

BellBendCOLPEM Resource

From: Canova, Michael
Sent: Friday, June 08, 2012 11:56 AM
To: Sgarro, Rocco R; 'melanie.Frailer@unistarnuclear.com'; Woodring, Kathryn L; Kirkwood, Jon K
Cc: BellBendCOL Resource; Segala, John
Subject: RE: Bell Bend COLA - Draft Request for Information No. 119 (RAI No. 119) - LB1 5878
Attachments: DRAFT RAI Letter 119 LB1 5878.doc

Attached is DRAFT RAI No. [119](#) for the Bell Bend COL Application. Please contact me at your earliest convenience to identify whether you need a clarifying conference call prior to issuance of this RAI.

During the call, a schedule for response submittal will also need to be established

If you have any questions, please contact me.

Michael A. Canova

Project Manager - Bell Bend COL Application
Docket 52-039
EPR Project Branch
Division of New Reactor Licensing
Office of New Reactors
301-415-0737

Hearing Identifier: BellBend_COL_Public
Email Number: 544

Mail Envelope Properties (77BCCD26C6050B42A72FE3939CF492EDCA1E85DB5A)

Subject: RE: Bell Bend COLA - Draft Request for Information No. 119 (RAI No. 119) - LB1 5878
Sent Date: 6/8/2012 11:55:42 AM
Received Date: 6/8/2012 11:55:44 AM
From: Canova, Michael

Created By: Michael.Canova@nrc.gov

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Tracking Status: None

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Tracking Status: None

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Tracking Status: None

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Files	Size	Date & Time
MESSAGE	545	6/8/2012 11:55:44 AM
DRAFT RAI Letter 119 LB1 5878.doc		70650

Options

Priority: Standard

Return Notification: No

Reply Requested: No

Sensitivity: Normal

Expiration Date:

Recipients Received:

Application Revision 3

DRAFT

6/8/2012

Bell Bend
PPL Bell Bend LLC.
Docket No. 52-039

SRP Section: 01 - Introduction and Interfaces

Application Section: Part 1 - Section 1.4 Requested Licenses and Authorized Uses

QUESTIONS for EPR Projects Branch (LB1)

Request for Additional Information No. 5878 W/Attachments

01-4

The purpose of this RAI is to 1) determine if the proposed standard license conditions for title 10 of the Code of Federal Regulations (CFR) Parts 30, 40, and 70 are appropriate for the PPL Bell Bend Combined Operating License Application (COLA) and 2) request additional information in the application to address program elements to ensure that PPL Bell Bend will have in place the necessary controls to allow receipt of byproduct and source material prior to the 10 CFR Part 52, Section 103(g) finding.

In the PPL Bell Bend COL application transmittal letter dated October 10, 2008, and in Part 1, section 1.4, PPL Bell Bend requested such other licenses as would be required for receipt, possession and use of source, byproduct and special nuclear material in connection with the operation of Unit 3. The staff notes that such licenses would be in accordance with Commission regulations in 10 CFR Parts 30, 40, and 70.

In a memorandum (ML083030065) dated December 9, 2008, the staff proposed the following standard license conditions and requirements regarding 10 CFR Parts 30, 40, and 70:

- (1)
 - (i) Pursuant to the Act and 10 CFR Part 70, to receive and possess at any time, special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, described in the final safety analysis report (FSAR), as supplemented and amended;
 - (ii) Pursuant to the Act and 10 CFR Part 70, to use special nuclear material as reactor fuel, after the finding in Section 2.D(1) of this license has been made, in accordance with the limitations for storage and amounts required for reactor operation, and described in the FSAR, as supplemented and amended;
- (2) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use, at any time, any byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor
- (3) instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required, any byproduct, source, or special nuclear material without restriction to chemical or physical form, for sample analysis

- or instrument calibration or associated with radioactive apparatus or components; and
- (5) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

Please discuss whether the proposed standard license conditions and requirements are considered appropriate to support the PPL Bell Bend COL.

In addition, please discuss, and provide additional information as needed, which parts of the application provide sufficient information to support compliance with the applicable portions of 10 CFR Part 30 and 40. For example, describe how you have addressed in the application the radiation protection program, security and fire protection program elements that will be in place prior to receipt of the byproduct or source material authorized by the proposed license above.

