



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS  
WASHINGTON, DC 20555 - 0001**

April 16, 2012

MEMORANDUM TO: R. W. Borchardt  
Executive Director for Operations

FROM: Edwin M. Hackett, Executive Director /RA/  
Advisory Committee on Reactor Safeguards

SUBJECT: DISPOSITION OF THE ADVISORY COMMITTEE ON REACTOR  
SAFEGUARDS' REVIEW OF DRAFT 10 CFR 50.54(f) LETTER  
ON IMPLEMENTATION OF THE NEAR-TERM TASK FORCE  
RECOMMENDATIONS FROM THE FUKUSHIMA DAI-ICHI  
EVENT

The purpose of this memorandum is to request a meeting with the appropriate members of the NRC staff in order to provide the technical reason(s) for not adopting the recommendation in the February 15, 2012 ACRS letter entitled: "Draft 10 CFR 50.54(f) Letter on Implementation of the Near-Term Task Force Recommendations from the Fukushima Dai-ichi Event." ACRS members would like to hear from the staff during the next ACRS full Committee meeting scheduled for May 10-12, 2012.

In the February 15, 2012 ACRS letter, the Committee identified an item in the Draft 10 CFR 50.54(f) letter that would affect the technical scope and consistency of the requested evaluations of seismic risk. The discussion of requested information under NTTF Recommendation 2.1 referred to NUREG/CR-4334, issued in August 1985, and Part 10 of American Society of Mechanical Engineers/American Nuclear Society (ASME/ANS) Standard RA-Sa-2009, as providing acceptable guidance for performance of a Seismic Margin Analysis (SMA). This guidance was inconsistent with the requirement to use "current applicable Commission requirements and guidance" for the updated seismic hazard and vulnerability evaluations specified in the December 23, 2011, Consolidated Appropriations Act, Public Law 112-74, Section 402. Current guidance for performance of an SMA is based on Part 5 of ASME/ANS Standard RA-Sa-2009, as endorsed by Interim Staff Guidance (ISG) DC/COL-ISG-020, "Interim Staff Guidance on Implementation of a Probabilistic Risk Assessment-Based Seismic Margin Analysis for New Reactors." This ISG specifically notes that the methods that are described in Part 10 of ASME/ANS Standard RA-Sa-2009 are not acceptable for performing a design-specific SMA for a new reactor.

Your March 21, 2012 response to the ACRS indicated that the staff carefully reviewed the ACRS's letter and briefed the Steering Committee on the associated recommendation. The Steering Committee determined that the cited guidance associated with the technical scope of the requested evaluations of seismic risk included in the 10 CFR 50.54(f) letter prepared by the staff was appropriate, such that the 10 CFR 50.54(f) letter did not need to be revised. Your response did not provide any technical reason(s) to justify the Steering Committee's decision not to adopt the ACRS recommendation.

ACRS members are asking for a meeting with the appropriate NRC staff so that they can hear the technical reason(s) for not adopting their recommendation and, instead, issuing the 50.54(f) letter without modification to use current guidance.

References:

- ACRS letter, "Draft 10 CFR 50.54(f) Letter on Implementation of the Near-Term Task Force Recommendations from the Fukushima Dai-ichi Event," dated February 15, 2012 (ML12046A145)
- ACRS letter, "Disposition of the Advisory Committee on Reactor Safeguards' Review of Draft 10 CFR 50.54(f) Letter on Implementation of the Near-Term Task Force Recommendations from the Fukushima Dai-ichi Event," dated March 29, 2011 (ML12068A214)

cc: A. Vietti-Cook, SECY  
M. Kotzalas, OEDO  
D. Skeen, NRR  
J. Monninger, NRR  
R. Taylor, NRR

Your March 21, 2012 response to the ACRS indicated that the staff carefully reviewed the ACRS's letter and briefed the Steering Committee on the associated recommendation. The Steering Committee determined that the cited guidance associated with the technical scope of the requested evaluations of seismic risk included in the 10 CFR 50.54(f) letter prepared by the staff was appropriate, such that the 10 CFR 50.54(f) letter did not need to be revised. Your response did not provide any technical reason(s) to justify the Steering Committee's decision not to adopt the ACRS recommendation.

ACRS members are asking for a meeting with the appropriate NRC staff so that they can hear the technical reason(s) for not adopting their recommendation and, instead, issuing the 50.54(f) letter without modification to use current guidance.

References:

- ACRS letter, "Draft 10 CFR 50.54(f) Letter on Implementation of the Near-Term Task Force Recommendations from the Fukushima Dai-ichi Event," dated February 15, 2012 (ML12046A145)
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