

August 30, 2006

MEMORANDUM TO: James W. Andersen, Chief
Performance Assessment Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

FROM: Mark E. Tonacci, Reactor Operations Engineer */RA/*
Performance Assessment Branch
Division of Inspection and Regional Support

SUBJECT: PUBLIC MEETING SUMMARY ON THE REACTOR OVERSIGHT
PROCESS HELD ON AUGUST 16, 2006

On August 16, 2006, the staff hosted the monthly Reactor Oversight Process (ROP) working group public meeting. The attendance list for the meeting is contained in Attachment 1. The agenda for the meeting is contained in Attachment 2.

The participants discussed Mitigating Systems Performance Index (MSPI) implementation and guidance interpretation issues. NEI responded to a staff concern from the last meeting that the NEI web board for MSPI could be used to circumvent the frequently asked question (FAQ) process. NEI provided a document (Attachment 3) showing the "Welcome to the MSPI Information Forum" introductory web page. It stated that the web board does not replace or supplement guidance from the NEI 99-02, Frequently Asked Question (FAQ) process and it provides guidance on when the FAQ process should be used. MSPI development and implementation lessons learned were discussed by both the staff and industry personnel. NEI will collate the input and provide a summary at the next meeting. The staff stated that the Enforcement Guidance Memorandum (EGM) for MSPI will require a letter documenting a non-cited severity level IV violation and conveying 50.9 discretion when erroneous data is non-willfully reported resulting in a performance indicator threshold change.

Several FAQs were also discussed; the FAQ log is shown in Attachment 4. FAQ 62.1 MSPI Component Boundary was discussed but not approved. FAQ 62.2 MSPI Cascading Unavailability was discussed and given tentative approval. FAQ 63.1 MSPI Planned Unavailability Baseline was discussed but not approved. This FAQ involved changing the unavailability baseline when equipment issues are discovered and inspection or maintenance should be performed in the current quarter. Licensees stated that not allowing a baseline change in the current quarter will, in effect, be a penalty influencing a decision to promptly perform maintenance for potentially degraded equipment. The staff agreed that the licensee should take prompt action to ensure equipment operability; however, the purpose of the performance indicator is to identify such unavailability that is above the baseline. The staff disagreed that unintended consequences could result by not allowing a mid-quarter unavailability baseline change. Additional discussions were held regarding the proposed definition for an actual emergency safety features (ESF) demand (Attachment 5). Meeting

attendees decided that NEI will document the ESF demand definition as a FAQ for the next meeting; on that basis, the definition was tentatively approved. NEI agreed to develop FAQs for two additional topics: 1) the timeliness for updating the INPO consolidated data entry (CDE) software for MSPI, and 2) the definition of planned versus unplanned unavailability.

Safety culture transition and implementation issues were also discussed. The staff noted that inspection procedure 95003 "Supplemental Inspection For Repetitive Degraded Cornerstone, Multiple Degraded Cornerstone, Multiple Yellow Inputs, Or One Red Input" will be issued in the late September to early October time frame. NEI stressed their concern for uniform safety culture implementation throughout the regions. The headquarters staff monitored implementation of the cross-cutting issue component and aspect discussions for the mid-cycle assessments for all four regions. The staff noted that, based on preliminary feedback, all regions consistently applied the new criteria. The staff stated that if a component or aspect is changed after the exit meeting, the licensee should be informed. Licensees wanted to know how the staff has assigned components and aspects for their findings so they can take proactive actions to address issues. According to industry participants, this information was not always provided to licensees prior to the mid-cycle assessment. The staff will follow-up with the regions to ensure: 1) that the regions are aware that resident inspectors can and should share components and aspects for findings for the first and second quarters of 2006, and 2) if components and aspects using the new guidance have been developed for prior quarters, this should also be shared with individual licensees.

The draft performance indicator (PI) for scrams with complications was discussed. A meeting of the scrams with complications working group was held in August to develop recommendations on two aspects of the draft PI and the basis document for the PI. With additional work during the month, the draft PI and basis document should be ready for presentation and discussion at the next meeting. A trial run of the new PI using current year data was also discussed. Another future potential PI change, reactor coolant system (RCS) leakage, was also discussed and any changes are pending results of owners group work in this area. Industry guidance on RCS leakage from the pressurized water reactor (PWR) owner's group is expected later this year.

