

October 7, 2003

MEMORANDUM TO: Douglas Coe, Section Chief
Reactor Inspection Section
Inspection Program Branch
Division of Inspection Program Management, NRR

FROM: Thomas Foley, Senior Engineer */RA/*
Reactor Inspection Section
Inspection Program Branch
Division of Inspection Program Management, NRR

SUBJECT: SUMMARY OF AUGUST 27, 2003, WORKSHOP TO DISCUSS THE
DRAFT 10 CFR PART 52 INSPECTION PROGRAM FRAMEWORK
DOCUMENT

The Nuclear Regulatory Commission (NRC) held a public workshop on August 27, 2003, at NRC Headquarters to discuss the "Draft 10 CFR Part 52 Construction Inspection Program Framework Document," May 2003. The meeting was transcribed and facilitated. A list of attendees is provided as Attachment 1. The meeting agenda is provided as Attachment 2.

Handouts were provided during the meeting by both the staff and NEI. The handouts can be accessed through the Agency Wide Documents Access and Management System (ADAMS) under Accession No. ML032410075. The corrected transcript from the meeting is accessible through ADAMS under Accession No. ML032790347. This system provides text and image files of NRC's public documents. If the public does not have access to ADAMS or if there are problems in accessing the handouts located in ADAMS, they can contact the NRC Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.

The purpose of the meeting was to receive comments on a previously issued draft construction inspection program framework document published for comment in draft on May 30, 2003 (ADAMS ascension number ML031400849) and to engage interested stakeholders regarding the development of the construction inspection program for future reactors licensed under 10 CFR Part 52. The draft framework document and handouts described above were discussed at the meeting.

During the meeting, the NRC staff stated that a *Federal Register* Notice, 68 FR 34012, had been issued soliciting comments on the draft document and that the *Federal Register* comment period ended September 15, 2003. Members of the audience noted that the NRC had recently published several other documents for comment whose comment period ended September 15 as well, and that they could not review and comment on all the documents within the stated period. In response to this comment, to allow all stakeholders the opportunity to adequately review and comment on the framework document, the NRC reopened the comment period for

the draft document until October 30, 2003 (ADAMS Accession No. ML032550260 and *Federal Register* Notice 68 FR 55416).

Among others comments, the audience raised the following more significant concerns: (1) whether 10 CFR Part 21 was applicable to an ESP applicant, (2) the audience did not understand how an ITAAC conclusion could be "interim", (3) they believed that the NRC's term "Regulatory Gap" as used in the framework document inappropriately described that period of time between when an inspector makes an ITAAC conclusion early in the construction process, and years later, when the Commission has to make a determination that all ITAAC have been met, (4) the audience also recommended placing an example of the "notice" described in 10 CFR Part 52.99 in the framework document, and also placing additional examples of NRC's quality assurance expectations in the Early Site Permit Review Standard RS-002.

After the meeting two feedback forms were received without significant comments.

After the comment period closes, we expect to resolve the comments received, revise the framework document and issue it in final form.

Attachments: As stated

the draft document until October 30, 2003 (ADAMS Accession No. ML032550260 and *Federal Register* Notice 68 FR 55416).

Among others comments, the audience raised the following more significant concerns: (1) whether 10 CFR Part 21 was applicable to an ESP applicant, (2) the audience did not understand how an ITAAC conclusion could be "interim", (3) they believed that the NRC's term "Regulatory Gap" as used in the framework document inappropriately described that period of time between when an inspector makes an ITAAC conclusion early in the construction process, and years later, when the Commission has to make a determination that all ITAAC have been met, (4) the audience also recommended placing an example of the "notice" described in 10 CFR Part 52.99 in the framework document, and also placing additional examples of NRC's quality assurance expectations in the Early Site Permit Review Standard RS-002.

After the meeting two feedback forms were received without significant comments.

After the comment period closes, we expect to resolve the comments received, revise the framework document and issue it in final form.

Attachments: As stated

Accession Number:ML032790542 **(Package)**

ML032690934 **(Memo)**

ML032790347 **(Transcript)**

OFFICE	DIPM/IIPB	DIPM/IIPB
NAME	TFoley	MAshley
DATE	10/07/03	10/07/03

OFFICIAL RECORD COPY

Combination List:

cc: Mr. Charles Brinkman
Westinghouse Electric Co.
Washington Operations
12300 Twinbrook Pkwy., Suite 330
Rockville, MD 20852

Mr. David Lochbaum, Nuclear Safety Engineer
Union of Concerned Scientists
1707 H Street, NW, Suite 600
Washington, DC 20006-3919

