

October 11, 2016

Mr. Timothy J. McGinty
Director, Division of Safety Systems
Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Request for Clarifying Revision to Enforcement Guidance Memorandum (EGM) 11-003, "Dispositioning Boiling Water Reactor Licensee Noncompliance with Technical Specification Containment Requirements During Operations with a Potential for Draining the Reactor Vessel," Rev. 3

Project Number: 689

Dear Mr. McGinty:

The industry respectfully requests that NRC consider a revision to Enforcement Guidance Memorandum (EGM) 11-003, "Dispositioning Boiling Water Reactor Licensee Noncompliance with Technical Specification Containment Requirements During Operations with a Potential for Draining the Reactor Vessel," Rev. 3, at its earliest convenience. These changes are recommended due to the fact that the EGM states that licensees shall consider any activity that could "potentially result in draining or siphoning the reactor pressure vessel (RPV) water level below the TAF as an operation with the potential to drain the reactor vessel (OPDRV)." This statement is somewhat vague and has recently been interpreted by NRC inspectors to include a broad range of activities as OPDRVs, including controlled evolutions involving systems equipped with automatic isolation on lowering RPV level. The effect of this interpretation is to require the industry to make significant changes to long-established refueling outage plans. These changes are resulting in significant increases in outage costs and duration without any associated improvement in shutdown safety.

The industry requests a revision to the guidance provided in EGM 11-003 to define limited exclusions regarding evolutions that licensees must now treat as OPDRVs, including those evolutions that involve planned removal of water from the reactor pressure vessel (RPV) or refueling cavity using systems that have safety-related, redundant, and automatic isolation capability.

The effect of this revision will be to establish alignment between the guidance in Task Force Traveler (TSTF)-542, "Reactor Pressure Vessel Water Inventory Control," Rev. 2 and EGM 11-003. TSTF 542, Rev. 2 is

Mr. Timothy J. McGinty

October 11, 2016

Page 2

currently under NRC review and is expected to be approved by the end of this year or early in the first quarter of 2017. This revision is necessary at this time because of the number of refueling outages that will occur across the industry before TSTF-542 is issued for adoption by the NRC and implemented by the industry, a timeframe which could extend well into 2018. A revision to EGM 11-003 will provide significant benefit to licensees through additional flexibility in the planning and performance of refueling outages beginning in the fall 2016 and continuing through spring 2018 refueling outage seasons.

Finally, the industry requests a clarification with regard to the duration of EGM 11-003 applicability. Specifically, the industry requests that for licensees who submit timely requests to adopt TSTF-542 (i.e., within one year of its approval), EGM 11-003 would remain applicable until the licensee implements the resulting license amendment following its approval by the NRC.

In summary, the industry requests that the NRC revise EGM 11-003 to reflect the guidance discussed above at the earliest convenience. This revision will afford licensees direct and significant benefit in the planning and performance of outage activities. Moreover, these changes can be made without any measurable increase in plant shutdown risk during this interim period while the NRC and the industry continue efforts to approve and implement a generic solution for this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Montgomery", with a long horizontal flourish extending to the right.

Bruce S. Montgomery