

Consideration of Comments on Initial Ballot — Nuclear Plant Interface Coordination for Order 716 (Project 2009-08)

Summary Consideration:

As demonstrated by the strong approval (94%) most balloters support the revised standard. Amongst the comments received with initial ballots, the major concern expressed dealt with the “intent” of Requirement R9.3.5 and the proposed wording. The SDT explained that Requirement R9.3.5 is intended to cover the unique situation of losing both off-site and on-site AC power. The SDT further explained that “provisions for considering” could include restoration steps taken by the Nuclear Plant Generator Operator and/or applicable Transmission Entities. The SDT also explained that the term “requirements” used in this context referred to situationally specific terms between the plant and transmission entities to be negotiated within the agreements.

One entity felt that the Requirement R9.3.5 was not needed since restoration of off-site power was covered in standard EOP-005. The SDT explained that the scope and application of Requirement R9.3.5 is different than the scope and application of EOP-005. The SDT further explained that NUC-001 Requirement R9.3.5 is intended to address the specific case of loss of not only the off-site (preferred) AC power source to the plant’s safe shutdown equipment, but coincident loss of all on-site (emergency or backup) AC power sources. In this situation the loss of off-site power may or may not be a result of a BES blackout or isolation situation as referenced in EOP-005.

Another concern expressed dealt with the removal of the term “coping time”. The SDT explained that Requirement R9.3.5 was being modified to provide clarity as directed in FERC Order 716. The SDT further explained that it removed the term “coping time” due to an overwhelming objection to include the term raised by the industry. The majority of the industry felt that the term was confusing and ambiguous. The SDT also explained that the present wording allowed for situational determination of restoration priorities and that removal of this term did not relieve or prevent a Nuclear Plant from meeting NPLRs.

Some balloters indicated that the standard addresses a safety issue rather than a reliability issue. The determination of whether this standard should exist as a reliability standard has already been determined by stakeholders.

If you feel that the drafting team overlooked your comments, please let us know immediately. Our goal is to give every comment serious consideration in this process. If you feel there has been an error or omission, you can contact the Vice President and Director of Standards, Gerry Adamski, at 609-452-8060 or at gerry.adamski@nerc.net. In addition, there is a NERC Reliability Standards Appeals Process.¹

¹ The appeals process is in the Reliability Standards Development Procedure: http://www.nerc.com/files/RSDP_V6_1_12Mar07.pdf.

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Dan R Schoenecker	Midwest Reliability Organization	10	Negative	<p>1. Requirement 9.3.5 considers coping time, instead a nuclear plant should communicate their needs and time frames to us and we should prioritized our restoration process. A nuclear plant may not be the first unit to be restored; a coal plant may have a higher restoration priority then a nuclear plant. Section 215 of the Energy Policy Act of 2005, gave NERC the authority to develop regulations to assure the reliability of the Bulk Electric System (BES). Although Nuclear safety is of paramount concern, it is not within the scope of NERC's responsibilities. The Atomic Energy Act of 1954 as amended provides the Nuclear Regulatory Commission the statutory responsibility for assuring the safety of commercial nuclear power plants. The nuclear industry's excellent safety record, demonstrates the NRC ability to meet its charter. Therefore, we suggest NERC concentrate on assuring the reliability of BES and the systems and structures that support it regardless of the fuel type.</p> <p>2. Also in requirement 9.3.5, the text "requirement" needs to be clarified. It should not include safety requirements such as NPRI standards. (Paragraph 107, FERC Order 716)</p>
<p>Response: The SDT modified the standard (before this ballot was conducted) and removed the term "coping time". The SDT believes that the present wording allows for situational determination of restoration priorities. The term "requirements" in this context refers to situationally specific negotiated terms between the plant and transmission entities.</p>				
Jason Shaver	American Transmission Company, LLC	1	Negative	<p>ATC appreciates the work of the Standards Drafting Team but is unable to support the proposed changes to NUC-001-2 for the following reasons.</p> <p>Requirement 9.3.5 is a duplicate of Requirement 11.4 in EOP-005-1 for Transmission Operators: We believe that Requirement 9.3.5 is duplicative of Requirement 11.4 in EOP-005-1 and should simply be deleted from NUC-001-2.</p> <p>EOP-005-1 Requirement 11: Following a disturbance in which one or more areas of the Bulk Electric System become isolated or blacked out, the affected Transmission Operators and Balancing Authorities shall begin immediately to return the Bulk Electric System to Normal. EOP-005-1 Requirement</p>