Dr. Gail H. Marcus
U.S. Department of Energy
Office of Nuclear Energy, Science
& Technology
NE-1, Room 5A-143
1000 Independence Avenue, SW
Washington, DC 20585

Mr. Paul Gunter
Nuclear Information & Resource Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

Mr. James Riccio
Greenpeace
702 H Street, NW, Suite 300
Washington, DC 20001

Mr. Ron Simard
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. George Alan Zinke
Project Manager
Nuclear Business Development
Entergy Nuclear
M-ECH-683
1340 Echelon Parkway
Jackson, MS 39213

Mr. Thomas P. Miller
U.S. Department of Energy
NE-20, Rm. A286
Headquarters-Germantown
19901 Germantown Road
Germantown, MD 20874-1290

Ms. Marilyn Kray
Vice President, Special Projects
Exelon Generation
200 Exelon Way, KSA3-E
Kennett Square, PA 19348

Mr. Laurence Parme
Manager, GT-MHR Safety &
Licensing
General Atomics Company
P.O. Box 85608
San Diego, CA 92186-5608

Mr. Joseph D. Hegner
Lead Engineer - Licensing
Dominion Generation
Early Site Permitting Project
5000 Dominion Boulevard
Glen Allen, VA 23060

Mr. Edward L. Quinn
MDM Services Corporations
Utility Operations Division
28202 Cabot Road, Suite 205
Laguna Nigual, CA 92677

Lynn Connor
Doc-Search Associates
2211 sw 1ST Ave - #1502
Portland, OR 97201

Mr. Ed Rodwell, Manager
PWR Design Certification
Electric Power Research
Institute
3412 Hillview Avenue
Palo Alto, CA 94304-1395

Mr. Steven Dolly
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 410
Washington, DC 20036

Mr. James F. Mallay, Director
Regulatory Affairs
FRAMATOME, ANP
3315 Old Forest Road
Lynchburg, VA 24501

Patricia Campbell
Winston & Strawn
1400 L St., NW
Washington, DC 20005

Mr. W. Edward Cummins
AP600 and AP1000 Projects
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

Mr. Kelly R. Fletcher, Manager
Business Development and Advanced Technologies
GE Nuclear Energy
175 Curtner Avenue, MC 784
San Jose, CA 95125

Mr. Jack W. Roe
SCIENTECH, INC.
910 Clopper Road
Gaithersburg, MD 20878

Mr. Stephen P. Frantz
Morgan, Lewis, & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. Gary Wright, Manager
Office of Nuclear Facility Safety
Illinois Department of Nuclear Safety
1035 Outer Park Drive
Springfield, IL 62704

Mr. David Ritter
Research Associate on Nuclear Energy
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Tom Clements
6703 Gude Avenue
Takoma Park, MD 20912

Mr. Horace R. Hall, Commercial Manager
Nuclear Business Team
UCAR Carbon Company, Inc.
P.O. Box 2170
Clarksburg, West Virginia 26302-2170

Mr. James Blyth
Canadian Nuclear Safety Commission
280 Slater Street, Station B
P.O. Box 1046
Ottawa, Ontario
K1P 5S9

Atambir Rao
Project Manager, ESBWR
GE Nuclear Energy
175 Curtner Avenue, MC 365
San Jose, CA 95125 USA

Mr. Edward F. Sproat, III
Vice President - Int'l Projects
Exelon Generation
200 Exelon Way
Kennett Square, PA 19348

Mr. Vince Langman
Licensing Manager
Atomic Energy of Canada Limited
2251 Speakman Drive
Mississauga, Ontario
Canada L5K 1B2

Dr. Regis A. Matzie
Senior Vice President and
Chief Technology Officer
Westinghouse Electric Company
2000 Day Hill Road
Windsor, CT 06095-0500

Hard Copy
DIPM R/F

E-Mail

PUBLIC
PMNS
RBorchardt (RidsNrrOd)
JCraig (RidsNrrAdip)
BSheron (RidsNrrAdpt)
AThadani
FElawila
NRR/ADPT Secretary [RidsNrrAdpt]
RNRP Group
DMatthews
BBoger
CCarpenter
SRichards
TQuay
JHannon
SWeerakkody
EWeiss
JWermiel
FAkstulewicz
MRubin
WBateman
ESullivan
GBagchi
SCoffin
TChan
ALund
GImbro
DTerao
KManoly
JCalvo
EMarinos
RJenkins
JJolicoeur, EDO
MJohnson
MReinhart
CCasto

