

March 6, 2012

MEMORANDUM TO: Eric Leeds, Director  
Office of Nuclear Reactor Regulation

FROM: Brian Sheron, Director */RA/*  
Office of Nuclear Regulatory Research

SUBJECT: TRANSFER OF GENERIC ISSUE 204 FOR REGULATORY  
OFFICE IMPLEMENTATION

Generic Issue (GI) 204 is titled "Flooding of Nuclear Power Plant Sites Following Upstream Dam Failure." The scope of GI-204 includes operating power plants, spent fuel pools at operating plants and spent fuel pools at sites undergoing decommissioning.

Japan Near-Term Task Force (NTTF) Recommendation 2 states the NRC should "require licensees to reevaluate and upgrade as necessary the design-basis seismic and flooding protection of SSCs for each operating reactor." In SECY-11-0137, staff recommended as part of Recommendation 2.1 that a request for information pursuant to 10 CFR 50.54(f) be sent to licensees to reevaluate site-specific flooding hazards using present-day regulatory guidance and methodologies being applied for ESP and COL reviews. In Recommendation 2.3, staff recommended that a second request for information, also pursuant to 10 CFR 50.54(f), be sent to licensees to perform flood protection walkdowns to identify and address plant-specific issues and verify the adequacy of monitoring and maintenance of flood protection features. Recommendations 2.1 and 2.3 were approved by the Commission in the Staff Requirements Memorandum on SECY-11-0137 on December 15, 2011.

On February 17, 2012, staff submitted SECY-12-0025 for Commission consideration. SECY-12-0025 contains proposed orders and requests to licensees for information. The actions to address flooding are described in Enclosure 2 of the SECY. Enclosure 7 of the SECY is a draft of the information request regarding recommendations 2.1 and 2.3.

Management Directive (MD) 6.4 defines seven criteria for a Generic Issue. The third criterion is:

- (c) The issue cannot be readily addressed through other regulatory programs and processes; existing regulations, policies, or guidance; or voluntary industry initiatives.

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**DRAFT MEMORANDUM**

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E. Leeds

MD 6.4 states, "A proposed GI or a GI that does not meet any of these criteria at any time will not be processed further by the GIP." Since the Agency actions in response to the NTTF recommendations will address flooding at operating reactors, including flooding from postulated dam failures, criterion (c) is no longer met. Therefore, the Generic Issue Program is transferring responsibility for resolution of GI-204 to the Japan Lessons Learned Project Directorate in NRR. Within the Generic Issue Program, this will place the issue in the category of "Regulatory Office Implementation."

If, at a future date, it is determined that the full scope of Generic Issue 204 is not addressed by the actions of the Japan Lessons Learned Project Directorate, the unaddressed scope would be reactivated as a Generic Issue in the Generic Issue Program.

In accordance with Generic Issue Program guidance, this transfer is made by memorandum to clearly document and communicate status and ownership of the Generic Issue. The resolution of GI-204 will be tracked through the quarterly Generic Issue Management Control System reports and the semi-annual reports to Congress.

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