

**From:** Cataldo, Paul  
**To:** Cook, William; Poole, Justin; Bower, Fred; Barkley, Richard; Sheehan, Neil  
**Cc:** Wittick, Brian; Buford, Angela; Lorson, Raymond; Gray, Mel; Broaddus, Doug; Screnci, Diane; Vazquez, Justin; Lamb, John  
**Subject:** RE: Fw: Press Release from C-10  
**Date:** Friday, June 17, 2016 6:10:38 AM

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I will get a copy of the last performed test.

**From:** Cook, William  
**Sent:** Thursday, June 16, 2016 3:41 PM  
**To:** Poole, Justin; Bower, Fred; Barkley, Richard; Sheehan, Neil  
**Cc:** Wittick, Brian; Buford, Angela; Lorson, Raymond; Gray, Mel; Cataldo, Paul; Broaddus, Doug; Screnci, Diane; Vazquez, Justin; Lamb, John  
**Subject:** RE: Fw: Press Release from C-10

I would like to remind everyone that NextEra has used the successful completion of the containment ILRT as one of the bases for continued CV operability, in spite of the presence of ASR (reference AR 1804477 available on Centre).

**From:** Poole, Justin  
**Sent:** Thursday, June 16, 2016 3:10 PM  
**To:** Bower, Fred <[Fred.Bower@nrc.gov](mailto:Fred.Bower@nrc.gov)>; Barkley, Richard <[Richard.Barkley@nrc.gov](mailto:Richard.Barkley@nrc.gov)>; Sheehan, Neil <[Neil.Sheehan@nrc.gov](mailto:Neil.Sheehan@nrc.gov)>  
**Cc:** Wittick, Brian <[Brian.Wittick@nrc.gov](mailto:Brian.Wittick@nrc.gov)>; Buford, Angela <[Angela.Buford@nrc.gov](mailto:Angela.Buford@nrc.gov)>; Cook, William <[William.Cook@nrc.gov](mailto:William.Cook@nrc.gov)>; Lorson, Raymond <[Raymond.Lorson@nrc.gov](mailto:Raymond.Lorson@nrc.gov)>; Gray, Mel <[Mel.Gray@nrc.gov](mailto:Mel.Gray@nrc.gov)>; Cataldo, Paul <[Paul.Cataldo@nrc.gov](mailto:Paul.Cataldo@nrc.gov)>; Broaddus, Doug <[Doug.Broaddus@nrc.gov](mailto:Doug.Broaddus@nrc.gov)>; Screnci, Diane <[Diane.Screnci@nrc.gov](mailto:Diane.Screnci@nrc.gov)>; Vazquez, Justin <[Justin.Vazquez@nrc.gov](mailto:Justin.Vazquez@nrc.gov)>; Lamb, John <[John.Lamb@nrc.gov](mailto:John.Lamb@nrc.gov)>  
**Subject:** RE: Fw: Press Release from C-10

I'll get something from the staff

*Justin C. Poole  
Project Manager  
NRR/DORL/LPLI-2  
U.S. Nuclear Regulatory Commission  
(301)415-2048*

**From:** Bower, Fred  
**Sent:** Thursday, June 16, 2016 3:04 PM  
**To:** Barkley, Richard <[Richard.Barkley@nrc.gov](mailto:Richard.Barkley@nrc.gov)>; Sheehan, Neil <[Neil.Sheehan@nrc.gov](mailto:Neil.Sheehan@nrc.gov)>  
**Cc:** Poole, Justin <[Justin.Poole@nrc.gov](mailto:Justin.Poole@nrc.gov)>; Wittick, Brian <[Brian.Wittick@nrc.gov](mailto:Brian.Wittick@nrc.gov)>; Buford, Angela <[Angela.Buford@nrc.gov](mailto:Angela.Buford@nrc.gov)>; Cook, William <[William.Cook@nrc.gov](mailto:William.Cook@nrc.gov)>; Lorson, Raymond <[Raymond.Lorson@nrc.gov](mailto:Raymond.Lorson@nrc.gov)>; Gray, Mel <[Mel.Gray@nrc.gov](mailto:Mel.Gray@nrc.gov)>; Cataldo, Paul <[Paul.Cataldo@nrc.gov](mailto:Paul.Cataldo@nrc.gov)>; Broaddus, Doug <[Doug.Broaddus@nrc.gov](mailto:Doug.Broaddus@nrc.gov)>; Screnci, Diane <[Diane.Screnci@nrc.gov](mailto:Diane.Screnci@nrc.gov)>; Vazquez, Justin <[Justin.Vazquez@nrc.gov](mailto:Justin.Vazquez@nrc.gov)>; Lamb, John

<John.Lamb@nrc.gov>

**Subject:** RE: Fw: Press Release from C-10

Paul Cataldo – Can you do the prior test research?

Justin/Doug – would you be able to provide info to address the generic question why the change from 10 to 15 years is generally found to be okay by the agency?

Fred

**From:** Barkley, Richard

**Sent:** Thursday, June 16, 2016 2:58 PM

**To:** Bower, Fred <Fred.Bower@nrc.gov>; Sheehan, Neil <Neil.Sheehan@nrc.gov>

**Cc:** Poole, Justin <Justin.Poole@nrc.gov>; Wittick, Brian <Brian.Wittick@nrc.gov>; Buford, Angela <Angela.Buford@nrc.gov>; Cook, William <William.Cook@nrc.gov>; Lorson, Raymond <Raymond.Lorson@nrc.gov>; Gray, Mel <Mel.Gray@nrc.gov>; Cataldo, Paul <Paul.Cataldo@nrc.gov>; Broaddus, Doug <Doug.Broaddus@nrc.gov>; Screnci, Diane <Diane.Screnci@nrc.gov>; Vazquez, Justin <Justin.Vazquez@nrc.gov>; Lamb, John <John.Lamb@nrc.gov>

**Subject:** RE: Fw: Press Release from C-10

One good point from the press release:

NextEra has submitted a request to increase the ILRT frequency from 10 to 15 years. We should be prepared to answer why that amendment has been deemed safe at other sites. C-10 will insist it should be done sooner versus later given the ASR seen to date.

We should also be ready with past test results – They should have done this test 3 times in their history.

**From:** Bower, Fred

**Sent:** Thursday, June 16, 2016 2:42 PM

**To:** Sheehan, Neil <Neil.Sheehan@nrc.gov>

**Cc:** Barkley, Richard <Richard.Barkley@nrc.gov>; Poole, Justin <Justin.Poole@nrc.gov>; Wittick, Brian <Brian.Wittick@nrc.gov>; Buford, Angela <Angela.Buford@nrc.gov>; Cook, William <William.Cook@nrc.gov>; Lorson, Raymond <Raymond.Lorson@nrc.gov>; Gray, Mel <Mel.Gray@nrc.gov>; Cataldo, Paul <Paul.Cataldo@nrc.gov>; Broaddus, Doug <Doug.Broaddus@nrc.gov>; Screnci, Diane <Diane.Screnci@nrc.gov>; Vazquez, Justin <Justin.Vazquez@nrc.gov>; Lamb, John <John.Lamb@nrc.gov>

**Subject:** RE: Fw: Press Release from C-10

Neil,

I would like to consult with Bill and Mel, but I believe that one statement from the PR is **factually inaccurate**: "Unknown to date is the extent and rate of Alkali Silica Reaction

(ASR) damage which the NRC has confirmed is progressing at a faster rate than expected. "

Beyond that, I would have worded things differently, but I do not see the point in quibbling.

Have we sent Angel our meeting notice, press release and informed her that we have updated our Seabrook webpage?

My reactions are attached.

Cc'ing AAM attendees for info.

Fred

**From:** Sheehan, Neil  
**Sent:** Thursday, June 16, 2016 1:57 PM  
**To:** Bower, Fred <Fred.Bower@nrc.gov>  
**Subject:** FW: Fw: Press Release from C-10

Your thoughts?

**From:** [ACHiaramida@newburyportnews.com](mailto:ACHiaramida@newburyportnews.com)  
**Sent:** Thursday, June 16, 2016 1:56 PM  
**To:** Sheehan, Neil <Neil.Sheehan@nrc.gov>  
**Subject:** [External\_Sender] Fw: Press Release from C-10

Hi Neil,

Want to take a look at this and send me a comment, please?

Thanks,  
AJ

Angeljean Chiaramida  
Staff Writer  
Daily News of Newburyport  
23 Liberty Street  
Newburyport, MA. 01950  
Direct line: 978-961-3147  
Fax 978-465-8505  
[achiamida@newburyportnews.com](mailto:achiamida@newburyportnews.com)

— Forwarded by Angeljean Chiaramida/ET1 on 06/16/2016 01:51 PM —

**From:** Sandra Gavutis <sandra@c-10.org>  
**To:** "ACHiaramida@newburyportnews.com" <ACHiaramida@newburyportnews.com>  
**Date:** 06/16/2016 12:23 PM  
**Subject:** Press Release  
**Sent by:** (b)(6)

Hello Angeljean,

Attached is a press release from C-10.

Hopefully you will be covering the NRC meeting re: NextEra's discussion of ASR on Tues., June 21.

Sandra

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**From:** Bower, Fred  
**Sent:** Thursday, June 16, 2016 2:42 PM  
**To:** Sheehan, Neil  
**Cc:** Barkley, Richard; Poole, Justin; Wittick, Brian; Buford, Angela; Cook, William; Lorson, Raymond; Gray, Mel; Cataldo, Paul; Broaddus, Doug; Screnci, Diane; Vazquez, Justin; Lamb, John  
**Subject:** RE: Fw: Press Release from C-10  
**Attachments:** C-10 Press Release for NRC 6-6-2016 2.206 Meeting\_FLB\_Reaction.docx

Note: The one-page draft attachment is withheld in its entirety under FOIA exemption 5.

Neil,

I would like to consult with Bill and Mel, but I believe that one statement from the PR is **factually inaccurate**: "Unknown to date is the extent and rate of Alkali Silica Reaction (ASR) damage which the NRC has confirmed is progressing at a faster rate than expected."

Beyond that, I would have worded things differently, but I do not see the point in quibbling.

Have we sent Angel our meeting notice, press release and informed her that we have updated our Seabrook webpage?

My reactions are attached.

Cc'ing AAM attendees for info.

Fred

**From:** Sheehan, Neil  
**Sent:** Thursday, June 16, 2016 1:57 PM  
**To:** Bower, Fred <Fred.Bower@nrc.gov>  
**Subject:** FW: Fw: Press Release from C-10

Your thoughts?

**From:** AChiamida@newburyportnews.com  
**Sent:** Thursday, June 16, 2016 1:56 PM  
**To:** Sheehan, Neil <Neil.Sheehan@nrc.gov>  
**Subject:** [External\_Sender] Fw: Press Release from C-10

Hi Neil,

Want to take a look at this and send me a comment, please?

Thanks,  
Aj

Angeljean Chiamida  
Staff Writer  
Daily News of Newburyport  
23 Liberty Street

Newburyport, MA. 01950

Direct line: 978-961-3147

Fax 978-465-8505

[achiamida@newburyportnews.com](mailto:achiamida@newburyportnews.com)

— Forwarded by Angeljean Chiamida/ET1 on 06/16/2016 01:51 PM —

From: Sandra Gavutis <[sandra@c-10.org](mailto:sandra@c-10.org)>

To: "AChiamida@newburyportnews.com" <[AChiamida@newburyportnews.com](mailto:AChiamida@newburyportnews.com)>

Date: 06/16/2016 12:23 PM

Subject: Press Release

Sent by: (b)(6)

Hello Angeljean,

Attached is a press release from C-10.

Hopefully you will be covering the NRC meeting re: NextEra's discussion of ASR on Tues., June 21.

Sandra

---

Scanned by **Trustwave SEG** - Trustwave's comprehensive email content security solution. Download a free evaluation of Trustwave SEG at [www.trustwave.com](http://www.trustwave.com)

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**From:** McNamara, Nancy  
**Sent:** Monday, January 12, 2015 3:31 PM  
**To:** Becker, Diane (Diane.Becker@dos.nh.gov); 'Giarrusso, John (CDA)'  
**Cc:** Tift, Doug  
**Subject:** Federal Register notice on concrete degradation petition  
**Attachments:** SeabrookASRPetition.1-12-2015.pdf

Note: The Notice appears at 80 FR 1476 (January 12, 2015).
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FYI. Attached is a Federal Register Notice that was published today. It seeks public comment on a C-10 petition for rulemaking re: concrete degradation at Seabrook (and at other plants). We had no heads up on this other than our public affairs seeing it today.

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**From:** Trapp, James  
**Sent:** Thursday, June 25, 2015 12:56 PM  
**To:** Lorson, Raymond  
**Subject:** FW: POTENTIAL ALLEGATIONS: PRM 50-109  
**Attachments:** Seabrook ASR Petition for Rulemaking POTENTIAL\_ALLEGATIONS.docx

Petition for rulemaking from C10 regarding ASR at Seabrook. FYI

Note: The 3-page annotated petition that is attached is withheld in its entirety under FOIA exemption 5.
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**From:** Gray, Mel  
**Sent:** Thursday, June 25, 2015 8:40 AM  
**To:** Cook, William  
**Cc:** Trapp, James  
**Subject:** FW: POTENTIAL ALLEGATIONS: PRM 50-109

Bill,

Can we discuss on these statements this morning and get back to allegations office group?

We should consider whether the statements regarding licensee performance meet the definition of an allegation, and in addition, whether the statements regarding NRC oversight warrant referral to the R1 regional counsel for consideration to forwarding to IG.

In my preliminary review the source document is a NextEra response to DLR regarding license renewal related RAI from 12/2010.

"NextEra never had a code certified "responsible engineer" doing the visual inspections and the NRC was unaware that Seabrook was not following the recommended code inspection requirements."

Context is SB discussion of results of their IWL examination in 2010.

"Since the NRC discovered this situation, the NRC has not required Seabrook to test criteria requiring an engineering evaluation with a single core bore taken from containment to confirm ASR suspicions or required any certified lab testing of key material properties to determine the extent of condition or obtain the data necessary to monitor the rate of progression." [2.802 or allegation?]

This statement is focused on NRC, and is not an allegation or 2.206 enforcement action request.

"NextEra did not have composite team. In fact, since they became the owners of Seabrook, before the ASR discovery in 2009, they did not even have a trained and dedicated "responsible engineer" conducting the inspections. NextEra had untrained employees conducting the visual examinations of buildings and no one trained engineer conducting the inspections to accurately record the results or trained to take further action as required. NextEra failed to test the concrete despite the extent of cracking visibly increasing for years." [Allegation?]

I do not know what a "composite" team is, perhaps referring to "containment" team? Anyway statement is similar to first, but alleges, prior to IWL exams for containment in 2009, staff were not trained.

**From:** Warnek, Nicole  
**Sent:** Thursday, June 25, 2015 6:04 AM  
**To:** Gray, Mel  
**Cc:** R1ALLEGATION RESOURCE; Meighan, Sean  
**Subject:** FW: POTENTIAL ALLEGATIONS: PRM 50-109

Mel – Can you review the below email and let me know your take on the three statements/issues that HQ has highlighted? Do we already know the validity of these issues, or are they allegations? Feel free to stop by to discuss.