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				<p>11.4: The affected Transmission Operators shall give high priority to restoration of off-site power to nuclear stations. NUC-001-2 Requirement 9.3.5: Requirement 9.3.5 simply states that the applicable transmission entity has to consider the “urgency of a nuclear plant that has lost all off-site and on-site AC power”. Both Requirement 11.4 and Requirement 9.3.5 state that a transmission operator has to give priority to nuclear generators following the loss of off-site AC power. Because of the similarity in both requirements it’s our belief that the best course of action is to simple delete Requirement 9.3.5. If the SDT does not agree with our assessment of Requirement 9.3.5 then we ask that the following changes be incorporated for clarity and to reduce potential conflicts between EOP-005 R11.4 and NUC-001 R9.3.5 for TOP’s: Provision for including, within the applicable Transmission Entity system restoration plan, the physical and electrical needs and urgency of a nuclear plant that has lost all off-site and on-site AC power.</p> <p>a) The phrase “restoration process” in the standard being balloted is not clear on whose restoration process has to be considered. Does this mean that the Transmission Entities has to consider the Nuclear Plant’s restoration process, or their restoration process? Our proposal to replace the existing phrase with “applicable Transmission Entity’s system restoration plan” makes it absolutely clear as to whose restoration process is being identified. Note that entities other than BA’s and TOP’s (who are already required in EOP-005 to have a restoration plan) identified as a Transmission Entity under NUC-001 will now be required to have a restoration plan with the sole requirement to address R9.3.5.</p> <p>b) The term “requirements” is unclear and inappropriate without more specific qualifications. Use of the term here could easily be confused with NPLRs, NPIRs, Plant Licensing Requirement or the NUC-001-1 requirements themselves. ATC believes that the use of the term “electrical and physical needs” would be a more appropriate because it specifies</p>

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				<p>what needs to be included.</p> <p>c) ATC believes that it will be very difficult for entities to demonstrate compliance on how they “consider” the nuclear plant’s needs and urgency. We believe that the better word to use is “include” which lends itself to easier demonstration of compliance and implies more specifically that some coordination of this subject need be “included” not only in the restoration plan, but also in the interface agreement to satisfy R2 of this standard.</p> <p>Planning Authority versus Planning Coordinator: ATC does not agree with the proposed change from Planning Authority to Planning Coordinator. The term Planning Coordinator does exist in the latest version of the Functional Model Guideline but does not exist in NERC’s Rule of Procedure’s. In addition, NERC has not registered a single entity as a Planning Coordinator, so it is unclear who will be responsible for this Standard.</p>
<p>Response: The SDT believes that the requirement referenced in EOP-005 is slightly different than Requirement R9.3.5. Requirement R9.3.5 addresses situations that may not be covered in EOP-005. For example, the loss of on-site or off-site power does not necessarily constitute a blackout or isolation situation as described in EOP-005. In addition, Requirement R9.3.5 does not require “high priority” to be given as directed by EOP-005. Requirement R9.3.5 specifies that provision for considering the needs of a Nuclear Plant must be given within a restoration plan.</p> <p>The SDT disagrees with your suggested wording for the following reasons:</p> <ul style="list-style-type: none"> a) The provisions for considering within the restoration process could include restoration steps taken by the Plant Operator and/or other Transmission Entities. Requirement R9.3.5 is one required element of negotiated agreements. b) The term “requirements” in this context refers to situationally specific negotiated terms between the plant and transmission entities. c) Requirement R9.3.5 requires the agreement(s) to include a provision for addressing the situation. <p>The change from Planning Authority to Planning Coordinator is being made to provide uniformity within this standard and other standards under development. The Standards Committee has directed drafting teams to adopt the terms in Version 3 of the Functional Model – and Version 3 replaced the term, “Planning Authority” with “Planning Coordinator.” Note that FERC has been notified of this change, and has indicated that it accepts the replacement of “Planning Authority” with “Planning Coordinator.”</p>				

