

October 2, 2006

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

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

SUBJECT: PUBLIC MEETING SUMMARY ON THE REACTOR OVERSIGHT  
PROCESS HELD ON SEPTEMBER 14, 2006

On September 14, 2006, the staff hosted the monthly Reactor Oversight Process (ROP) working group public meeting in Ft. Worth, Texas. The attendance list for the meeting is contained in Enclosure 1. The agenda for the meeting is contained in Enclosure 2.

The participants discussed Mitigating Systems Performance Index (MSPI) implementation and guidance interpretation issues. The staff discussed the recently issued Enforcement Guidance Memorandum (EGM) on MSPI. The EGM allows discretionary enforcement on 10 CFR 50.9 violations for inaccurate reporting of MSPI data for the first year of MSPI implementation. The staff and industry further discussed the MSPI lessons learned presented at the August 2006 public meeting. One comment made by the staff was that there was initially industry-staff agreement on probabilistic risk assessment (PRA) standards required for MSPI, but this agreement was changed by industry due to difficulties in meeting the standard prior to the targeted implementation date. As a result, the staff believes that there were clearly identified standards, but the implementation schedule imposed by the staff/industry working group made these requirements difficult to achieve in the time frame required. The last MSPI item the meeting participants discussed were open and new Frequently Asked Questions (FAQs).

The FAQ log is shown in Attachment 3. FAQ 62.1 "MSPI Component Boundary" was discussed again but not approved. FAQ 62.2 "MSPI Cascading Unavailability" and 63.2, "Definition of an ESF Demand" were given final approval. FAQ 63.1 "MSPI Planned Unavailability Baseline" was withdrawn by the licensee. The staff commented that once an FAQ is submitted and discussed, it should not be withdrawn without the issue being dispositioned by the ROP Working Group. The staff indicated that the generic issue of withdrawing FAQs will be addressed in a future meeting. Other FAQs introduced were 64.1, "Updates to MSPI Coefficients," 64.2, "Planned and Unplanned Maintenance."

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Other non-MSPI FAQs were also discussed. Meeting attendees gave final approval on FAQ 61.1, "ERO Participation Credit for Security Related Drill or Exercise." One additional FAQ was introduced, 64.3, "Plant Specific Environmental."

With respect to safety culture, the staff has noted that early identification and correction of safety culture issues at a facility is important to prevent declining performance. The industry discussed safety culture implementation and noted satisfaction with the staff participation in the safety culture industry workshops held in Regions II and IV. As discussed during the August 2006 public ROP meeting, NEI again stressed their concern for uniform safety culture implementation throughout the regions. The industry expressed concern for the lack of objectivity in the criteria the staff uses to determine whether or not a substantive cross-cutting issue exists. The specific concern focused on how the staff arrives at the conclusion that they lack confidence in the licensee's ability to address the common theme of the cross-cutting issue. The staff responded that it will continue to monitor the regions to ensure that assessment of licensee performance is in accordance with the guidance of IMC 0305, "Operating Reactor Oversight Program," and that the newly formed Safety Culture Focus Group will also provide oversight of the implementation of the ROP safety culture changes.

Meeting participants discussed the draft performance indicator (PI) for scrams with complications. A meeting of the scrams with complications working group was held in August 2006 to develop recommendations on two aspects of the draft PI and the basis document for the PI (Attachment 9). Industry stated that the unplanned scrams with complications subgroup plans to conduct table top exercises over the next few months to test the indicator and to see if any new issues surface. The targeted date for implementation of this new PI is April 2007. The staff also commented that industry guidance on reactor coolant system leakage from the pressurized water reactor (PWR) owner's group is expected later this year.

The staff discussed the status of a revised draft definition for "performance deficiency" (Enclosure 6). The staff provided copies of the new definition to meeting participants. Industry may provide additional comments on the revised definition by the next public ROP meeting.

The industry discussed a concern that some inspectors were using a finding that had generic implications, and informing other inspectors to check to see if it was in existence at other sites. The industry stated that in these situations and instead of conducting other inspections at other sites, the staff should issue a generic communication or some other vehicle to inform the industry of the potential for a generic issue, and allow time for the industry to address the issue. An example of this concern was provided in a handout on seismic monitoring (Enclosure 8). The staff stated it will look into the aspects of this issue and discuss this issue further at the October 2006 public meeting.

The date for the next meeting of the ROP Working Group has been changed to October 24, 2006 at the Nuclear Regulatory Commission building in Rockville, Maryland. No meeting is scheduled for November. The last meeting of the year is tentatively set for December 6<sup>th</sup>, 2006.

