

**From:** Peter Koltay *NRR*  
**To:** Laura Dudes  
**Date:** 9/19/02 1:35PM  
**Subject:** Re: Appendix R - Manual Actions

*Renee*  
Detailed MAs acceptance criteria has been developed by regional and HQ fire protection experts. The criteria will be discussed with regional managers during the Friday telephone conference and issued with a memo from Cindy to the regional div. directors for immediate implementation. This is inspection guidance enhancement and no solicitation of NEI input is necessary.

While we are waiting for commission approval of the rule making plan licensees' failures to meet IIIG2 with acceptable MAs will be identified as URIs pending anticipated rule making plan approval.

>>> Laura Dudes 09/19/02 12:52PM >>> *NRR*

Renee,

✓ I reviewed your outline and discussed with C. Carpenter/F. Congel at this mornings OE/IIPB interface meeting. I agree with the track you are on and now is the time for NRR to define the "next steps" in this process.

*Renee*  
Here's my first crack at it:

1. Continue with proposed rule making with a common understanding of a detailed manual action acceptance criteria. (DSSA/SPLB-DRIP/RPRP)
2. Develop detailed manual action acceptance criteria which includes guidance for how inspectors should handle these issues while rule making is in progress. (DSSA/SPLB- DIPM/IIPB)
3. Solicit feedback from stakeholders (ie. NEI, Regions, Inspectors...) regarding the detailed manual action acceptance criteria.
4. OE drafts enforcement guidance pending commission approval.

A more detailed action plan is probably necessary, I just wanted to get the ball rolling. It is clear that we need to proceed with caution regarding directing inspectors in the fire protection area, clear guidance on what to do when these issues arise is necessary and that guidance needs to be consistent with current inspection program philosophies.

Thanks,  
Laura

✓ >>> Renee Pedersen 09/18/02 04:45PM >>> *OE*  
Laura,

How do you want to proceed on this issue? I have outlined what I believe should be the process and have identified questions that NRR needs to consider (attached).

I know that you are very busy with task force, but I also know that NRR wants to move on this issue. I think that once you see my outline, you'll understand where OE is coming from. The approach is pretty much the same as the approach that we've taken for FFD. That having been said, I think it would be helpful for you to be involved, because I'm not sure that NRR (especially Hannon) will like our approach.

The biggest issue that OE has is that the policy must be approved by the Commission and must include acceptance criteria. The criteria should be pretty well thought out and fairly specific. NRR needs to come up with that. Eric Weiss sent Jim three criteria that I personally don't believe are specific enough that we can be confident that everyone will be able to interpret consistently. However, if the Commission ultimately says that they can live with it, then I guess that's the way to go (although I'm sure that it would mean compliance questions/problems down the road).

In any event, it doesn't take much to modify the current draft SECY paper if we're just going to say that the policy will have generic acceptance criteria. By the way, I've talked to Bill Huffman who totally

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understands where we are coming from. The real potential time-buster on this issue is the development of the critiera. For that, I believe that Phil Qualls is probably the person, right? Bottom line, I don't see how we could have a discretion policy if we don't have some pretty good criteria.

So, where do we go from here?  
Renee

**CC:** Cynthia Carpenter; David Nelson (HQ-OE); Eric Weiss; John Hannon; Renee Pedersen