regulatory Commitments:</i></p> <ul style="list-style-type: none"> <i>The extended AOT will be used no more than once in a 24 month period (or refueling interval) to perform EDG maintenance activities, or any major maintenance on offsite power transformer and bus.</i> <p>Comment 4:</p> <p>It is suggested that this commitment be deleted.</p> <p>The proposed commitment, as written, is ambiguous and overly restrictive. Since it is not written on a "per diesel" basis, it could be interpreted that, for a single unit plant with two EDGs, it would take four years to complete major overhaul of the two EDGs. Additionally, since it is not specific to planned maintenance, it would restrict the application to unplanned EDG outages as well.</p> <p>As part of the license amendment request for an extended AOT, the licensee provides the reason for the AOT extension and the planned maintenance activities to be performed. From this information, the NRC is able to conclude whether the planned maintenance interval for an EDG is acceptable or not. Furthermore, the request will be accompanied by Probabilistic Risk Assessment (PRA) perspectives which support the intended planned maintenance interval. Additionally, insights such as a permanent supplemental diesel installation versus a temporary diesel installation would support more frequent planned maintenance.</p> <p>Existing limitations on EDG unavailability make it unnecessary to commit to restrictions on the usage of the AOT. NRC performance indicators track EDG unavailability. Additionally, the Maintenance Rule establishes limitations on EDG unavailability. It is not necessary to place restrictions on the use of Technical Specification AOTs to ensure the appropriate level of EDG availability.</p>	<p>Agree partially:</p> <p>Staff added the word "on a per diesel basis" to the sentence to read:</p> <p><i>"The extended AOT will be used no more than once in a 24-month period (or refueling interval) on a per diesel basis to perform EDG maintenance activities, or any major maintenance on offsite power transformer and bus."</i></p>
5.	Background (Section B)	Progress Energy	<p>Background (Section B), eleventh paragraph (i.e., following commitments) states, in part:</p> <p><i>Therefore, a supplemental power source must be available when extending the AOT for a single inoperable EDG or offsite power source beyond the current 3 days (72 hours).</i></p>	<p>Agree:</p> <p>The sentence is revised to read:</p> <p><i>"Therefore, a supplemental power source must be available when</i></p>

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			<p>Comment 5:</p> <p>Based on the sentence, as written, the BTP is addressing only plants requesting AOT extensions from 72-hours. It is suggested that the sentence be revised to address AOT extensions up to 14 days, regardless of whether the current AOT is 72 hours or 7 days.</p>	<p><i>extending the current AOT allowed by the plant TS for a single inoperable EDG or offsite power source up to 14 days."</i></p>
6.	References (Section C)	Progress Energy	<p>References (Section C), Reference 2 and 3:</p> <ul style="list-style-type: none"> <i>RG 1.174, November 2002, "An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis"</i> <i>RG 1.177, August 1998, "An Approach for Plant-Specific, Risk-informed Decisionmaking: Technical Specifications"</i> <p>Comment 6:</p> <p>References 2 and 3 should be the current revisions of Regulatory Guide (RG) 1.177 and RG 1.174, issued in May 2011.</p>	<p>Agree:</p> <p>Issue date for RG 1.174 and 1.177 changed to May 2011.</p>