Enclosures:

1. Attendance List
2. Agenda
3. FAQ Log, dated 9/14/06, ADAMS Accession No. ML062640305
4. Reactor Oversight Process, ROP Working Group Action List - Status August 16, 2006, ADAMS Accession No. ML062640305
5. MSPI Lessons Learned, ADAMS Accession No. ML062640305
6. Performance Deficiency Definition, ADAMS Accession No. ML062640305
7. Appendix M, Significance Determination Process Using Qualitative Attributes, ADAMS Accession No. ML062640305
8. Generic Issue, Seismic Monitoring, ADAMS Accession No. ML062640305
9. Draft Unplanned Scrams with Complications, ADAMS Accession No. ML062640305
10. Schedule for Changing to PI for Unplanned Scrams with Complications, ADAMS Accession No. ML062680414

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OFFICE	DIRS/IPAB	DIRS/IPAB	DIRS/IPAB
NAME	JThompson	MTonacci	JAndersen
DATE	09/28/06	09/28/06	10/2/06

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**ATTENDANCE LIST**  
**INDUSTRY/STAFF ROP PUBLIC MEETING**  
September 14, 2006

<b>NAME</b>	<b>AFFILIATION</b>
John Butler	NEI
Lenny Sueper	NMC
Fred Mashburn	TVA
W. E. Mookhoek	STP
Ken Heffner	Progress
Don Olson	Dominion
Roy Lithicum	Exelon
Mark Reidmeyer	STARS
Rick Thomas	Entergy
Dave Midlik	Southern Nuclear
John Thompson	NRC
Russell Gibbs	NRC
Robert Gramm	NRC
James Andersen	NRC
Tony Petrangelo	NEI
Robert Biggs	Entergy
C. A. Bottemiller	Entergy
Guy Davant	Entergy
Jerry Burford	Entergy
Larry Parker	PG&E
Robyn Savage	STP
Greg Cullen	Entergy
Serardo Rute	Almaraz Trillo
Russ Bywater	NRC

# ROP WORKING GROUP PUBLIC MEETING AGENDA

September 14, 2006  
8:30 - 4:00 p.m. (Hilton, Fort Worth, TX)  
Conference Call Line: 800-638-8081; Code: 7247#

Time	Topic	Process	Leader
8:30 - 8:45 a.m.	Introduction and Purpose of Meeting		Thompson
8:45 - 10:15 a.m.	<b>Discussion of MSPI Implementation</b> <u>Guidance Issues and Changes</u> 1. EGM	1-2 Share information	1. Thompson 2. Butler
	2. MSPI lessons learned.		
	<u>Guidance Interpretation</u> 1. FAQ 62.1 Component boundary	1-6 Discuss, gain agreement.	1. Butler 2. Butler
	2. FAQ 62.2 Cascading Unavailability		3. Butler
	3. FAQ 63.1 Planned Unavailability Baseline		4. Butler
	4. FAQ 63.2 Definition of ESF Demand		5. Butler
	5. FAQ xx.x Updating CDE software		6. Butler
	6. FAQ xx.x Planned vs Unplanned Unavailability		
10:15 - 10:30 a.m.	<b>Break - Public Input</b>		

<b>Time</b>	<b>Topic</b>	<b>Process</b>	<b>Leader</b>
10:30 - 11:15 a.m.	<b>Discussion of Safety Culture ROP Issues</b> 3. Follow-up on staff sharing finding component/aspect with licensee.	1. Discuss	1. Gramm
11:15 - 12:00 p.m.	<b>Discussion of PI Program Improvements</b>  2. Scrams w/ Complications - describe PI - decide on location of basis - discuss "pilot" benchmark - discuss schedule - post on web	1.Discuss	1. Andersen/ Butler
12:00 - 1:00 p.m.	Lunch - <b>Public Input</b>		
1:00 - 2:30 p.m.	<b>Reactor Inspection Branch Topics</b> 1. Performance Deficiency 2. IMC 0609 App M sharing 3. Minor issues: EP/RP examples 4. Findings/conflicting regulations	1. Discuss 2. Discuss 3. Discuss 4. Discuss	1. Gibbs 2. Gibbs 3. Butler 4. Butler
2:30 - 2:45 p.m.	Break - <b>Public Input</b>		
2:45 - 3:45 p.m.	<b>Discussion of Open and New PI Frequently Asked Questions</b>  2.FAQ 61.1 EP (security)  3.Other FAQs	Discuss/ approve	1.Butler  2.Butler

<b>Time</b>	<b>Topic</b>	<b>Process</b>	<b>Leader</b>
3:45 - 4:00 p.m.	1.Future Meeting Dates	5. Select	5.Thompson
	October - 25 (selected) November - 8 or 15 or skip? December - 6 (tentative)		
	2. Action Items	6. Review	6. Butler
	3. Future Topics	7. Decide	7. All
	4. Meeting Critique	8. Discuss	8. All
4:00 p.m.	Adjourn - <b>Public Input</b>		