

**TRANSMITTAL OF MEETING HANDOUT MATERIALS FOR
IMMEDIATE PLACEMENT IN THE PUBLIC DOMAIN**

*This form is to be filled out (typed or hand-printed) by the person who announced the meeting (i.e., the person who issued the meeting notice). The completed form, and the attached copy of meeting handout materials, will be sent to the Document Control Desk on the same day of the meeting; under no circumstances will this be done later than the working day after the meeting.
Do not include proprietary materials.*

DATE OF MEETING

06/10/2003

The attached document(s), which was/were handed out in this meeting, is/are to be placed in the public domain as soon as possible. The minutes of the meeting will be issued in the near future. Following are administrative details regarding this meeting:

Docket Number(s) 50-275, 50-323, 50-455, 50-446, 50-482, 50-483,

Plant/Facility Name Diablo Canyon, Comanche Peak, Wolf Creek, Callaway,

TAC Number(s) (if available) Not Applicable

Reference Meeting Notice June 2, 2003 (ML031530512)

Purpose of Meeting
(copy from meeting notice) The meetings on June 10 and 11, 2003, were a STARS-
IRAG/NRC workshop to discuss selected topics listed
in the agenda attached to the meeting notice.

NAME OF PERSON WHO ISSUED MEETING NOTICE

Jack Donohew

TITLE

Senior Project Manager

OFFICE

Office of Nuclear Reactor Regulation

DIVISION

Division of Licensing Project Management

BRANCH

Project Directorate IV

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STARS / NRR PROJECTS

LICENSING WORKSHOP

**June 10 and 11, 2003
Kansas City**

Following is a workshop agenda. The flow of the workshop is from Licensing submittal scheduling issues to quality to change processes. The workshop is meant to be panel discussion with one or more NRC and STARS person on the panel (as indicated by the topic). Each panelist will present an aspect or perspective of the topic. Once complete, the session will be open for questions with a member of RASIG taking turns as moderator / facilitator. STARS panelists will either be a COE Lead (as indicated), IRAG member or IRAG backup member. Times have been scheduled based on breadth of the topic. One break is scheduled for each morning with two in the afternoon. A discussion session has been scheduled for the second afternoon. Since IRAG will begin their Quarterly meeting that afternoon, the intent is to have a seasoned STARS Licensing person from each plant there as a facilitator. This is a session for the exchange of experience and discussion.

Tuesday, June 10, 2003
MORNING SESSION

8:00 – 8:30 **WELCOME and INTRODUCTION** NRC – Herb Berkow
STARS – Don Woodlan

8:30 – 10:00 **LICENSING ACTIONS – SCHEDULING (Panel Discussion)**

NRC Work Controls

NRC – Steve Dembek

- ☆ Impact on submittals
- ☆ Improving efficiency (things licensees can do to improve work assignment, work flow)
- ☆ Revised Project Manager Responsibilities

Potential Benefit:

If the licensee understands the recent changes to NRC's work controls program and the impact on workflow, there may be things that licensees can do to ensure efficiency.

Managing Schedules for LARs to Support Plant Activities

NRC-Dave Jaffe
STARS – Glenn Michael

- ☆ Scheduling and timing of submittals

Potential Benefit:

Submittals associated to outage implementation are always of interest. Additional plant evolutions (e.g., steam generator replacement, power uprates) would also fall in this category. Licensees depend on the license amendment to exit their outage. The NRC requires submittals of quality to ensure the schedule can be met. This discussion is intended to focus on the elements that ensure both NRC and Licensee are satisfied.

9:45 – 10:00

Break

Tuesday, June 10, 2003
MORNING SESSION (after break)

10:00 – 10:30 NRC Fees

NRC – Steve Dembek
STARS - Scott Head

- ☆ When is exemption from fees applicable?
- ☆ How do licensee apply for exemption of fees?

Potential Benefit:

This section would provide a forum to ask questions about the current process, the process mechanisms, and requirements. This would provide for appropriate and complete applications for fee exemption.

10:30 – 11:30 LICENSING ACTIONS – QUALITY (Panel Discussion)

Quality of Submittals Revisited

NRC – All PMs
STARS – Fred Madden

- ☆ Noted Improvements (trends)
 - NRC perspective
 - Licensee perspective
- ☆ Lapses in improvements (trends)
 - NRC perspective
 - Licensee perspective
 - Relief Requests
- ☆ Addressing Correspondence– Avoiding Error Traps
 - Address rules and policies (i.e., how it is decided who responses are addressed to; especially beyond the regs.) –NRC
 - Results of incorrectly addressed submittals – NRC
 - How to avoid – Licensee practices and tools – STARS Mgrs

Potential Benefit:

This would be a quick review of areas discussed in earlier workshops to ensure progress continues and any back lapses are caught and corrected. One item of discussion involves the addressing of correspondence to the NRC. Recent letters have had anomalies in address requests. A brief review and discussion will ensure licensees understand the system and ramifications. It will also provide a forum for tools licensee use to ensure correspondence is correct prior to mailing.

11:30 – 12:30

Lunch

Tuesday, June 10, 2003
AFTERNOON SESSION

12:30 – 4:30 QUALITY ISSUES CONTINUED (Panel Discussion)

**(12:30 – 1:30) Quality and Role of SERs Today NRC – Robert Gramm
IRAG – Dave Shafer**

- ☆ Obligations and Responsibilities
 - NRC perspective (enhancements – Technical Review Guidance)
 - Licensee perspective (trends)
- ☆ Correcting or Clarifying Information
 - NRC experience
 - Licensee experience (trends)

Potential Benefit:

In recent years the role of SERs has been down played. However, they are still play a role in the regulatory process. This session would review that role and issues associated to the issuance and receipt of SERs. The intent of this session would be to identify issues that ensure a quality SER, ensure the SER is appropriately addressed upon receipt and identify mechanisms for changing SERs.

**(1:30 – 1:45) Use of Task Interface Agreements NRC – Dylanne Duvigneaud
(TIAs)**

Potential Benefit:

Discussion of the use of TIAs will help Licensees understand their function.

1:45 – 2:00

BREAK

Tuesday, June 10, 2003
AFTERNOON SESSION (after break)

(2:00 – 2:45)

**Bulletin 2002-01 RAI Lessons
Learned**

NRC – Jack Donohew
STARS – Ken Peterson

- ☆ Ways to avoid another industry RAI.
 - NRC perspective
 - Licensee perspective (i.e., determining the balance between too much information and too little)

Potential Benefit:

This iteration of bulletin, response, RAI impacted resources both within the NRC and licensees. A discussion of the lessons learned may prevent another similar situation.

(2:45 – 3:15)

Safety Conscious Work Environment

NRC – Mohan Thadani
IRAG – Stan Ketelsen

- ☆ NRC perspective
- ☆ Licensee perspective

Potential Benefit:

This is a topic of interest that increased understanding and awareness will improve especially in the area of communications (if we are all talking about the same thing and thinking the same thing, communications will certainly improve).

3:15 – 3:30

BREAK

3:30 – 4:30

**Informal Communications (e.g.,
email)**

NRC – Jack Donohew
STARS – Fred Madden

- ☆ Guidelines; when and how to use it
- ☆ What to expect
- ☆ Experiences

Potential Benefit:

During the 2002 Licensing Information Forum the issue of emails was discussed. Since this communication mechanism is one that can be efficient but also embarrassing, a review of guidance and expectations and use will encourage effective use.

4:30

End of First Day

Wednesday, June 11, 2003
MORNING SESSION

8:00 – 8:15 SECOND MORNING WELCOME

8:15 – 10:45 CHANGE PROCESSES

**(8:15 – 9:00) Processing Submittals Associated to NRC – Dave Jaffe
Security Issues STARS – Stan Ketelsen**

- ☆ Guidance for deciding when to submit Safeguards information vs. Sensitive Information vs. Non-safeguards

- ☆ Improving efficiency

Potential Benefit:

With the intensity of issues relating to security transmitting information that is safeguards or non-safeguards or sensitive information has become a topic of discussion. Ensuring licensees issue the proper category of document necessary for the NRC purposes and not putting the NRC in a difficult space for publication would increase NRC effectiveness and efficiency.

**(9:00 – 9:30) Making Changes to the Plant NRC – Bob Gramm
Associated to Orders. Process IRAG – Rich Lockett
Guidance**

Potential Benefit:

Since much of the change to security conditions has been done in response to an order, mechanisms to change those conditions are not clear. Discussion on this topic will ensure the proper reviews and submittals are performed. Discussion should include the role of the NRC Project Manager.

9:30 – 9:45 *BREAK*

Wednesday, June 11, 2003
MORNING SESSION (after break)

(9:45 – 10:15) Perry Decision

NRC – Jack Donohew
STARS – Don Woodlan

- ☆ Implications – How to stay out of the same situation
- ☆ Application continues?

Potential Benefit:

Although it was stated at the 2002 Licensing Information forum that the Perry Decision was a document with one time use, it continues to be an issue. Licensees do not wish to find themselves in a situation where there is question as to the limits of the license. Discussion on this point and insight from both the industry and regulator will improve communications.

(10:15 – 10:45) 50.59 Revised Rule Follow-up

NRC – Mohan Thadani
STARS - Jimmy Seawright

- ☆ Quality of the Annual Report
- ☆ NRC perspective on use and application
- ☆ Inspection Results (sharing)
- ☆ Other rule language – new emphasis and results (e.g., trends in submittals)

Potential Benefit:

This section would provide an opportunity to benchmark on how the industry is doing in the area of 50.59 and look for improvements.

10:45 – 11:15 Open Session

NRC – All
STARS – Don Woodlan

- NRR Projects involvement in level 3 SDPs
-
-
-
-

Wednesday, June 11, 2003
MORNING SESSION (wrap-up)

11:15 – 12:00 WORKSHOP WRAP-UP

NRC – Herb Berkow
STARS – Diane Hooper

This session should be a joint effort between the NRC and the STARS attendees. The topics below should be brainstormed and condensed into a list of discreet items. A summary of take away items should also be developed. The list should include improvement items and may be fashioned after the STARS delta/plus model.

- | | | | |
|-----------------------------|------------------------|--------------|---------------------|
| ☆ Effectiveness | ☆ Challenges | ☆ Measurable | ☆ Future Activities |
| ▪ What was most beneficial? | ▪ Types of challenges? | Success | ▪ Follow-up |
| ▪ What was most effective? | ▪ Barriers? | ▪ PI ideas? | ▪ Improvements |
| | | ▪ Other? | ▪ Communication |

12:00

Adjourn / Lunch

Wednesday, June 11, 2003
AFTERNOON (Post Workshop Session)

1:00 – 3:00 Licensee Closed Session

STARS -

This is an impromptu session for sharing experience and discussing workshop questions. The session should be facilitated by an experienced licensing person from each STARS plant.



STARS Presentations



WELCOME AND INTRODUCTION

STARS/NRR Projects Licensing
Workshop, June 10, 2003
Don Woodlan

6/10/03

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Welcome

- Strategic Teaming and Resource Sharing
- AmerenUE, TXU Electric, Pacific Gas and Electric, STPNOC, Arizona Public Service Co. and Wolf Creek NOC
- NRR Projects representatives
- Members of the Public

6/10/03

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Introductions

- Please introduce yourself with brief bio
 - Current job
 - Work history
 - Years in licensing/projects or related work
 - Area of expertise
 - Other info of interest

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Purpose and Objectives

- Meet your STARS regulatory affairs counterparts
- Meet your NRR projects people
- Open discussion on several key topics

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Workshop Structure

- Discussion Topics Identified
- 1/3 of time for STARS presentation
- 1/3 of time for NRR presentation
- 1/3 of time for open discussion
- Ask questions as they occur - may hold off discussion until open discussion period

6/10/03

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Housekeeping

- Meals
- Breaks
- Restrooms
- Attendance List
- Other

6/10/03

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Managing Licensing Action Request (LAR) Schedules to Support Plant Activities

**Glenn Michael
Palo Verde Nuclear Generating
Station
June 10, 2003**

1

Types of LARs that may be Needed to Support Plant

- Relief Requests
 - ISI/IST
 - NRC Orders
- Tech Spec Changes
 - Core Reloads (e.g., DNBR)
 - New Methods
 - Power Uprate
- Exemptions

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Challenges

- LAR Scheduling must Consider:
 - Licensing resources
 - Preparation time
 - Peer quality-review time
 - Cross organization reviews
 - On- and Off-site Safety Committee Reviews
 - NRC review
 - Implementation time
- LARs to support the plant require early, complete planning

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Licensing Document Change Request (LDCR) Process

- LARs may be identified by anyone on site by using the LDCR process.
- Licensing must determine where the LDCR fits in with the other LARS being prepared.
- Licensing manages the LARs by using the Licensing priority List (LPL).

Licensing Priority List (LPL)

- List of "Top Ten" LARs.
 - Actively being prepared
 - Submittal/approval schedule identified
- List of "Honorable Mention" LARs.
- List of LARs currently with the NRC.
 - Approval schedule identified.
- List of LARs approved by the NRC.

Licensing Priority List (LPL)

- Licensing works to the LPL.
- Input meetings with individual stakeholders to identify potential LPL items and restraints.
- Work with responsible groups to address any restraints.
- Licensing meets monthly with Nuclear Fuels to ensure needed LARs are identified.

Licensing Priority List (LPL)

- Management stakeholders meet semi-annually to review LPL and verify that plant needs are being met.
 - Licensing
 - Operations
 - Engineering
 - Outage Management
 - PRA
 - Nuclear Fuels

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Licensing Priority List (LPL)

- LPL Performance Indicators
 - Input to monthly departmental report
 - Number of LARs submitted
 - Average age of LARs
 - NRC review time
 - NRC review fees

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Licensing Priority List (LPL)

- Emergent needs may push LARs down the list:
 - NRC Order relief requests
 - Emergent ISI relief request

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Licensing Priority List (LPL)

- Challenges that affect LPL schedule projections:
 - Not resource loaded (outage volunteering, vacations, training, etc.)
 - Unexpected emergent work sometimes significant (NRC Orders, etc.)

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LAR “Need” Dates

- The “need” date requested in the LAR letter may be based on plant preparation need, which may be months prior to startup need.
 - Intent is to have confidence that LAR will be approved as-requested so that design work can be done.
 - NRC often needs to know startup date for their work management.
 - Should standard submittal format specify both dates?

11

Notification of LAR Implementation?

- There is no standard guidance for the need and the format to notify the NRC when an approved LAR is implemented.

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Licensing Priority List (LPL)
Changes to be actively worked

	Description of Change	Restraints	NRA RE	Submittal Schedule	Sponsoring Org	Date Started Working	LDCR No.	STARS?
1	TSTF-283 for EDG surveillance limitations (TS 3.8.1 and 3.8.4)	None	J Proctor	Second Qtr 2003	PRA	6/4/02	03-T001	Y
2	MSSV TS changes (TS 3.7.1)	None	G Michael	Third Qtr 2003	NFM	11/14/01	01-T001	N
3	Request NRC approval for higher fuel pin pressure for ZIRLO fuel	None	J Proctor	Third Qtr 2003	NFM	11/15/02	02-F047	N
4	Movement of "recently" irradiated fuel (TSTF-51)	None	R Wilferd	Third Qtr 2003	ENG	3/20/03	Not yet assigned	Y
5	Relaxation of RX Vessel Head Order for UT testing to the "bottom of the nozzle" for Units 1 and 2.	Need Hoop Stress reports for Units 1 and 2	R Rogalski	Third Qtr 2003	ISI	TBD	NA	N
6	EDG AOT Increase to 14 days (TS 3.8.1)	None	J Proctor	Third Qtr 2003	PRA	5/20/03	99-T002	N
7	Relaxation of specific requirements in License Order Sections IV.C (1) and IV.C (2) requiring volumetric examination of the RPV head vent nozzle	ISI	R Rogalski	TBD Need by Spring 2004 outage	ISI	TBD	NA	N
8	Administrative changes: delete reporting license condition, remove round cell batteries, add note to SR 3.8.1.2, and correct MSIV/MFIV applicability (TS 3.7.2 and 3.7.3).	None	D Gregoire	TBD	Licensing	11/1/01	01-T010 02-T001	N
9	Revise TS 3.1.5 condition B for one CEA position indicator channel operable to state that there is only one CEA position indicator channel OPERABLE for one or more CEA per CEA group.	None	TBD	TBD	OPS	TBD	99-T005	N

Licensing Priority List (LPL)
Changes to be actively worked

	Description of Change	Restraints	NRA RE	Submittal Schedule	Sponsoring Org	Date Started Working	LDCR No.	STARS?
10	Relaxation of LCO 3.0.4 (TSTF-359) CLIIP issued in 68 FR 16579, April 4, 2003. Also see letter from NEI to NRC dated April 28, 2003, containing revised TSTF-359.	None	R Wilferd	TBD	Licensing	TBD	Not yet assigned	Y

Licensing Priority List (LPL) Honorable Mention

	Description of Change	Restrains	Notes and Comments	LDCR No.	STARS ?
1	CIV AOT increase to 7 days (TSTF-373)	PRA	Unapproved TSTF; approved topical		N
2	CS AOT increase to 7 days (TSTF-409)	PRA	Unapproved TSTF; approved topical	98-T006	N
3	Revise TS 5.5.6 Containment Tendon Surveillance Test Program (TSTF-343 rev 1).	Need LDCR and input from Civil Design Engineering	Needed for Spring 2004	TBD	Y
4	Revise the test frequency for the Containment Spray Nozzle Air test (SR 3.6.6.6) so that it is only required after maintenance that could affect performance.	Need LDCR and input from Maintenance Engineering	South Texas recently submitted similar change.	TBD	Y
5	Delete Appendix B, Environmental Protection Plan, from the PVNGS operating licenses	None			?
6	Define "operations involving positive reactivity" (TSTF-286)	None	Several STARS plants have received this.	01-T009	Y
7	Rewrite DC sources specification (TSTF-360)	Engineering needs to review	TSTF is approved.		Y
8	Revise QA Program to be able to use ISO-9000 certified vendors	NAD to develop	May be ready to pursue by mid-2003		Y
9	Delete Appendix C antitrust conditions from the PVNGS operating licenses	None	Per Ken Manne, we committed to SRP that we would do this		N
10	New 24 hour AOT for breach of CR boundary (TSTF-287)	None	NRA has done some preliminary work on this.	00-T017	N
11	Consistent completion times for reaching Mode 4 (PSV/LTOP - TS 3.4.11 and 3.4.13) (TSTF-352)	None			Y
12	Steam generator generic licensing package (TSTF-449)	NEI 97-06	Lead plant (Catawba) to submit an amendment request in early 2003.		Y
13	Relaxation of end state per CEOG topical (TSTF-422)	None	Topical approved, but TSTF has not been submitted. Potential CLIIP.		Y

Licensing Priority List (LPL) Honorable Mention

	Description of Change	Restrains	Notes and Comments	LDCR No.	STARS ?
14	Add note to EC specification (TSTF-351)	None			N
15	Delete TS hydrogen recombiner requirements	NRC is working on 10 CFR 50.44 Rule change	TSTF to be developed after Rule change, which is planned for early 2003.		Y
16	ISI relief request to use Code Case N597 for localized thinning analyses	Need ISI justification			N
17	ISI Code Case 532 (TSTF-412)		Per M. Melton, this request should not be needed because the Code Case is expected in the next RG 1.147 revision		N
18	Revise pressure-temp limits per 3/4.4.8 to incorporate revised instrument uncertainties. PTLR - This TS change would remove the RCS pressure and Temperature Limits from various TS's and relocate them to a Licensee Controlled document.	Need Engineering input (LDCR).		97-001	N
19	ISI relief request for use of Code Case N651-2 to allow for ASME pipe overlay repairs for one cycle - outage benefit.	Need ISI justification			N
20	Risk-informed ISI	Need PRA and ISI input			Y
21	Revise the NRC reporting requirement in TS Tables 5.5.9-2 and 5.5.9-3 (SG inspections) to be consistent with the revised 10 CFR 50.72 reporting criteria.				?

