



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

April 14, 2014

Mr. Rafael Flores
Senior Vice President and
Chief Nuclear Officer
Attention: Regulatory Affairs
Luminant Generation Company, LLC
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNIT 1 – RELAXATION OF CERTAIN SCHEDULE REQUIREMENTS FOR ORDER EA-12-049 "ISSUANCE OF ORDER TO MODIFY LICENSES WITH REGARD TO REQUIREMENTS FOR MITIGATION STRATEGIES FOR BEYOND DESIGN BASIS EXTERNAL EVENTS"

Dear Mr. Flores:

By letter dated March 12, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12054A735), the U.S. Nuclear Regulatory Commission (NRC) ordered Luminant Generation Company, LLC (Luminant Power or the licensee) to take certain actions at Comanche Peak Nuclear Power Plant (Comanche Peak), Units 1 and 2, associated with the Fukushima Near-Term Task Force Recommendations. Order EA-12-049 directed that actions be taken by licensees to develop and implement strategies to maintain or restore core cooling, reactor coolant system inventory, containment cooling, and spent fuel pool (SFP) cooling capabilities during beyond design basis external events (BDBEE).

Section IV of the order states that licensees proposing to deviate from requirements contained in NRC Order EA-12-049 may request that the Director, Office of Nuclear Reactor Regulation, relax or rescind certain requirements. By letter dated February 12, 2014 (ADAMS Accession No. ML14055A330), the licensee informed the NRC of its request for a schedule relaxation of the full implementation schedule requirements for Comanche Peak, Unit 1, as prescribed in Section IV A.2 of NRC Order EA-12-049. Luminant Power has requested an extension of one additional refueling cycle for full implementation, which moves the Unit 1 implementation date from the fall of 2014 to the spring of 2016.

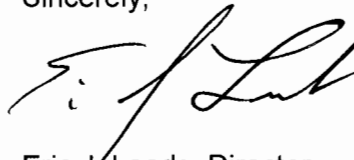
Luminant Power's letter dated February 12, 2014, provided the following basis for the granting of schedule relaxation. Recent testing of reactor coolant pump (RCP) low leakage seals has identified issues with the reliability of the current design to perform as assumed in the Comanche Peak, Unit 1 FLEX strategies. The seal vendor has developed design changes and will provide additional analyses to fully support the basis for crediting the low leakage seals. Based on this timeline, Luminant Power is requesting a schedule relaxation of one refueling cycle for implementation of the mitigation strategies for Comanche Peak, Unit 1. The requested extension would provide additional time for review of the additional analyses, and for Luminant Power to safely plan, schedule and install the new seals at Comanche Peak, Unit 1.

In light of the facts presented in your February 12, 2014, letter, the NRC staff has determined that the licensee has presented good cause for a relaxation of the order implementation date. The extension would provide additional time to resolve the seal performance issues and fully design and safely implement modifications at Comanche Peak, Unit 1. These are significant actions intended to enhance the licensee's capability to cope with a BDBEE. The NRC staff also considered that, following the accident at Fukushima Dai-ichi, the NRC concluded that a sequence of events such as the Fukushima Dai-ichi accident is unlikely to occur in the United States, based on the current regulatory requirements and existing plant capabilities. Therefore, the extension of time of one additional refueling outage for Comanche Peak, Unit 1 to achieve full implementation of the requirements of the mitigation strategies order is justified and completion before December 2016 is consistent with the intent of the order. These circumstances lead the NRC staff to approve the relaxation of the order implementation date.

Accordingly, based upon the authority granted to the Director, Office of Nuclear Reactor Regulation, the requirement for full order implementation is relaxed for Comanche Peak, Unit 1 until the completion of the spring 2016 refueling outage. The licensee did not request relaxation of the requirement for full order implementation for Comanche Peak, Unit 2, so that requirement, for full implementation by the completion of the Unit 2 fall 2015 refueling outage, is unchanged.

If you have any questions, please contact James Polickoski, 301-415-5430.

Sincerely,

A handwritten signature in black ink, appearing to read "E. J. Leeds", written over a horizontal line.

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Docket No. 50-445

cc: Distribution via Listserv

In light of the facts presented in your February 12, 2014, letter, the NRC staff has determined that the licensee has presented good cause for a relaxation of the order implementation date. The extension would provide additional time to resolve the seal performance issues and fully design and safely implement modifications at Comanche Peak, Unit 1. These are significant actions intended to enhance the licensee's capability to cope with a BDBEE. The NRC staff also considered that, following the accident at Fukushima Dai-ichi, the NRC concluded that a sequence of events such as the Fukushima Dai-ichi accident is unlikely to occur in the United States, based on the current regulatory requirements and existing plant capabilities. Therefore, the extension of time of one additional refueling outage for Comanche Peak, Unit 1 to achieve full implementation of the requirements of the mitigation strategies order is justified and completion before December 2016 is consistent with the intent of the order. These circumstances lead the NRC staff to approve the relaxation of the order implementation date.

Accordingly, based upon the authority granted to the Director, Office of Nuclear Reactor Regulation, the requirement for full order implementation is relaxed for Comanche Peak, Unit 1 until the completion of the spring 2016 refueling outage. The licensee did not request relaxation of the requirement for full order implementation for Comanche Peak, Unit 2, so that requirement, for full implementation by the completion of the Unit 2 fall 2015 refueling outage, is unchanged.

If you have any questions, please contact James Polickoski, 301-415-5430.

Sincerely,

/RA/

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Docket No. 50-445

cc: Distribution via Listserv

DISTRIBUTION

PUBLIC

LPL4-1 R/F

RidsNrrDorlLpl4-1Resource

RidsNrrPMComanchePeak Resource

RidsNrrLASLent Resource

ADAMS Accession No. ML14071A439

RidsRgn4MailCenter Resource

JPolickoski, NRR/MSD

JBowen, NRR/MSD

RidsAcrcAcnw_MailCTR Resource

| | | | | |
|--------|------------|-------------|------------|-----------------|
| OFFICE | NRR/MSD/PM | NRR/MSD/PM | NRR/MSD/LA | NRR/MSD/MSPB/BC |
| NAME | RHall | JPolickoski | SLent | JBowen |
| DATE | 03/12/14 | 03/13/14 | 03/12/14 | 03/14/14 |
| OFFICE | OE | OGC | MSD/D | NRR/D |
| NAME | RFretz | CHair | JDavis | ELeeds |
| DATE | 03/18/14 | 03/25/14 | 03/30/14 | 04/14/14 |

OFFICIAL RECORD COPY