Thank you!

*Nikki*

Nicole Warnek  
Region I Allegation & Enforcement Specialist  
610-337-6954 (office)  
(b)(6) (cell)

---

**From:** R1ALLEGATION RESOURCE  
**Sent:** Wednesday, June 24, 2015 3:41 PM  
**To:** Urban, Richard; Johnson, Sharon; McLaughlin, Marjorie; Bickett, Brice; Crisden, Cherie; Warnek, Nicole  
**Subject:** FW: POTENTIAL ALLEGATIONS: PRM 50-109

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**From:** Meighan, Sean  
**Sent:** Wednesday, June 24, 2015 3:41:06 PM  
**To:** R1ALLEGATION RESOURCE; Bickett, Brice; Urban, Richard  
**Cc:** Willis, Dori  
**Subject:** FW: POTENTIAL ALLEGATIONS: PRM 50-109  
**Auto forwarded by a Rule**

Hi All:

Can you guys look at the below and let me know if you have any history (validity known) on below issues?

V/R  
s

**From:** Kratchman, Jessica  
**Sent:** Wednesday, June 24, 2015 2:32 PM  
**To:** Willis, Dori  
**Cc:** Stuchell, Sheldon; Inverso, Tara; Kokajko, Lawrence; Mohseni, Aby; Banic, Merrilee; Mizuno, Geary  
**Subject:** POTENTIAL ALLEGATIONS: PRM 50-109

Dori,



I am a PM in NRR/ Division of Policy and Rulemaking. I am managing the resolution of PRM 50-109 which was filed under 10 CFR 2.802. We believe that some of the issues raised in the petition might actually be allegations. It was suggested that I contact you to help us determine if these in fact are allegations and what the appropriate path forward is. One of the issues (noted below) may actually be more appropriate for the 2.206 process, so I have included Sheldon Stuchell who's branch manages such petitions.

I have attached the petition to this email and highlighted the areas in question. I have also pasted them below.

1. "NextEra never had a code certified "responsible engineer" doing the visual inspections and the NRC was unaware that Seabrook was not following the recommended code inspection requirements." **[Allegation?]**
2. "Since the NRC discovered this situation, the NRC has not required Seabrook to test criteria requiring an engineering evaluation with a single core bore taken from containment to confirm ASR suspicions or required any certified lab testing of key material properties to determine the extent of condition or obtain the data necessary to monitor the rate of progression." **[2.802 or allegation?]**
3. "NextEra did not have composite team. In fact, since they became the owners of Seabrook, before the ASR discovery in 2009, they did not even have a trained and dedicated "responsible engineer" conducting the inspections. NextEra had untrained employees conducting the visual examinations of buildings and no one trained engineer conducting the inspections to accurately record the results or trained to take further action as required. NextEra failed to test the concrete despite the extent of cracking visibly increasing for years." **[Allegation?]**

Thanks for your help.

-Jessie

**Jessica Kratchman, candidate DrPH**

Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulations  
U.S. Nuclear Regulatory Commission  
301-415-5112

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**From:** Lorson, Raymond  
**Sent:** Monday, March 05, 2018 1:39 PM  
**To:** Lehman, Bryce  
**Subject:** RE: Questions on PRM 50-109

Bryce – I defer to the wisdom of the rulemaking group; thanks for checking – what got my attention was some inconsistency in the document so you may want to do a search and confirm that the right capitalization is in there.

Thanks

Ray

**From:** Lehman, Bryce  
**Sent:** Monday, March 05, 2018 1:24 PM  
**To:** Lorson, Raymond <Raymond.Lorson@nrc.gov>  
**Subject:** RE: Questions on PRM 50-109

Ray,

I was making the changes to the FRN regarding capitalizing "Part 50" and realized that this had been through concurrence in the rulemaking branch and should have been caught already. I double checked with a rulemaking PM (see attached) and he informed me that in an FRN the words should be lowercase b/c it is the OFR style. In the SECY the words should be capitalized. I will apply the guidance that way to the SECY and the FRN and move it forward like that (i.e. lowercase in the FRN and capitalized in the SECY). Please let me know if you have an issue with that approach.

Thanks,  
Bryce

**From:** Lorson, Raymond  
**Sent:** Thursday, March 01, 2018 9:22 AM  
**To:** Lehman, Bryce <Bryce.Lehman@nrc.gov>  
**Subject:** Re: Questions on PRM 50-109

Bryce - pls stop by with a hard copy on Monday - I would like to discuss briefly.

(b)(5)

thanks

ray

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**From:** Lehman, Bryce  
**Sent:** Wednesday, February 28, 2018 11:16:30 AM

**To:** Lorson, Raymond  
**Subject:** RE: Questions on PRM 50-109

Ray,

The resolution of your comments is in the attached files (pg. 2 in SECY paper, pgs. 8, 16, and 18/19 in FRN). Once you are OK with the changes I will have Meena incorporate them into official version.

Please let me know if you prefer a hardcopy or if you need anything else from me to concur.

Thanks,  
Bryce

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**From:** Lorson, Raymond  
**Sent:** Monday, February 26, 2018 5:15 PM  
**To:** Lehman, Bryce <[Bryce.Lehman@nrc.gov](mailto:Bryce.Lehman@nrc.gov)>  
**Subject:** RE: Questions on PRM 50-109

Bryce – no problem – we have the eng stand-up from 8-8:30 – perhaps you could stop by at 8:30?

Ray

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**From:** Lehman, Bryce  
**Sent:** Monday, February 26, 2018 4:14 PM  
**To:** Lorson, Raymond <[Raymond.Lorson@nrc.gov](mailto:Raymond.Lorson@nrc.gov)>  
**Subject:** Questions on PRM 50-109

Ray,

I got your message about PRM 50-109. Unfortunately, I was in training all day and I have to leave the office now to pick up my kids from school. I spoke with your secretary and she suggested giving you a call around 8 AM tomorrow. I will plan on calling you then. Please let me know if there is a better time for me to reach you (I do have training again tomorrow but am free most of Wednesday).

If you have time to summarize your questions via email I can try to respond to them tonight; otherwise, I will call you tomorrow morning.

Thanks,  
Bryce Lehman  
NRR/DE/ESEB  
(301) 415-1626



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**From:** Inverso, Tara  
**Sent:** Thursday, October 02, 2014 12:33 PM  
**To:** Bladey, Cindy  
**Cc:** Colaccino, Joseph; Mizuno, Geary; Kratchman, Jessica; Mohseni, Aby  
**Subject:** RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation  
**Attachments:** KRATCHMAN 09 2014 SUFFICIENCY REVIEW ASR concrete PRM rev1.docx

Good afternoon, Cindy,

PRMB concludes that C-10's petition is sufficient for docketing. Please see attached for the very thorough rationale that Jessica Kratchman provided.

Thank you,  
Tara

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**From:** Bladey, Cindy  
**Sent:** Monday, September 29, 2014 11:45 AM  
**To:** Jones, Bradley; Safford, Carrie; OGCMailCenter Resource; Inverso, Tara  
**Cc:** Barczy, Theresa; Love-Blair, Angella; Terry, Leslie; Shepherd, Jill; Mizuno, Geary; Colaccino, Joseph  
**Subject:** ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

NRR and OGC:

I am requesting your view on whether the attached PRM from Sandra Gavutis, Executive Director of the C-10 Foundation, is sufficient for docketing under 10 CFR 2.802. Please respond by COB Monday, October 6.

Thanks, Cindy

Cindy Bladey, Chief  
Rules, Announcements, and Directives Branch  
3WFN 06-B02  
301-287-0949  
[cindy.bladey@nrc.gov](mailto:cindy.bladey@nrc.gov)

---

**From:** RulemakingComments Resource  
**Sent:** Friday, September 26, 2014 8:22 AM  
**To:** RidsEdoMailCenter Resource  
**Cc:** Bladey, Cindy; Giitter, Rebecca; Julian, Emile; Newell, Brian; RulemakingComments Resource; Sola, Clara; Vietti-Cook, Annette  
**Subject:** EDO ACTION ITEM: FW: C-10 Foundation's 2.802 Petition for Rulemaking to the NRC

Attached is a petition for rulemaking submitted by Sandra Gavutis on behalf of the C-10 Foundation regarding revision to applicable regulations to:

1) Require that all licensees comply with ACI 349.3R

2) Require that all licensees comply with ASTM C 856-11, Standard Practice for Petrographic Examination of

**From:** [Lehman, Bryce](#)  
**To:** [Mizuno, Geary](#); [Fuhrmann, Mark](#); [Kratchman, Jessica](#)  
**Cc:** [Inverso, Tara](#); [Love-Blair, Angella](#); [Neuhausen, Alissa](#); [Philip, Jacob](#); [Thomas, George](#)  
**Subject:** RE: PRM 50-109 PRB comments  
**Date:** Thursday, January 14, 2016 3:17:20 PM  
**Attachments:** [PRM-50-109 PRB slides 1-13-15.pptx](#)

---

All,

Thanks for your feedback.

(b)(5)

Jessica,  
I will defer to you on George's comment on slide 3.

Thanks,  
Bryce

---

**From:** Mizuno, Geary  
**Sent:** Tuesday, January 12, 2016 3:01 PM  
**To:** Fuhrmann, Mark <Mark.Fuhrmann@nrc.gov>; Lehman, Bryce <Bryce.Lehman@nrc.gov>; Kratchman, Jessica <Jessica.Kratchman@nrc.gov>  
**Cc:** Inverso, Tara <Tara.Inverso@nrc.gov>; Love-Blair, Angella <Angella.Love-Blair@nrc.gov>; Neuhausen, Alissa <Alissa.Neuhausen@nrc.gov>; Philip, Jacob <Jacob.Phip@nrc.gov>; Thomas, George <George.Thomas2@nrc.gov>  
**Subject:** RE: PRM 50-109 PRB comments

(b)(5)

Geary

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**From:** Fuhrmann, Mark

**Sent:** Tuesday, January 12, 2016 2:38 PM

**To:** Lehman, Bryce <[Bryce.Lehman@nrc.gov](mailto:Bryce.Lehman@nrc.gov)>; Kratchman, Jessica <[Jessica.Kratchman@nrc.gov](mailto:Jessica.Kratchman@nrc.gov)>

**Cc:** Inverso, Tara <[Tara.Inverso@nrc.gov](mailto:Tara.Inverso@nrc.gov)>; Love-Blair, Angella <[Angella.Love-Blair@nrc.gov](mailto:Angella.Love-Blair@nrc.gov)>; Mizuno, Geary <[Geary.Mizuno@nrc.gov](mailto:Geary.Mizuno@nrc.gov)>; Neuhausen, Alissa <[Alissa.Neuhausen@nrc.gov](mailto:Alissa.Neuhausen@nrc.gov)>; Philip, Jacob <[Jacob.Phipp@nrc.gov](mailto:Jacob.Phipp@nrc.gov)>; Thomas, George <[George.Thomas2@nrc.gov](mailto:George.Thomas2@nrc.gov)>

**Subject:** RE: PRM 50-109 PRB comments

Hi All;

This is a good presentation...quite clear. I have only a few comments which are inserted into the slides, see attached.

(b)(5)

Hope this is helpful.

Mark

Mark Fuhrmann, Ph.D.

Geochemist

Office of Nuclear Regulatory Research

U.S. Nuclear Regulatory Commission

Mail Stop TWF 10 A-12

11555 Rockville Pike

Rockville, MD 20852-2738

[mark.fuhrmann@nrc.gov](mailto:mark.fuhrmann@nrc.gov)

Phone: 301-415-0879

---

**From:** Lehman, Bryce

**Sent:** Tuesday, January 12, 2016 7:58 AM

**To:** Kratchman, Jessica <[Jessica.Kratchman@nrc.gov](mailto:Jessica.Kratchman@nrc.gov)>

**Cc:** Fuhrmann, Mark <[Mark.Fuhrmann@nrc.gov](mailto:Mark.Fuhrmann@nrc.gov)>; Inverso, Tara <[Tara.Inverso@nrc.gov](mailto:Tara.Inverso@nrc.gov)>; Love-Blair, Angella <[Angella.Love-Blair@nrc.gov](mailto:Angella.Love-Blair@nrc.gov)>; Mizuno, Geary <[Geary.Mizuno@nrc.gov](mailto:Geary.Mizuno@nrc.gov)>; Neuhausen, Alissa <[Alissa.Neuhausen@nrc.gov](mailto:Alissa.Neuhausen@nrc.gov)>; Philip, Jacob <[Jacob.Phipp@nrc.gov](mailto:Jacob.Phipp@nrc.gov)>; Thomas, George <[George.Thomas2@nrc.gov](mailto:George.Thomas2@nrc.gov)>

**Subject:** RE: PRM 50-109 PRB Presentation: attached

All,

Attached are my proposed slides. Please review and provide feedback.

Jessica,

I will be out of the office on 2/1 and will be unable to attend the dry run. I will be in the office the previous week and back in the office Thursday if you can reschedule. Otherwise I will try to support the meeting remotely.

Thanks,  
Bryce

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**From:** Kratchman, Jessica

**Sent:** Monday, January 11, 2016 1:18 PM

**To:** Lehman, Bryce <[Bryce.Lehman@nrc.gov](mailto:Bryce.Lehman@nrc.gov)>

**Cc:** Fuhrmann, Mark <[Mark.Fuhrmann@nrc.gov](mailto:Mark.Fuhrmann@nrc.gov)>; Inverso, Tara <[Tara.Inverso@nrc.gov](mailto:Tara.Inverso@nrc.gov)>; Love-Blair, Angella <[Angella.Love-Blair@nrc.gov](mailto:Angella.Love-Blair@nrc.gov)>; Mizuno, Geary <[Geary.Mizuno@nrc.gov](mailto:Geary.Mizuno@nrc.gov)>; Neuhausen, Alissa <[Alissa.Neuhausen@nrc.gov](mailto:Alissa.Neuhausen@nrc.gov)>; Philip, Jacob <[Jacob.Phipp@nrc.gov](mailto:Jacob.Phipp@nrc.gov)>; Thomas, George <[George.Thomas2@nrc.gov](mailto:George.Thomas2@nrc.gov)>

**Subject:** RE: PRM 50-109 PRB Presentation: attached

**Working Group-** I will be out of the office between 1/13 and 1/15. Please note your action items below (I have also corrected one date to reflect the holiday on 1/18). Please continue to keep your management in the loop and ensure they (or someone they designate) can attend the Petition Review Board (scheduled for **2/11/2016**).

