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Open phase condition and regulation

1 message

Mitlyng, Viktoria <Viktoria.Mitlyng@nrc.gov> Thu, Aug 31, 2017 at 1:13 PM
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Reply to Questions on Open Phase Condition and Regulation

Q: Please explain how Exelon responded to the open phase condition issue at Byron, a concern that was raised by NRC inspectors in 2012?

For the sake of safety across the U.S., should other companies be required to fix similar issues in their own plants?

It appears that Exelon considered this an important problem to solve in a speedy manner for its plants. Why isn't the NRC requiring other

plants to resolve this issue in an expedited manner?

The following may be attributed to the NRC, or an NRC spokesperson:

Your questions imply the NRC has done nothing about the open phase condition since it was first identified following an incident at Byron Station, Unit 2, on January 30, 2012. The facts demonstrate otherwise.

The NRC has taken consistent action to ensure the open phase condition was understood and proper steps taken to ensure the safety of the U.S. nuclear fleet. This effort began with a Special Inspection within weeks of the initial incident. The staff subsequently determined that the condition could affect other plants and took steps to inform the industry. Each plant was required to submit a plant-specific analysis.

The industry then committed to address the open phase condition through a voluntary initiative. Each plant submitted interim and compensatory actions to minimize risk and ensure adequate safety margins until a long-term solution could be implemented. These actions were verified by NRC inspectors. All plants have committed to resolve the open phase issue by December 31, 2018, and the NRC will verify these measures through inspections.

Q: What does NRC hear from the industry stakeholders? Do they tell you regulations are too strict? Is NRC regulation a model for other industries? Should the nuclear industry be allowed more self policing and policy setting?

Industry stakeholder feedback is a matter of public record. Most meetings with licensees are open to the public, and correspondence – aside from proprietary or security-related information – is publicly available in ADAMS.

When a safety issue is identified – whether by the NRC or the industry – and the industry develops a “voluntary initiative” to address it, this is not “self-policing” without oversight. Those initiatives (such as the open phase and groundwater initiatives you have asked about) are then endorsed by the NRC and become commitments that are inspected by us, with violations subject to enforcement.

When an issue rises to the level of adequate protection of public health and safety, the Commission will always require licensee compliance through regulation, order, or license condition. The Commission decided that a “voluntary initiative” was appropriate for the open phase issue.

Industry does at times express concerns over the rigor of our regulations. But the NRC’s regulations and oversight, along with the excellent safety record of the U.S. nuclear industry, have earned the United States international recognition as the “gold standard” for nuclear safety regulation.