Submittals Currently with NRC

	Description of Change	NRA RE	LDCR	Submitted to NRC	Requested Date	Category	STARS?
1	Power uprate	R Bernier	01-T004	12/21/01 (102-04641)	12/31/02	I	N
2	ISI relief request to use embedded flaw techniques for CEDM nozzle repairs - ISI Relief Request Nos. 20 and 21.	R Rogalski		3/15/02 (102-04668)	9/27/02	II	N
3	ISI Relief Request for proposed alternative repair method for reactor vessel head penetrations – ISI Relief Request No. 18 (temperbead)	R Rogalski		5/22/02 (102-04705)	"to support the VHP inspections scheduled during the upcoming refueling outages for Units 1 and 3"	II	N
4	License recovery time from low power testing	R Wilferd	02-T002	8/28/02	8/31/03	III	N
5	CPC upgrade: DNBR, TS 3.2.4; RPS Instrumentation - Operating, TS 3.3.1; CEACs, TS 3.3.3.	D Gregoire	01-T003	11/7/02 (102-04864)	7/1/03	I	N
6	IST relief request for Unit 1 HPSI pump 1A for high vibration during full flow - IST Pump Relief Request No. 13.	D Gregoire		1/21/03 (102-04881)	7/1/03	I	N
7	E-Plan change to reduce number of STAs	R Roehler		2/14/03 (102-04890)	9/1/03	III	N
8	Admin TS changes to reflect reorg (Chemistry and WEI) (Sholly'ed 5/27/03)	R Rogalski	02-T004 02-T006	4/15/03 (102-04926)	None specified	III	N
9	Qualification of licensed operators - TS 5.3.1 (RIS 01-01)	R Rogalski	01-T014	4/25/03 (102-04930)	April 2004	III	N
10	ISI Relief Request 23 - Alternative Repair Request for Pressurizer Heater Sleeves (temperbead)	R Rogalski		5/15/03 (102-04941)	9/15/03	I	N

Category I: A Category I submittal is needed to be approved by the NRC for a specific plant evolution or startup after a plant refueling outage. It would be of prime importance for the NRC to meet the requested approval date for this category of submittal and there is very little flexibility available for having the submittal approved beyond the date requested. Delay would impact power production.

Submittals Currently with NRC

Category II: A Category II submittal is needed to be approved by the NRC for general purposes, but not a plant specific evolution or outage. A category II submittal is desired to be approved by the requested approval date, but there is some flexibility for having the submittal approved at a later date than requested. The amount of flexibility can only be determined on a case by case basis. Delay may impact power production.

Category III: A Category III submittal is needed to be approved by the NRC, but there is no time dependent situation or evolution that is relying on the approval of this submittal. There is a great amount of flexibility for when this category of submittal is approved. Typically this type of submittal is purely administrative or a submittal to correct an error in the TS where administrative controls already have been implemented to ensure the error in the TS does not have an impact. Delay would not impact power production.

Submittals Approved by NRC in 2003

	Description	TAC Nos.	Date Submitted	Date Approved	NRC Review Time (Months)	STARS?	Date Implemented
1	ISI Relief Request for alternative repair method to use electrical discharge machining (EDM) for reactor vessel head penetrations - ISI Relief Request No. 22	MB6439, MB6440, MB6441	9/25/02	1/27/03	4	N	1/27/03
2	Relaxation of the requirements of License Order Sections IV.C(1)(b)(i) and IV.C.(2)(b)(i) for the CEDM nozzles	MB7855	2/28/03	4/25/03	1.9	N	4/25/03
3	Request for Relaxation of Order EA-03-009 Requirement IV.C(2)	MB7855	4/4/03	4/25/03	1.7	N	4/25/03
					Average Review Time: 2.5 Months		



LICENSING ACTIONS QUALITY OF SUBMITTALS

STARS/NRR Projects Licensing
Workshop, June 10, 2003
Fred Madden – TXU Energy

6/10/03

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Panel Members

- Jack Donohew – Project Manager for Callaway, Wolf Creek and Palo Verde
- David Jaffee – Project Manager for Comanche Peak and Diablo Canyon
- Mohan Thadani – Project Manager for South Texas Project

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LICENSING ACTIONS QUALITY OF SUBMITTALS

- A. Improvements (trends)
- Industry (NEI) Templates for Licensing Actions (LARs) & Code Relief Requests (RRs). Are they working? Do they elicit the appropriate information to minimize RALs?
 - NRC Project Manager insights....
 -

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STARS

LICENSING ACTIONS QUALITY OF SUBMITTALS

A. Lapses (trends)

- Code Relief Request (RR) content omissions
- RAls resulting from adaptation of generic, industry topical reports (Licensee omission of required plant specific information; NRC SER specificity)
- WordPerfect vice Word software. Why are some licensees constrained to use of WordPerfect?
- NRC Project Manager insights...

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STARS

LICENSING ACTIONS QUALITY OF SUBMITTALS

A. Addressing Correspondence – Avoiding Error Traps

- Address Rules and Policies – NRC PM Guidance
- Correspondence Addresses for Orders, Security Orders, Bulletins, Generic Letters, etc.
- Consequences of Incorrectly Addressed Correspondence – NRC PM Guidance
- Licensee Practices and Tools:
 - ✓ Use of Standard Templates
 - ✓ Checkers and Proof Readers
 - ✓ Others...

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STARS / NRR Projects
Licensing Workshop
June 10 & 11, 2003

Quality and Roles of
SERs Today

Dave Shafer
Callaway

Role of SER

Provides the Basis for NRC
Approval

Level Details Varies Based on:

- Subject matter
- Point in time when SER was
issued

NRC Approvals Generally
Fall in 3 Categories

- Conformance to an Applicable
Standard
- Plant Specific Review of a
Deviation to an Applicable
Standard
- Plant Specific Review Where
there is no Standard
 - None Exist
 - Pre-dates Standard

Callaway SER Review Practices

- Informal Review
- Not Proceduralized
- Pre-Approval / Post-Approval
 - Some PUL's have provided final drafts and a few days to comment
 - Some have provided SER's after approval
- Results / Follow-Up have Varied
 - Typos and Editorials are sometimes provided to NRC
 - Factual Issues are provided to NRC
 - Correction Letter
 - Revised SER
- Potentially Significant Issues are not Consistently Addressed

Future Plans

- Callaway will Formalize Process for Review
- Normally Complete Review Prior to Implementation
- Use the Corrective Action Program to Address Issues

Significant Issue Examples

- NRC Approval of Original License Condition on SGTR
- Secondary side Isolation valves not considered CNVs
- Feedwater Reg / Bypass valves not in Tech Specs

NRC Approval of SGTR

- Callaway analyzed 2 cases
 - Stuck Open ASD
 - Failed open flow control valve (SG Overfill?)
- Callaway concluded:
 - No SG overfill (close, but . . .)
 - Stuck open ASD was bounding case and added to FSAR
- NRC requested Callaway "force overfill"
 - Callaway analysis still showed it was bounded by ASD case
 - Callaway considered "forced overfill" as beyond licensing basis

NRC Approval of SGTR Cont'd

- NRC SER rejected Callaway contention that overfill did not occur
 - Approved LC based on:
 - Forced overfill analysis
 - Independent NRC dose calculations
 - RCS activity limits in T/S
 - Distance to exclusion area and LPZ boundaries
- Callaway maintained overfill was not a Licensing Basis but did not address SER approval basis
- Callaway is submitting updated analysis this month

Secondary Side Isolation Valves not Considered CIVs

- Amendment 18 "clarified" TS pertaining to MSIVs & MFIVs
 - Removed isolation times from TS T.3.6-1
 - Added spec for MFIVs (similar to MSIVs)
- NRC disagreed on bases for approval
 - Callaway justified change based valves not being CIVs
 - NRC accepted based other TS existed and no effective change in response time
- NRC Specified in SER that TS Bases language be removed
 - This avoided the issue in TSB
 - FSAR bases is still that they are not CIVs



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NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

SUPPORTING AMENDMENT NO. 18 TO OPERATING LICENSE NO. NPF-30

UNION ELECTRIC COMPANY

CALLAWAY PLANT, UNIT 1

DOCKET NO. 50-483

INTRODUCTION

By letter dated September 29, 1986, and supplement thereto dated February 26, 1987, Union Electric Company (the licensee) submitted an amendment request for changes to the Technical Specifications for the Callaway Plant. The changes pertain to the main steam isolation valves (MSIVs) and to the main feedwater isolation valves (MFIVs). The principal effect of the proposed changes would be to clarify the Technical Specifications pertaining to the MSIVs and to the MFIVs in particular. We have reviewed the proposed changes and find them to be acceptable as discussed below.

DISCUSSION AND EVALUATION

The licensee summarizes their amendment request by stating that the request provides clarification and restructures the Technical Specifications associated with the MSIVs and MFIVs. Further, no changes are being made to the valves or their response times, and therefore the original design bases are met.

For the Engineered Safety Features Response Times (Table 3.3-5), the licensee proposes to separate the response times for the MSIVs and the MFIVs into two parts. The response time for the sensor, associated electronics and actuation relays would be indicated in Table 3.3-5, whereas the valve closure time, for the valve to be considered operable, would be given in a separate specification. Thus, the MSIV and MFIV response times in Table 3.3-5 would be changed from the present ≤ 7 seconds to ≤ 2 seconds, with a footnote added that the response time does not include valve closure time. A separate specification would require valve closure time within five seconds for the valve to be OPERABLE. As a result, there would be no effective change in the overall response times. We therefore find this proposed change to be acceptable.

The Containment Isolation Valves (Table 3.6-1) include a list of the MSIVs and MFIVs under the table notation "Other Automatic Valves." The maximum isolation time for these valves is presently indicated as 5 seconds. The licensee proposes to replace the 5 seconds with N.A. (not applicable). The 5 seconds requirement would then appear in other technical specifications as discussed previously.

The licensee partially justifies the changes in Table 3.6-1 on the basis that the MSIVs and MFIVs are not containment isolation valves because the valves are not required to meet containment isolation criteria since the containment

barrier integrity is maintained by the steam generator tubes, the shell of the secondary side of the steam generator, and the lines emanating from the steam generator secondary shells. We find that the licensee's contention that the MSIVs and MFIVs are not containment isolation valves conflicts with General Design Criterion 57 which states in part:

Each line that penetrates primary reactor containment and is neither part of the reactor coolant pressure boundary nor connected directly to the containment atmosphere shall have at least one containment isolation valve which shall be either automatic, or locked closed, or capable of remote manual operation.

Although we disagree with the licensee's contention that the MSIVs and MFIVs are not containment isolation valves, we find the changes to Table 3.6-1 are acceptable because the specifications for the MSIVs and MFIVs appear elsewhere in the Technical Specifications and there is no effective change in the overall response time of the valve closures. Also the licensee states and the staff finds that the licensee's proposed change in Table 3.6-1 for the Callaway plant is similar to the existing Table 3.6-1 for the Wolf Creek plant.

A footnote pertaining to the MSIVs and MFIVs would also be added stating:

***These valves are included only for table completeness. The requirements of Specification 3.6.3 do not apply; instead, the requirements of Specification 3.7.1.5 and 3.7.1.6 apply to the Main Steam Isolation Valves and Main Feedwater Isolation Valves, respectively.

Specification 3.6.3 pertains to containment isolation valves other than the MSIVs and MFIVs and is applicable for Modes 1, 2, 3 and 4. Specifications 3.7.1.5 and 3.7.1.6 pertain to the MSIVs and MFIVs, respectively; apply to Modes 1, 2 and 3; and have different action statements than 3.6.3. Thus, the effect of the licensee's proposed change is to clarify the appropriate limiting conditions for operation and associated action statements for the MSIVs and MFIVs. We find this clarification note acceptable and observe that a similar note appears in the Wolf Creek Technical Specifications.

The licensee proposes the addition of the following to the Bases section of the Technical Specifications:

3/4.7.1.6 Feedwater Isolation Valves

The OPERABILITY of the feedwater isolation valves functions to: 1) provide a pressure boundary to permit auxiliary feedwater addition in the event of a main steam or feedwater line break inside containment; and 2) ensure that no more than one steam generator will blow down in the event of a steam line rupture which a) minimizes the positive reactivity effects of the Reactor Coolant System cooldown associated with the blowdown, and b) limits the pressure rise within containment. The MSIVs and FWIVs are not considered to be containment isolation valves. The containment boundary is the steam generator secondary side and tubes. The OPERABILITY of the feedwater isolation valves within the closure times of the Surveillance Requirements are consistent with the assumptions used in the safety analysis.

TABLE 3.2-3 (Sheet 2)

<u>Regulatory Guide 1.29 Position</u>	<u>Union Electric</u>
a. The reactor coolant pressure boundary.	a. Complies.
b. The reactor core and reactor vessel internals	b. Complies.
c. Systems* or portions of systems that are required for (1) emergency core cooling, (2) post-accident containment heat removal, or (3) post-accident containment atmosphere cleanup (e.g., hydrogen removal system).	c. Complies. See Item 2 below.
d. Systems* or portions of systems that are required for (1) reactor shutdown, (2) residual heat removal, or (3) cooling the spent fuel storage pool.	d. Complies. See Item 2 below.
e. Those portions of the steam systems of boiling water reactors . . .	e. Not applicable to the Callaway Plant.
f. Those portions of the steam and feedwater systems of pressurized water reactors extending from and including the secondary side of steam generators up to and including the outermost containment isolation valves, and connected piping of 2-1/2 inches or larger nominal pipe size up to and including the first valve (including a safety or relief valve) that is either normally closed or capable of automatic closure during all modes of normal reactor operation.	f. Complies with the exception that the words "or remote manual" are considered to be inserted after the word "automatic." This option is included to avoid an unnecessary complication (leading to decreased plant reliability) in the line which is not normally provided with automatic closing valves. Note that valves in lines emanating from the steam generator are for secondary side isolation, not containment isolation.

considered. Sections 3.5, 3.6, and 9.5.1 provide the hazards analyses to assure that a safe shutdown, as outlined in Section 7.4, can be achieved and maintained.

SAFETY EVALUATION THREE - Section 3.2 delineates the quality group classification and seismic category applicable to the safety-related portion of this system and supporting systems. Figure 6.2.4-1 shows that the components meet the design and fabrication codes given in Section 3.2. All the power supplies and control functions necessary for the safe function of the containment isolation system are Class IE, as described in Chapters 7.0 and 8.0.

SAFETY EVALUATION FOUR - Figure 6.2.4-1 shows the arrangement for each line penetrating the containment and provides the design information that demonstrates that GDC-54 is met. Leak detection capabilities are discussed in Section 9.3.3 and in the system descriptions associated with the applicable penetrations. Tests and inspections for piping penetrations are discussed in Sections 6.2.4.4 and 6.2.6.