To facilitate these reviews, the staff has created the attached tables (see **Attachments 1 and 2**) to collect the information relevant to your application. Please identify and list applicable sections of your application which include/provide the specific information. Note that it is the staff intention and belief that its current review of the PPL Bell Bend COLA will identify the necessary controls regarding the receipt of new fuel on site in accordance with 10 CFR Part 70.

**CROSS-REFERENCE OF REGULATIONS AND REGULATORY GUIDANCE IN SUPPORT OF
REVIEW OF PART 30/40 LICENSE APPLICATION VS. PART 52 COLA CONTENT**

Review Area	Regulations	Regulatory Guidance	COLA Chapter
License Action Type	10 CFR Parts 30 and 40	Section 8.1 and Appendix D.1, Item No. 1 of NUREG-1556, Volume 7	
Legal Identity	10 CFR Parts 30.32, 30.34, 40.3, 40.21, and 40.31	Section 8.2 and Appendix D.2, Item No. 2 of NUREG-1556, Volume 7	
Address	10 CFR Parts 30.32 and 40.31	Section 8.3 and Appendix D.3 Item Nos. 2 and 3 of NUREG-1556, Volume 7	
Person to be Contacted About this Application	10 CFR Parts 30.32 and 40.31	Section 8.4 and Appendix D.4, Item No. 4 of NUREG-1556, Volume 7	
Materials to be Possessed and Proposed Uses	10 CFR Parts 30.4, 30.14, 30.15, 30.18, 30.19, 30.21, 30.32(g), 30.32(i), 30.33(a)(1), 30.33, 31.5, 31.8, 31.11, 32.210, 40.1, 40.3, 40.4, 40.34, 40.32, 40.35, 51.21, and 51.22	Section 8.5.1, 8.6, Appendix C, and Appendix D.5, Item Nos. 5 and 6 of NUREG-1556, Volume 7	
Financial Assurance and Recordkeeping for Decommissioning (if applicable)	10 CFR Parts 30.35, 30.32(h), 40.31(i), and 40.36	Section 8.5.2, Appendix C, and Appendix G of NUREG-1556, Volume 7; and Chapter 4 and Appendix A of NUREG-1757, Volume 3	
Individual(s) Responsible for Radiation Safety Program and Their Training and Experience and Authorized User	10 CFR Parts 20.1101 30.33(a)(3), and 40.32(b)	Section 8.7.1, 8.7.2, Appendix C, and Appendix D.6, Item No. 7 of NUREG-1556, Volume 7	
Training for Individuals Working in or Frequenting Restricted Areas (Occupationally Exposed Individuals and Ancillary Personnel)	10 CFR Parts 19.11, 19.12, 19.13, 20.1801, 20.1802, 30.7, 30.9, 30.10, 30.33(a)(3), 30.34(e), 40.32(b), and 40.41	Section 8.8, Appendix C, and Appendix D.6, Item No. 8 of NUREG-1556, Volume 7	
Facilities and Equipment	10 CFR Parts 20.1101(b), 20.1406, 30.33(a)(2), 30.35(g), and 40.32(b)	Section 8.9, Appendix C, and Appendix D.6, Item No. 9 of NUREG-1556, Volume 7	
Radiation Safety Program	10. CFR Parts 20.1101, 20.2102, 21.21(a), and 40.32(b)	Section 8.10, Appendix C, and Appendix D.6, Item No. 10 of NUREG-1556, Volume 7	

Review Area	Regulations	Regulatory Guidance	COLA Chapter
Waste Management	10 CFR Parts 20.1904, 20.2001, 20.2002, 20.2003, 20.2004, 20.2005, 20.2006, 20.2007, 20.2108, 30.51, and 61.52	Section 8.11, Appendix C, and Appendix D.6, Item No. 11 of NUREG-1556, Volume 7	
Security of IAEA Category I and 2 Sources	10 CFR 20.2207 and Increased Controls Orders	Contact FSME/MSSA for information	
Fees	10 CFR Part 170.31	Section 8.12 and Appendix B of NUREG-1556, Volume 7	
Certification	18 U.S.C. 1001	Section 8.13 and Appendix B of NUREG-1556, Volume 7	
Amendments and Renewals	10 CFR Parts 2.109, 30.37, 30.38, 40.43, and 40.44	Section 9 of NUREG-1556, Volume 7	
Applications for Exemptions	10 CFR Parts 19.31, 20.2301, and 30.11	Section 10 of NUREG-1556, Volume 7	
Termination of Activities	10 CFR Parts 20.1402, 20.1403, 30.34(b), 30.35(g), 30.36(d), 30.36(g), 30.36(h), 30.36(j), 30.51(f), and 40.42	Section 11 of NUREG-1556, Volume 7	