**Bryce-** per the message below please get me a draft of your slides by **01/19**. Thanks so much.

-Jessie

---

**From:** Kratchman, Jessica

**Sent:** Monday, January 04, 2016 4:19 PM

**To:** Lehman, Bryce <[Bryce.Lehman@nrc.gov](mailto:Bryce.Lehman@nrc.gov)>

**Cc:** Fuhrmann, Mark <[Mark.Fuhrmann@nrc.gov](mailto:Mark.Fuhrmann@nrc.gov)>; Inverso, Tara <[Tara.Inverso@nrc.gov](mailto:Tara.Inverso@nrc.gov)>; Love-Blair, Angella <[Angella.Love-Blair@nrc.gov](mailto:Angella.Love-Blair@nrc.gov)>; Mizuno, Geary <[Geary.Mizuno@nrc.gov](mailto:Geary.Mizuno@nrc.gov)>; Neuhausen, Alissa <[Alissa.Neuhausen@nrc.gov](mailto:Alissa.Neuhausen@nrc.gov)>; Philip, Jacob <[Jacob.Phipp@nrc.gov](mailto:Jacob.Phipp@nrc.gov)>; Thomas, George <[George.Thomas2@nrc.gov](mailto:George.Thomas2@nrc.gov)>

**Subject:** PRM 50-109 PRB Presentation: attached

Bryce,

Please find attached the PRB presentation I have developed for the PRM 50-109 upcoming PRB, which takes place on 02/11/2016. You will find blank or partially blank slides that I have left for you to fill in with technical content. Please provide the group a draft by 01/18/2016 so we have time to review and comment. Also note, I have put your name in the notes sections of slides that I believe you should present to the PRB and my name in those slides that pertain to me. Feel free to update you slides if you feel another working group member should present that content.

Also, feel free to add slides in if you need more room or feel another topic should be addressed, but try to avoid making the presentation too lengthy.



**ACTIONS:**

01/19~~18~~/2016: Bryce to provide technical content for presentation and send to the group for review

01/25/2016: Working Group provide any comments on the presentation to Jessie

02/01/2016: Final Working Group Meeting to run through presentation (to be sent out)

02/11/2016: PRB convenes

Thanks everyone.

-Jessie

***Jessica Kratchman, candidate DrPH***

Division of Policy and Rulemaking

Office of Nuclear Reactor Regulations

U.S. Nuclear Regulatory Commission

301-415-5112



# Petition for Rulemaking

## PRM-50-109

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Petition Review Board Meeting February 11, 2015 OWFN-12B02 10:00 am – 11:00 am Bridge Line: 888-390-1523 Passcode: (b)(6) #



# Working Group Members

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- Jessica Kratchman– Project Manager,  
NRR/DPRBryce Lehman– Technical Lead,  
NRR/DEGeorge Thomas– NRR/DLRA  
Alissa Neuhausen– NRO/DEIAMark Fuhrmann– RES/  
DRAJacob Philip–RES/ DRAGEary Mizuno–  
OGC/GCLR  
Angella Love-Blair– ADM/DAS



# Purpose

- ~~Purpose: Obtain Petition Review Board (PRB) direction on the working group (WG) recommended resolution of PRM-50-109.~~ Outcome: PRB understands issues raised by the petitioner and (b)(5)

(b)(5)

.Process:

Discuss PRM-50-109 and WG recommendations Rulemaking.





# Agenda

~~Petition Background~~ Summary of Petitioner's  
Requests NRC's Interpretation of PRM  
Argument Issues for Evaluation by the NRC Staff  
Technical Evaluation Working Group  
Recommendation Next Steps



# Petition Background

---

September  
25, 2014

Ms. Sandra Gavutis, C-10  
Foundation, submits  
petition

(ADAMS Accession No. ML14281A124 )


January 12,  
2015

Notice of docketing review  
with opportunity for  
comment published in the  
*Federal Register*

(80 FR 1476)

To  
Present

WG analyzing petition to  
offer a recommendation





# Summary of Petitioner's Requests

- 
- Amend regulations to improve identification techniques against alkali silica reaction (ASR) concrete degradation Stating that visual inspection does not “adequately identify Alkali-Silica Reaction (ASR), does not confirm ASR, or provide the current state of ASR damage (if present) without petrographic analysis under current existing code.” Requested the NRC amend its regulations to require compliance with: 1) American Concrete Institute (ACI) Standard 349.3R, “Evaluation of Existing Nuclear Safety-Related Concrete Structures” 2) American Society for Testing & Materials (ASTM) C856-11, “Standard Practice for Petrographic Examination of Hardened Concrete.”





# NRC's Interpretation of PRM Argument

- ~~The working group reviewed the petition and identified~~ three issues for evaluation by the NRC:  
Issue #1: Visual inspections are not adequate to detect and confirm ASR  
Issue #2: Standards exist that more properly address the detection and evaluation of ASR  
Issue #3: Regulations should require compliance with the standards



# Staff Technical Evaluation Issue 1

---

Issue #1: Visual Inspections Cannot Detect / Confirm ASR Points: NRC has stated that ASR can only be confirmed through petrographic examination. Visual indications of cracking may be suppressed by heavy reinforcement. Visual inspections cannot identify degradation in inaccessible areas. Working Group Evaluation:

(b)(5)



# Staff Technical Evaluation

## Issue 2

---

Issue #2: Codes and Standards Exist to Detect / Evaluate ASR Damage  
Petition Points: ACI 349.3R provides a means for managing ASR degradation and includes quantitative acceptance criteria  
ACI 349.3R is endorsed by the NRC in IN 2011-20  
ASTM C856-11 describes an acceptable means of conducting petrographic examination  
Working Group Evaluation:

(b)(5)



# Staff Technical Evaluation Issue 3

---

Issue #3: Regulations Should Require ACI 349.3R and ASTM C856-11  
Petition Points: NRC endorses both standards but does not require their use  
Seabrook degradation would have been identified earlier if the NRC required compliance  
Working Group Evaluation:

(b)(5)





# Staff Technical Evaluation Summary of Public Comments

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- **NRC Received 10 Comments:**Five comments in support of the rulemakingTwo comments outside the scope of the rulemakingThree comments saying rulemaking was unnecessaryComments Supporting Rulemaking:Two commenters stated that visual inspection is inadequate with no additional basisThree commenters stated that existing inspection techniques will not adequately detect ASR and the proposed solutions are appropriateStaff Response –

(b)(5)





# Staff Technical Evaluation Summary of Public Comments

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- **Comments Against Rulemaking:** Two commenters noted that industry is already taking appropriate action to address ASR and that existing regulations properly address degraded concrete. Seabrook noted that the referenced documents have been used during the ASR investigation and they also question the validity of claims made in the petition. Seabrook specific issues are outside of the scope of the petition; however, the comments were addressed in the denial document. **Staff Response –**

(b)(5)



# Working Group Recommendation

(b)(5)



# Next Steps

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- PRB decision will be documented by the project manager in a non-public meeting summary within 30 days. Finalize SECY paper and draft FRN within 4.5 months and provide to the Commission. Commission vote is needed to

(b)(5)

(b)(5)



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# Questions?



# Backup Slides

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**From:** [Philip, Jacob](#)  
**To:** [Kratchman, Jessica](#)  
**Subject:** RE: MEETING SUMMARY: PRM 50-109  
**Date:** Friday, May 29, 2015 2:20:00 PM

---

Gr8 reply !!

-----Original Message-----

From: Kratchman, Jessica  
Sent: Friday, May 29, 2015 12:04 PM  
To: Mizuno, Geary; Fuhrmann, Mark; Inverso, Tara; Lehman, Bryce; Love-Blair, Angella; Neuhausen, Alissa; Philip, Jacob; Thomas, George  
Subject: RE: MEETING SUMMARY: PRM 50-109

Geary,

(b)(5)

Thanks.

Jessie

---

From: Mizuno, Geary  
Sent: Friday, May 29, 2015 11:19 AM  
To: Kratchman, Jessica; Fuhrmann, Mark; Inverso, Tara; Lehman, Bryce; Love-Blair, Angella; Neuhausen, Alissa; Philip, Jacob; Thomas, George  
Subject: RE: MEETING SUMMARY: PRM 50-109

(b)(5)

Geary

From: Kratchman, Jessica  
Sent: Friday, May 29, 2015 9:17 AM  
To: Mizuno, Geary; Fuhrmann, Mark; Inverso, Tara; Lehman, Bryce; Love-Blair, Angella; Neuhausen, Alissa; Philip, Jacob; Thomas, George  
Subject: RE: MEETING SUMMARY: PRM 50-109

(b)(5)

George/ Jake/ Mark- Have I characterized that correctly?

From: Mizuno, Geary  
Sent: Thursday, May 28, 2015 5:06 PM  
To: Kratchman, Jessica; Fuhrmann, Mark; Inverso, Tara; Lehman, Bryce; Love-Blair, Angella; Neuhausen, Alissa; Philip, Jacob; Thomas, George  
Subject: RE: MEETING SUMMARY: PRM 50-109

Colleagues:

I am sorry I was unable to attend this meeting.

(b)(5)



(b)(5)

Geary

From: Kratchman, Jessica

Sent: Thursday, May 28, 2015 4:35 PM

To: Fuhrmann, Mark; Inverso, Tara; Lehman, Bryce; Love-Blair, Angella; Mizuno, Geary; Neuhausen, Alissa; Philip Jacob; Thomas, George

Subject: MEETING SUMMARY: PRM 50-109

LINKS: Link to SharePoint Site<<http://fusion.nrc.gov/nrr/team/dpr/prmb/rulemaking/PRM-50-109/SitePages/Home.aspx>> Link to staff position paper.<[http://fusion.nrc.gov/nrr/team/dpr/prmb/rulemaking/PRM-50-109/Working%20Documents/PRM%2050-109%20Draft%20Staff%20Position%20Recommending%20of%20Petition%20\(R%20Rev%201\).%20WG%20comments.docx](http://fusion.nrc.gov/nrr/team/dpr/prmb/rulemaking/PRM-50-109/Working%20Documents/PRM%2050-109%20Draft%20Staff%20Position%20Recommending%20of%20Petition%20(R%20Rev%201).%20WG%20comments.docx)>

MEETING SUMMARY: Thanks to everyone for participated in today's meeting and to those of you who provided input prior to the meeting.

DISCUSSION: We spent today's meeting discussing George's input for Issues 1-3. We also discussed action items and the schedule moving forward.

General discussion: Conform language throughout: (b)(5)

(b)(5)

(b)(5)

Issue 3: RES to add input

#### ACTIONS:

RES: Issue 3: provide write up for June 9 meeting. Get to PM by COB June 5.

George:

o Update input per today's meeting, refer to comments/ edits tracked during meeting. Link to staff position paper.

<[http://fusion.nrc.gov/nrr/team/dpr/prmb/rulemaking/PRM-50-109/Working%20Documents/PRM%2050-109%20Draft%20Staff%20Position%20Recommending%20of%20Petition%20\(R%20Rev%201\).%20WG%20comments.docx](http://fusion.nrc.gov/nrr/team/dpr/prmb/rulemaking/PRM-50-109/Working%20Documents/PRM%2050-109%20Draft%20Staff%20Position%20Recommending%20of%20Petition%20(R%20Rev%201).%20WG%20comments.docx)>

o Prepare Comment 4 (9) input for June 9 meeting. Provide to PM by June 5.

· Jessie: Comments 1-3 input will be emailed to the group for input by June 5.

· All: review current staff position document (link above).

SCHEDULE: Next meeting we will discuss Issue 3 (RES input) and Comment 4 (9).

Comment #

Lead

Due Date

WG review method

Issues 1, 2, 3

Thomas

May 28, 2015

WG meeting

Comments 1, 2, 3

Kratchman

June 9, 2015

Email

Comment 4 (9) + Issue 3 (RES input)

Thomas/  
RES

June 9, 2015

WG meeting

Comment 5, 6

Lehman

June 23, 2015

Email

Comment 7 (10)

Thomas

June 23, 2015

WG meeting

Comment 8

Thomas

July 7, 2015

WG meeting



Thanks again!

-Jessie

Jessica Kratchman, candidate DrPH  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulations  
U.S. Nuclear Regulatory Commission  
301-415-5112

**From:** Philip Jacob  
**To:** Jessica Kratchman (b)(6)  
**Subject:** FW: asr  
**Date:** Monday, June 08, 2015 2:51:00 PM  
**Attachments:** MF Issue 1 and 2 revised JP 6-8-15.docx

Note: The 6-page draft attachment is withheld in its entirety under FOIA exemption 5.

Here are Mark's and my revisions to Issue 1 and 2. You can circulate to others as appropriate and we can discuss it tomorrow.

Mark and I will send you our revision this afternoon.

jake

---

**From:** Fuhrmann, Mark  
**Sent:** Monday, June 08, 2015 2:42 PM  
**To:** Philip, Jacob  
**Subject:** asr

Mark Fuhrmann, Ph.D.  
Geochemist  
Office of Nuclear Regulatory Research  
U.S. Nuclear Regulatory Commission  
Mail Stop CSB 2C-07m  
11555 Rockville Pike  
Rockville, MD 20852-2738

[mark.fuhrmann@nrc.gov](mailto:mark.fuhrmann@nrc.gov)  
Phone: 301-251-7472  
Fax: 301-251-7410

**From:** Philip Jacob  
**To:** Jessica Kratchman (b)(6)  
**Subject:** FW: Issue 3  
**Date:** Monday, June 08, 2015 3:32:00 PM  
**Attachments:** MFIssue 3.docx

Note: The 5-page draft attachment is withheld in its entirety under FOIA exemption 5.

Here is Mark's and my revisions to Issue 3.

(b)(5)

We can

discuss that tomorrow.

Jake

---

**From:** Fuhrmann, Mark  
**Sent:** Monday, June 08, 2015 3:10 PM  
**To:** Philip, Jacob  
**Subject:** RE: Issue 3

Mark Fuhrmann, Ph.D.  
Geochemist  
Office of Nuclear Regulatory Research  
U.S. Nuclear Regulatory Commission  
Mail Stop CSB 2C-07m  
11555 Rockville Pike  
Rockville, MD 20852-2738

[mark.fuhrmann@nrc.gov](mailto:mark.fuhrmann@nrc.gov)

Phone: 301-251-7472

Fax: 301-251-7410

---

**From:** Philip, Jacob  
**Sent:** Monday, June 08, 2015 2:45 PM  
**To:** Fuhrmann, Mark  
**Subject:** Issue 3

Jacob Philip  
Civil/Geotechnical Engineer

**From:** [Kratchman, Jessica](#)  
**To:** [Philip, Jacob](#); [Fuhrmann, Mark](#)  
**Subject:** FW: SUFFICIENCY DETERMINATION: C-10 PRM for concrete degradation  
**Date:** Monday, October 27, 2014 2:32:16 PM  
**Attachments:** [KRATCHMAN\\_09\\_2014\\_SUFFICIENCY\\_REVIEW\\_ASR\\_concrete\\_PRM\\_rev1.docx](#)

---

FYI- attached is my sufficiency determination for PRM 50-109 (ASR concrete degradation).

As I mentioned on the phone, I am awaiting on ADMIN to complete their posting of the FRN for the Notice for Rulemaking. After I receive word back from them I will put a working group together.

Thanks for your input! And I will keep you posted.