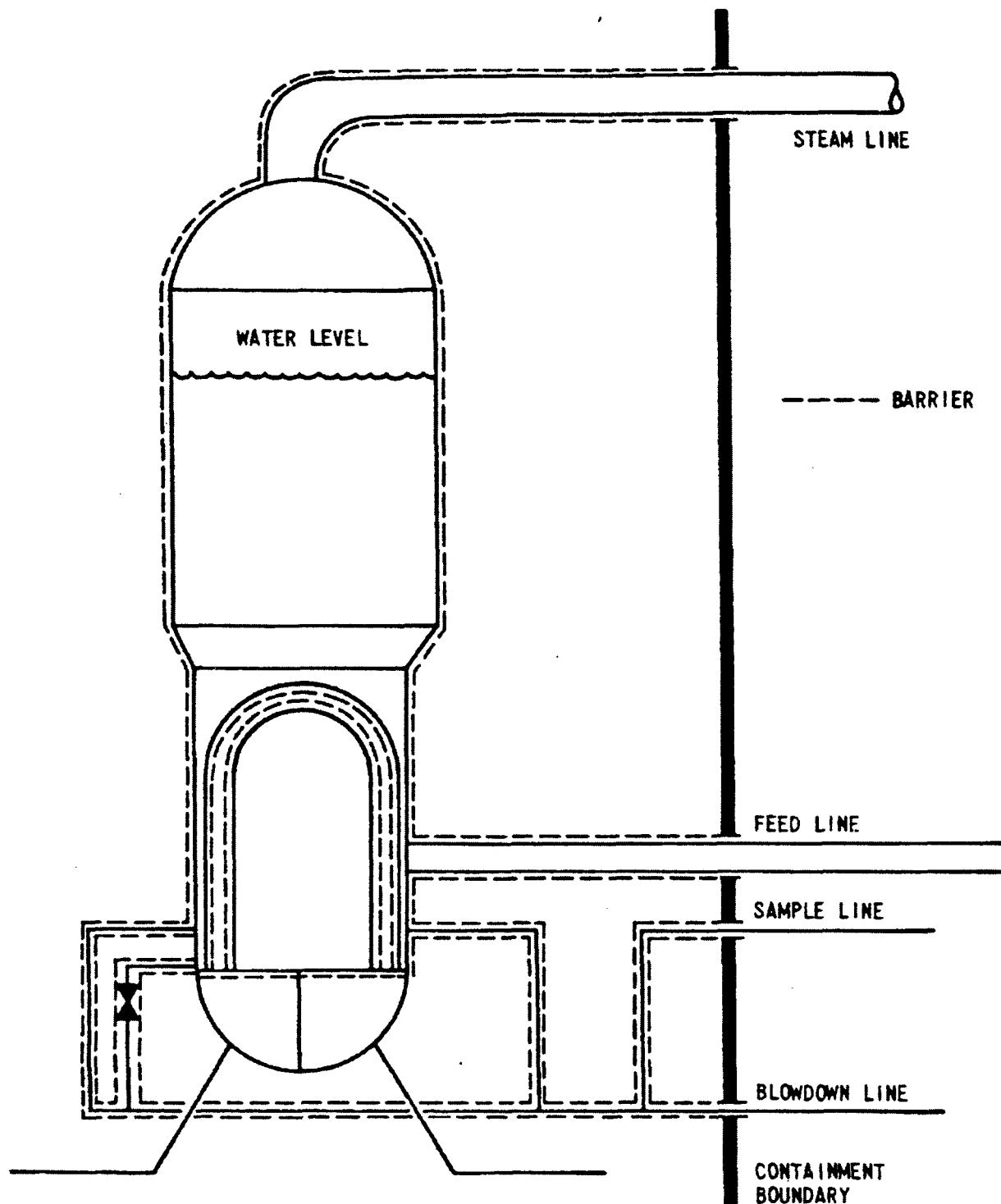
SAFETY EVALUATION FIVE - Figure 6.2.4-1 shows the arrangement and justifies compliance with the intent of GDC-55 for lines that are part of the reactor coolant pressure boundary and that penetrate the primary reactor containment. A list of penetrations subject to GDC-55 is provided in Table 6.2.4-1.

SAFETY EVALUATION SIX - Figure 6.2.4-1 shows the arrangement and justifies compliance with the intent of GDC-56 for lines that are connected directly to the containment atmosphere and penetrate the primary reactor containment. A list of penetrations subject to GDC-56 is provided in Table 6.2.4-1.

SAFETY EVALUATION SEVEN - As indicated in Table 6.2.4-1, there are no penetrations which are subject to GDC-57. Note that the containment penetrations associated with the steam generators are not subject to GDC-57, since the containment barrier integrity is not breached. The boundary or barrier against fission product leakage to the environment is the inside of the steam generator tubes, the outside of the steam generator shell, and the outside of the lines emanating from the steam generator shell side. Figure 6.2.4-2 shows the arrangement and justifies compliance with containment isolation.

As shown in Section 18.2.11.3, several portions of the main steam lines are considered essential and do not receive an automatic signal to close. These include the power-operated relief valves (PV-01, 02, 03, and 04) which receive no signal and the steam supply line isolation valves (HV-05 and 06) to the AFW pump turbines which open on AFAS.

SAFETY EVALUATION EIGHT - Sections 6.2.2, 6.5, and 9.4 and Chapter 15.0 provide an evaluation that demonstrates that the containment isolation system, in conjunction with other plant features, serves to minimize the release of fission products generated following a LOCA or fuel handling accident inside the containment.



Rev. OL-0
6/86

CALLAWAY PLANT

FIGURE 6.2.4-2

STEAM GENERATOR AND ASSOCIATED
SYSTEMS AS A BARRIER TO THE RELEASE
OF RADIOACTIVITY POST LOCA

SUMMARY

The licensee for the Callaway Plant has submitted proposed Technical Specification changes pertaining to the main steam isolation valves (MSIVs) and to the main feedwater isolation valves (MFIIVs). The proposed changes restructure the Technical Specifications, primarily toward the objective of clarification. No changes are being made to the valves or to their response times. We have reviewed the proposed Technical Specification changes and find them to be acceptable, except for the changes proposed in the Bases section. In two places in the Bases section, the words "The OPERABILITY" appear. We would suggest adding the words:

"of the main steam isolation valves and"

after the word OPERABILITY in each place. Also the following statements should be removed from the Bases section.

"The MSIVs and FWIVs are not considered to be containment isolation valves. The containment boundary is the steam generator secondary side and tubes."

ENVIRONMENTAL CONSIDERATION

This amendment involves changes in the use of a facility component located within the restricted area as defined in 10 CFR Part 20. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously published a proposed finding that the amendment involves no significant hazards consideration and there has been no public comment on such finding. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR §51.22(c)(9). Pursuant to 10 CFR §51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

CONCLUSION

The Commission made a proposed determination that the amendment involves no significant hazards consideration which was published in the Federal Register (51 FR 45215) on December 17, 1986, and consulted with the state of Missouri. No public comments were received, and the state of Missouri did not have any comments.

We have concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: Paul O'Connor, PWR#4/DPWR-A
A. Toalston, EICSB/DPWR-A

Date: March 10, 1987

FEEDWATER REG/BYPASS VALVES NOT IN TS

- Callaway MFIVs have dual actuators
 - Feed Reg/Bypass valves are non-safety
- Callaway received NRC approval to revise MF Reg Valves logic in 1996 (Amendment 115)
- AmerenUE
 - Callaway based it on dual actuators on MFIVs
 - Feed Reg valves are not primary success path (10CFR 50.36, Crit 3)
- NRC
 - did not agree that MF Reg Valves do not meet Crit 3
 - that did not affect conclusion that proposed logic mod was acceptable
- Same Callaway rationale was provided to NRC during ITS amendment and no questions were received.



NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 115 TO FACILITY OPERATING LICENSE NO. NPF-30

UNION ELECTRIC COMPANY

CALLAWAY PLANT, UNIT 1

DOCKET NO. 50-483

1.0 INTRODUCTION

By letter dated May 29, 1996 Union Electric Company, the licensee, requested an amendment to Facility Operating License NPF-30 for the Callaway Plant. The requested amendment involves an unreviewed safety question as defined in 10 CFR 50.59 "Changes, tests and experiments." The unreviewed safety question involves a plant modification that will reduce the single failure trip potential for the main feedwater control and bypass valves (MFC&BVs). The purpose of the proposed modification is to reduce the number of inadvertent plant trips caused by inadvertent closure of the MFC&BVs due to a single failure. Reducing the single failure trip potential for these valves increases the probability that the valves will not perform their safety function (safety function is to close) and, thus, increases the probability of occurrence of a malfunction of equipment important to safety. Therefore, pursuant to 10 CFR 50.59, staff approval of the modification is required prior to implementation.

Each of four steam generator (S/G) main feedwater lines contains a main feedwater isolation valve (MFIV) and a main feedwater control valve (MFCV) in series. Each MFCV has a main feedwater bypass valve (MFBV) in parallel with it. The MFCVs are air-operated angle valves that control feedwater flow to the S/Gs between 20 percent and full power. The MFBVs are air-operated globe valves used to control flow to the S/Gs up to approximately 25 percent power.

The safety function of the MFC&BVs credited in the accident analysis is to provide a backup to the MFIVs for the potential failure of the MFIV to close. This safety function is accomplished on receipt of a feedwater isolation signal (FWIS) via an emergency closure signal from the engineered safety feature actuation system (ESFAS). For emergency closure, solenoid valves on each MFC&BV de-energize to release air pressure which results in valve closure.

The existing pneumatic valve control configuration for the MFC&BVs consists of two normally-closed ASCO three-way solenoid valves energized from separate Class 1E sources. A FWIS causes solid state protection system (SSPS) slave relays to energize and open normally-closed contacts. This interrupts power to the two normally-energized solenoid valves in the MFC&BV pneumatic control system. The solenoid valves are connected in series so that de-energizing

either valve (1 out of 2 logic) opens a vent path from the booster relay (for the MFCVs) or valve actuator (for the MFBVs) to atmosphere. This results in depressurizing the associated reverse-acting actuator, which allows a spring to force the valve to a closed position. Valve closure time is less than or equal to 5 seconds.

The proposed modified pneumatic control configuration for the MFC&BVs will consist of two ASCO universal solenoid valves connected in parallel. Either valve must be energized to align the air source to the booster relay or the valve actuator. De-energization of both solenoid valves (2 out of 2 logic) will be required to vent the booster relay or the valve actuator to atmosphere, which in turn will allow spring pressure to close the valve. This configuration will prevent a single solenoid or power supply failure from causing a plant trip due to loss of feedwater.

2.0 EVALUATION

With the modified design, if one of the ASCO universal solenoid valves fails to operate when required, the respective MFCV or MFBV would not close as designed on a FWIS. However, no other single failures would be postulated and the MFIVs would be assumed to operate as designed. Therefore, the safety function to isolate main feedwater flow to the S/Gs would still occur. Each MFIV is a 14-inch gate valve with a dual redundant hydraulic actuator. Two separate pneumatic/hydraulic power trains are provided for each MFIV, each receiving a signal from a separate ESFAS channel. Either of the dual-redundant power trains is capable of closing the MFIV. The assumed single failure of one of the redundant MFIV actuation trains will not prevent the MFIV from closing. Thus, there is no single component failure, other than the valve itself (such as a stuck MFIV), that will prevent the MFIV from closing. Therefore, there is also no single failure that could simultaneously affect the safety function of both a MFIV and a MFC&BV, and S/G feedwater isolation is assured given any single active failure.

While the proposed modification reduces the probability of a reactor trip, it slightly increases the probability that the feedwater isolation function will fail. This is because the current design requires actuation of only one FWIS train to close the MFC&BVs, whereas the proposed design will require actuation of both trains. However, this increased probability in loss of isolation function is minimized by the redundancy designed into the actuation system for the MFIVs. It is also minimized by the fact that the loss of power and loss of air failure modes still result in valve closure upon receipt of an FWIS. Any associated increase in risk caused by the increased probability that the feedwater isolation function will fail tends to be offset by a corresponding decrease in risk associated with the reduction in inadvertent reactor trips. In fact, the licensee stated that the requantified (requantified to account for the new as modified failure rate) feed and steam line break event trees from the Callaway Probabilistic Risk Analysis (PRA), showed no discernible increase in core damage frequency (CDF).

The safety related function of the main feedwater system is to provide containment isolation and S/G isolation. The containment isolation function is provided by the MFIV outside containment and a check valve inside containment. The proposed modification will not affect the containment isolation function. The design basis for the S/G isolation function is to isolate feedwater flow in ≤ 5 seconds upon receipt of a FWIS assuming any single active failure. The proposed modification will continue to meet the single failure criterion for the feedwater isolation function and will not affect the ability of either the MFC&BVs or the MFIVs to close in ≤ 5 seconds. Therefore, the proposed modification will be in accordance with the original (and current) licensing design basis.

Based on its review as described above, the staff concludes that the proposed modification is in accordance with the original licensing design basis and will reduce the potential for loss of feedwater initiated reactor trips without a significant increase in risk as shown by the licensee's revised PRA. The staff, therefore, concludes that the proposed modification is acceptable.

In its submittal, the licensee stated that because of the redundancy provided in the MFIV actuation system, the MFC&BVs are non-primary success path functions in the context of Criterion 3 of the NRC Policy Statement on Technical Specifications. Although the staff does not agree with the licensee's conclusion that the MFC&BVs do not meet Criterion 3 of the Policy Statement (Criterion 3 of 10 CFR 50.36) it does not affect the conclusion that the proposed modification is acceptable for the reasons described above.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Missouri State official was notified of the proposed issuance of the amendment. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (61 FR 34900). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

Your Feedback

- For SGTR Approval
What should we have done?
- For Secondary Side Isolation Valves
not Considered CIVs
What should we have done?
What should we do now?
- For Feed Reg Valves
What should we have done?
What should we do now?



Bulletin 2002-01 Request for Additional Information (RAI) Lessons Learned

STARS/NRR Projects Licensing
Workshop, June 10, 2003
Ken Petersen

6/10/03

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Industry Concerns

- Significant NRC and Licensee resources expended to address RAIs
- Can we minimize utility RAIs?
- Can we avoid another industry RAI?
 - Bulletin 2002-01

6/10/03

2



Issues

- What techniques can be used to minimize the likelihood of RAIs?
- How do we know when "enough" information is being supplied?
- How do we know when "too much" information is being supplied?

6/10/03

3



Techniques to Minimize RAIs

- Clearly define the NRC question or request.
- Conduct a critical review of response.

6/10/03

4



Define the NRC Question or Request

- Break down complex questions into parts.
 - Bulletin 2002-01 RAI = 69 parts
- What if you can not define NRC question or request?
 - Check with peers or call the NRC

6/10/03

5



Critical Review of Response

- Response must completely addresses the question or request.
 - Ensure ALL parts of a complex question are addressed.
 - Statements of fact must withstand the "future review" test.

6/10/03

6

Starts

Critical Review of Response

- Consider industry events.
- What if the response to one part appears redundant to another part's response?
 - May not be interpreting the question correctly.

6/10/00

7

Safety Conscious Work Environment

**Mohan Thadani
Stan Ketelsen**

Background

- The following background will be addressed by Mohan Thadani
 - Commission's Statement of Policy
 - SCWE vs. Safety Culture
 - Discrimination Task Group
 - Staff Requirements Memorandum (3/26/03)

NEI Recommendations

- Three areas addressed:
 - Office of Investigation (OI) Techniques
 - Development of Alternative Dispute Resolution (ADR) Process
 - Development of SCWE "Best Practices"

Assessment of OI Techniques

- Should be performed by an independent agency
- Focus on effectiveness of using criminal investigative techniques for employment related dispute
- Seek insights from other stakeholders (DOL, industry representatives, allegers, etc.)

Development of ADR Process

- Would address weaknesses of OI approach
- Initiated early in the process, could provide an alternative to enforcement action
- Outside involvement promotes confidence
- Minimize negative impact on environment
- Promotes quicker resolution of allegations

Development of "Best Practices"

- Voluntary industry activities:
 - Identify core attributes of successful ECP
 - Update/expand industry's "tool box"
 - Develop guidance for management training on SCWE-related issues
- Recommend NRC defer internal efforts pending completion of ongoing industry activities



INFORMAL COMMUNICATIONS

STARS/NRR Projects Licensing
Workshop, June 10, 2003
Jack Donohew – NRC Project Manager
Fred Madden – TXU Energy

6/10/03

1



INFORMAL COMMUNICATIONS

- A. Informal Communication – What is it? Typically e-mail and telephone discussions and conference calls.
- B. Guidelines –
 - When and how to use
 - Project Manager direction and perspective....
- C. What to Expect
 - What are the pitfalls?
 - When and why does e-mail become docketed/
 - Project Manager perspective....

6/10/03

2



INFORMAL COMMUNICATIONS Experiences

1. Comanche Peak provides to Project Manager e-mail copy of correspondence
2. Comanche Peak provides *draft* responses to RAls via e-mail to ensure completeness of proposed responses
3. Regular (several times per week) communications between Project manager and licensing lead
4. Appreciate efforts of Project Manager to explicitly define technical issues
5. Other experiences....

6/10/03

3





NRC Orders

Orders Once you implement them, what is the mechanism for changing a condition in them?



NRC Orders

§2.202 Orders.

(a) The Commission may institute a proceeding to modify, suspend, or revoke a license or to take such other action as may be proper by serving on the licensee or other person subject to the jurisdiction of the Commission an order that will:



NUCLEAR REGULATORY COMMISSION

NRC Orders

- (1) Allege the violations with which the licensee or other person subject to the Commission's jurisdiction is charged, or the potentially hazardous conditions or other facts deemed to be sufficient ground for the proposed action, and specify the action proposed;
- (2) Provide that the licensee or other person must file a written answer to the order under oath or affirmation within twenty (20) days of its date, or such other time as may be specified in the order;
- (3) Inform the licensee or any other person adversely affected by the order of his or her right, within twenty (20) days of the date of the order, or such other time as may be specified in the order, to demand a hearing on all or part of the order, except in a case where the licensee or other person has consented in writing to the order;
- (4) Specify the issues for hearing; and
- (5) State the effective date of the order; if the Commission finds that the public health, safety, or interest so requires or that the violation or conduct causing the violation is willful, the order may provide, for stated reasons, that the proposed action be immediately effective pending further order.



NUCLEAR REGULATORY COMMISSION

NRC Orders

- (2) (i) The licensee or other person to whom the Commission has issued an immediately effective order may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the order on the ground that the order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error. The motion must state with particularity the reasons why the order is not based on adequate evidence and must be accompanied by affidavits or other evidence relied on. The NRC staff shall respond within (5) days of the receipt of the motion. The motion must be decided by the presiding officer expeditiously. During the pendency of the motion or at any other time, the presiding officer may not stay the immediate effectiveness of the order, either on its own motion, or upon motion of the licensee or other person. The presiding officer will uphold the immediate effectiveness of the order if it finds that there is adequate evidence to support immediate effectiveness. An order upholding immediate effectiveness will constitute the final agency action on immediate effectiveness. An order setting aside immediate effectiveness will be referred promptly to the Commission itself and will not be effective pending further order of the Commission.



