

PUBLIC SUBMISSION

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Docket: NRC-2008-0332
Performance-Based ECCS Cladding Acceptance Criteria

Comment On: NRC-2008-0332-0073
Performance-Based Emergency Core Cooling Systems Cladding Acceptance Criteria; Extension of Comment Period

Document: NRC-2008-0332-DRAFT-0094
Comment on FR Doc # 2014-09159

Submitter Information

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General Comment

STARS Alliance LLC Comments on Performance-Based Emergency Core Cooling Systems Cladding Acceptance Criteria, (Docket ID NRC-2008-0332)

Attachments

STARS 50 46c Comments Final signed



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Callaway Energy Center
Comanche Peak Nuclear Power Plant
Diablo Canyon Power Plant
Palo Verde Nuclear Generating Station
Wolf Creek Generating Station

STARS-14011

August 21, 2014

Ms. Annette Vietti-Cook, Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemakings and Adjudications Staff

Subject: STARS Alliance LLC Comments on "Performance-Based Emergency Core Cooling Systems Cladding Acceptance Criteria," (Docket ID NRC-2008-0332)

References:

1. *Federal Register* Notice, 79FR16106, dated March 24, 2014, Docket ID NRC-2008-0332
2. *Federal Register* Notice, 79FR22456, dated April 22, 2014; Docket ID NRC-2008-0332
3. Letter from Nuclear Energy Institute (NEI) to Ms. Annette Vietti-Cook, U.S. Nuclear Regulatory Commission, "Comments on "Performance-Based Emergency Core Cooling Systems Cladding Acceptance Criteria" (Docket ID NRC-2008-0332) (*Federal Register* Notice 79FR16106)," dated August 21, 2014

Dear Ms. Vietti-Cook:

As noted in References 1 and 2, the Nuclear Regulatory Commission (NRC) issued for public comment the rulemaking package for "Performance-Based Emergency Core Cooling Systems Cladding Acceptance Criteria," Docket ID NRC-2008-0332. STARS Alliance LLC appreciates the opportunity to comment on this proposed rulemaking.

STARS endorses the comments submitted by the Nuclear Energy Institute (NEI) on August 21, 2014 regarding this issue (Reference 3).

STARS agrees with NEI that the overarching concern with the proposed rulemaking package is that it does not provide a significant safety benefit for the resources that will be required for its implementation. A 2012 NRC safety assessment confirmed, on a plant-specific basis, the safe operation of the U.S. commercial nuclear fleet (ADAMS ML12041A078). This safety assessment was supported by reports submitted by the BWROG (ML111950139) and the PWROG (ML11139A309) that documented no



safety issue exists and that the plants have a sufficient margin of safety to the proposed oxidation criterion. Thus, there is no need to accelerate implementation of this rule and consideration should be given to removing the proposed rule language associated with long-term cooling, debris, boric acid precipitation, and fuel fragmentation until necessary research and methodology development is completed.

STARS also agrees with NEI that the case has not been made in the Regulatory Analysis for this rulemaking to proceed under the "adequate protection" justification.

STARS has some specific concerns with the current NRC proposal, and believes that changes are needed to avoid initial and long-term compliance issues that would be both a technical and an economic burden to the industry. Comments on some of the higher priority concerns are listed below:

1. Existing inventories of fuel assemblies/bundles and cladding that have been designed, fabricated, and procured to current regulations need to be grandfathered.
2. The reporting requirements for emergency core cooling system evaluation models and risk-informed debris evaluation models and analysis changes and errors should be modified to promote communication between the industry and NRC while reducing administrative burden. The industry proposes development of a document on error/change reporting to be endorsed by NRC leading to industry standardization. This document would be similar to the §50.59 process as defined by NEI 96-07 (endorsed by NRC Regulatory Guide 1.187).
3. Required long term cooling research has not been completed and related regulatory guidance has not yet been developed to support the proposed changes concerning the analytical limit that must be determined using an NRC approved experimental technique. We believe that establishment of this analytical limit prior to conducting necessary research and establishing an acceptable methodology is premature.

If you have any questions, please contact me at 623-239-4359, or scott.bauer@starsalliance.com.

Sincerely,



Scott A. Bauer
Regulatory Affairs Functional Area Manager, STARS LLC