-Jessie

---

**From:** Kratchman, Jessica  
**Sent:** Thursday, October 02, 2014 10:52 AM  
**To:** Inverso, Tara  
**Cc:** Beall, Robert  
**Subject:** SUFFICIENCY DETERMINATION: C-10 PRM for concrete degradation

Tara,

I have completed a sufficiency review of C-10's PRM dated 09/25/2014 and determined that the PRM meets the sufficiency criteria for docketing under 10 CFR 2.802. Attached is a summary of my determination. Please let me know if you have any further questions or require my assistance in any way.

Thanks.

-Jessie

***Jessica Kratchman, candidate DrPH***

Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulations  
U.S. Nuclear Regulatory Commission  
301-415-5112

**SUFFICIENCY REVIEW:** Seabrook ASR concrete degradation PRM submitted pursuant to 10 CFR 2.802 on 09/25/2014

**PETITIONER:** The C-10 Research and Education Foundation (C-10); assistance from Union of Concerned Scientists

**NRC REVIEWERS:** Jessica Kratchman, PM, NRR/ DPR; technical support from Timothy Lupold, Branch Chief, NRR/ DE

**STATUS:** PRM meets the sufficiency criteria for docketing under 10 CFR 2.802. The below table summarizes the review.

**10CFR 2.802(c): PRM Criteria**

<p>(1) <i>Set forth a general solution to the problem or the substance or text of any proposed regulation or amendment, or specify the regulation which is to be revoked or amended;</i></p>	<p>The petitioner requests that the U.S. Nuclear Regulatory Commission (NRC) amend its regulations to provide better protection against concrete degradation at U.S. nuclear power plants. C-10 suggests that the reliance on a visual inspection does not “adequately identify Alkali-Silica Reaction (ASR), does not confirm ASR, or provide the current state of ASR damage (if present) without petrographic analysis under current existing code”.</p> <p>The general solution proposed by the petitioner is to revise applicable regulations to:</p> <ol style="list-style-type: none"> <li>1. Require all licensees comply with ACI Standard 349.3R, <i>Evaluation of Existing Nuclear Safety-Related Concrete Structures</i>.</li> <li>2. Require all licensees comply with ASTM C 856-11, <i>Standard Practice for Petrographic Examination of Hardened Concrete</i>.</li> </ol>
<p>(2) <i>State clearly and concisely the petitioner's grounds for and interest in the action requested;</i></p>	<p>C-10 addresses health and safety issues related to the Seabrook Station. C-10 evolved from <i>Citizens Within the Ten-Mile Radius</i>, a 5,000 member organization founded in 1986 to challenge evacuation plans for the Seabrook Station. C-10 has been engaging the NRC about concrete degradation at Seabrook since 12/22/2011.</p>
<p>(3) <i>Include a statement in support of the petition which shall set forth the specific issues involved, the petitioner's views or arguments with respect to those issues, relevant technical, scientific or other data involved which is reasonably available to the petitioner, and such other pertinent information as the petitioner deems necessary to support the action sought. In support of its petition, petitioner should note any specific cases of which petitioner is aware where the current rule is unduly burdensome, deficient, or needs to be strengthened.</i></p>	<p>NRC public meeting at Seabrook Station on 06/24/2014, C-10 asked if the NRC was investigating the US nuclear fleet for ASR concrete degradation. The NRC staff responded that ASR concrete degradation could be adequately indicated through visual examination.</p> <p>However, NRC position paper, <i>In situ Monitoring of ASR-affected Concrete</i>, November 2012, states “ASR can exist in concrete without indications of pattern cracking,” and that for “... structures exposed to ASR, internal damage occurs through the depth of the section but visible cracking is suppressed by heavy reinforcement...”</p> <p>When NextEra determined 131 locations with “assumed” ASR visual signs within multiple power-block structures at Seabrook Station during 2012, further engineering evaluations were not required by NRC.</p> <p>Codes and standards exist that are capable of detecting ASR and determining the key material properties needed to evaluate the degree and severity of ASR damage. ACI Standard 349.3R02, for instance, has been endorsed by the NRC (ADAMS ML112241029) as an acceptable method of protecting against excessive ASR concrete degradation but is not a requirement.</p>



**January 7, 2013 (DRAFT)**

Memorandum To: ASR Working Group

From: William A. Cook, ASR Team Lead, Region I

Through: Richard Conte, ASR Project Manager, Region I

Subject: Position Paper: "ASR Working Group Recommendation to Address the Adequacy of NextEra's Seabrook Station Structures Monitoring Program (SMP)."

(b)(5)

(b)(5)



Copy to:

James Trapp, William Raymond, Suresh Chaudary, Angela Buford, George Thomas

**Position Paper: "Adequacy of NextEra's Revision (2) to the Seabrook Structures  
Monitoring Program (SMP) to Address ASR", Revision 1**

(b)(5)

(n/5)

(b)(5)



(b)(5)

(b)(5)



Hi Bill;

(b)(5)



Hardened Concrete.

ACTION OFFICE: EDO

ACTION: APPROPRIATE

SECY did confirm receipt of the petition, as requested in the email.

Thank you.

Herald

\*\*\*\*\*  
*Herald M. Speiser*  
*Rulemakings and Adjudications Staff*  
*Office of the Secretary*  
*Nuclear Regulatory Commission*  
*(301) 415-1675*  
\*\*\*\*\*

SUFFICIENCY REVIEW: Seabrook ASR concrete degradation PRM submitted pursuant to 10 CFR 2.802 on 09/25/2014

PETITIONER: The C-10 Research and Education Foundation (C-10); assistance from Union of Concerned Scientists

NRC REVIEWERS: Jessica Kratchman, PM, NRR/ DPR; technical support from Timothy Lupold, Branch Chief, NRR/ DE

STATUS: PRM meets the sufficiency criteria for docketing under 10 CFR 2.802. The below table summarizes the review.

10CFR 2.802(c): PRM Criteria

<p>(1) <i>Set forth a general solution to the problem or the substance or text of any proposed regulation or amendment, or specify the regulation which is to be revoked or amended;</i></p>	<p>The petitioner requests that the U.S. Nuclear Regulatory Commission (NRC) amend its regulations to provide better protection against concrete degradation at U.S. nuclear power plants. C-10 suggests that the reliance on a visual inspection does not “adequately identify Alkali-Silica Reaction (ASR), does not confirm ASR, or provide the current state of ASR damage (if present) without petrographic analysis under current existing code”.</p> <p>The general solution proposed by the petitioner is to revise applicable regulations to:</p> <ol style="list-style-type: none"> <li>1. Require all licensees comply with ACI Standard 349.3R, <i>Evaluation of Existing Nuclear Safety-Related Concrete Structures</i>.</li> <li>2. Require all licensees comply with ASTM C 856-11, <i>Standard Practice for Petrographic Examination of Hardened Concrete</i>.</li> </ol>
<p>(2) <i>State clearly and concisely the petitioner's grounds for and interest in the action requested;</i></p>	<p>C-10 addresses health and safety issues related to the Seabrook Station. C-10 evolved from <i>Citizens Within the Ten-Mile Radius</i>, a 5,000 member organization founded in 1986 to challenge evacuation plans for the Seabrook Station. C-10 has been engaging the NRC about concrete degradation at Seabrook since 12/22/2011.</p>
<p>(3) <i>Include a statement in support of the petition which shall set forth the specific issues involved, the petitioner's views or arguments with respect to those issues, relevant technical, scientific or other data involved which is reasonably available to the petitioner, and such other pertinent information as the petitioner deems necessary to support the action sought. In support of its petition, petitioner should note any specific cases of which petitioner is aware where the current rule is unduly burdensome, deficient, or needs to be strengthened.</i></p>	<p>NRC public meeting at Seabrook Station on 06/24/2014, C-10 asked if the NRC was investigating the US nuclear fleet for ASR concrete degradation. The NRC staff responded that ASR concrete degradation could be adequately indicated through visual examination.</p> <p>However, NRC position paper, <i>In situ Monitoring of ASR-affected Concrete</i>, November 2012, states “ASR can exist in concrete without indications of pattern cracking,” and that for “... structures exposed to ASR, internal damage occurs through the depth of the section but visible cracking is suppressed by heavy reinforcement...”</p> <p>When NextEra determined 131 locations with “assumed” ASR visual signs within multiple power-block structures at Seabrook Station during 2012, further engineering evaluations were not required by NRC.</p> <p>Codes and standards exist that are capable of detecting ASR and determining the key material properties needed to evaluate the degree and severity of ASR damage. ACI Standard 349.3R02, for instance, has been endorsed by the NRC (ADAMS ML112241029) as an acceptable method of protecting against excessive ASR concrete degradation but is not a requirement.</p>



---

**From:** Bladey, Cindy  
**Sent:** Friday, October 03, 2014 10:47 AM  
**To:** Kratchman, Jessica; Mizuno, Geary; Inverso, Tara  
**Cc:** Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James; Love-Blair, Angella; Terry, Leslie; Barczy, Theresa  
**Subject:** Cindy Bladey response on public commetn request

Jessica, ADM will draft the NOR to include a comment request, but I suggest technical staff consider formulating a few questions to include in the notice. The intent is not to restrict the scope of the petition open for comment. Rather, staff (and the public) may find it useful if we include questions that direct public comment toward those particular areas where focused discussion and directed comment responses can assist staff to disposition the petition. If you agree with this approach, but need some time to develop questions, ADM will send you the notice for your input before we send for concurrence review. Thanks, Cindy

---

**From:** Kratchman, Jessica  
**Sent:** Friday, October 03, 2014 8:42 AM  
**To:** Mizuno, Geary; Bladey, Cindy; Inverso, Tara  
**Cc:** Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James  
**Subject:** RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation (OGC Ticket 2014-3965)  
**Importance:** High

Cindy,

(b)(5)

Please let me know if that is an issue.

Thanks.

-Jessie

---

**From:** Mizuno, Geary  
**Sent:** Thursday, October 02, 2014 3:05 PM  
**To:** Bladey, Cindy; Kratchman, Jessica; Inverso, Tara  
**Cc:** Colaccino, Joseph; Mohseni, Aby; Beall, Robert; Jones, Bradley; Biggins, James  
**Subject:** RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation (OGC Ticket 2014-3965)

Cindy

(b)(5)

Geary

---

**From:** Bladey, Cindy  
**Sent:** Thursday, October 02, 2014 1:25 PM  
**To:** Kratchman, Jessica; Mizuno, Geary; Inverso, Tara  
**Cc:** Colaccino, Joseph; Mohseni, Aby; Beall, Robert  
**Subject:** RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Thanks Jessica. I included NRO on cc for information only at this point. RES is not a rulemaking office, and so normally does not participate in sufficiency determinations.

---

**From:** Kratchman, Jessica  
**Sent:** Thursday, October 02, 2014 1:23 PM  
**To:** Mizuno, Geary; Bladey, Cindy; Inverso, Tara  
**Cc:** Colaccino, Joseph; Mohseni, Aby; Beall, Robert  
**Subject:** RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

RES and NRO will weigh-in when we establish a working group. For now I consulted technical staff only to the extent necessary to aid in establishing enough understanding to make a cursory determination.

-Jessie

---

**From:** Mizuno, Geary  
**Sent:** Thursday, October 02, 2014 1:18 PM  
**To:** Bladey, Cindy; Inverso, Tara  
**Cc:** Colaccino, Joseph; Kratchman, Jessica; Mohseni, Aby  
**Subject:** RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Did we hear from NRO? Is RES also supposed to weigh in (or are they typically excluded?)

---

**From:** Bladey, Cindy  
**Sent:** Thursday, October 02, 2014 1:15 PM  
**To:** Inverso, Tara  
**Cc:** Colaccino, Joseph; Mizuno, Geary; Kratchman, Jessica; Mohseni, Aby  
**Subject:** RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Thanks, very nice assessment.

Geary and Tara,  
barring any objections, I plan to docket this PRM later today, and have my staff draft a notice of receipt that requests public comment on the petition. Please let me know if you have any objections or concerns with this approach, and/or any specific questions you would like to have included in the NOR.

Cindy

---

**From:** Inverso, Tara  
**Sent:** Thursday, October 02, 2014 12:33 PM  
**To:** Bladey, Cindy  
**Cc:** Colaccino, Joseph; Mizuno, Geary; Kratchman, Jessica; Mohseni, Aby  
**Subject:** RE: ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

Good afternoon, Cindy,

PRMB concludes that C-10's petition is sufficient for docketing. Please see attached for the very thorough rationale that Jessica Kratchman provided.

Thank you,  
Tara

---

**From:** Bladey, Cindy  
**Sent:** Monday, September 29, 2014 11:45 AM  
**To:** Jones, Bradley; Safford, Carrie; OGCMailCenter Resource; Inverso, Tara  
**Cc:** Barczy, Theresa; Love-Blair, Angella; Terry, Leslie; Shepherd, Jill; Mizuno, Geary; Colaccino, Joseph  
**Subject:** ACTION: Sufficiency Determination for Petition for Rulemaking submitted by C-10 Foundation

NRR and OGC:

I am requesting your view on whether the attached PRM from Sandra Gavutis, Executive Director of the C-10 Foundation, is sufficient for docketing under 10 CFR 2.802. Please respond by COB Monday, October 6.

Thanks, Cindy

Cindy Bladey, Chief  
Rules, Announcements, and Directives Branch  
3WFN 06-B02  
301-287-0949  
[cindy.bladey@nrc.gov](mailto:cindy.bladey@nrc.gov)

---

**From:** RulemakingComments Resource  
**Sent:** Friday, September 26, 2014 8:22 AM  
**To:** RidsEdoMailCenter Resource  
**Cc:** Bladey, Cindy; Giitter, Rebecca; Julian, Emile; Newell, Brian; RulemakingComments Resource; Sola, Clara; Vietti-Cook, Annette  
**Subject:** EDO ACTION ITEM: FW: C-10 Foundation's 2.802 Petition for Rulemaking to the NRC

Attached is a petition for rulemaking submitted by Sandra Gavutis on behalf of the C-10 Foundation regarding revision to applicable regulations to:

- 1) Require that all licensees comply with ACI 349.3R
- 2) Require that all licensees comply with ASTM C 856-11, Standard Practice for Petrographic Examination of Hardened Concrete.

ACTION OFFICE: **EDO**

ACTION: **APPROPRIATE**

SECY did confirm receipt of the petition, as requested in the email.

Thank you.

Herald

\*\*\*\*\*

*Herald M. Speiser*  
*Rulemakings and Adjudications Staff*  
*Office of the Secretary*  
*Nuclear Regulatory Commission*  
*(301) 415-1675*

\*\*\*\*\*

---

**From:** Kratchman, Jessica  
**Sent:** Thursday, April 23, 2015 12:17 PM  
**To:** Mizuno, Geary  
**Cc:** Inverso, Tara; Spencer, Mary; Biggins, James  
**Subject:** RE: REMINDER: PRM 50-109 working group meetings- your comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

It's not a problem- you are not a lead on any comment, I mainly included you as support for particular issues. Please just keep an eye on which comments you support and their associated meetings (or lack of meetings).

Thanks.