NUCLEAR REGULATORY COMMISSION

NRC Orders

- (d) An answer may consent to the entry of an order in substantially the form proposed in the order with respect to all or some of the actions proposed in the order. The consent, in the answer or other written document, of the licensee or other person to whom the order has been issued to the entry of an order shall constitute a waiver by the licensee or other person of a hearing, findings of fact and conclusions of law, and of all right to seek Commission and judicial review or to contest the validity of the order in any forum as to those matters which have been consented to or agreed to or on which a hearing has not been requested. An order that has been consented to shall have the same force and effect as an order made after hearing by a presiding officer or the Commission, and shall be effective as provided in the order.
- (e) If the order involves the modification of a part 50 license and is a backfit, the requirements of §50.109 of this chapter shall be followed, unless the licensee has consented to the action required.



NRC Orders

Lets Talk Process

How does a Licensee change a condition of an order?

For example an order requires the installation of a certain feature to enhance station security. However after a period of time the licensee identifies an improved feature that would work better.

How is a change to the order initiated, so the licensee can utilize the improved feature?



NRC Orders

Lets Talk Process

What can the licensee do?

- Write a letter to the NRC asking for permission to provide a substitute feature that meets the substantial intent of the order.
- Initiate a License Amendment Request.
- Wait for rule making to obviate the order.



NRC Orders

§50.54 Conditions of licenses

(h) The license shall be subject to the provisions of the Act now or hereafter in effect and to all rules, regulations, and orders of the Commission. The terms and conditions of the license shall be subject to amendment, revision, or modification, by reason of amendments of the Act or by reason of rules, regulations, and orders issued in accordance with the terms of the act.



NRC Orders

§50.54 Conditions of licenses

- (p)(1) The licensee shall prepare and maintain safeguards contingency plan procedures in accordance with appendix C of part 73 of this chapter for effecting the actions and decisions contained in the Responsibility Matrix of the safeguards contingency plan. The licensee may make no change which would decrease the strictiveness of a security plan, or guard training and qualification plan, prepared pursuant to §50.34(c) or part 73 of this chapter, or of the first four categories of information (Background, Generic Planning Base, Licensee Planning Base, Responsibility Matrix) contained in a licensee safeguards contingency plan prepared pursuant to §50.34(d) or part 73 of this chapter, as applicable, without prior approval of the Commission. A licensee desiring to make such a change shall submit an application for an amendment to the licensee's license pursuant to §50.90.
- (2) The licensee may make changes to the plans referenced in paragraph (p)(1) of this section without prior Commission approval if the changes do not decrease the safeguards effectiveness of the plan. The licensee shall maintain records of changes to the plans made without prior Commission approval for a period of three years from the date of the change, and shall submit, as specified in §50.4, a report containing a description of each change within two months after the change is made. Prior to the safeguards contingency plan being put into effect, the licensee shall have:



NRC Orders

§50.90 Application for amendment of license or construction permit.

Whenever a holder of a license or construction permit desires to amend the license or permit, application for an amendment must be filed with the Commission, as specified in §50.4, fully describing the changes desired, and following as far as applicable, the form prescribed for original applications.



NRC Orders

§50.4 Written communications.

- (4) *Security plan and related submittals.* Written communications, as defined in paragraphs (b)(4)(i) through (iv) of this section must be submitted as follows: The signed original and three copies to the Nuclear Regulatory Commission, Document Control Desk, Washington, DC 20555, and two copies to the appropriate Regional Office;
- (iii) Change to security plan, guard training and qualification plan, or safeguards contingency plan made without prior Commission approval pursuant to §50.54(p);
- (iv) Application for amendment of physical security plan, guard training and qualification plan, or safeguards contingency plan pursuant to §50.90.



PERRY DECISION

STARS/NRR Projects Licensing
Workshop, June 11, 2003
Don Woodlan

6/11/03

1



Origin

- Memorandum and Order, CLI 96-13
- Issued by Commission 12/16/1996
- Reversed ASLB Order
- License amendment was not required to change vessel specimen removal details as long as 10CFR50 Appendix H continued to be met

6/11/03

2



Regulatory Point

- What is threshold needing a License Amendment for making changes which need "prior NRC approval"
- Goes back to meaning of Section 189a of Atomic Energy Act re hearing rights and public involvement
- Does the change create "greater operating authority"

6/11/03

3

STARTS

Industry Concerns

- NRC referred to Perry Decision to require that several changes needed License Amendment to adopt
- Examples:
 - Fire protection alternate rule
 - BWR Integrated Surveillance Program
 - NEIs Steam Generator Program

6/11/00

4

STARTS

NRC Approval without License Amendments

- Exemptions
- QA Program changes
- E Plan changes
- Code relief
- Fire Protection Plan changes
- Some Security Program changes

6/11/00

5

STARTS

Issues

- How is the relocation of info from TS to Licensing Basis Documents affected?
- When does NRC prior approval require a License Amendment?
- Will requirements be added to Technical Specifications just to force License Amendments prior to change?

6/11/00

6

Regulatory Activity

- NEI letter opposing the recent NRC use of the decision
- NRC position presented at 2002 NEI Licensing Forum

6/11/03

7

Potential Position

- Changes which actually change license need LAR
- Changes need LAR if required by 10CFR50.59 Evaluation
- Changes in regulations which require prior NRC approval do not require LAR unless so stated
- Other changes should require an LAR if a 10 CFR 50.59 Evaluation would have required one (e.g., topical reviews)

6/11/03

8

50.59 Revised Rule Follow-up



Statewide Testing and Reporting for Accountability

USA 50.59 Task Team

Benefits and Challenges



Statewide Testing and Reporting for Accountability

Evaluations Performed Since Rule Implementation

<u>PLANT</u>	<u>No. of Evaluations</u>
Callaway	3
Comanche Peak	8
Diablo Canyon	22
Palo Verde	43
South Texas	13
Wolf Creek	4



Regulatory Reporting Requirement

"The licensee shall submit, as specified in Sec. 50.4, a report containing a brief description of any changes, tests, and experiments, including a summary of the evaluation of each. A report must be submitted at intervals not to exceed 24 months."



NEI 96-07 Reporting Guidance

"A summary of 10 CFR 50.59 evaluations for activities implemented under 10 CFR 50.59 must be provided to NRC. Activities that were screened out, canceled or implemented via license amendment need not be included in this report. The 10 CFR 50.59 reporting requirement (every 24 months) is identical to that for UFSAR updates such that licensees may provide these reports to NRC on the same schedule."



Resource Manual Reporting Guidance

"A summary of 10 CFR 50.59 evaluations for activities implemented under 10 CFR 50.59 must be provided to NRC. Activities that were screened out, canceled or implemented via license amendment need not be included in this report."

STARS

Resource Manual Reporting Guidance

(continued)

"Each evaluation will include an Activity description and a Summary of Evaluation. These sections will become the basis for preparing the 10 CFR 50.59 Summary Report.

The activity description and summary sections for each evaluation should address the important attributes of the activity as well as the significant results and conclusions of the evaluation in as brief and concise a manner as practical in order to keep the report brief and concise."



OPEN SESSION

STARS/NRR Projects Licensing
Workshop, June 11, 2003
Don Woodlan

6/11/03

1



Other Topics as Time Allows

- NRR projects involvement in Level 3 SDPs

-
-
-
-

6/11/03

2



Work Shop Wrap-Up

STARS/NRR Projects Licensing
Workshop, June 10, 2003
Diane Hooper/Herb Berkow

01/000

1



STARS/NRR Projects Licensing

- Effectiveness
 - Most beneficial?
 - Most effective?
- Challenges
 - Types
 - Barriers
- Measuring Success
 - PI Ideas
 - Other
- Future Activities
 - Follow-up
 - Improvements
 - Communication?

01/000

2

NRC PRESENTATIONS
STARS/NRC LICENSING WORKSHOP
June 10 and 11, 2003
Kansas City, Kansas

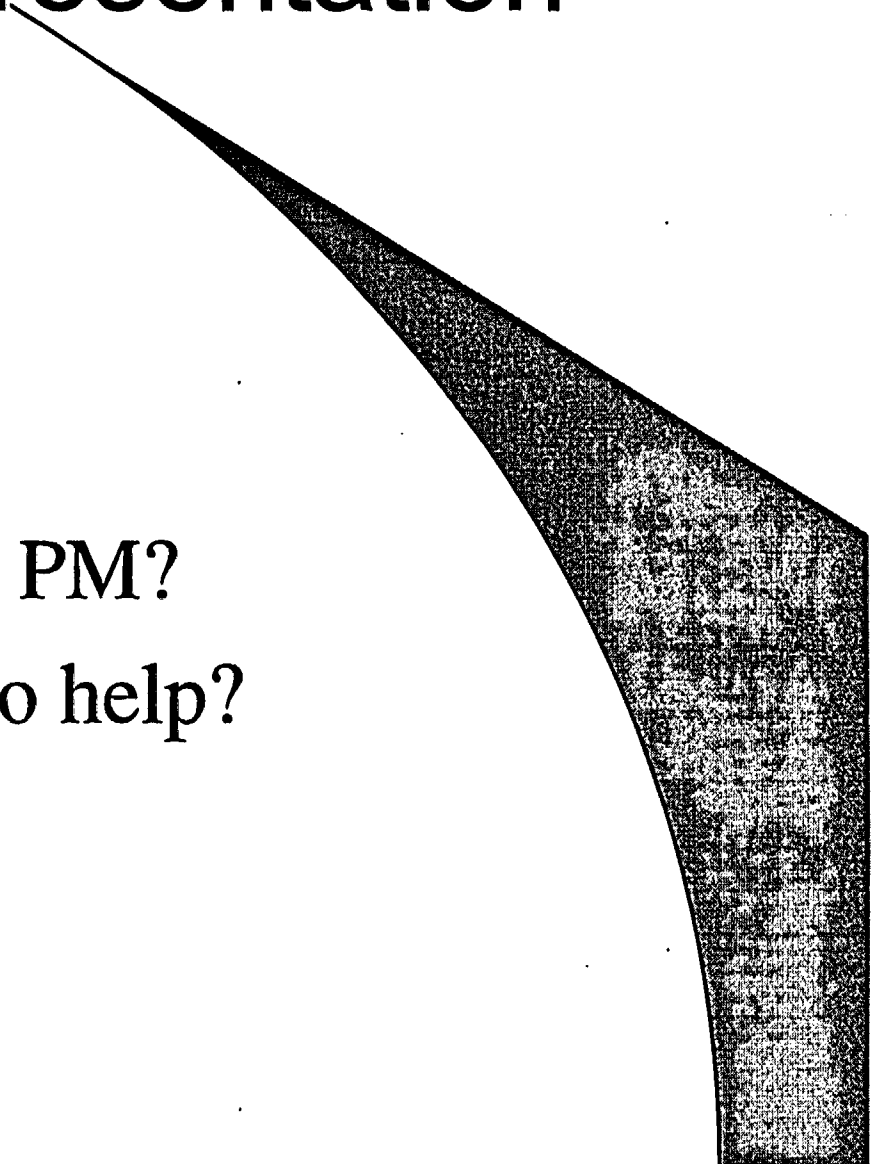


NRC Work Controls

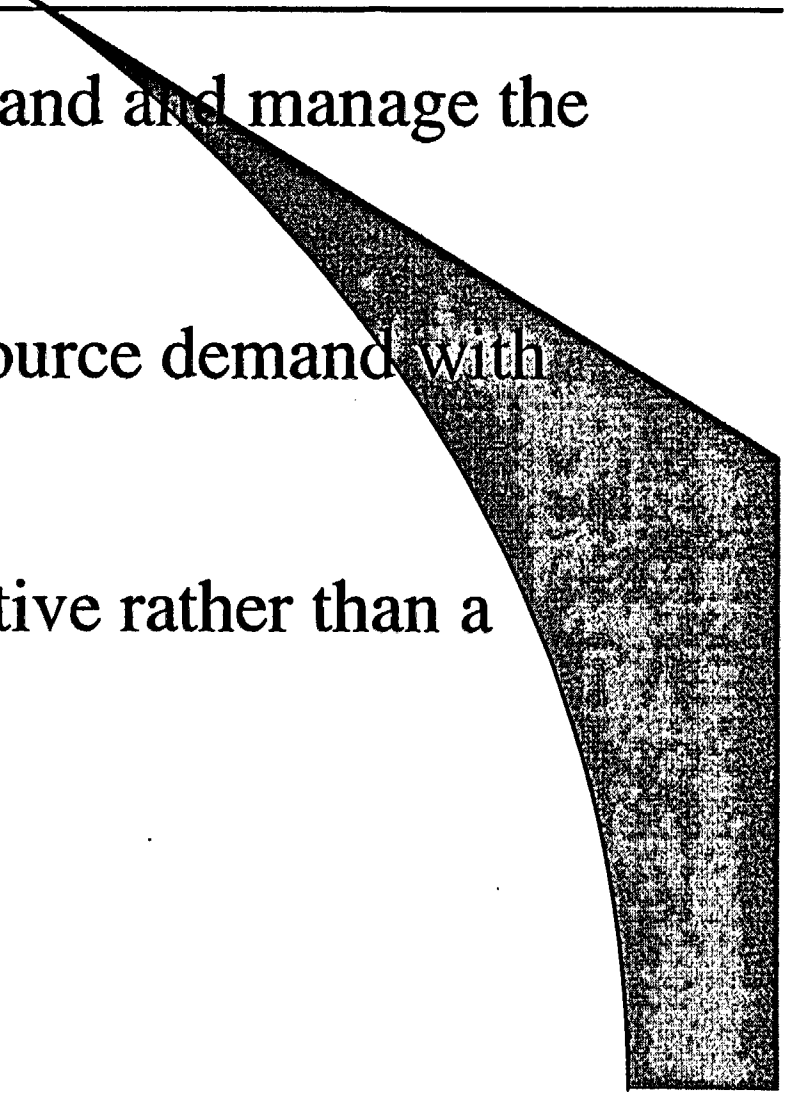
Stephen Dembek
Section Chief, NRC

Tuesday, June 10, 2003

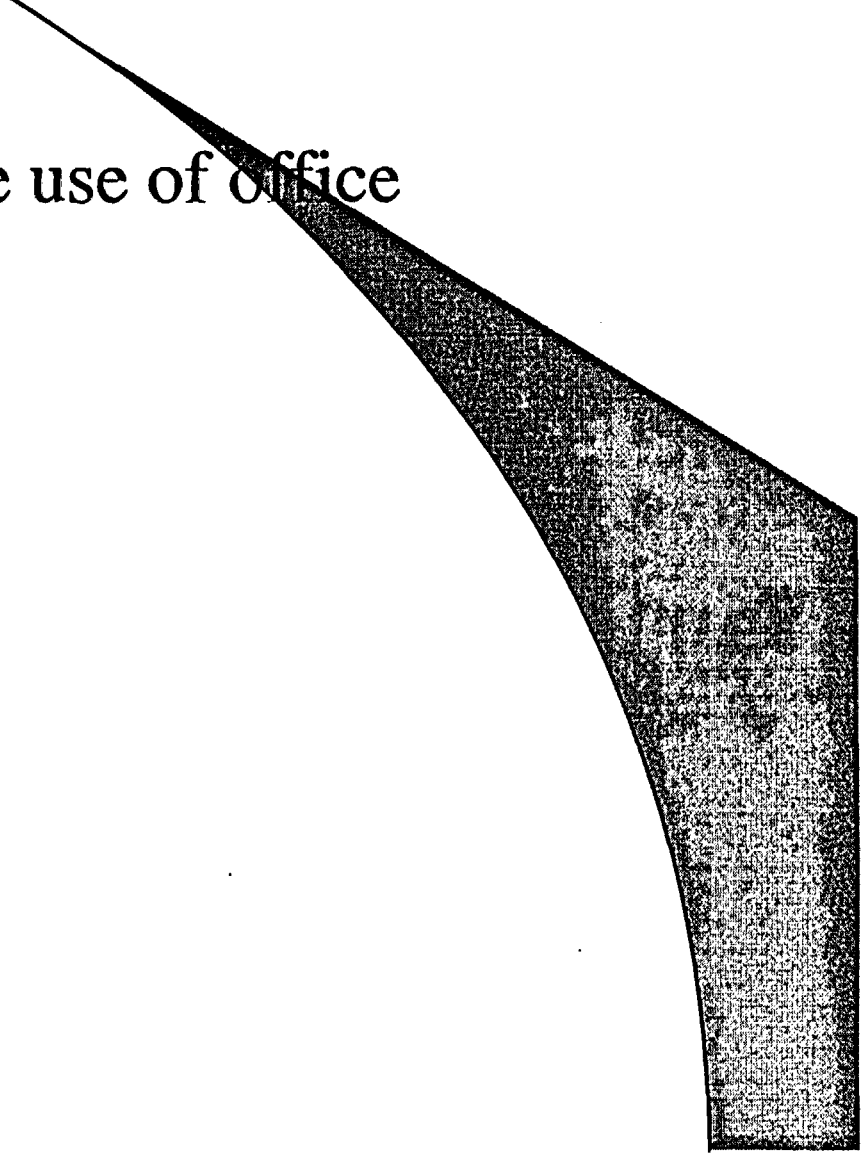
Overview of Presentation

- What is CWP?
 - Desired outcomes
 - Critical information
 - What's different for the PM?
 - What can licensees do to help?
 - Implementation plan
- 

What is NRC's Centralized Work Planning Process?

- Tool to help organize, understand and manage the workload of the office
 - Optimizes the matchup of resource demand with resource availability
 - Works from an office perspective rather than a project perspective
 - Integrates work of the office
- 

Desired Outcomes

- More efficient and effective use of office resources
 - Better predictability
 - Better quality control
 - Continuous improvement
- 

Critical Information Needed

- Skill demand:
 - Which skills and how many hours of each needed
- Skill availability =
 - Total skill pool minus current loading
 - Current loading = previous skill demands minus hours already expended
- Dependencies
 - Whose work depends upon who
- Relative priority of work
 - Office decision independent of skills

What's Different for the PM?

- See Handout

What can licensees do to help?

