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Boyle, Patrick

MRK

From: Khanna, Meena
Sent: Thursday, September 15, 2011 7:55 AM
To: Martin, Robert; Boyle, Patrick
Subject: Re:

Can we pls meet at 845 am? Thx

From: Martin, Robert
To: Giitter, Joseph
Cc: Howe, Allen; Kulesa, Gloria; Boyle, Patrick; Hiland, Patrick; Khanna, Meena; Manoly, Kamal
Sent: Thu Sep 15 07:16:58 2011
Subject: Part 100, Appendix A, Section V(a)(2)

MRK

We need to get clarification from OGC on what Part 100 means with respect to restart for North Anna.

Part 100, Appendix A, Section V(a)(2) "Determination of Operating Basis Earth quake" says:

The Operating Basis Earthquake shall be specified by the applicant after considering the seismology and geology of the region surrounding the site. If vibratory ground motion exceeding that of the Operating Basis Earthquake occurs, shutdown of the nuclear power plant will be required. Prior to resuming operations, the licensee will be required to demonstrate to the Commission that no functional damage has occurred to those features necessary for continued operation without undue risk to the health and safety of the public."

Up to just prior to the Sept 8 meeting, I understand there was still some discussion within OGC of whether Part 100 applies to selection of a site only and does not apply to operating plant conditions. In my view, based on the words contained within the regulation cited above, the regulation clearly applies to what a licensed operating plant would have to do if it experiences exceedance of its OBE. We need to get this clarified because many are citing this part of the regulation as the regulatory basis for what we are now doing on NA, i.e., recent draft letter being prepared by OEDO to Congressman Markey.)

I am forwarding this request to you since I understand that OGC prefers that such requests come from the DORL Director. I suggest forwarding it to Williamson and Mizuno. If someone has already resolved this issue, then great, but if so, that news hasn't caught up to me yet.

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