-Jessie

---

**From:** Mizuno, Geary  
**Sent:** Thursday, April 23, 2015 12:11 PM  
**To:** Kratchman, Jessica  
**Cc:** Inverso, Tara; Spencer, Mary; Biggins, James  
**Subject:** RE: REMINDER: PRM 50-109 working group meetings- your comments

Jessica:

I am not going to be able to provide my input, due to higher priority items. As I have told the staff, someone is going to be unhappy that I cannot do everything.

Geary

---

**From:** Kratchman, Jessica  
**Sent:** Thursday, April 23, 2015 10:54 AM  
**To:** Fuhrmann, Mark; Inverso, Tara; Lehman, Bryce; Love-Blair, Angella; Mizuno, Geary; Neuhausen, Alissa; Philip, Jacob; Thomas, George  
**Subject:** REMINDER: PRM 50-109 working group meetings- your comments

REMINDER: please review your assigned comments/ issues and determine which require a dedicated WG meeting. I have requested your input by COB today. For details see below.

-Jessie

---

**From:** Kratchman, Jessica  
**Sent:** Thursday, April 16, 2015 10:56 AM  
**To:** Fuhrmann, Mark; Inverso, Tara; Lehman, Bryce; Love-Blair, Angella; Mizuno, Geary; Neuhausen, Alissa; Philip, Jacob; Thomas Wilt; Thomas, George  
**Cc:** Beall, Robert  
**Subject:** MEETING SUMMARY: PRM 50-109 (4-16-2015)

Working Group Meeting (WG): PRM 50-109: Comment/ issue resolution assignments



Thank you to everyone who attended today's meeting. We spent the majority of the meeting discussing the Comment Summary Matrix (SharePoint). If you have been identified as a lead for a comment/ issue response please begin reviewing and working on your comment resolution.

REMINDER: the purpose of the petition review is not to make a decision on whether rulemaking should take place but to determine if this issue should enter the rulemaking process. Please keep this in mind throughout your review.

DISCUSSION:

(b)(5)

ACTIONS:

- **WG members** should review their assigned comments/ issues and determine which require a dedicated WG meeting. If the comment response appears to be straightforward, the responses may be circulated to the WG for discussion instead of holding a WG meeting.
  - o Respond to Jessie COB **April 23**.
- **Jessie** will develop a schedule for comment/ issue resolution WG meetings- send to the WG by COB **April 28**.
  - o First comment/ issue resolution working group meeting will take place in early May.
- As **WG members** identify background documents- send them to Jessie.
  - o **Jessie** will post to SharePoint site.
- **WG members** should regularly check SharePoint site for updates.
  - o All materials will be updated to reflect today's meeting- please work off the most current versions.
- **Jessie** will post an example of FRN that includes comment responses to the SharePoint site.

Reminder: SharePoint site link: <http://fusion.nrc.gov/nrr/team/dpr/prmb/rulemaking/PRM-50-109/SitePages/Home.aspx>

This meeting summary will be added to the file: Meeting summary document on SharePoint Site.

Thanks to everyone for your participation and support!

-Jessie

*Jessica Kratchman, candidate DrPH*

Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulations  
U.S. Nuclear Regulatory Commission  
301-415-5112

---

**From:** Kratchman, Jessica  
**Sent:** Monday, October 05, 2015 11:02 AM  
**To:** Mizuno, Geary  
**Cc:** Inverso, Tara; England, Christina; Spencer, Mary; Biggins, James  
**Subject:** RE: Re: Status of the C-10 Petition for Rulemaking

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thank you. I appreciate your quick response and I will make the recommended modifications.

-Jessie

**From:** Mizuno, Geary  
**Sent:** Monday, October 05, 2015 10:39 AM  
**To:** Kratchman, Jessica  
**Cc:** Inverso, Tara; England, Christina; Spencer, Mary; Biggins, James  
**Subject:** RE: Re: Status of the C-10 Petition for Rulemaking

(b)(5)

Geary

**From:** Kratchman, Jessica  
**Sent:** Monday, October 05, 2015 10:29 AM  
**To:** Mizuno, Geary <[Geary.Mizuno@nrc.gov](mailto:Geary.Mizuno@nrc.gov)>  
**Cc:** Inverso, Tara <[Tara.Inverso@nrc.gov](mailto:Tara.Inverso@nrc.gov)>  
**Subject:** RE: Re: Status of the C-10 Petition for Rulemaking

(b)(5)

-Jessie

**Jessica Kratchman, candidate DrPH**

Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulations  
U.S. Nuclear Regulatory Commission  
301-415-5112

**From:** McIntyre, David  
**Sent:** Monday, October 05, 2015 8:46 AM  
**To:** Inverso, Tara  
**Cc:** Kratchman, Jessica; Mohseni, Aby  
**Subject:** RE: Re: Status of the C-10 Petition for Rulemaking

Indeed, I was confusing them. So many processes, so little time ...

---

**From:** Inverso, Tara  
**Sent:** Monday, October 05, 2015 8:08 AM  
**To:** McIntyre, David  
**Cc:** Kratchman, Jessica; Mohseni, Aby  
**Subject:** RE: Re: Status of the C-10 Petition for Rulemaking

Hi David,

I think you are thinking of the 2.206 petition process. For 2.802s, we have a petition review board, but the petitioner isn't involved nor are the results provided publicly.

Jessie – Please draft something up about how you are the PM, we're evaluating the requests, will provide a recommendation to the Commission, etc. Please also provide to me and Aby before you send back to OPA.

Thanks!  
Tara

---

**From:** McIntyre, David  
**Sent:** Monday, October 05, 2015 7:53 AM  
**To:** Inverso, Tara <[Tara.Inverso@nrc.gov](mailto:Tara.Inverso@nrc.gov)>  
**Subject:** FW: Re: Status of the C-10 Petition for Rulemaking

Tara – I sense some frustration here. Anything more we can tell her? Didn't they have a PRB meeting, and wouldn't she know the contact from that? Or has it been so long that she's forgotten who it was?

Dave

---

**From:** Debbie Grinnell [<mailto:grinnelldebbie2@gmail.com>]  
**Sent:** Sunday, October 04, 2015 10:21 AM

**To:** McIntyre, David  
**Subject:** [External\_Sender] Re: Status of the C-10 Petition for Rulemaking

Dave,

Out of curiosity, is anyone reading it and who is assigned by the NRC to the petition?

Thank you,

Debbie  
Sent from my iPhone

On Oct 3, 2015, at 10:34 PM, McIntyre, David <[David.McIntyre@nrc.gov](mailto:David.McIntyre@nrc.gov)> wrote:

I'm afraid there really isn't a timetable.

Regards,  
Dave

---

On: 03 October 2015 12:13, "Debbie Grinnell" <[grinnelldebbie2@gmail.com](mailto:grinnelldebbie2@gmail.com)> wrote:  
Hello David,

Thank you for relying. Do you know approximately when you might know the current status of our Petition.

Thank you,

Debbie  
C-10 Foundation  
Sent from my iPhone

On Sep 29, 2015, at 4:58 PM, McIntyre, David <[David.McIntyre@nrc.gov](mailto:David.McIntyre@nrc.gov)> wrote:

Ms. Grinnell –

Staff is still reviewing your petition and preparing a recommendation for the Commission.

Regards,

*David McIntyre*  
*Office of Public Affairs*  
*U.S. Nuclear Regulatory Commission*  
*301-415-8200*

**From:** Debbie Grinnell [<mailto:debbie@c-10.org>]  
**Sent:** Tuesday, September 29, 2015 1:36 PM  
**To:** OPA Resource <[OPA.Resource@nrc.gov](mailto:OPA.Resource@nrc.gov)>

**Subject:** [External\_Sender] Status of the C-10 Petition for Rulemaking

Hello,

I am with the C-10 Foundation and we submitted a Petition for Rulemaking in September 2014. What is the current status of the petition.

Thank you,

Debbie Grinnell  
Research staff  
C-10 Foundation



---

**Subject:** MATERIALS: PETITION REVIEW BOARD: PRM 50-109  
**Location:** HQ-OWFN-12B02-12p

**Start:** Thu 02/11/2016 10:00 AM  
**End:** Thu 02/11/2016 11:00 AM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Kratchman, Jessica  
**Required Attendees:** Bladey, Cindy; DeJesus, Anthony; Ross-Lee, MaryJane; Spencer, Mary; Mohseni, Aby; Correia, Richard; Miller, Chris; Tappert, John; Inverso, Tara; Fuhrmann, Mark; Lehman, Bryce; Love-Blair, Angella; Mizuno, Geary; Neuhausen, Alissa; Philip, Jacob; Marshall, Jane; Thomas, George  
**Optional Attendees:** Caldwell, Robert; Mayfield, Michael; DE\_Calendar Resource; Doyle, Daniel; Wittick, Brian



Seabrook ASR



seabrook ASR



PRM-50-109 PRB

Petition for Rule... petition for rule... FINAL slides 2-...

Note: These three attachments are the same as the attachments to J. Kratchman's 2/12/16 3:03 pm email.

Link to ADAMS to review the final package: [LINK to PRM 50-109 Package](#)

**Meeting Subject:** Petition (PRM) 50-109: Improved Identification Techniques against Alkali-Silica Reaction Concrete Degradation at Nuclear Power Plants

**Meeting Purpose:** To obtain management approval for the Working Group's proposed closure of Petition (PRM) 50-109.

**Role of the Petition Review Board (PRB):** PRB is composed of division directors/ deputy division directors from each technical area affected by the petition and represented on the working group. The Chair of the PRB will be the NRR/ DPR Deputy Division Director. The PRB may decide to:

1. Approve the recommended closure approach
2. Specify a different closure
3. Request additional information or further briefing.

**PRB Materials:** to be provided no later than 1 week before the PRB convenes. Please try and review materials in advance to expedite the meeting and resolution of comments.

If you have any questions please feel free to ask me or the working group member which represents your division.

Thanks.

-Jessie

**Jessica Kratchman, candidate DrPH**

Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulations  
U.S. Nuclear Regulatory Commission  
301-415-5112

**Passcodes/Pin codes:**

Participant passcode	(b)(6)
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For security reasons, the passcode will be required to join the conference.

**Dial in numbers:**

Country	Toll Numbers	Freephone/ Toll Free Number
USA		888-390-1523

**From:** [Campbell, Tison](#)  
**To:** [Carneal, Jason](#)  
**Cc:** [Spencer, Mary](#); [Segarnick, Maxine](#)  
**Subject:** FW: ADM comments on PRM-50-109, Denial of Petition for Rulemaking Submitted by C-10  
**Date:** Monday, October 24, 2016 2:01:33 PM  
**Attachments:** [FRN with ADM comments C10 PRM denial.docx](#)  
[Letter to petitioner with ADM comments.docx](#)  
[SECY C10 denial with ADM comments.docx](#)  
[Congressional letters, with ADM comments.docx](#)

Note: All four draft attachments, totalling 49 pages, are withheld in their entirety under FOIA exemption 5.

Jason:

Molly is on a rotation right now and will be unable to review these documents. I've asked Maxine Segarnick (an HLG in our division) to review these changes and Molly's previous comments. I am going to have our mailroom create a ticket and we will get back to you in no more than 10 business days.

Thanks,

Tison

Tison Campbell  
Deputy Assistant General Counsel  
US Nuclear Regulatory Commission  
Office of the General Counsel  
(301) 287-9290

-----Original Message-----

-----Original Message-----

From: Carneal, Jason  
Sent: Monday, October 24, 2016 12:43 PM  
To: Marsh, Molly <Molly.Marsh@nrc.gov>  
Subject: ADM comments on PRM-50-109, Denial of Petition for Rulemaking Submitted by C-10

Molly:

We received comments from ADM on the 50-109 package. Your comments were incorporated in the file that ADM reviewed.

Could you review the tracked changes in the attached files and let me know if you disagree with any of the changes proposed by ADM?

v/r,

Jason

Jason Carneal  
Project Manager  
NRR/DPR/PRMB  
301-415-1451

---

**From:** Spencer, Mary  
**Sent:** Tuesday, October 25, 2016 12:56 PM  
**To:** Khanna, Meena  
**Cc:** Campbell, Tison; Segarnick, Maxine  
**Subject:** RE: ADM comments on PRM-50-109, (b)(5) Petition for Rulemaking Submitted by C-10

Meena,

(b)(5)

We'll do this as quick as we can.

Mary

-----Original Message-----

From: Khanna, Meena  
Sent: Tuesday, October 25, 2016 12:39 PM  
To: Spencer, Mary <Mary.Spencer@nrc.gov>  
Subject: FW: ADM comments on PRM-50-109, (b)(5) Petition for Rulemaking Submitted by C-10

Here you go...thanks!

-----Original Message-----

From: Carneal, Jason  
Sent: Monday, October 24, 2016 2:07 PM  
To: Khanna, Meena <Meena.Khanna@nrc.gov>  
Subject: FW: ADM comments on PRM-50-109, (b)(5) Petition for Rulemaking Submitted by C-10

Meena:

FYI - another 10 day delay to 50-109 since our original lawyer went on rotation.

v/r,

Jason

-----Original Message-----

From: Campbell, Tison  
Sent: Monday, October 24, 2016 2:02 PM  
To: Carneal, Jason <Jason.Carneal@nrc.gov>  
Cc: Spencer, Mary <Mary.Spencer@nrc.gov>; Segarnick, Maxine <Maxine.Segarnick@nrc.gov>  
Subject: FW: ADM comments on PRM-50-109, (b)(5) Petition for Rulemaking Submitted by C-10

Jason:

Molly is on a rotation right now and will be unable to review these documents. I've asked Maxine Segarnick (an HLG in our division) to review these changes and Molly's previous comments. I am going to have our mailroom create a ticket and we will get back to you in no more than 10 business days.

Thanks,

Tison

Tison Campbell  
Deputy Assistant General Counsel  
US Nuclear Regulatory Commission  
Office of the General Counsel  
(301) 287-9290

-----Original Message-----

-----Original Message-----

From: Carneal, Jason

Sent: Monday, October 24, 2016 12:43 PM

To: Marsh, Molly <Molly.Marsh@nrc.gov>

Subject: ADM comments on PRM-50-109, (b)(5) Petition for Rulemaking Submitted by C-10

Molly:

We received comments from ADM on the 50-109 package. Your comments were incorporated in the file that ADM reviewed.

Could you review the tracked changes in the attached files and let me know if you disagree with any of the changes proposed by ADM?

v/r,

Jason

Jason Carneal  
Project Manager  
NRR/DPR/PRMB  
301-415-1451



**From:** [Carneal, Jason](#)  
**To:** [Segarnick, Maxine](#)  
**Cc:** [Khanna, Meena](#)  
**Subject:** RE: ADM comments on PRM-50-109, (b)(5) Petition for Rulemaking Submitted by C-10  
**Date:** Friday, October 28, 2016 11:05:03 AM  
**Attachments:** [50-109 letter - Changes made in response to OGC comments.docx](#)  
[50-109 FRN - Changes made in response to OGC comments.docx](#)  
[50-109 SECY - Changes made in response to OGC comments.docx](#)

Note: All three draft attachments, totalling 94 pages, are withheld in their entirety under FOIA exemption 5.