- Nothing surprising here:
 - Submit high quality documents
 - Make it easy for NRC to determine which review branches/sections are needed
 - Give target date and basis
 - Give previous examples, if action has been done before
 - Quickly respond to RAI requests

Implementation Plan

- FY03

- Define and communicate responsibilities to staff
- Pilot standardized characterization process
- Pilot standards development process
- Standardize process steps for another product

- FY04

- Apply characterization and standards development processes to at least two more products
- Standardize process steps for another product (or two)
- Update skills database and prioritization scheme
- Develop and pilot performance monitoring scheme



Implementation Plan (continued)

- FY05

- Repeat cycle of standards development and process definition as needed
- Develop scheduling and planning optimization tools
- Implement performance monitoring scheme

- FY06

- Start cycle of systematic process review and improvement
- Pilot centralized scheduling



Centralized Work Planning

Stephen Dembek
Section Chief, NRC

Tuesday, June 10, 2003

The Role of the DLPM Project Manager Before and After the Centralized Work Planning Pilot Program

#	Before Pilot	After Pilot
1	PM receives license amendment application	Same
2	PM requests TAC for a license amendment	Same
3	PM prepares Federal Register notice	Same
4	PM initiates Work Request Form	WPC initiates the new Work Form upon TAC request
5	PM determines which sections are involved	PM lists which sections may be involved, DPR makes determination
6	PM may prepare multiple Work Request Forms for one TAC	PM fills in information on the new Work Form one time
7	PM performs precedent search and provides resulting precedents	<ul style="list-style-type: none"> •PM provides precedents referenced or used by the licensee •Technical review section provides precedents that they have done and which are still appropriate to use •WPC performs precedent search if requested
8	PM "negotiates" completion date with each involved section	SC provides completion date based on PM's required completion date
9	PM "negotiates" hours with each involved section	STR provides hours along with basis for hours
10	PM coordinates review dependencies, and who compiles the inputs, with each section	Technical Branch DPRs coordinate review dependencies, and who compiles the inputs, with each section
11	PM checks each returned Work Request Form for appropriate hours and dates	PM checks each returned Work Form for appropriate hours and dates, review dependencies, and who compiles the inputs
12	PM forecasts his estimated completion date	PM forecasts his estimated start date, completion date, and level of effort
13	PM resolves or coordinates resolution of technical issues	Same
14	PM periodically checks if review is on schedule	Technical Branch DPRs periodically check if review is on schedule, and reports back to PM. Special attention is paid to urgent/outage related amendments
15	PM issues final product (FR Notice, SE, Amendment, and Transmittal letter)	Same

DPR - Division Planning Representative
PM - DLPM Project Manager

SC - Technical Branch Section Chief
STR - Senior Technical Reviewer

WPC - Work Planning Center



Managing Schedules for LARs to Support Plant Activities

David H. Jaffe

Senior Project Manager, NRC

Comanche Peak Steam Electric Station

Tuesday, June 10, 2003



Routine Communications (No Surprises)

- Discuss Schedules with PM Weekly
(Use TAC Nos. to Avoid Confusion)
- Occasionally Remind Us of Planned Outages
- Inform Us Promptly of Emergent Situations
- Occasionally Contact Section Chief
(Important for Emergent Situations)

The BIG Picture

- Only Submit LARs that you can support
(Assume you can Answer a Reasonable 10 to 15 Question RAI in 60 days)*
- No Licensing Actions at the NRC for more than One Year (Subdivide Review into Parts)
- Schedule as a Prominent Part of Submittal
(Key to Specific Event and Defensible)

* 10 CFR 2.108 Allows the NRC to Deny an Application for Failure to Respond to an RAI

Schedule for Routine LAR Moderate Complexity (No Generic Problems)

Time Table	Action Taken
1 st Day	Submit LAR
1 st Month	Reviewers Assigned Noticed in Federal Register
3 rd Month	RAI to Licensee
5 th Month	Response to RAI
7 th Month	Issue License Amendment

- High Quality Submittal
- Plenty of Support

Emergency/Exigency

- Emergency (10 CFR 50.91(a)(5))
 - Requires an Explanation of Why the Action Could NOT be Handled in a Routine Manner (Act in 0 to 7 Days)
- Exigency (10 CFR 50.91(a)(6))
 - Required when Licensee and NRC Must Act “Quickly” (Act in 1 to 3 Weeks)
 - NRR NOED (Followed by an Amendment within 4 Weeks)



Managing Schedules for LARs to Support Plant Activities

David H. Jaffe

Senior Project Manager, NRC

Comanche Peak Steam Electric Station

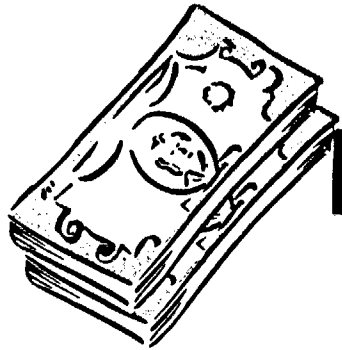
Tuesday, June 10, 2003



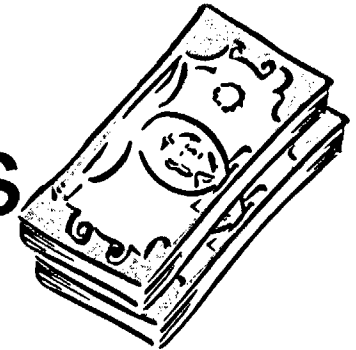
NRC Fees and Fee Waivers

Stephen Dembek
Section Chief, NRC

Tuesday, June 10, 2003



Requirements for Fees



- Required by law to assess fees to recover most of our budget
 - FY2002 annual fee for power reactors licensed to operate is \$2,849,000 and the hourly rate for staff work is \$156
 - FY2003 numbers should be available before the end of the month
- Fees are sent to treasury, are not retained by the NRC, and do not directly affect amount of funds available to NRC

Fees for Licensing Actions

- Regarding licensing actions, NRC assesses fees for:
 - Pre-application consultations
 - New applications, amendments, & renewals
 - Standard technical specifications
 - Other licensing tasks requiring NRC approval

Billable Docket Related Activity



- Billable Project Manager activities include:
 - Docket specific activities, such as:
 - Work licensing actions
 - Discussions with NRC staff on plant specific issues
 - Site visits
 - Responding to licensee questions
 - Attendance at this meeting

Billable Non-Docket Related Activities

- Non-docket specific activities, such as:
 - Training
 - Performing administrative tasks
 - Scheduling, planning, coordinating work with technical staff
 - Staff meetings
- If a Project Manager has more than one on docket, the non-docket specific activities are prorated equally to all assigned dockets

Non-Billable Activities

- Can not bill licensees for the following Project Manager activities:
 - Leave, rulemaking, voluntary (unpaid) overtime, preparation of generic guidance documents, Freedom of Information Act requests, union activities, Combined Federal Campaigns

Fee Exemptions

- NRC grants fee exemptions as follows (see 10 CFR 170.11):
 - 1) Nonprofit educational institutions
 - 2) Performance assessments or evaluations for which the licensee volunteers at NRC's request and that are selected by the NRC

Fee Exemptions (continued)

- 3) Requests or reports submitted to the NRC:
 - Response to a GL or Bulletin (except if requesting an amendment)
 - Response to an NRC request (Associate Office Director or above, e.g., Brian Sheron or Bill Borchardt in NRR) to resolve an identified safety, safeguards, or environmental issue, or to assist NRC in developing a rule, regulatory guide, policy statement, generic letter, or bulletin; or
 - Means of exchanging information between industry organizations and the NRC to support NRC's generic regulatory improvements or efforts.

Fee Exemptions (continued)

- Regarding requests or reports submitted to the NRC:
 - This fee exemption applies only when:
 - 1) Report/request has been submitted to the NRC to support the NRC's development of generic guidance and regulations (e.g., regulations, guides, and policy statements; and
 - 2) The NRC, at the time the document is submitted, plans to use it for one of the purposes stated in the above paragraph
- If you believe you meet the criteria for a fee exemption, request it with the application
- The decision on the fee exemption should be made prior to significant work being performed on your request
- Examples (See Handout)

OCFO WAIVERS UNDER 10 CFR 170.11

DATE OF LETTER	LICENSEE NAME	SUBJECT	DECISION	BASIS
04/15/2002	GE Nuclear Energy	GE disputes the \$1,377,000 of deferred costs assessed under Part 170 for the review of the General Electric Standard Safety Analysis Report (GESSAR). Reviews were ended in 1985 and 1986, costs were deferred under the fee rule.	Denied	Licensee was aware of deferred costs, delayed billing does not relieve GE of its legal obligation to pay the fees associated with the services that the NRC provided in response to GE's request for a standardized design review.
02/14/2002	Electric Power Research Inst.	Request waiver of fees for review of EPRI's Topical Report TR-102323, Rev 2, "Guidelines for Electromagnetic Interference (EMI) Testing in Power Plant Equipment.	Denied	TR-102323, Rev. 2 was not submitted for the purpose of supporting NRC generic regulatory improvements or efforts, and NRC has no plans to revise RG 1.180 to endorse TR-102323, Rev 2.
02/05/2002	Nuclear Energy Institute	Request waiver of fees to review EPRI Technical Report entitled, "Guidelines for Addressing Fatigue Environmental Effects in a License Renewal Application"	Granted	Revisions F and G were submitted for the purpose of supporting NRC's generic regulatory improvements related to the treatment of fatigue environmental effects.
12/20/2001	Dairyland Power Cooperative	Exemption from assessment of new Part 171 Decommissioning and Spent Fuel Pool annual fee. Request based on old, and small.	Denied	OBRA-90 is consistent with the intent of the statute to collect 100 percent of the NRC's budget authority as it applies to all licensee in the class, thereby establishing a fair and equitable basis for assessing annual fees for those licensees in decommission and/or have spent fuel pools.
12/05/2001	Southern Nuclear Op. Co.	Partial exemption to 10 CFR 170 fees for License Renewal	Granted	As the first BWR, a part of the safety review contributed to the development of generic regulatory documents.
10/23/2001	CEOG	CE NPSD-994, -995, and -996, "Joint Application Reports for Safety Injection Tank (SIT), Low Pressure Safety Injection (LPSI), and Emergency Diesel Generator, (EDG) Allowed Outage Time (AOT) Extensions"	Granted - Partial	The review effort from Jan. 3, 1996 the February 28, 1997, was used to support generic regulatory improvements.
09/17/2001	CEOG	CE NPSD-1186 - TECHNICAL JUSTIFICATION FOR RISK INFORMED MODIFICATION TO SELECTED REQUIRED ACTION END STATES FOR CEOG PWRs	DENIED	SUBMITTAL OF REPORT DOES NOT MEET THE THE FEE WAIVER CRITERIA OF FOOTNOTE 4 TO 10 CFR 170.21.
09/13/2001	YLAND POWER COOPERA	FULL OR PARTIAL EXEMPTION FROM THE SPENT FUEL STORAGE/REACTOR DECOMMISSIONING ANNUAL FEE	DENIED	EXAMINED BUDGETED COSTS ALLOCATED TO THE LACBWR AND HAVE DETERMINED THAT THERE IS NO SIGNIFICANT DIFFERENCE BETWEEN THE NRC'S REGULATORY COSTS FOR THE LACBWR AND THOSE FOR OTHER LICENSEES IN THE SPENT FUEL STORAGE/REACTOR DECOMMISSIONING CLASS.

DATE OF LETTER	LICENSEE NAME	SUBJECT	DECISION	BASIS
06/13/2001	EPRI	REVISED RISK-INFORMED INSERVICE INSPECTION EVALUATION PROCEDURE	GRANTED	FOOTNOTE 4 - INFORMATION TO BE USED TO SUPPORT NRC'S GENERIC REGULATORY IMPROVEMENTS, SPECIFICALLY RE: RI-ISI
03/02/2001	TVA	RI-ISI AS AN ALTERNATIVE FOR ASME SECTION XI CODE CLASS PIPING AND AUSTENITIC STAINLESS STEEL PIPING FOR BROWNS FERRY UNITS 2 AND 3	GRANTED - PART	PART 170.11(b)(1) - PARTIAL WAIVER IS APPROPRIATE FOR THAT PORTION OF THE BFN'S UNIT 3 SUBMITTAL THAT STAFF DETERMINED HAD GENERIC APPLICABILITY.
02/27/2001	VEPCO	REQUEST FEE WAIVER FOR SURRY INDEPENDENT SPENT FUEL STORAGE INSTALLATION LICENSE RENEWAL	GRANTED	PART 170.11(b)(1) - PARTIAL WAIVER FOR PORTION OF THIS FIRST-OF-A-KIND REVIEW EFFORT THAT SUPPORTS DEVELOPMENT OF THE GENERIC PART 72 LICENSE RENEWAL PROCESS.
01/18/2001	CON EDISON CO.	ACCIDENT SOURCE TERMS FOR LIGHT-WATER NUCLEAR POWER PLANTS	GRANTED	PART 170.11(b)(1) - STAFF USED EXPERIENCE TO ASSIST IN PREPARATION OF THE REGULATORY GUIDANCE, STANDARD REVIEW PLAN AND RULEMAKING.
01/16/2001	VEPCO	ALTERNATIVE RADIOLOGICAL SOURCE TERMS FOR EVALUATION DESIGN BASIS ACCIDENTS AT NUCLEAR POWER RXs	GRANTED	PART 170.11(b)(1) - STAFF USED EXPERIENCE TO ASSIST IN PREPARATION OF THE REGULATORY GUIDANCE, STANDARD REVIEW PLAN AND RULEMAKING.
01/16/2001	GRAND GULF NGS	ALTERNATIVE SOURCE TERM PILOT PLANT PROGRAM	GRANTED	FOOTNOTE 4 - PARTICIPATION OF GGNS AS PILOT PLANT AND MEMBER OF NEW TASK FORCE SUPPORTED THE DEVELOPMENT OF THE RULE AND ASSOCIATED RG.
07/31/2000	TXU ELECTRIC CO.	CONTROL OF HAZARD BARRIERS	GRANTED	PART 170.11(b)(1) - INFORMATION PROVIDED IN THE TOPICAL REPORT LED TO THE CONCLUSION THAT THE RESOLUTION OF THIS ISSUE IS GENERIC IN NATURE AND NOT PLANT SPECIFIC
02/08/2000	TXU ELECTRIC	FIRST-OF-A-KIND RISK-INFORMED INSERVICE TESTING PROGRAM TO DETERMINE INSERVICE TEST FREQUENCIES FOR CERTAIN VALVES AND PUMPS THAT ARE CATEGORIZED AS LOW SAFETY SIGNIFICANT	GRANTED	PART 170.11(b)(1) - TXU ELECTRIC PARTICIPATION IN THE RI-IST PILOT EFFORT PROVIDED NRC WITH A PERMANENT APPROACH TO RI-IST. EXPERIENCE GAINED THROUGH THE PILOT APPLICATION IN THE PROPOSED RULEMAKING PROCESS TO MODIFY 50.55a TO EXPLICITLY ENDORSE RI-IST METHODOLOGY.
01/06/2000	MOAB MILL SITE	COURT APPOINTED PRICEWATERHOUSECOOPERS LLP (PWC), TRUSTEE FOR ATLAS MOAB MILL	GRANTED	PART 170.11(b)(1) - ALL FUNDS AVAILABLE TO PWC FROM THE TRUST SHOULD BE USED TO OPTIMIZE SITE REMEDIATION. ATLAS DECLARED BANKRUPTCY AND PURSUANT TO THE TERMS OF SETTLEMENT COURT-APPROVED REORGANIZATION NOT REQUIRED TO COMPLETE THE REMEDIATION. EXEMPTION GIVEN TO PWC (TRUSTEE) IN THE PUBLIC INTEREST.