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Mike Laney	Luminant Generation Company LLC	5	Negative	<p>Luminant agrees with the wording change of “in effect” verses “executed” applicable to section B.R2. of the requirements. However, Luminant is not in support of the proposed modifications of R9.3.5. Nuclear Power Plants are required by the Nuclear Regulatory Commission (NRC) to comply with 10CFR 50.63, “Loss of all alternating current power.” Per 10CFR50.63, “The reactor core and associated coolant, control, and protection systems, including station batteries and any other necessary support systems, must provide sufficient capacity and capability to ensure that the core is cooled and appropriate containment integrity is maintained in the event of a station blackout for the specified duration. The capability for coping with a station blackout of specified duration shall be determined by an appropriate coping analysis. Licensees are expected to have the baseline assumptions, analyses, and related information used in their coping evaluations available for NRC review.” Luminant’s nuclear facility was evaluated against the NRC’s Station Black Out Rule requirements using NRC Regulatory Guide (RG) 1.155, “Station Blackout.” Luminant is obligated and committed to RG 1.155 with NRC for a specific coping time. Nuclear Final Safety Analysis Reports (FSAR) describe the design, construction and operation of nuclear power plants. The NRC uses this design information provided within the FSAR to evaluate as to whether a nuclear plant can operate without undue risk to the health and safety of the public. Since “coping time” is part of a nuclear units licensing basis, Luminant feels the current proposed language change is not sufficient.</p>
<p>Response: The SDT was directed to provide clarity to Requirement R9.3.5 in FERC Order 716. The SDT removed the term “coping time” due to an overwhelming objection to include the term by the industry. The industry felt that the term was confusing and ambiguous. This requirement does not relieve nor prevent a Nuclear Plant from meeting NPLRs (such as coping time).</p>				

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William L. Thompson	Dominion Virginia Power	1	Negative	Requirement R9.3.5 does not provide enough clarity for the Nuclear Plant Generator Operator and Transmission Entities to develop appropriate language for the agreements required by this standard. As an example, a likely scenario for a nuclear power plant, the loss of off-site power without the loss of on-site power, is not addressed within the scope of Requirement R9.3.5 or any of the other sub-requirements of Requirement 9.3.
Jalal (John) Babik	Dominion Resources, Inc.	3		
Mike Garton	Dominion Resources, Inc.	5		
Louis S Slade	Dominion Resources, Inc.	6		
Response: Requirement R9.3.5 is intended to cover the unique situation of losing both off-site and on-site power. The example you have provided would be covered in Requirements R4.2 and R9.2.2.				
Charles H Yeung	Southwest Power Pool	2	Affirmative	SPP, Inc. supports this version of NUC-001. We are concerned however that this standard is not directly relevant to bulk power system reliability - NERC's mission. Although it is important for obvious reasons for a nuclear plant to have agreements in place with transmission providers, these requirements are meant to be safeguards for the nuclear plant and not for the reliability of the bulk power system. Further, NIPRs are already in existence that require the nuclear plants to have agreements in place and can be enforced through other regulatory bodies.
Response: The SDT acknowledges your affirmative response and thanks you for your clarifying comment. The need for the standard has already been established through the Standards Development Process. The scope of the current project is to provide modification to Requirement R9.3.5 as directed in FERC Order 716.				
Richard J. Padilla	Pacific Gas and Electric Company	5	Affirmative	Proposed to change from R9.3.5. Provision for considering, within the restoration process, the requirements and urgency of a nuclear plant that has lost all off-site and on-site AC power. Change to: R9.3.5. Provision for considering, within the restoration process, the requirements and urgency of nuclear plants that have lost all off-site AC power.
Response: The SDT acknowledges your affirmative response and thanks you for your clarifying comment. Requirement R9.3.5 is intended to cover the unique situation of losing both off-site and on-site power. The example you have provided would be covered in Requirements R4.2 and R9.2.2.				

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Terry Bilke	Midwest ISO, Inc.	2	Abstain	We have mixed feelings for this standard. We understand that NERC was directed to develop such a standard, but this standard clearly tries to address a nuclear safety rather than a reliability issue. The EPCRA legislation specifically excluded authority for the development of safety standards. If there is a problem with auxiliary supply that jeopardizes reliability, other existing standards will apply. This encroachment on the purview of the NRC will continue to muddy the waters. When everyone is in charge, nobody is responsible. It will also lead to misallocation of resources.
<p>Response: The need for the standard has already been established through the Standards Development Process. The scope of the current project is to provide modification to Requirement R9.3.5 as directed in FERC Order 716.</p>				