Maxine:

I do not have a hardcopy of Molly's comments. The best I can do is the attached, which compares the September 15, 2016 version that went to OGC to the September 30, 2016 version that I updated after we received Molly's comments.

Note: The attached files do not contain the comments from ADM that we asked OGC to review.

v/r,

Jason

-----Original Message-----

From: Segarnick, Maxine  
Sent: Friday, October 28, 2016 9:24 AM  
To: Carneal, Jason <Jason.Carneal@nrc.gov>  
Cc: Campbell, Tison <Tison.Campbell@nrc.gov>  
Subject: RE: ADM comments on PRM-50-109, (b)(5) Petition for Rulemaking Submitted by C-10

Hi Jason,

Do you have the hardcopy of comments that Molly Marsh previously provided? I just left you a voicemail requesting the same.

Thanks,

Maxine

-----Original Message-----

From: Campbell, Tison  
Sent: Monday, October 24, 2016 2:02 PM  
To: Carneal, Jason <Jason.Carneal@nrc.gov>  
Cc: Spencer, Mary <Mary.Spencer@nrc.gov>; Segarnick, Maxine <Maxine.Segarnick@nrc.gov>  
Subject: FW: ADM comments on PRM-50-109, (b)(5) Petition for Rulemaking Submitted by C-10

Jason:

Molly is on a rotation right now and will be unable to review these documents. I've asked Maxine Segarnick (an HLG in our division) to review these changes and Molly's previous comments. I am going to have our mailroom create a ticket and we will get back to you in no more than 10 business days.

Thanks,

Tison

Tison Campbell



Deputy Assistant General Counsel  
US Nuclear Regulatory Commission  
Office of the General Counsel  
(301) 287-9290

-----Original Message-----

-----Original Message-----

From: Carneal, Jason  
Sent: Monday, October 24, 2016 12:43 PM  
To: Marsh, Molly <Molly.Marsh@nrc.gov>  
Subject: ADM comments on PRM-50-109, (b)(5) Petition for Rulemaking Submitted by C-10

Molly:

We received comments from ADM on the 50-109 package. Your comments were incorporated in the file that ADM reviewed.

Could you review the tracked changes in the attached files and let me know if you disagree with any of the changes proposed by ADM?

v/r,

Jason

Jason Carneal  
Project Manager  
NRR/DPR/PRMB  
301-415-1451

**From:** [Segarnick, Maxine](#)  
**To:** [Houseman, Esther](#)  
**Cc:** [Campbell, Tison](#)  
**Subject:** FW: PRM 50-109 FRN - EDO comments addressed  
**Date:** Tuesday, January 31, 2017 10:08:00 AM  
**Attachments:** [DRAFT FRN PRM 50-109 EDO Comments Addressed Clean.docx](#)  
[DRAFT FRN PRM 50-109 - EDO Comments RLSO.docx](#)

Note: The two draft attachments, totalling 88 pages, are withheld in their entirety under FOIA exemption 5.

Hi Esther and Tison,

I just received an NLO request on a revised PRM I reviewed around November. Should I sent a ticket request? I'm not sure if the email cc-ed below will result in a ticket (to [RidsOgcMailCenter.Resource@nrc.gov](mailto:RidsOgcMailCenter.Resource@nrc.gov)).

Thanks,  
Maxine

---

**From:** Carneal, Jason

**Sent:** Tuesday, January 31, 2017 9:58 AM

**To:** Segarnick, Maxine <Maxine.Segarnick@nrc.gov>

**Cc:** RidsOgcMailCenter Resource <RidsOgcMailCenter.Resource@nrc.gov>

**Subject:** PRM 50-109 FRN - EDO comments addressed

Maxine:

Attached is a copy of the updated PRM 50-109 that addresses comments that we received from the DEDO. The changes were substantial, so I am resubmitting the attached for NLO review.

For your convenience, I have attached a RSLO version that shows the DEDO comments, and a clean version. We are requesting NLO review on the clean version, which has been placed in ADAMS as well.

Please let me know if you have any additional questions.

v/r,

Jason

Jason Carneal

Project Manager

NRR/DPR/PRMB

301-415-1451

**From:** [OGC\\_RMR Tickets Resource](#)  
**To:** [Segarnick, Maxine](#)  
**Cc:** [OGC\\_RMR Tickets Resource](#)  
**Subject:** FW: OGC 2017- 0368--- PRM 50-109 FRN - EDO comments addressed  
**Date:** Tuesday, January 31, 2017 4:11:11 PM  
**Attachments:** [DRAFT FRN PRM 50-109 EDO Comments Addressed Clean.docx](#)  
[DRAFT FRN PRM 50-109 - EDO Comments RSLO.docx](#)  
[OGC 2017-0368- ---SUBJECT ---PRM 50-109 FRN EDO comments addressed.pdf](#)

The first two draft attachments, totalling 88 pages, are withheld in their entirety under FOIA exemption 5.

Assigned to Maxine.  
Best,  
Esther Houseman

---

**From:** RidsOgcMailCenter Resource  
**Sent:** Tuesday, January 31, 2017 2:14 PM  
**To:** OGC\_RMR Tickets Resource <[OGCRMRTickets.Resource@nrc.gov](mailto:OGCRMRTickets.Resource@nrc.gov)>  
**Subject:** OGC 2017- 0368--- PRM 50-109 FRN - EDO comments addressed  
Paperless ticket for RMR Division  
Ellen

---

**From:** Carneal, Jason  
**Sent:** Tuesday, January 31, 2017 9:58 AM  
**To:** Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>  
**Cc:** RidsOgcMailCenter Resource <[RidsOgcMailCenter.Resource@nrc.gov](mailto:RidsOgcMailCenter.Resource@nrc.gov)>  
**Subject:** PRM 50-109 FRN - EDO comments addressed

Maxine:

Attached is a copy of the updated PRM 50-109 that addresses comments that we received from the DEDO. The changes were substantial, so I am resubmitting the attached for NLO review.

For your convenience, I have attached a RSLO version that shows the DEDO comments, and a clean version. We are requesting NLO review on the clean version, which has been placed in ADAMS as well.

Please let me know if you have any additional questions.

v/r,

Jason  
Jason Carneal  
Project Manager  
NRR/DPR/PRMB  
301-415-1451

## Ticket Tracking

**EDATS Number:** OGC-2017-0368

**Ticket Type:** Rulemaking

**Cross Reference Numbers:**

**Originator:** Carneal, Jason

**Document Date:** 1/31/2017 12:00:00 AM

**Originator Organization:** NRR

**Received Date:** 1/31/2017 12:00:00 AM

**Incoming Accession #:**

**Response/Package #:**

**Addressee:**

**Recurring Item:** No

**Office Due Date:** 2/14/2017 12:00:00 AM

**EDO Due Date:**

**Subject:** PRM 50-109 FRN EDO comments addressed

**Description:**

**Special Instructions:** review: electronic mail plus attachments forwarded to RMR tickets

### Assignees

**Group :** OGC/GCLR/RMR

**Contact :** Houseman, Esther

**Orig Due Date :** 2/14/2017 12:00:00 AM

**Last Due Date :** 2/14/2017 12:00:00 AM

**Status:** Open

**Group :** OGC/GCLR/RMR

**Contact :** Campbell, Tison

**Orig Due Date :** 2/14/2017 12:00:00 AM

**Last Due Date :** 2/14/2017 12:00:00 AM

**Status:** Open

### Emails

**Closed By Office:**

**Closed By EDO:**

**Close Notes:**

---

**From:** Segarnick, Maxine  
**Sent:** Monday, April 17, 2017 10:18 AM  
**To:** Carneal, Jason  
**Cc:** Lehman, Bryce; Campbell, Tison; Spencer, Mary; Khanna, Meena  
**Subject:** RE: DRAFT FRN PRM 50-109 EDO Comments Addressed Clean\_OGC rev 2 - JBC BCL 2.docx

Hi Jason,

I reviewed the comment responses. The clean copy you sent is blank, so I looked over the marked up version.

(b)(5)



Maxine Segarnick  
Attorney  
Reactor and Materials Rulemaking  
Office of the General Counsel  
301-287-9117

~~Official Use Only - Attorney Client Privilege~~

**From:** Carneal, Jason  
**Sent:** Tuesday, April 04, 2017 2:59 PM  
**To:** Segarnick, Maxine <Maxine.Segarnick@nrc.gov>  
**Cc:** Lehman, Bryce <Bryce.Lehman@nrc.gov>; OGCMailCenter Resource <OGCMailCenter.Resource@nrc.gov>  
**Subject:** DRAFT FRN PRM 50-109 EDO Comments Addressed Clean\_OGC rev 2 - JBC BCL 2.docx

Maxine:

Attached are a markup and clean copy of our responses to your comments on the FRN for PRM 50-109.

Please let us know if the changes address your comments. If not, we can meet to discuss any additional changes.

v/r,

Jason

Jason Carneal  
Reactor Operations Engineer  
NRR/DIRS/IOEB  
301-415-1451



---

**From:** Khanna, Meena  
**Sent:** Monday, April 17, 2017 10:55 AM  
**To:** Campbell, Tison  
**Cc:** Lund, Louise; Casto, Greg; Spencer, Mary; Segarnick, Maxine; Benner, Eric; Ammon, Bernice; Safford, Carrie; Barczy, Theresa; Carneal, Jason; Kratchman, Jessica  
**Subject:** RE: STATUS: PRM 50-109

Thanks Tison, we just received the comments on the PRM from Maxine.

(b)(5)

Thanks for the continued support,  
Meena

**From:** Campbell, Tison  
**Sent:** Monday, April 17, 2017 10:14 AM  
**To:** Khanna, Meena <Meena.Khanna@nrc.gov>  
**Cc:** Spencer, Mary <Mary.Spencer@nrc.gov>  
**Subject:** RE: STATUS: PRM 50-109

Hi Meena:

You should see something later today.

-Tison

**From:** Khanna, Meena  
**Sent:** Friday, April 14, 2017 9:31 PM  
**To:** Campbell, Tison <Tison.Campbell@nrc.gov>  
**Subject:** FW: STATUS: PRM 50-109

Hi Tison, i hate to be a pest...but, if you could pls help me to determine the status of OGC's review of the revised PRM 50-109 package is, I'd appreciate it. The EDO's office (T.Clark) has been asking me where this package is, as she provided her and Mike J's comments to my branch back in December...i know that my branch sat on it for a while due to the decomm rule draft RB, etc, and i fully respect that you all are busy, just wanted to touch base to check on status..thanks so much.

Meena

**From:** Kratchman, Jessica  
**Sent:** Thursday, April 13, 2017 10:31 AM  
**To:** Khanna, Meena <Meena.Khanna@nrc.gov>  
**Subject:** STATUS: PRM 50-109

Meena,

Here is the status of PRM 50-109:

The package is with OGC and we are awaiting the re-confirmation of their NLO. I do not think OGC has prioritized this work as high, which contributes to the lengthy review time. I have up-to-date electronic files from Jason that reflect all comments to date. Jason is going to confirm that these are the files in ADAMS.

We do not know where the pieces of the hardcopy package have gone (maybe either Theresa Clark or OGC?). So we recommend giving the package back to DPR admin and having them re-print the missing pieces of the package. As we recover the old hardcopy pieces we will add that to the back.

Please advise.

-jess

Jessica Kratchman, Dr.PH  
Project Manager/ Reactor Systems Engineer  
U.S. Nuclear Regulatory Commission

**From:** [OGCMailCenter Resource](#)  
**To:** [OGC RMR Tickets Resource](#); [Segarnick, Maxine](#)  
**Subject:** OGC-2017-1539 - PRM 50-109 draft SECY paper with EDO comments  
**Date:** Monday, April 17, 2017 5:33:04 PM  
**Attachments:** [50-109 SECY Paper with EDO comments - CLEAN.docx](#)  
[50-109 SECY Paper with EDO comments.docx](#)  
[OGC-2017-1539 - PRM 50-109 draft SECY paper with EDO comments.pdf](#)

Note: The first two draft attachments, consisting of 10 pages, are withheld in their entirety under FOIA exemption 5.

---

Leslie

---

**From:** Carneal, Jason  
**Sent:** Monday, April 17, 2017 1:56 PM  
**To:** Segarnick, Maxine <Maxine.Segarnick@nrc.gov>  
**Cc:** OGCMailCenter Resource <OGCMailCenter.Resource@nrc.gov>; Kratchman, Jessica <Jessica.Kratchman@nrc.gov>; Campbell, Tison <Tison.Campbell@nrc.gov>  
**Subject:** PRM 50-109 SECY paper with EDO comments

Maxine:

I just realized that OEDO had made several changes in ADAMS to the SECY paper that supports our evaluation of PRM 50-109.

I have attached a tracked change and clean version for NLO review, since the changes were substantial. Hopefully the attached clean version comes through this time.

v/r,

Jason

Jason Carneal

Reactor Operations Engineer

NRR/DIRS/IOEB

301-415-1451

## Ticket Tracking

**EDATS Number:** OGC-2017-1539

**Ticket Type:** Rulemaking

**Cross Reference Numbers:**

**Originator:** Carneal, Jason

**Document Date:** 4/17/2017 12:00:00 AM

**Originator Organization:** NRR

**Received Date:** 4/17/2017 12:00:00 AM

**Incoming Accession #:**

**Response/Package #:**

**Addressee:**

**Recurring Item:** No

**Office Due Date:** 5/1/2017 12:00:00 AM

**EDO Due Date:**

**Subject:** PRM 50-109 latest draft SECY paper with EDO comments - SECY paper on staff's denial

**Description:**

**Special Instructions:** Carneal emailed Segarnick..LEV emailed OGCRMRTICKETS/Segarnick w/ticket..LEV emailed Scott/B.Mizuno/Harris/ Joyce (paper tickets)

### Assignees

**Group :** OGC/GCHEA/OR

**Contact :** Harris, Brian

**Orig Due Date :** 5/1/2017 12:00:00 AM

**Last Due Date :** 5/1/2017 12:00:00 AM

**Status:** Open

**Group :** OGC/GCHEA/OR

**Contact :** Mizuno, Beth

**Orig Due Date :** 5/1/2017 12:00:00 AM

**Last Due Date :** 5/1/2017 12:00:00 AM

**Status:** Open

**Group :** OGC/GCHEA/OR

**Contact :** Scott, Catherine

**Orig Due Date :** 5/1/2017 12:00:00 AM

**Last Due Date :** 5/1/2017 12:00:00 AM

**Status:** Open

**Group :** OGC/GCLR/RMR

**Contact :** Segarnick, Maxine

**Orig Due Date :** 5/1/2017 12:00:00 AM

**Last Due Date :** 5/1/2017 12:00:00 AM

**Status:** Open

**Group :** OGC/GCLR/RMR

**Contact :** Campbell, Tison

**Orig Due Date :** 5/1/2017 12:00:00 AM

**Last Due Date :** 5/1/2017 12:00:00 AM

**Status:** Open

**Group :** OGC/GCLR/RMR

**Contact :** Spencer, Mary

**Orig Due Date :** 5/1/2017 12:00:00 AM

**Last Due Date :** 5/1/2017 12:00:00 AM

**Status:** Open

### Emails

**From:** [OGCMailCenter Resource](#)  
**To:** [OGC RMR Tickets Resource](#); [Segarnick, Maxine](#)  
**Subject:** OGC-2017-1540 - PRM 50-109 Letter to Petitioner  
**Date:** Monday, April 17, 2017 5:40:31 PM  
**Attachments:** [50-109 Letter to Petitioner - EDO Comments Clean.docx](#)  
[50-109 Letter to Petitioner - EDO Comments tracked changes.docx](#)  
[OGC-2017-1540 - PRM 50-109 Letter to Petitioner.pdf](#)

Note: The first two draft attachments, consisting of four pages, are withheld in their entirety under FOIA exemption 5.