DATE OF LETTER	LICENSEE NAME	SUBJECT	DECISION	BASIS
10/29/1999	ARIZONA PUBLIC SERV.	RISK-INFORMED INSERVICE TESTING PROGRAM PILOT PLANT REVIEW	GRANTED	PART 170.11(b)(1) - APS WAS ASKED TO PARTICIPATE IN PILOT PROGRAM AND NRC ACCEPTED THEIR SUBMITTAL, UTILIZED THE EXPERIENCE GAINED THROUGH THE REVIEW TO MODIFY 50.55a TO EXPLICITLY ENDORSE RI-IST METHODOLOGY.
10/21/1999	PA POWER & LIGHT CO	PART 50 EXEMPTION REQUEST RE: THE CONDUCT OF A FULL PARTICIPATION EXERCISE OF THE ONSITE AND OFFSITE EMERGENCY PLANS	GRANTED	PART 170.11(b)(1) - PA P&L WAS REQUIRED TO REQUEST EXEMPTION FROM PART 50 REQUIREMENT DUE TO FEMA AND NRC REGION 1'S NEED TO RESCHEDULE EMERGENCY EXERCISE AT THEIR SITE - SHOULD NOT HAVE TO INCUR COSTS FOR REVIEW OF PART 50 EXEMPTION.
07/27/1999	VARIOUS	NRR'S PILOT INSPECTION PROGRAM - REGULATORY OVERSIGHT PROGRAM - 13 PLANT INSPECTIONS	GRANTED	PART 170.11(b)(1) - FEE IS WAIVED FOR CERTAIN INSPECTION EFFORT RELATED TO NRR'S NEW REGULATORY OVERSIGHT PROCESS THAT AFFECTS ALL NUCLEAR POWER PLANTS. FULL IMPLEMENTATION WILL COMMENCE PENDING SUCCESSFUL COMPLETION OF PILOT PROGRAM.
04/30/1999	IN UNIV.MEDICAL CTR	IUMC AND ROUDEBUSH VETERANS ADMIN. MEDICAL CTR (VAMC) EXPLORING POSSIBILITY OF INCINERATING RADIOACTIVE WASTE GENERATED BY VAMC.	GRANTED	PART 170.11(b)(1) - SEPARATE LICENSES ARE MAINTAINED, FACULTY MEMBERS HAVE JOINT APPOINTMENTS BETWEEN IUMC AND VAMC. IUMC IS CURRENTLY LICENSED BY NRC TO PROCESS/INCINERATE ITS OWN RADIOACTIVE AND HAZARDOUS WASTES. AS PART OF SHARE PROGRAM IUMC WILL INCINERATE VAMC's WASTE WITHOUT A PROFIT MARGIN BUILT INTO THE COST FOR TIME AND MATERIALS. PUBLIC INTEREST.
04/21/1999	ALPHA-IDAHO, LLC	APPLICATION FOR A NEW LICENSE FOR CALIBRATION USING SMALL QUANTITIES OF VARIOUS NUCLEAR MATERIALS FEE CATEGORY 3P. LICENSEE THEN WANTED TO ADD TO LICENSE CATEGORIES 1C AND 2C.	GRANTED	PART 170.11(b)(1) - NO NEED TO AMEND YOUR LICENSE TO INCLUDE FEE CATEGORIES 1C AND 2C BECAUSE OF THE SMALL QUANTITY OF SPECIAL NUCLEAR MATERIALS COULD BE GENERALLY LICENSED. WAIVE APPLICATION FEE 1C AND 2C AS WELL AS AMENDMENT FEE.
03/24/1999	BG&E COMPANY	CALVERT CLIFFS NPP - APPLICATION FOR LICENSE RENEWAL	GRANTED	PART 170.11(b)(1) - APPLICATION REPRESENTS FIRST-OF-A-KIND EFFORT FOR BOTH NRC AND INDUSTRY. STAFF INTENDS TO UTILIZE EXPERIENCE GAINED TO DEVELOP GENERIC IMPLEMENTATION GUIDANCE FOR LICENSE RENEWAL PROCESS FOR WHOLE INDUSTRY. (PARTIAL)
03/24/1999	DUKE ENERGY CORP.	OCONEE NPP - APPLICATION FOR LICENSE RENEWAL	GRANTED	PART 170.11(b)(1) - APPLICATION REPRESENTS FIRST-OF-A-KIND EFFORT FOR BOTH NRC AND INDUSTRY. STAFF INTENDS TO UTILIZE EXPERIENCE GAINED TO DEVELOP GENERIC IMPLEMENTATION GUIDANCE FOR LICENSE RENEWAL PROCESS FOR WHOLE INDUSTRY. (PARTIAL)

DATE OF LETTER	LICENSEE NAME	SUBJECT	DECISION	BASIS
03/11/1999	CENTERIOR	PERRY - LEAD PILOT PLANT APPLICATION FOR THE USE OF THE REVISED ACCIDENT SOURCE TERM METHODOLOGY	GRANTED	PART 170.11(b)(1) - FIRST-OF-A-KIND APPLICATION FOR THE REVIEW OF REVISED ACCIDENT SOURCE TERM - STAFF USED EXPERIENCE IN PREPARATION OF REGULATORY GUIDANCE, STANDARD REVIEW PLAN AND ASSOCIATED RULEMAKING.
09/04/1998	SUPERIOR WELL SERV.	WITHDRAWAL OF AMENDMENT TO ADD A CESIUM 137 SEALED SOURCE TO THEIR LICENSE	GRANTED	PART 170.11(b)(1) - LICENSEE OBTAINED THE GENERALLY-LICENSED DEVICES FROM THE MANUFACTURER AND WITHDREW THE APPLICATION FOR A SPECIFIC LICENSE. NRC REVIEWER DIED AND WORK ASSIGNED TO OTHER STAFF WHO DIDN'T KNOW ABOUT THE WITHDRAWAL OF THE SPECIFIC LICENSE APPLICATION. COSTS REFUNDED
09/01/1998	VT YANKEE NUCLEAR	VT YANKEE PILOT PLANT - RISK-INFORMED INSERVICE INSPECTION	GRANTED	PART 170.11(b)(1) - PROVIDES THE PERMANENT APPROACH TO RI-ISI - STAFF INTENDS TO UTILIZE EXPERIENCE GAINED THROUGH THE PILOT APPLICATIONS IN PROPOSED RULEMAKING PROCESS TO MODIFY 10 CFR 50.55a & RELATED GUIDANCE DOCUMENTS.
08/18/1998	ENTERGY	ANO PILOT PLANT - RISK-INFORMED INSERVICE INSPECTION	GRANTED	PART 170.11(b)(1) - PROVIDES THE PERMANENT APPROACH TO RI-ISI - STAFF INTENDS TO UTILIZE EXPERIENCE GAINED THROUGH THE PILOT APPLICATIONS IN PROPOSED RULEMAKING PROCESS TO MODIFY 10 CFR 50.55a
06/16/1998	VARIOUS	NMSS REQUEST - EXEMPTION FROM FEE REQUIREMENTS FOR LICENSE AMENDMENT FILED BY AND ISSUED TO FIXED GUAGE AND SELF-SHIELDED IRRADIATOR LICENSEES TO CHANGE THE RADIATION SAFETY OFFICER (RSO)	GRANTED	PART 170.11(b)(1) - THERE IS NO TECHNICAL REVIEW ASSOCIATED WITH THE ISSUANCE OF AMENDMENTS; ISSUANCE OF AMENDMENTS IS AN ADMIN. MATTER; MAINTAINING LISTING OF CURRENT RSO IS FOR THE CONVENIENCE OF THE AGENCY
06/12/1998	VEPCO	SURRY PILOT PLANT SUBMITTAL - RISK-INFORMED INSERVICE INSPECTION -	GRANTED	PART 170.11(b)(1) - PROVIDES THE PERMANENT APPROACH TO RI-ISI - STAFF INTENDS TO UTILIZE EXPERIENCE GAINED THROUGH THE PILOT APPLICATIONS IN PROPOSED RULEMAKING PROCESS TO MODIFY 10 CFR 50.55a
02/26/1998	INTERSTATE NUC. SERV.	LICENSEE CONDUCTED SOME SITE REMEDIATION WORK IN VOLUNTARY COOPERATION WITH NRC REGION I STAFF AT A FORMER NUCLEAR LUNDRY FACILITY.	GRANTED	PART 170.11(b)(1) - ONE-TIME ACTIVITY WILL FACILITATE DECONTAMINATION OF THE NUCLEAR LAUNDRY FACILITY THAT IS IN THE POSSESSION OF A NON-LICENSEE. NO FEE CHARGED FOR AMENDMENT TO INS LICENSE TO TEMPORARILY RECEIVE AND STORE RADIOACTIVE WASTE .

DATE OF LETTER	LICENSEE NAME	SUBJECT	DECISION	BASIS
11/12/1997	ATLAS CORP.	FEE FOR MODELING AND DETERMINATION OF SEEPAGE FROM THE TAILINGS INTO THE GROUNDWATER OVER THE 1000-YEAR DESIGN LIFE OF THE RECLAMATION	GRANTED	PART 170.11(b)(1) - NRC AGREED TO FUND ONE TASK IN ORDER TO ISSUE THE FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) SO THAT ATLAS COULD PROCEED TO RECLAIM THE 10.5 MILLION TONS OF URANIUM MILL TAILINGS AT THE SITE. TASK IS VIEWED AS A CONFIRMATORY ANALYSIS OF ANALYSIS ALREADY PERFORMED BY NRC AND ORNL FOR WHICH ATLAS WAS BILLED IN THE PAST.
10/03/1997	Arizona Public Service CO.	Request fee exemption under the provision of Part 170.21, footnote 4, item 3 for NRC review of the NIST National Voluntary Lab. Accreditation Program (NVLAP) to determine if it contains controls sufficient to allow NRC licensees and 10 CFR 50 Appendix B audit calibration service providers to not have to audit NVLAP accredited laboratories.	Granted	NRC agrees that the submittal meets the criteria for the fee waiver provided in 170.21, Footnote 4, item 3. The National Technology and Advancement Act of 1995 requires agencies to use consensus technical standards unless they are not appropriate to agency needs. NRR confirmed that clarification of the audit requirements of NVLAP accredited laboratories is a matter of generic interest to all nuclear plant licensees.
09/08/1997	ST. LOUIS UNIV.	REQUEST EARLY IMPLEMENTATION OF REVISED 10 CFR 35.75 DUE TO A PATIENT'S MEDICAL CONDITION AND UNIQUE PERSONAL CIRCUMSTANCES	GRANTED	PART 170.11(b)(1) - LICENSE WAS AMENDED TO GRANT HOSPITAL AUTHORITY TO IMPLEMENT THE PROVISION OF 10 CFR 35.75 EARLY, SO AS NOT TO UNNECESSARILY DELAY MEDICAL TREATMENT TO PATIENT. ALL ELEMENTS WERE IN PLACE FOR ADMINISTERING THE FINAL RULE, NO TECHNICAL REVIEW WAS REQUIRED TO GRANT REQUEST. HOSPITAL WOULD HAVE TO PASS ON COSTS FOR AMENDMENT, IT WAS DEEMED UNFAIR TO BURDEN PATIENT WITH AMENDMENT FEE DUE TO UNFORTUNATE TIMING OF MEDICAL CONDITION. (2 WEEKS PRIOR TO NEW RULE)
06/23/1997	KINNCO/KINNSCAN	OGC REQUESTING THAT NRC NOT ASSESS AN AMENDMENT FEE TO KINNCO OR KINNSCAN FOR NAME CHANGE TO TRANSFER THE TITLE OF ITS MATERIALS LICENSE FROM KINNSCAN TO KINNCO.	GRANTED	PART 170.11(b)(1) - IN PUBLIC INTEREST TO TRANSFER LICENSE BACK TO KINNCO, HAVE SETTLEMENT AGREEMENT SIGNED, COLLECT THE UNPAID ANNUAL FEES AND CIVIL PENALTIES AND CLOSE THE CASE.
04/21/1997	VARIOUS	NRR'S PILOT INSPECTIONS - FIRE PROTECTION FUNCTIONAL INSPECTION (FPFI) PROGRAM	GRANTED	PART 170.11(b)(1) - PRIMARY PURPOSE OF THE PILOT INSPECTIONS IS TO TEST THE DRAFT FPFI PROCEDURE AND IDENTIFY NEED FOR ANY REVISIONS BEFORE PROCEDURE IS INCORPORATED INTO THE REACTOR INSP PROG.
01/24/1997	DR. DALE E. EDLIN	MORE THAN ONE LICENSEE HAVING THE SAME PLACE OF USE ON THEIR LICENSE CAUSES CONFLICTS IN AUTHORITY AND RESPONSIBILITY OVER THE RADIATION SAFETY	GRANTED	PART 170.11(b)(1) - AMENDMENT REQUEST FILED BY DR. EDLIN TO REMOVE THE DUPLICATE LOCATION FROM HIS LICENSE TO CONFORM WITH AGENCY POLICY SHOULD BE EXEMPT FROM FEES

DATE OF LETTER	LICENSEE NAME	SUBJECT	DECISION	BASIS
11/29/1996	NEI	Risk-Informed Inservice Inspection Evaluation Procedure. EPRI Report TR-106706. This is the non-proprietary version of TR-106218.	Granted	The non-proprietary version is not subject to fees in accordance with criterion three of Footnote 4 of 10 CFR Part 170.21.
09/18/1996	VARIOUS	NMSS REQUEST - EXEMPTION FROM REQUIREMENTS FOR LICENSE AMENDMENT FEES FILED BY AND ISSUED TO PORTABLE GAUGE LICENSEES TO CHANGE THE RADIATION SAFETY OFFICER (RSO)	GRANTED	PART 170.11(b)(1) - THERE IS NO TECHNICAL REVIEW ASSOCIATED WITH THE ISSUANCE OF AMENDMENTS; ISSUANCE OF AMENDMENTS IS AN ADMIN. MATTER; MAINTAINING CURRENT RSO IS FOR CONVENIENCE OF THE COMMISSION.
05/30/1996	BG&E and Duke Power Co.	Partial waiver fo Part 170 fees for the review of generic license renewal technical reports for one licensee from each owners group.	Granted-Partial	The part of the NRC review that supports the development of the standard review plan, regulatory guide, and inspection guidance meets criteria 2 of footnote 4 of 170.21. NRR established both a generic and a site specific TAC in order to separately keep track of the time being expended for each review and to provide a record upon which to bill Part 170 fees for the plant specific reviews.
06/02/1994	CEOG	CEN-607 - REACTOR VESSEL HEAD PENETRATION CRACKING	GRANTED	PART 170.11(b)(1) - REPORTS PROVIDE INFORMATION THAT IS BEING USED TO DETERMINE WHAT, IF ANY, GENERIC REGULATORY ACTIONS ARE NEEDED TO ADDRESS A GENERIC SAFETY CONCERN.
06/02/1994	B&WOG	BAW-10190P - REACTOR VESSEL HEAD PENETRATION CRACKING	GRANTED	PART 170.11(b)(1) - REPORTS PROVIDE INFORMATION THAT IS BEING USED TO DETERMINE WHAT, IF ANY, GENERIC REGULATORY ACTIONS ARE NEEDED TO ADDRESS A GENERIC SAFETY CONCERN.
05/27/1994	SQUG	GENERIC IMPLEMENTATION PROCEDURE (GIP) SEISMIC QUALIFICATION UTILITY GROUP GENERIC BASIS FOR UTILITIES TO ADDRESS ISSUES IN GL 87-02	GRANTED	REPORT WAS EXEMPT FROM 170 FEES - SUBMITTED IN RESPONSE TO GENERIC LETTERS& DID NOT RESULT IN THE REVIEW OF AN ALTERNATE METHOD OR REANALYSIS TO MEET THE REQUIREMENTS OF GL 87-02 (BEFORE FOOTNOTE)
05/20/1994	NEI	EPRI-102470 - ANALYSIS OF HIGH-FREQUENCY SEISMIC EFFECTS	GRANTED	BEST INTEREST OF COMMISSION NOT TO ASSESS FEES UNDER PART 170.21 - INFORMATION SUPPORTS POTENTIAL GENERIC REGULATORY IMPROVEMENTS. (BEFORE FOOTNOTE)
04/14/1994	NEI	SAFETY RELATED MOTOR OPERATED VALVE TESTING AND SURVEILLANCE - GL 89-10 EPRI FINAL TOPICAL REPORT	GRANTED	PART 170.11(b)(1) USE OF METHODOLOGY WILL PROMOTE UNIFORMITY IN THE DETERMINATION OF VALVE SWITCH SETTINGS & UTILITY RESPONSES TO GL 89-10



Quality of Submittals Revisited

Jack Donohew

Senior Project Manager, NRC

Callaway Nuclear Station

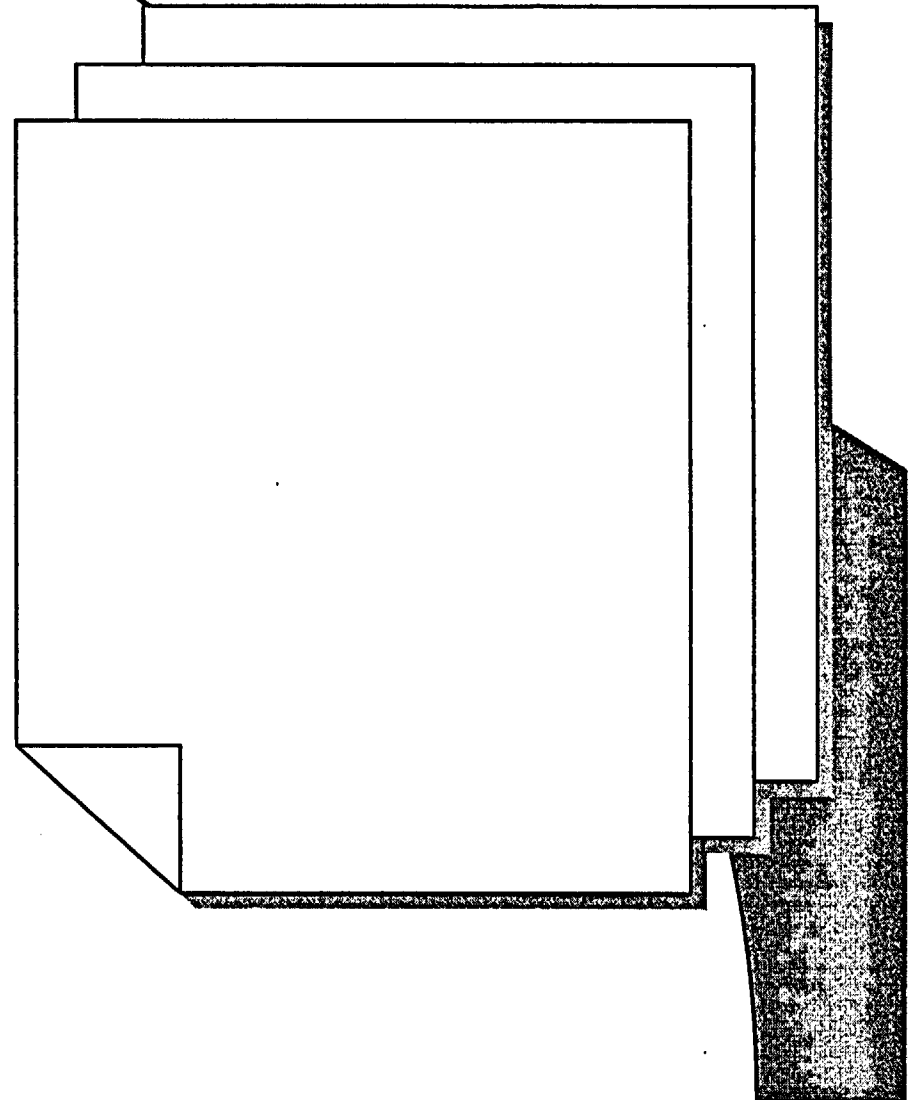
Palo Verde Nuclear Generating Station

Wolf Creek Nuclear Generating Station

Tuesday, June 10, 2003

Guidance

- LIC-101, Amendments
- LIC-102, Relief Request Reviews
- LIC-103, Requests For Exemption From The Regulations
- NEI White Paper Dated August 2001



Goals of Licensees and NRC

- Licensee sends all the information need for NRC's regulatory decision
- NRC requests only what is needed for regulatory decision in one RAI



NRC Perspective of Improvements Needed

- Provide date licensing action needed and the basis
- Provide time to implement amendment
- Provide precedents
- Provide electronic copy of submittal and clean copy of TS pages