The staff discussed the status of a revised definition for "performance deficiency." This definition is being changed back to essentially what it was last year such that standards and operating practices must be self-imposed by the licensee. NEI will provide emergency planning and radiation protection examples of minor issues for consideration by the staff for inclusion in Inspection Manual Chapter (IMC) 0612 "Power Reactor Inspection Reports." The staff stated that IMC 0609 "Significance Determination Process" Appendix M is now out to the four NRC regions for comment and the industry will have the opportunity to review this prior to issuance. Also, the staff noted that the component design basis inspection procedure will be assessed next year. In the assessment, the staff will evaluate the potential for allowing licensees to perform a self-assessment and the NRC inspection would then review the self-assessment. At the next meeting industry personnel will present examples of findings due to sudden new or conflicting regulation, or similar issues. Using these examples, the staff will consider whether actions beyond issuing similar findings at many plants are warranted. The staff also discussed the industry significance determination process (SDP) for security findings, which is currently being piloted.

NEI discussed the industry actions to address “tin whisker” growth that can cause failures in plant components. The staff desired this information as an input to determine the need for regulatory action.

The industry Safety Performance Assessment Task Force re-presented FAQ 61.1, “ERO Participation Credit for Security Related Drill or Exercise.” The FAQ was discussed and given tentative approval.

The next meeting of the ROP Working Group will be September 14th, 2006, in Ft. Worth, Texas. This is the day after the Region IV utility group meeting. The following monthly meeting will be held on October 25th, 2006.

Attachments:

1. Attendance List
2. Agenda
3. NEI WebBoard, ML062290323
4. FAQ Log, dated 8/16/06, ML062290323
5. Definition for an Actual ESF Demand as used by MSPI, ML062290323

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DATE	08/28/06	08/30/06

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ATTENDANCE LIST
INDUSTRY/STAFF ROP PUBLIC MEETING
August 16, 2006

	NAME	AFFILIATION
11.	John Butler	NEI
12.	Deann Ralieggh	Sciencetech
13.	Jenny Weil	McGraw-Hill
14.	Lenny Sueper	NMC
15.	Fred Mashburn	TVA
16.	Robin Ritzman	FENOC
17.	W.E. Mookhoek	STP
18.	Ken Heffner	Progress
19.	Don Olson	Dominion
20.	David Distel	Exelon
21.	Roy Lithicum	Exelon
22.	Mark Reidmeyer	STARS
23.	Gerald Sowers	APS
24.	Duane Kanitz	APS/STARS
25.	Rick Thomas	Entergy
26.	Dave Midlik	Southern Nuclear
27.	Kay Nicholson	Duke
28.	John Thompson	NRC
29.	Mark Tonacci	NRC
30.	Russel Gibbs	NRC
31.	Don Dube	NRC
32.	Peter Appignani	NRC
33.	Paul Frederickson	NRC
34.	June Cai	NRC
35.	Isabelle Schoenfeld	NRC
36.	Bob Kahler	NRC

ROP WORKING GROUP PUBLIC MEETING AGENDA

August 16, 2006
9:00 - 4:00 p.m. (O7B4)

- 9:00 - 9:05 a.m. Introduction and Purpose of Meeting
- 9:05 - 10:15 a.m. Discussion of MSPI Implementation and Lessons Learned
- 10:15 - 10:30 a.m. Break
- 10:30 - 11:15 a.m. Discussion of Safety Culture ROP Issues
- 11:15 - 12:00 p.m. Discussion of PI Program Improvements
- 12:00 - 1:00 p.m. Lunch
- 1:00 - 2:30 p.m. Reactor Inspection Branch Topics
- 2:30 - 2:45 p.m. Break
- 2:45 - 3:45 p.m. Discussion of Open and New PI Frequently Asked Questions
- 3:45 - 4:00 p.m. Future Meeting Dates and Topics
- 4:00 p.m. Adjourn