---

Leslie

---

**From:** Carneal, Jason  
**Sent:** Monday, April 17, 2017 2:03 PM  
**To:** Segarnick, Maxine <Maxine.Segarnick@nrc.gov>  
**Cc:** Kratchman, Jessica <Jessica.Kratchman@nrc.gov>; Campbell, Tison <Tison.Campbell@nrc.gov>; OGCMailCenter Resource <OGCMailCenter.Resource@nrc.gov>  
**Subject:** PRM 50-109 Letter to Petitioner

Maxine:

The same goes for the PRM 50-109 letter. Additional changes were made in ADAMS that we need to run by OGC to reconfirm NLO.

Attached are the tracked change and clean versions for your review.

Thanks,

Jason

Jason Carneal  
Reactor Operations Engineer  
NRR/DIRS/IOEB  
301-415-1451





## Ticket Tracking

**EDATS Number:** OGC-2017-1540

**Ticket Type:** Rulemaking

**Cross Reference Numbers:**

**Originator:** Carneal, Jason

**Document Date:** 4/17/2017 12:00:00 AM

**Originator Organization:** NRR

**Received Date:** 4/17/2017 12:00:00 AM

**Incoming Accession #:**

**Response/Package #:**

**Addressee:**

**Recurring Item:** No

**Office Due Date:** 5/1/2017 12:00:00 AM

**EDO Due Date:**

**Subject:** PRM 50-109 Letter to Petitioner

**Description:**

**Special Instructions:** Carneal emailed Campbell/Segarnick..LEV emailed OGCRMRTICKETS/Segarnick w/ticket

### Assignees

**Group :** OGC/GCLR/RMR

**Contact :** Segarnick, Maxine

**Orig Due Date :** 5/1/2017 12:00:00 AM

**Last Due Date :** 5/1/2017 12:00:00 AM

**Status:** Open

**Group :** OGC/GCLR/RMR

**Contact :** Campbell, Tison

**Orig Due Date :** 5/1/2017 12:00:00 AM

**Last Due Date :** 5/1/2017 12:00:00 AM

**Status:** Open

**Group :** OGC/GCLR/RMR

**Contact :** Spencer, Mary

**Orig Due Date :** 5/1/2017 12:00:00 AM

**Last Due Date :** 5/1/2017 12:00:00 AM

**Status:** Open

### Emails

**Closed By Office:**

**Closed By EDO:**

**Close Notes:**

**From:** [Campbell, Tison](#)  
**To:** [Segarnick, Maxine](#)  
**Subject:** PRM-50-109  
**Date:** Monday, April 17, 2017 6:12:41 PM  
**Attachments:** [OGC-2017-1540 - PRM 50-109 Letter to Petitioner.msg](#)  
[OGC-2017-1539 - PRM 50-109 draft SECY paper with EDO comments.msg](#)

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Maxine:

Sorry to bother you with an RMR item now that you've moved on. Can you clarify whether you provided NLO on one or both of these? I believe that you've closed out the SECY for RMR, so I just need to add OR and close us out there. Can you provide the status of the "letter"?

Thanks,

Tison

**From:** [OGCMailCenter Resource](#)  
**To:** [OGC\\_RMR Tickets Resource; Segarnick, Maxine](#)  
**Subject:** OGC-2017-1540 - PRM 50-109 Letter to Petitioner  
**Date:** Monday, April 17, 2017 5:40:31 PM  
**Attachments:** [50-109 Letter to Petitioner - EDO Comments Clean.docx](#)  
[50-109 Letter to Petitioner - EDO Comments tracked changes.docx](#)  
[OGC-2017-1540 - PRM 50-109 Letter to Petitioner.pdf](#)

---

Leslie

---

**From:** Carneal, Jason  
**Sent:** Monday, April 17, 2017 2:03 PM  
**To:** Segarnick, Maxine <Maxine.Segarnick@nrc.gov>  
**Cc:** Kratchman, Jessica <Jessica.Kratchman@nrc.gov>; Campbell, Tison <Tison.Campbell@nrc.gov>; OGCMailCenter Resource <OGCMailCenter.Resource@nrc.gov>  
**Subject:** PRM 50-109 Letter to Petitioner

Maxine:

The same goes for the PRM 50-109 letter. Additional changes were made in ADAMS that we need to run by OGC to reconfirm NLO.

Attached are the tracked change and clean versions for your review.

Thanks,

Jason

Jason Carneal  
Reactor Operations Engineer  
NRR/DIRS/IOEB  
301-415-1451

**From:** [OGCMailCenter Resource](#)  
**To:** [OGC\\_RMR Tickets Resource](#); [Segarnick, Maxine](#)  
**Subject:** OGC-2017-1539 - PRM 50-109 draft SECY paper with EDO comments  
**Date:** Monday, April 17, 2017 5:33:06 PM  
**Attachments:** [50-109 SECY Paper with EDO comments - CLEAN.docx](#)  
[50-109 SECY Paper with EDO comments.docx](#)  
[OGC-2017-1539 - PRM 50-109 draft SECY paper with EDO comments.pdf](#)

---

Leslie

---

**From:** Carneal, Jason  
**Sent:** Monday, April 17, 2017 1:56 PM  
**To:** Segarnick, Maxine <Maxine.Segarnick@nrc.gov>  
**Cc:** OGCMailCenter Resource <OGCMailCenter.Resource@nrc.gov>; Kratchman, Jessica <Jessica.Kratchman@nrc.gov>; Campbell, Tison <Tison.Campbell@nrc.gov>  
**Subject:** PRM 50-109 SECY paper with EDO comments

Maxine:

I just realized that OEDO had made several changes in ADAMS to the SECY paper that supports our evaluation of PRM 50-109.

I have attached a tracked change and clean version for NLO review, since the changes were substantial. Hopefully the attached clean version comes through this time.

v/r,

Jason

Jason Carneal  
Reactor Operations Engineer  
NRR/DIRS/IOEB  
301-415-1451



**From:** [Ghosh, Anita](#)  
**To:** [Segarnick, Maxine](#)  
**Cc:** [Harris, Brian](#)  
**Subject:** FW: PRM 50-109 SECY paper with EDO comments  
**Date:** Tuesday, April 18, 2017 11:59:00 AM  
**Attachments:** [50-109 SECY Paper with EDO comments OGC-RMR comments.docx](#)

Note: This is the same 6-page draft attachment, withheld in its entirety under FOIA exemption 5, as the attachment to Ms. Ghosh's 4/19/17 6:51 pm email.

Hi Maxine,  
I am reviewing this for Brian Harris since he is at the Hill today. In your email to Beth below,

(b)(5)

Thanks!  
Anita

---

**From:** Mizuno, Beth  
**Sent:** Monday, April 17, 2017 3:42 PM  
**To:** Harris, Brian <[Brian.Harris@nrc.gov](mailto:Brian.Harris@nrc.gov)>; Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>; Ghosh, Anita <[Anita.Ghosh@nrc.gov](mailto:Anita.Ghosh@nrc.gov)>; Wachutka, Jeremy <[Jeremy.Wachutka@nrc.gov](mailto:Jeremy.Wachutka@nrc.gov)>  
**Cc:** Scott, Catherine <[Catherine.Scott@nrc.gov](mailto:Catherine.Scott@nrc.gov)>  
**Subject:** FW: PRM 50-109 SECY paper with EDO comments  
Brian, please review the attached and give your comments to Maxine. Thanks.  
Maxine, Brian is the lead attorney on the current Seabrook litigation. Anita and Jeremy are his co-counsels on that case.  
Anita and Jeremy, I am cc'ing you for information purposes.

---

**From:** Segarnick, Maxine  
**Sent:** Monday, April 17, 2017 2:36 PM  
**To:** Mizuno, Beth <[Beth.Mizuno@nrc.gov](mailto:Beth.Mizuno@nrc.gov)>  
**Cc:** Campbell, Tison <[Tison.Campbell@nrc.gov](mailto:Tison.Campbell@nrc.gov)>  
**Subject:** FW: PRM 50-109 SECY paper with EDO comments

Hi Beth,  
Could you please take a look at this SECY paper on staff's (b)(5)?  
Specifically, see the paragraph on page 3 that discusses a Seabrook 2.206 request and contention.  
I've attached the latest draft, which RMR previously NLO'd, but OEDO revised to add this new language. I re-reviewed it, so my markup is also in track changes.  
Tison will add you to the ticket.  
Maxine

---

**From:** Campbell, Tison  
**Sent:** Monday, April 17, 2017 1:59 PM  
**To:** Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>  
**Subject:** FW: PRM 50-109 SECY paper with EDO comments  
If you have time to look at this, the new discussion of the 2.206 petition and contention will need to go to OGC/OR (Beth Mizuno) for review. I'm not sure how much time they'll need.

---

**From:** Carneal, Jason  
**Sent:** Monday, April 17, 2017 1:56 PM  
**To:** Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>

**Cc:** OGCMailCenter Resource <[OGCMailCenter.Resource@nrc.gov](mailto:OGCMailCenter.Resource@nrc.gov)>; Kratchman, Jessica <[Jessica.Kratchman@nrc.gov](mailto:Jessica.Kratchman@nrc.gov)>; Campbell, Tison <[Tison.Campbell@nrc.gov](mailto:Tison.Campbell@nrc.gov)>

**Subject:** PRM 50-109 SECY paper with EDO comments

Maxine:

I just realized that OEDO had made several changes in ADAMS to the SECY paper that supports our evaluation of PRM 50-109.

I have attached a tracked change and clean version for NLO review, since the changes were substantial. Hopefully the attached clean version comes through this time.

v/r,

Jason

Jason Carneal

Reactor Operations Engineer

NRR/DIRS/IOEB

301-415-1451



**From:** [Segarnick, Maxine](#)  
**To:** [Ghosh, Anita](#)  
**Cc:** [Harris, Brian](#); [Campbell, Tison](#)  
**Subject:** RE: PRM 50-109 SECY paper with EDO comments  
**Date:** Tuesday, April 18, 2017 3:35:50 PM

---

Hi Anita,  
That's the latest version.

(b)(5)

I'm copying Tison, who

has been in touch with Meena.  
Maxine

---

**From:** Ghosh, Anita  
**Sent:** Tuesday, April 18, 2017 11:59 AM  
**To:** Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>  
**Cc:** Harris, Brian <[Brian.Harris@nrc.gov](mailto:Brian.Harris@nrc.gov)>  
**Subject:** FW: PRM 50-109 SECY paper with EDO comments

Hi Maxine,  
I am reviewing this for Brian Harris since he is at the Hill today. In your email to Beth below,

(b)(5)

Thanks!  
Anita

---

**From:** Mizuno, Beth  
**Sent:** Monday, April 17, 2017 3:42 PM  
**To:** Harris, Brian <[Brian.Harris@nrc.gov](mailto:Brian.Harris@nrc.gov)>; Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>; Ghosh, Anita <[Anita.Ghosh@nrc.gov](mailto:Anita.Ghosh@nrc.gov)>; Wachutka, Jeremy <[Jeremy.Wachutka@nrc.gov](mailto:Jeremy.Wachutka@nrc.gov)>  
**Cc:** Scott, Catherine <[Catherine.Scott@nrc.gov](mailto:Catherine.Scott@nrc.gov)>  
**Subject:** FW: PRM 50-109 SECY paper with EDO comments

Brian, please review the attached and give your comments to Maxine. Thanks.  
Maxine, Brian is the lead attorney on the current Seabrook litigation. Anita and Jeremy are his co-counsels on that case.  
Anita and Jeremy, I am cc'ing you for information purposes.

---

**From:** Segarnick, Maxine  
**Sent:** Monday, April 17, 2017 2:36 PM  
**To:** Mizuno, Beth <[Beth.Mizuno@nrc.gov](mailto:Beth.Mizuno@nrc.gov)>  
**Cc:** Campbell, Tison <[Tison.Campbell@nrc.gov](mailto:Tison.Campbell@nrc.gov)>  
**Subject:** FW: PRM 50-109 SECY paper with EDO comments

Hi Beth,  
Could you please take a look at this SECY paper on staff's (b)(5) ?  
Specifically, see the paragraph on page 3 that discusses a Seabrook 2.206 request and contention.  
I've attached the latest draft, which RMR previously NLO'd, but OEDO revised to add this new language. I re-reviewed it, so my markup is also in track changes.  
Tison will add you to the ticket.

Maxine

---

**From:** Campbell, Tison

**Sent:** Monday, April 17, 2017 1:59 PM

**To:** Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>

**Subject:** FW: PRM 50-109 SECY paper with EDO comments

If you have time to look at this, the new discussion of the 2.206 petition and contention will need to go to OGC/OR (Beth Mizuno) for review. I'm not sure how much time they'll need.

---

**From:** Carneal, Jason

**Sent:** Monday, April 17, 2017 1:56 PM

**To:** Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>

**Cc:** OGCMailCenter Resource <[OGCMailCenter.Resource@nrc.gov](mailto:OGCMailCenter.Resource@nrc.gov)>; Kratchman, Jessica <[Jessica.Kratchman@nrc.gov](mailto:Jessica.Kratchman@nrc.gov)>; Campbell, Tison <[Tison.Campbell@nrc.gov](mailto:Tison.Campbell@nrc.gov)>

**Subject:** PRM 50-109 SECY paper with EDO comments

Maxine:

I just realized that OEDO had made several changes in ADAMS to the SECY paper that supports our evaluation of PRM 50-109.

I have attached a tracked change and clean version for NLO review, since the changes were substantial. Hopefully the attached clean version comes through this time.

v/r,

Jason

Jason Carneal

Reactor Operations Engineer

NRR/DIRS/IOEB

301-415-1451

**From:** [Lehman, Bryce](#)  
**To:** [Ghosh, Anita](#); [Harris, Brian](#); [Wachutka, Jeremy](#)  
**Cc:** [Thomas, George](#); [Buford, Angela](#); [Quichocho, Jessie](#); [Poole, Justin](#)  
**Subject:** Attorney Work Product - Seabrook Contention  
**Date:** Tuesday, April 18, 2017 5:03:22 PM  
**Attachments:** [Contention Response 2.docx](#)  
[DRAFT FRN PRM 50-109 EDO Comments Addressed Clean\\_OGC rev 2 - JBC BCL 2.....docx](#)

---

Note: The two draft attachments, 3 and 35 pages respectively, have been withheld under FOIA exemption 5.