10 CFR 50.4(a)

- Signed original of written correspondence to DCD, Washington, DC 20555
- List NRC-specified addresses on submittal as receiving copy

Incorrect Addressed Submittal



- Upon receiving, PM sends copy (or original, if possible) to DCD



Quality of Submittals Revisited

Jack Donohew

Senior Project Manager, NRC

Callaway Nuclear Station

Palo Verde Nuclear Generating Station

Wolf Creek Nuclear Generating Station

Tuesday, June 10, 2003



Quality and Role of SERs Today

Robert A. Gramm
Section Chief, NRC

Tuesday, June 10, 2003

ROLE OF SAFETY EVALUATIONS

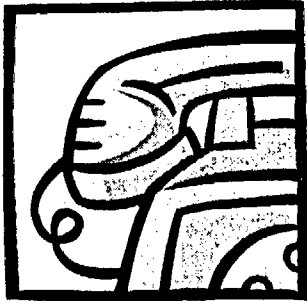
- LIC-100 defines stature of SE in licensing basis hierarchy (SE vs SER)
- LIC-101 and LIC-102 provide outlines of SE content
 - Introduction
 - Regulatory Evaluation
 - Technical Evaluation
 - Commitments
 - Conclusion
- SEs provide regulatory basis for NRC decisions on licensing actions

ROLE OF SAFETY EVALUATIONS - continued

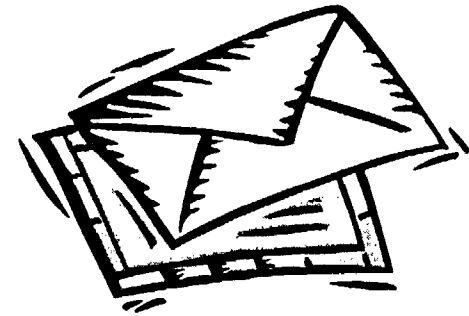
- SEs cite pertinent regulations and review criteria
- SEs describe staff rationale for why change is/is not acceptable

ROLE OF SAFETY EVALUATIONS - continued

- Licensees provide licensing bases information as part of application
- Staff works with licensee to capture important information into the licensing basis
 - License condition
 - TSs
 - Other licensee controlled document (FSAR, TRM, QA program...)
 - Commitment
- SEs describe licensee commitments relied upon to make licensing decision
- SEs are generally not directly enforceable



ROLE OF SAFETY EVALUATIONS - continued



- Unique Cases where SEs may contain new licensing basis information
 - ASME code relief under IST 50.55a(f)(6)(i) and Inservice Inspection 50.55a(g)(6)(i)
 - For relief sought when code requirements are impractical, “The commission may grant relief and may impose alternative requirements.”
- SEs provide insights for licensee consideration on what information to include in FSAR updates per 50.71(e) and NEI 98-03
 - NRC insights on relative importance of analysis performed by licensee with respect to NRC approval of the change
- If SE contains a factual error of importance/safety significance – contact PM to discuss need to issue a correction

QUALITY OF SEs

- Guiding procedures and instructions (LIC-101, LIC-102, DLPM Handbook)
- Multi-level and -functional reviews performed by technical staff, OGC, and DLPM
- Expectation is that staff products are accurate and fully support licensing decisions

QUALITY OF SEs - continued

- NRR Pilot Initiative on SE Quality for License Amendments
- Quality Attributes for SE extracted from LIC-101 (See Handout)
- SE Quality Checks performed at various stages of SE Development
 - Technical reviewer self-checks
 - Technical staff peer reviewer (optional/documented)
 - Technical SC (documented)
 - PM for SE inputs
 - LA for integrated SE
 - DLPM SC for integrated SE (documented)



QUALITY OF SEs - continued

- Results evaluated and trended on NRR Office level basis
- Office Instruction to be prepared following pilot
- Quality Initiative to expand to include other NRR work products



Quality and Role of SERs Today

Robert A. Gramm
Section Chief, NRC

Tuesday, June 10, 2003

PROCESS STANDARD: Assessing Safety Evaluation Quality - For Integrated SE Package

TASK: Prepare safety evaluation input for licensing actions satisfying the attributes listed below (i.e., A through F)

ITERATION PC 1 2 3 4 (circle)

Plant & TAC Number(s): _____

Prepared By: _____ Date Submitted: _____

Peer Consultation (PC) By: _____ Date Reviewed: _____

Peer consult is highly recommended; however, it is optional. It should be used to determine if the attributes described below have been successfully incorporated into the safety evaluation input prior to concurrence.

Section Chief Review: _____ Date Reviewed: _____

	ATTRIBUTE	Y	N	COMMENT
A	The introduction section briefly describes the amendment request (LIC-101, 4.5.1).			
B	The regulatory evaluation section provides the regulatory framework for the licensee's action, including a summary of design features, licensing bases, and relevant regulatory standards/acceptance criteria (LIC-101, 4.5.2).			
C	The evaluation section includes an independent analysis of the proposal in terms of the regulatory requirements, established staff positions, industry standards, or other relevant criteria; document covers the full scope of important issues. Each evaluation subsection specifically identifies the basis for approving or disapproving the amendment request (LIC-101, 4.5.3).			

	ATTRIBUTE	Y	N	COMMENT
D	All information used in the SE to make a regulatory decision is formally submitted to the NRC and properly references the date, author, and subject (or is reasonably inferred from general knowledge, regulatory requirements, or standard industry practice). Where appropriate, the SE identifies the regulatory commitments made by the licensee.			
E	Evaluation Conclusion - Document includes a summary or conclusion that restates the findings of the evaluation.			
F	Clear Writing - Concise sentences, active voice, subject-verb agreement, clear logic, unambiguous, clear pronouns. No typographical or punctuation errors (Provide type of errors). Grade typographical or grammatical errors as Low or High. Errors are low if they are few and manageable such that they are easily corrected, and high if errors are numerous or a consistent pattern of mistakes appear. Return to TB/author if SE contains a high number of errors.			

DLPM Licensing Assistant (LA) (or optional secretary) review includes Attributes D and F from the template above.

LA Review: _____

Date Reviewed: _____

Typographical errors detected (See Attribute F for instructions)	Grammatical errors detected (See Attribute F for instructions)

Additional Comments:



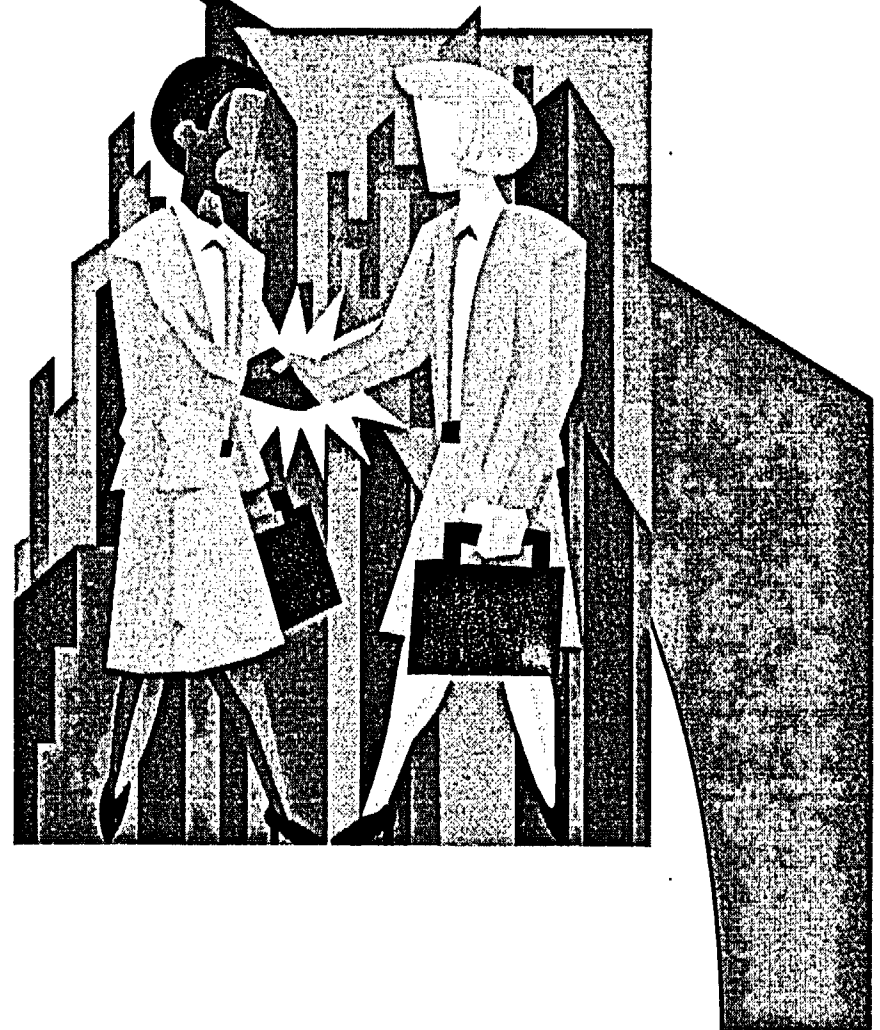
Use of Task Interface Agreements

DyLanne DuVigneaud
Intern, NRC

Tuesday, June 10, 2003

What is a Task Interface Agreement (TIA)

- A request for technical assistance from a region or another NRC office that contains questions on subjects within the scope of NRR's mission and responsibilities

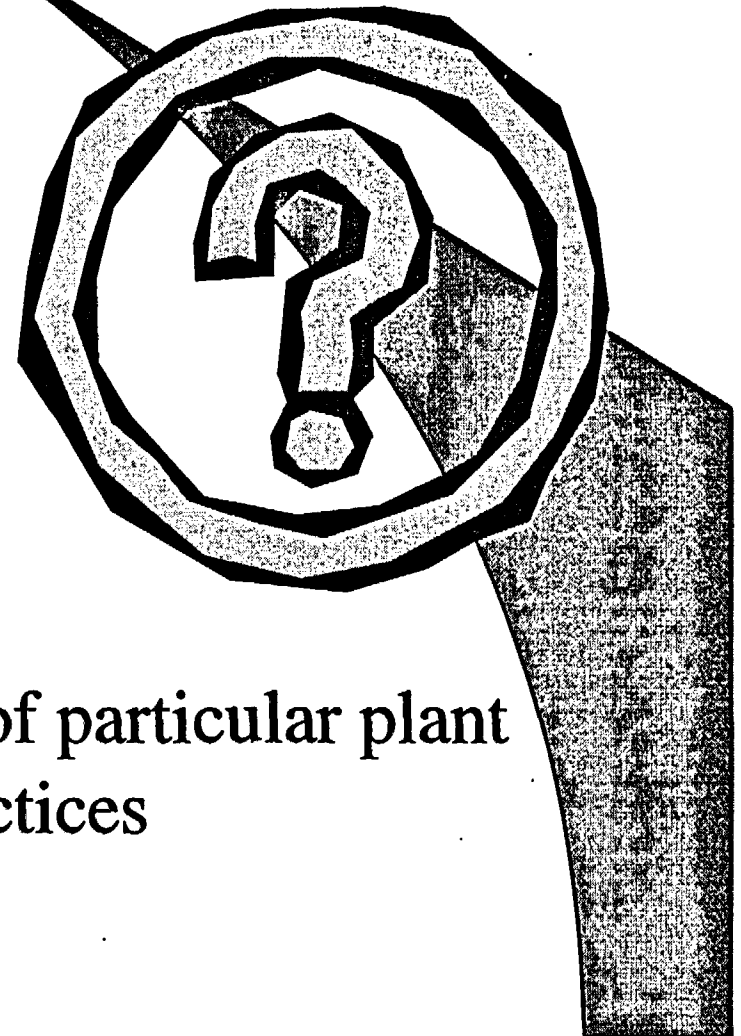


Reasons for TIAs

- Responses to:
 - A generic issue
 - A policy issue
 - A specific plant event
 - An inspection finding
 - An issue identified by a licensee

Seeking information on:

- Specific plant licensing bases
- Regulatory requirements
- NRR technical positions
- The safety or risk significance of particular plant configurations or operating practices

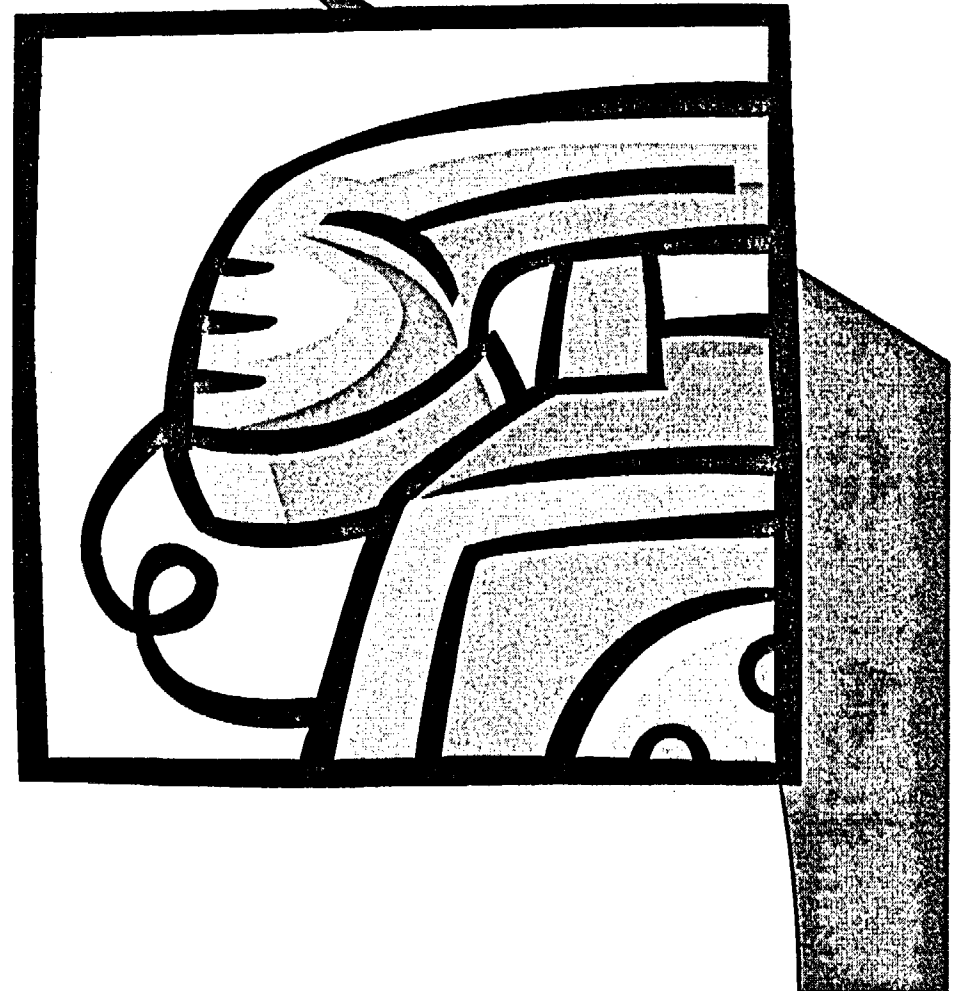


TIA Panel

- TIA SES Process Owner
- TIA Lead PM
- A management representative of at least the Branch Chief level from the requesting office

Process

- Issue is discussed by telephone
- Submittal mutually agreed upon within a week of initial request
- Approval of the NRR TIA SES Process Owner



A TIA is not needed in the following cases:

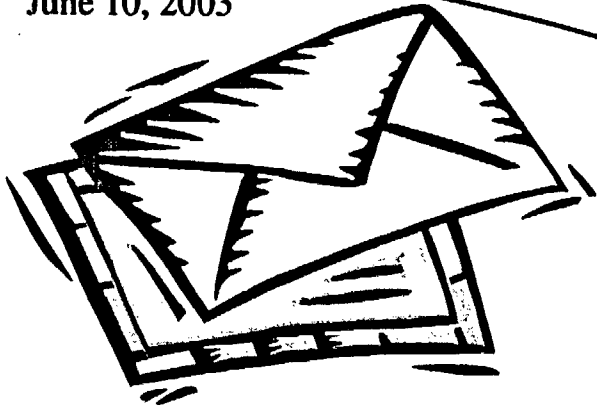
- The staff has previously expressed a position
- The inspection findings involve the performance of a risk significance evaluation that can be done within the budget
- Inspection finding was determined to be GREEN
- A more efficient means of answering a question would not compromise the NRC's regulatory function

TIA not needed (continued):

- Do not concern policy
- Mutually agreed to have very low safety significance and can be answered by telephone or e-mail

Priority of a TIA

- Safety and risk significance
- Operational impact
- Regulatory impact



Licensee Involvement

- Interaction with licensee encouraged to obtain clear and accurate information
- A written submittal from a licensee may be requested
- Adverse impact on the licensee



Use of Task Interface Agreements

DyLanne DuVigneaud
Intern, NRC

Tuesday, June 10, 2003



Bulletin 2002-01 RAI Lessons Learned

Jack Donohew

Senior Project Manager, NRC

Callaway Nuclear Station

Palo Verde Nuclear Generating Station

Wolf Creek Nuclear Generating Station

Tuesday, June 10, 2003

Bulletin 2002-01 RAI Lessons Learned

- Bulletin 2002-01 not explicit on what NRC wants to know
 - what components were inspected
 - how inspections were performed
 - how discrepancies were dispositioned
- In RAI, staff acknowledged that it was not clear in the bulletin
- NRC generic communication process does not lend itself to being specific
 - evolving knowledge of problem
 - political realities
 - timeliness demanded for generic communication being issued vs. being specific information will be exchanged following the generic communication is this not what is to be expected

Bulletin 2002-01 RAI Lessons Learned



- NRC and industry have different audiences
 - Licensees need to convey there is no severe problem and it is controlling the problem within existing licensing basis
 - NRC needs to convey there is problem (why else the generic communication) and it is controlling the problem
- Effect of deregulation
 - Can we develop means of industry/NRC interaction in the public domain
 - NRC needs information from industry, but the interaction must be in the public domain
- Perhaps similar situations just can not be avoided
 - Bulletin 2002-01 reflected NRR need to quickly request information