JMSebrosky
TQuay
RMclntyre
DThatcher
SAlexander
TMensah (NRR Communication Coord)
ACRS (RidsAcresMailCenter)
OPA
MEI-Zeftway
PCastleman
CKonzman
JBlake
RGardner
CPaulk
LCampbell
JMoore
RWeisman
GMizuno
KBarber
BrookeSmith
AGill
TKenyon
RWeisman, OGC
NIqbal
PQualls
DBarss
BMusico
bhupinder.singh@hq.doe.gov
tom.miller@hq.doe.gov
DNelson, OE

Workshop to Discuss the Draft 10 CFR Part 52 Construction
Inspection Program Framework Document August 27, 2003

Attendance List

<u>Name</u>	<u>Organization</u>
(Members of the public)	
Russ Bell,	Nuclear Energy Institute
Michael Bourgeois,	Entergy
Charlie Brinkman,	Westinghouse
John Concklin,	Framatome ANP
Michael Corietti,	Westinghouse
Ben George,	Southern Nuclear
Eddie Grant,	Exelon
Dealis Gwyn,	Stone and Webster
Lane Hay,	Bechtel
Sinichi Hayafune,	Energy USA INC. (Marubeni)
Ryuji Iwasaki,	Toshiba Corporation
Rich Janati,	Pennsylvania Environmental Protection
John Lemmel,	Bechtel Power Corporation
Tom Mundy,	Exelon
Rick Ricciuti,	Atomic Energy of Canada Limited
Ralph Shell,	Tennessee Valley Authority
Ron Simard,	Nuclear Energy Institute
Mark Smith,	USEC Inc.
William Smith,	Energetics
George Zinke,	Entergy
Charles Brinkman	Westinghouse
Edward Burns	SELF
Eric Hendrixs	NRG
John Lennel	Bechtel Power
Larry Drbal	Black and Veatch
Bill Maher	Exelon
Patricia Campbell	Winston and Strawn
Jenny Weil	McGraw-Hill
Yuichz Mazaskz	Kansas Electric
Deann Raleigh	Lis Scientech
Rich Janciti	PADEP/BRP
Takaya Seshimo	JAMIS
Edward Burns	Self
Leanne Crosbie	MPR
Heonadri Delgaza	MPR
A.K. Singh	Sargent and Lundy
B.P. Singh	DOE
Edward Quinn	ANS

<u>Name</u> (NRC Staff)	<u>Organization</u>
Stuart Richards	NRC/NRR/DIPM
James Lyons	NRR/DRIP/RNRP
Doug Coe	NRC/NRR/DIPM
Joe Sebrosky	NRR/DRIP/RNRP
Jerry Wilson	NRR/DRIP/RNRP
Michael Scott	NRR/DRIP/RNRP
Thomas Foley	NRR/DIPM/IIPB
Thomas Kenyon	NRR/DRIP/RLEP
Jerome Blake	NRC/Region II
Chuck Paulk	NRC/Region IV
Bruce Musico	NRR/DIPM/IEPB
Dan Barss	NRR/DIPM/IEPB
Scott Gordon	NMSS/FCSS
Bob Weisman	NRC/OGC
Goutam Bagchi	NRC/NRR/DE
Roy Mathew	NRC/NRR/ DIPM
Laura Dudes	NRC/NRR/ DRIP
Dale Thatcher	NRC/NRR/DIPM
Tanya Mensah	NRC/NRR
Carl Konzman	NRC/NRR/PMAS
James Isom	NRC/NRR/DIPM
Tim Kobetz	NRC/NMSS/SFPO
Scott Gordon	NRC
Raman Pichumani	NRC/Consultant

8/27/03

PUBLIC WORKSHOP ON CIP FRAMEWORK DOCUMENT
U.S. NUCLEAR REGULATORY COMMISSION
NRC AUDITORIUM - TWO WHITE FLINT NORTH
ROCKVILLE, MD
AUGUST 27, 2003

08:30	Registration	All public and NRC
0900	Bring meeting to order	Tom Foley
09:00	Welcome, Introductions Objectives	Stu Richards
09:15	Ground rules	Chip Cameron, Facilitator
09:20	Overview of the Part 52 Licensing Process	Joseph Sebrosky
0945	Participant questions	
10:00	The Framework Document Overview	Jim Isom
10:05	Early Site Permit (IMC 2501)	Tom Foley
10:30	Participant discussion	
11:00	Pre-Combined License Phase (IMC 2502)	Jerry Blake
11:15	Participant discussion	
11:30	Break for Lunch	
12:30	CIPIMS	Carl Konzman
12:45	Participant discussion	
1:00	Construction Phase (IMC 2503)	Joe Sebrosky
2:00	Participant discussion	
3:00	Transition to Operation (IMC 2504)	Jim Isom
3:30	Participant discussion	
4:00	CIP Milestones/Adjourn	Doug Coe