All,  
Attached is the document we discussed today along with the referenced DRAFT FRN.

(b)(5)



Thanks,  
Bryce Lehman  
NRR/DE/EMCB  
(301) 415-1626

**From:** [Ghosh, Anita](#)  
**To:** [Harris, Brian](#)  
**Subject:** ASR PRM comments  
**Date:** Wednesday, April 19, 2017 6:57:00 PM  
**Attachments:** [50-109 SECY Paper with EDO comments OGC-RMR OR comments.docx](#)  
[DRAFT FRN PRM 50-109.docx](#)

Note: The two attachments, 6 and 35 pages, respectively, have been withheld under FOIA exemption 5.

Hi Brian,  
I have reviewed the FRN for the PRM and the SECY related to the PRM.

(b)(5)

My comments

are attached.

Please let me know what you think

(b)(5)

Thanks,

Anita

**Anita Ghosh**

Senior Attorney

Office of the General Counsel

U.S. Nuclear Regulatory Commission

(301) 287-9175

[anita.ghosh@nrc.gov](mailto:anita.ghosh@nrc.gov)

~~**NOTICE:** This email and any attachments may contain confidential Attorney-Client or Attorney work-Product material. Do not disclose outside NRC without Commission approval.~~

**From:** [Harris, Brian](#)  
**To:** [Ghosh, Anita](#)  
**Subject:** RE: ASR PRM comments  
**Date:** Thursday, April 20, 2017 7:15:14 AM

---

Thanks. I would go ahead and send it.

Best regards,

Brian G. Harris

Senior Attorney

Office of the General Counsel

Nuclear Regulatory Commission

301.287.9120

[brian.harris@nrc.gov](mailto:brian.harris@nrc.gov)

Note: New Phone Number

~~Official Use Only -- Attorney Client Privilege/Work Product Doctrine~~

**From:** Ghosh, Anita

**Sent:** Wednesday, April 19, 2017 6:57 PM

**To:** Harris, Brian <[Brian.Harris@nrc.gov](mailto:Brian.Harris@nrc.gov)>

**Subject:** ASR PRM comments

Hi Brian,

I have reviewed the FRN for the PRM and the SECY related to the PRM.

(b)(5)

My comments

are attached.

Please let me know what you think

(b)(5)

Thanks,

Anita

**Anita Ghosh**

Senior Attorney

Office of the General Counsel

U.S. Nuclear Regulatory Commission

(301) 287-9175

[anita.ghosh@nrc.gov](mailto:anita.ghosh@nrc.gov)

~~**NOTICE:** This email and any attachments may contain confidential Attorney Client or Attorney Work Product material. Do not disclose outside NRC without Commission approval.~~



**From:** [Ghosh, Anita](#)  
**To:** [Khanna, Meena](#); [Carneal, Jason](#)  
**Cc:** [Lund, Louise](#); [Bowman, Gregory](#); [Harris, Brian](#); [Clark, Theresa](#); [Kratchman, Jessica](#)  
**Subject:** RE: STATUS: PRM 50-109  
**Date:** Thursday, April 20, 2017 9:02:00 AM  
**Attachments:** [50-109 SECY Paper with EDO comments\\_OGC-RMB OR comments.docx](#)  
[DRAFT FRN PRM 50-109\\_OGC OR cmts.docx](#)

Note: These two draft attachments, withheld in their entirety under FOIA exemption 5, are the same as the attachments to Ms. Ghosh's 4/19/17 6:51 pm email.

Meena and Jason,  
I have reviewed the SECY and FRN related to PRM-50-109.

(b)(5)

My comments on both

documents are attached.

Please let me know if you have any questions.

Thanks,

Anita

---

**From:** Khanna, Meena

**Sent:** Tuesday, April 18, 2017 6:31 PM

**To:** Ghosh, Anita <[Anita.Ghosh@nrc.gov](mailto:Anita.Ghosh@nrc.gov)>

**Cc:** Lund, Louise <[Louise.Lund@nrc.gov](mailto:Louise.Lund@nrc.gov)>; Bowman, Gregory <[Gregory.Bowman@nrc.gov](mailto:Gregory.Bowman@nrc.gov)>; Harris, Brian <[Brian.Harris@nrc.gov](mailto:Brian.Harris@nrc.gov)>; Clark, Theresa <[Theresa.Clark@nrc.gov](mailto:Theresa.Clark@nrc.gov)>; Kratchman, Jessica <[Jessica.Kratchman@nrc.gov](mailto:Jessica.Kratchman@nrc.gov)>; Carneal, Jason <[Jason.Carneal@nrc.gov](mailto:Jason.Carneal@nrc.gov)>

**Subject:** RE: STATUS: PRM 50-109

Great, thanks so much, Anita. We appreciate your and Brian's support.

Meena

---

**From:** Ghosh, Anita

**Sent:** Tuesday, April 18, 2017 6:29 PM

**To:** Khanna, Meena <[Meena.Khanna@nrc.gov](mailto:Meena.Khanna@nrc.gov)>

**Cc:** Harris, Brian <[Brian.Harris@nrc.gov](mailto:Brian.Harris@nrc.gov)>

**Subject:** FW: STATUS: PRM 50-109

Meena,

I am working with Brian Harris on the Seabrook litigation, so this is with me right now. We will try to get you feedback on this in the next day or so.

Thanks,

Anita

---

**From:** Harris, Brian

**Sent:** Tuesday, April 18, 2017 4:12 PM

**To:** Ghosh, Anita <[Anita.Ghosh@nrc.gov](mailto:Anita.Ghosh@nrc.gov)>

**Subject:** FW: STATUS: PRM 50-109

Best regards,

Brian G. Harris



Senior Attorney  
Office of the General Counsel  
Nuclear Regulatory Commission  
301.287.9120  
[brian.harris@nrc.gov](mailto:brian.harris@nrc.gov)

Note: New Phone Number

~~Official Use Only - Attorney Client Privilege/Work Product Doctrine~~

---

**From:** Harris, Brian

**Sent:** Tuesday, April 18, 2017 2:08 PM

**To:** Harris, Brian <[Brian.Harris@nrc.gov](mailto:Brian.Harris@nrc.gov)>

**Subject:** FW: STATUS: PRM 50-109

**Brian K. Harris**

Project Manager

301.415.2277

NRR/DPR/PGCB

U.S. Nuclear Regulatory Commission

Washington, D.C. 20555

---

**From:** Campbell, Tison

**Sent:** Tuesday, April 18, 2017 2:07 PM

**To:** Khanna, Meena <[Meena.Khanna@nrc.gov](mailto:Meena.Khanna@nrc.gov)>; Safford, Carrie <[Carrie.Safford@nrc.gov](mailto:Carrie.Safford@nrc.gov)>

**Cc:** Lund, Louise <[Louise.Lund@nrc.gov](mailto:Louise.Lund@nrc.gov)>; Casto, Greg <[Greg.Casto@nrc.gov](mailto:Greg.Casto@nrc.gov)>; Spencer, Mary <[Mary.Spencer@nrc.gov](mailto:Mary.Spencer@nrc.gov)>; Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>; Benner, Eric <[Eric.Benner@nrc.gov](mailto:Eric.Benner@nrc.gov)>; Ammon, Bernice <[Bernice.Ammon@nrc.gov](mailto:Bernice.Ammon@nrc.gov)>; Barczy, Theresa <[Theresa.Barczy@nrc.gov](mailto:Theresa.Barczy@nrc.gov)>; Carneal, Jason <[Jason.Carneal@nrc.gov](mailto:Jason.Carneal@nrc.gov)>; Kratchman, Jessica <[Jessica.Kratchman@nrc.gov](mailto:Jessica.Kratchman@nrc.gov)>; Mizuno, Beth <[Beth.Mizuno@nrc.gov](mailto:Beth.Mizuno@nrc.gov)>; Harris, Brian <[Brian.Harris2@nrc.gov](mailto:Brian.Harris2@nrc.gov)>

**Subject:** RE: STATUS: PRM 50-109

Meena:

We provided the SECY on the PRM to OGC/OR yesterday. Beth Mizuno and Brian Harris are the points of contact for that division on this item.

-Tison

Tison Campbell

Deputy Assistant General Counsel

Reactor and Materials Rulemaking

US Nuclear Regulatory Commission

Office of the General Counsel

(301) 287-9290

~~NOTE:~~

~~ATTORNEY-CLIENT PRIVILEGED INFORMATION  
LIMITED TO NRC UNLESS COMMISSION  
DETERMINES OTHERWISE.~~

---

**From:** Khanna, Meena

**Sent:** Tuesday, April 18, 2017 2:05 PM

**To:** Safford, Carrie <[Carrie.Safford@nrc.gov](mailto:Carrie.Safford@nrc.gov)>

**Cc:** Lund, Louise <[Louise.Lund@nrc.gov](mailto:Louise.Lund@nrc.gov)>; Casto, Greg <[Greg.Casto@nrc.gov](mailto:Greg.Casto@nrc.gov)>; Spencer, Mary <[Mary.Spencer@nrc.gov](mailto:Mary.Spencer@nrc.gov)>; Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>; Benner, Eric <[Eric.Benner@nrc.gov](mailto:Eric.Benner@nrc.gov)>; Ammon, Bernice <[Bernice.Ammon@nrc.gov](mailto:Bernice.Ammon@nrc.gov)>; Barczy, Theresa

<[Theresa.Barczy@nrc.gov](mailto:Theresa.Barczy@nrc.gov)>; Carneal, Jason <[Jason.Carneal@nrc.gov](mailto:Jason.Carneal@nrc.gov)>; Kratchman, Jessica <[Jessica.Kratchman@nrc.gov](mailto:Jessica.Kratchman@nrc.gov)>; Campbell, Tison <[Tison.Campbell@nrc.gov](mailto:Tison.Campbell@nrc.gov)>

**Subject:** RE: STATUS: PRM 50-109

Thanks Carrie...I will touch base with Cathy to obtain any insights/path forward.

---

**From:** Khanna, Meena

**Sent:** Monday, April 17, 2017 10:55 AM

**To:** Campbell, Tison <[Tison.Campbell@nrc.gov](mailto:Tison.Campbell@nrc.gov)>

**Cc:** Lund, Louise <[Louise.Lund@nrc.gov](mailto:Louise.Lund@nrc.gov)>; Casto, Greg <[Greg.Casto@nrc.gov](mailto:Greg.Casto@nrc.gov)>; Spencer, Mary <[Mary.Spencer@nrc.gov](mailto:Mary.Spencer@nrc.gov)>; Segarnick, Maxine <[Maxine.Segarnick@nrc.gov](mailto:Maxine.Segarnick@nrc.gov)>; Benner, Eric <[Eric.Benner@nrc.gov](mailto:Eric.Benner@nrc.gov)>; Ammon, Bernice <[Bernice.Ammon@nrc.gov](mailto:Bernice.Ammon@nrc.gov)>; Safford, Carrie <[Carrie.Safford@nrc.gov](mailto:Carrie.Safford@nrc.gov)>; Barczy, Theresa <[Theresa.Barczy@nrc.gov](mailto:Theresa.Barczy@nrc.gov)>; Carneal, Jason <[Jason.Carneal@nrc.gov](mailto:Jason.Carneal@nrc.gov)>; Kratchman, Jessica <[Jessica.Kratchman@nrc.gov](mailto:Jessica.Kratchman@nrc.gov)>

**Subject:** RE: STATUS: PRM 50-109

Thanks Tison, we just received the comments on the PRM from Maxine.

(b)(5)

Thanks for the continued support,  
Meena

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**From:** Campbell, Tison

**Sent:** Monday, April 17, 2017 10:14 AM

**To:** Khanna, Meena <[Meena.Khanna@nrc.gov](mailto:Meena.Khanna@nrc.gov)>

**Cc:** Spencer, Mary <[Mary.Spencer@nrc.gov](mailto:Mary.Spencer@nrc.gov)>

**Subject:** RE: STATUS: PRM 50-109

Hi Meena:

You should see something later today.

-Tison

---

**From:** Khanna, Meena

**Sent:** Friday, April 14, 2017 9:31 PM

**To:** Campbell, Tison <[Tison.Campbell@nrc.gov](mailto:Tison.Campbell@nrc.gov)>

**Subject:** FW: STATUS: PRM 50-109

Hi Tison, i hate to be a pest...but, if you could pls help me to determine the status of OGC's review of the revised PRM 50-109 package is, I'd appreciate it. The EDO's office (T.Clark) has been asking me where this package is, as she provided her and Mike J's comments to my branch back in December...i know that my branch sat on it for a while due to the decomm rule draft RB, etc, and i fully respect that you all are busy, just wanted to touch base to check on status..thanks so much.

Meena

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**From:** Kratchman, Jessica

**Sent:** Thursday, April 13, 2017 10:31 AM

**To:** Khanna, Meena <[Meena.Khanna@nrc.gov](mailto:Meena.Khanna@nrc.gov)>

**Subject:** STATUS: PRM 50-109

Meena,

Here is the status of PRM 50-109:

The package is with OGC and we are awaiting the re-confirmation of their NLO. I do not think OGC has prioritized this work as high, which contributes to the lengthy review time. I have up-to-date electronic files from Jason that reflect all comments to date. Jason is going to confirm that these are the files in ADAMS.

We do not know where the pieces of the hardcopy package have gone (maybe either Theresa Clark or OGC?). So we recommend giving the package back to DPR admin and having them re-print the missing pieces of the package. As we recover the old hardcopy pieces we will add that to the back. Please advise.

-jess

Jessica Kratchman, Dr.PH

Project Manager/ Reactor Systems Engineer

U.S. Nuclear Regulatory Commission

**From:** [Lappert, Glenna](#)  
**To:** [Ghosh Naber, Anita](#)  
**Subject:** PRM-50-109  
**Date:** Tuesday, January 30, 2018 3:03:24 AM

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Anita,

Meena wanted me to send you the package number for the 50-109. It is ML15301A002.

The hearing for Seabrook is addressed on page 2 of the SECY paper.

Please let me know if you need anything else.

Thanks,  
Glenna Lappert

**From:** [Ghosh, Anita](#)  
**To:** [Lappert, Glenna](#)  
**Cc:** [Khanna, Meena](#)  
**Subject:** RE: PRM-50-109  
**Date:** Tuesday, January 30, 2018 11:23:00 AM  
**Attachments:** [FINAL 50-109 SECY Paper 01262018 OGC cmts.docx](#)

Note: The 4-page draft attachment is withheld in its entirety under FOIA exemption 5.

Glenna,  
Thanks for sending this my way. I have some minor suggestions to the language (b)(5)  
(b)(5) Please let me know if you have any questions.

Thanks,

Anita

**From:** Lappert, Glenna

**Sent:** Tuesday, January 30, 2018 3:03 AM

**To:** Ghosh, Anita <Anita.Ghosh@nrc.gov>

**Subject:** PRM-50-109

Anita,

Meena wanted me to send you the package number for the 50-109. It is ML15301A002.

The hearing for Seabrook is addressed on page 2 of the SECY paper.

Please let me know if you need anything else.

Thanks,

Glenna Lappert