Bulletin 2002-01 RAI Lessons Learned

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Palo Verde Nuclear Generating Station

Wolf Creek Nuclear Generating Station

Tuesday, June 10, 2003



Safety Conscious Work Environment

Mohan C. Thadani

Senior Project Manager, NRC

Cooper Nuclear Station

South Texas Project

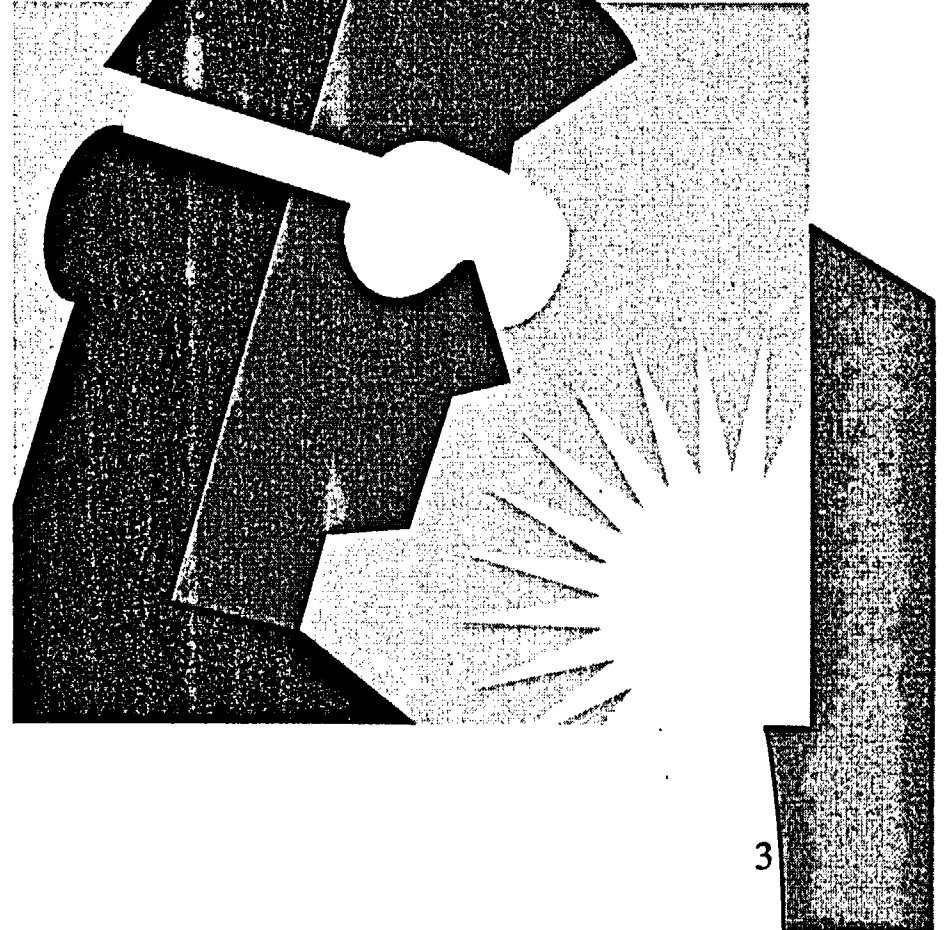
Tuesday, June 10, 2003

Safety Conscious Work Environment

- Commission's Statement of Policy
- Safety Conscious Work Environment/Safety Culture
- In a Staff Requirements Memorandum (SRM) Dated March 26, 2003, the Commission Disapproved the Proposed Rulemaking and Approved the Discrimination Task Group (DTG) Recommendations (Revised by Senior Management Review Team (SMRT))

Safety Conscious Work Environment

- The Staff's Responses to March 26, 2003 SRM
- The SRM Outlines the Commission's Recommendations





Safety Conscious Work Environment

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Cooper Nuclear Station

South Texas Project

Tuesday, June 10, 2003



Informal Communications (e.g., email, draft information)

Jack Donohew

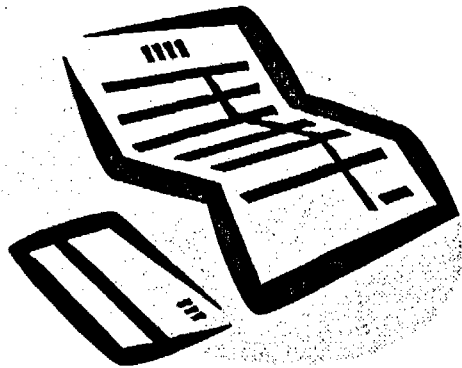
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Tuesday, June 10, 2003



Informal Communications (e.g., email)

- Emails and Letters which do not go through the NRC Document Control Desk (DCD) quickly provides copies to PMS of submittals going to DCD provides informal or draft information does not go through licensees' QC/QA checks
- COM-203, "Informal Interfacing and Exchange of Information with Licensees and Applicants"
 - covers conference calls where summaries are written in record books
 - allows for informal communications between NRC/Licensees per 2.102 (a)
 - Information used to make a regulatory decision must be docketed

Informal Communications (e.g., email)

- Informal Communications help improve efficiency
 - Quickly helps determine if what NRC needs on the docket is being provided
 - Avoids multiple letter exchanges between NRC/Licensees
- Information used to make a regulatory decision must be docketed
- Substantial information (letter needed) vs. Clarification (email or call from licensee)
 - PM judgment

Informal Communications (e.g., email)

- RAIs can be docketed several ways
 - letter issued by staff and responded to by licensee
 - letter submitted by licensee referencing emails/calls with staff
- Docketing informal communications in ADAMS
 - memo to docket file describing call and/or describing/attaching email
 - emails may have statements that information provided is confidential
- Informal communications should not include information that would be withheld from public
 - proprietary information
 - safeguards information



Informal Communications (e.g., email, draft information)

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Palo Verde Nuclear Generating Station

Wolf Creek Nuclear Generating Station

Tuesday, June 10, 2003



Processing Submittals Associated with Security Issues

David H. Jaffe

Senior Project Manager, NRC

Comanche Peak Steam Electric Station

Wednesday, June 11, 2003

Protecting Safeguards Information Withholding Sensitive Information

- Regulatory Issues Summary 2003-xx
– William Reckley
- Fall 2003 NEI Licensing Issues Forum

Documents Withheld from Public Disclosure

Classified Information

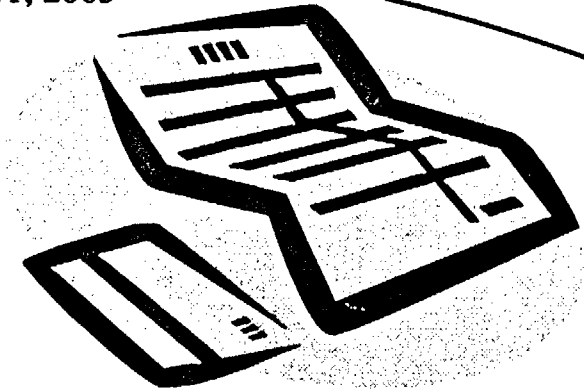
- National Security Information (NSI): information classified by an Executive Order, whose compromise would cause some degree of damage to the national security.
- Restricted Data (RD): information classified by the Atomic Energy Act, whose compromise would assist in the design, manufacture, or utilization of nuclear weapons



Documents Withheld from Public Disclosure

Classified Information

- Information concerns physical protection vulnerabilities may be classified information.
- Clearance and “need-to-know” required for access



Documents Withheld from Public Disclosure

Safeguards Information (SGI)

- Sensitive unclassified information authorized by the Atomic Energy Act
- SGI concerns the physical protection of operating power reactors, spent fuel shipments, strategic special nuclear material, or other radioactive material.

Documents Withheld from Public Disclosure

Other Sensitive Unclassified Information

- Should be withheld from Public Disclosure but does not meet SGI criteria
- 10 CFR 2.790(d)(1) states:

(d) The following information shall be deemed to be commercial or financial information within the meaning of subsection 9.17(a)(4) of this chapter.

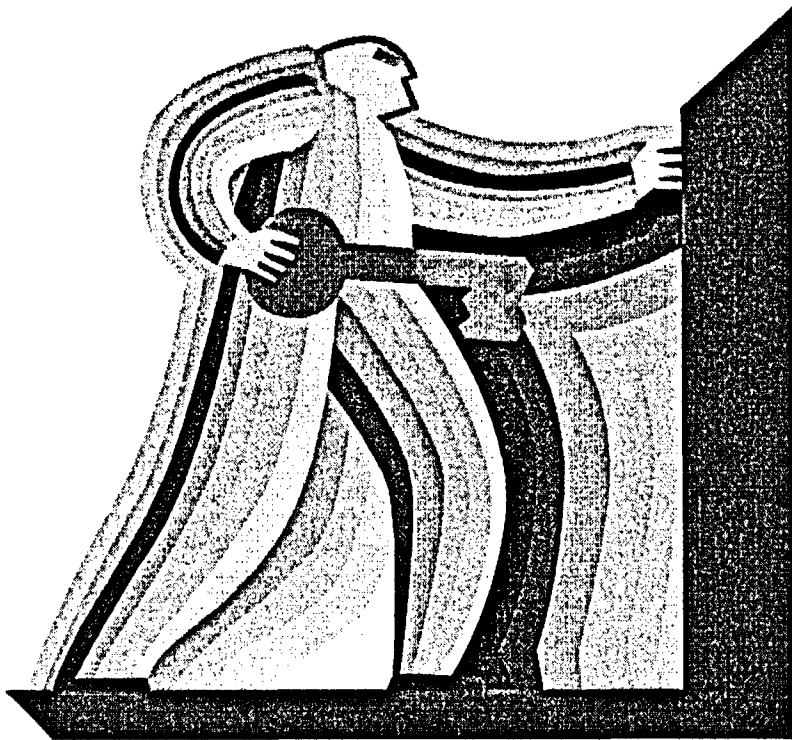
(1) Correspondence and reports to or from the NRC which contain information or records concerning a licensee's or applicant's physical protection, classified matter protection, or material control and accounting program for special nuclear material not otherwise designated as Safeguards Information or classified as NSI or RD

Documents Withheld from Public Disclosure

Other Sensitive Unclassified Information

- The NRC expects that licensees will continue to request withholding of some information using this provision.
- The NRC believes that the volume of material requested to be withheld from public disclosure according to 10 CFR 2.790(d)(1) may increase.
- The NRC staff will interact with licensees on a case-by-case basis regarding the use of the provisions of 10 CFR 2.790(d)(1).

Submittals Addressing Security Issues



- Changes Involving Physical Security
- FSAR Updates
- Miscellaneous Issues Under 10 CFR 2.790



Processing Submittals Associated with Security Issues

David H. Jaffe

Senior Project Manager, NRC

Comanche Peak Steam Electric Station

Wednesday, June 11, 2003



Making Changes to the Plant Associated to Orders – Process Guidance

Robert A. Gramm
Section Chief, NRC

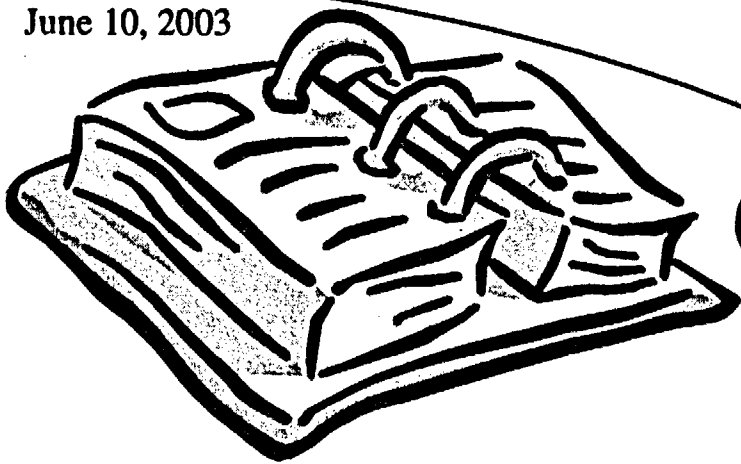
Wednesday, June 11, 2003

Orders

- NRC may modify, suspend, or revoke a license with an order
- License modification orders: change in equipment, procedures, personnel, or management controls
- Suspension orders: remove threat to public health and safety, licensee interference with inspection/investigation
- Revocation orders: for conditions which would warrant refusal of a license on an original application

Orders - continued

- Cease and desist orders: stop an unauthorized activity
- 10 CFR 2.202
- NRC Enforcement Manual Section 5.8, "Order Modifying, Suspending, or Revoking License"
- Staff Handbooks



Orders - continued

- The Order will
 - Identify hazardous condition or facts justifying action
 - Specify action to be carried out
 - Require a licensee response in 20 days (or other time as specified in order) under oath and affirmation
 - Require a demand for hearing within 20 days (or other time as specified in order)

Orders – continued



- Response may consent to order which waives right to hearing
- Response may present facts supporting position for not consenting to the order and reasons why the order should not have been issued
- Response can demand a hearing to move Commission to set aside immediate effectiveness of the order

MODIFYING AN ORDER

- Provisions of an order can be modified by:
 - Issuance of a follow-on order
 - Issuance of a license amendment
 - Following the self-contained change control process in the order
- Can be immediately effective if circumstances warrant
- If no hearing, becomes effective on day following deadline to request a hearing

MODIFYING AN ORDER - continued

- If a hearing, becomes effective as determined in the hearing
- Requests for extension of time to request a hearing can be made to OE (or as described in the Order)



EXAMPLES OF ORDERS

EA 03-009; Interim Inspection Requirements for PWR RPV Heads

- Order effective immediately until superceded by 50.55a changes, answer or request for hearing does not stay immediate effectiveness
- "...all PWR Licenses identified in the Attachment to this Order shall be modified to include the inspection requirements for RPV heads and associated penetration nozzles identified in Section IV of this Order."
- "The Director, Office of Nuclear Reactor Regulation, may, in writing, relax or rescind any of the above conditions...."
- Requests for relaxation associated with specific penetration nozzles will be evaluated by the NRC staff using its procedure for evaluating alternatives to the ASME code in accordance with 10 C.F.R. 50.55a(a)(3)." Section chiefs can sign out the relief

EXAMPLES OF ORDERS - continued

EA 03-038: Compensatory Measures for Fitness-for-Duty Enhancements for Security Force Personnel

- Order effective immediately, answer or request for hearing does not stay immediate effectiveness
- "All Licensees shall...comply with the requirements described in Attachment 2 to this Order except to the Licensee's security plans."
- Licensees given 35 days to inform Commission if unable to comply, if compliance is unnecessary, or if implementation would violate regulations or license
- Licensees to submit an implementation schedule in 35 days and report when full compliance achieved
- "The Director, Office of Nuclear Reactor Regulation may, by letter, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause."



Making Changes to the Plant Associated to Orders – Process Guidance

Robert A. Gramm
Section Chief, NRC

Wednesday, June 11, 2003



Perry Decision

Jack Donohew

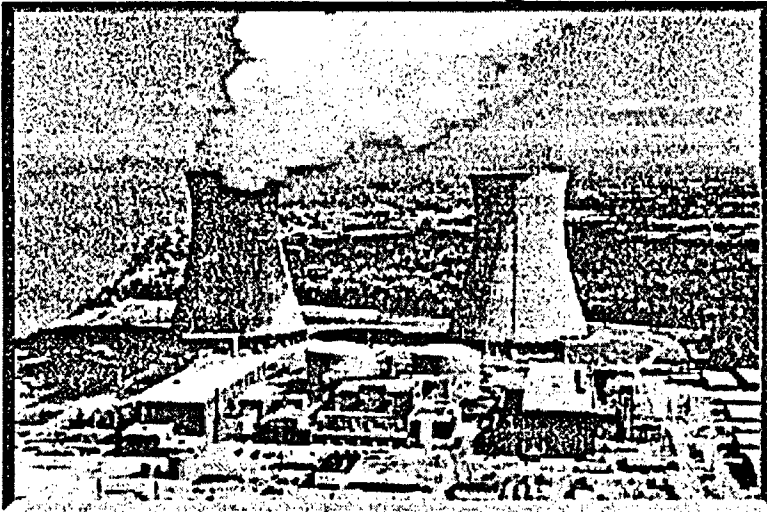
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Tuesday, June 10, 2003



Perry Decision

- **Perry Decision:** ASLB decision that a change to the Perry withdrawal schedule for RPV material specimens per Part 50 Appendix H is a licensing amendment.
- **Commission reversed decision:** Only agency approvals granted that "exceed existing licensing authority" are license amendments.
 - withdrawal schedule change conforming to ASTM standard not a license amendment
 - a change not conforming to ASTM standard is a license amendment.

Perry Decision

- 10 CFR Parts 2 and 50 allows a few ways for the staff to approve a license change:
 - Exemption per 50.12
 - Relief request per 50.55a
 - Order per 2.202
 - Amendment and Security program change per 50.90
 - QA and EP program change per 50.54
- NRC approval must be by one of the above methods
- Orders can include the method for changing the requirements in the order (i.e., the RPV head inspection order).

Perry Decision

- Examples

- Comanche Peak RTT change in components and method of verification in TS RT definition
- Diablo Canyon probability of detection in TS Note 2 stating upper voltage repair limit calculated by GL 95-05



Perry Decision

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Callaway Nuclear Station

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Tuesday, June 10, 2003



50.59 Revised Rule Follow-up

Mohan C. Thadani

Senior Project Manager, NRC

Cooper Nuclear Station

South Texas Project

Wednesday, June 11, 2003

50.59 Revised Rule Follow-up

- Revised Rule effective March 13, 2001
- Guidance (RG 1.187, NEI 96-07, Part 9900)
- Inspection Procedure 71111.02

50.59 Revised Rule Follow-up

- Experience

- NRC staff has questions about the appropriateness of the licensees implementation
- NEI believes that the NRC is inconsistent in judging the applicability of 10 CFR 50.59

- Future Action

- Industry Meeting – Need for Further Guidance?



50.59 Revised Rule Follow-up

Mohan C. Thadani

Senior Project Manager, NRC

Cooper Nuclear Station

South Texas Project

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