**CROSS-REFERENCE OF REGULATIONS AND REGULATORY GUIDANCE IN SUPPORT OF
REVIEW OF PART 70 LICENSE APPLICATION VS. PART 52 COLA CONTENT, REVISION 1**

Review Area	Regulations	Regulatory Guidance	Acceptance Criteria	COLA Chapter
General Info.	10 CFR 70.22(a)(1) – (a)(4) 10 CFR 70.23(a)(5)	Chapter 1 of NUREG-1520	Sections 1.1.4, 1.2.4, and 1.3.4 of NUREG-1520.	
Organization and Admin.	10 CFR 70.22(a)(6) and (a)(8) 10 CFR 70.23(a)(2) and (a)(4)	Chapter 2 of NUREG-1520 Reg Guide 1.8	Section 2.4.3 of NUREG-1520	
ISA	N/A pursuant to 10 CFR 70.60	N/A	N/A	N/A
Radiation Protection	10 CFR Part 19 10 CFR Part 20 10 CFR 70.22(a)(6) – (a)(8) 10 CFR 70.23(a)(2) – (a)(4) 10 CFR Part 70, Subpart G	Chapter 4 of NUREG-1520, Reg Guide 1.8, 8.8, 8.10, 8.15, etc.	Section 4.4 of NUREG-1520	
Criticality Safety	10 CFR 70.22(a)(6) – (a)(8). 10 CFR 70.24(d)(1) includes an exemption from crit. alarms. 10 CFR 70.23(a)(2) – (a)(4) 10 CFR 70.52	Chapter 5 of NUREG-1520	Section 5.4.3 of NUREG-1520	
Chemical Safety	N/A since the Part 70 license does not involve the use of chemicals	N/A	N/A	N/A
Fire Safety	10 CFR 70.22(a)(6) – (a)(8) 10 CFR 70.23(a)(2) – (a)(4)	Chapter 7 of NUREG-1520	Section 7.4.3 of NUREG-1520	
Emergency Preparedness	10 CFR 70.22(i)(1)(i) or 70.22 (i)(1)(ii). 10 CFR 70.22(i)(3), if an emergency plan is required	Chapter 8 of NUREG-1520	Section 8.4.3 of NUREG-1520	
Environmental Protection	10 CFR Part 20 10 CFR 70.22(a)(7) – (a)(8) 10 CFR 70.23(a)(3) – (a)(4) Selected portions of 10 CFR Part 51, such as 10 CFR 51.52.	Chapter 9 of NUREG-1520 NUREG-1748 for preparing the EA + FONSI related to the possession, inspection, and handling of SNM, if needed. Otherwise, document the review of these activities as part of the EIS being prepared by the NRC staff under NUREG-1555.	Section 9.4.3 of NUREG-1520 (safety review only)	
Decommissioning	N/A pursuant to 10 CFR 70.25 (a)	N/A	N/A	N/A

Attachment 2

RAI Letter No. 119

Review Area	Regulations	Regulatory Guidance	Acceptance Criteria	COLA Chapter
Management Measures	N/A pursuant to 10 CFR 70.60	N/A	N/A	N/A
MC&A	<p>10 CFR 20.2201</p> <p>10 CFR 70.22(b) includes an exemption from a Fundamental Nuclear Material Control Plan for SNM used at a Part 50 reactor site.</p> <p>10 CFR 74, Subpart B</p>	<p>Currently, there is no regulatory guidance (i.e., NUREG or RegGuide) to evaluate the possession, inspection, and handling of SNM at a reactor site. Regulations in 10 CFR 74, Subpart B are currently used as guidance to perform the review in this area.</p>	<p>Currently, there is no regulatory guidance (i.e., NUREG or RegGuide) to evaluate the possession, inspection, and handling of SNM at a reactor site. Regulations in 10 CFR 74, Subpart B are currently used as guidance to perform the review in this area.</p>	
Physical Security	10 CFR 73.55 and 73.67	Section 13.6.1 of NUREG-0800	Subsection II of Section 13.6.1 of NUREG-0800.	