

## NRR-DMPSPEm Resource

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**From:** FREGONESE, Victor <vxf@nei.org>  
**Sent:** Monday, April 24, 2017 8:36 AM  
**To:** Rahn, David  
**Cc:** Drake, Jason; Archambo, Neil G; Morton, Wendell  
**Subject:** [External\_Sender] Re: Follow up Question on RIS

Thanks. I think we should address this issue head-on, and not leave it open to interpretation downstream. So if there is a position it would be better just to state what it is, and what it is not. Thanks!

On Apr 24, 2017, at 8:33 AM, Rahn, David <[David.Rahn@nrc.gov](mailto:David.Rahn@nrc.gov)> wrote:

Hi Vic:

Wendell and I will be discussing this point today, and will get back to you on it as soon as we have reached a conclusion. We received a similar comment from others, regarding whether statements like this in the RIS are going beyond existing policy, and may not be allowed to be clarified in the form of a RIS. The issue isn't so much related to the process of determining whether existing plant level analyses can be shown to be bounding, but rather it is related to how it was determined that the frequency of a potential new CCF was found to be negligible. We may end up deleting the entire highlighted sentence altogether.

Dave

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**From:** FREGONESE, Victor [<mailto:vxf@nei.org>]  
**Sent:** Friday, April 21, 2017 8:38 AM  
**To:** Morton, Wendell <[Wendell.Morton@nrc.gov](mailto:Wendell.Morton@nrc.gov)>; Rahn, David <[David.Rahn@nrc.gov](mailto:David.Rahn@nrc.gov)>  
**Cc:** Drake, Jason <[Jason.Drake@nrc.gov](mailto:Jason.Drake@nrc.gov)>; 'Archambo, Neil G' <[Neil.Archambo@duke-energy.com](mailto:Neil.Archambo@duke-energy.com)>  
**Subject:** [External\_Sender] Follow up Question on RIS

Wendell and Dave,

One point that Dave B of the NRC clarified after the meeting was the intent of his statements about the use of best estimate methods in the previous meeting.

This was very helpful in explaining his thoughts on this topic.

I noted a section of the draft RIS that discusses this point.

I know we are sending comments next week, but I am having a team meeting on Monday to do a de-brief on the 4/20 meeting and the RIS, and want to be clear about this point, as it is an important one to understand.

I don't need a "technical" answer to this, as we are exchanging via e-mail, but a "yes/no" answer will be sufficient for my meeting, as there is some question in my mind as to whether this could be done under 50.59.

Question: Is it envisioned that the following section (from page 7) remain as written, considering the recent comments from NRC staff on "beyond design basis"? Yes or No?

*Similarly, the NRC staff expectation regarding the documentation of qualitative assessments is to be able to describe the licensee's basis (rationale) for concluding that a particular proposed modification will not:*

- *create a possibility for an accident of a different type (10 CFR 50.59(c)(2)(v)), and*
- *create a possibility for a malfunction of an SSC important to safety with a different result (10 CFR 50.59(c)(2)(vi)).*

*A bounded plant-level end result is not considered a different type of accident or a malfunction with a different result. When evaluating the impact of potential new CCFs that are of sufficient frequency*

that need to be accounted for within the plant design basis, design basis analysis methods and acceptance criteria should be used. When evaluating the impact of potential new CCFs that are of negligible frequency, beyond design basis analysis methods (best estimate) and acceptance criteria may be used in evaluating whether the plant level effect is bounding

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