

June 21, 2007

MEMORANDUM TO: Luis A. Reyes  
Executive Director for Operations

FROM: Michael R. Johnson, Chairman **/RA/**  
Committee to Review Generic Requirements

SUBJECT: COMMITTEE TO REVIEW GENERIC REQUIREMENTS: MINUTES  
OF THE MEETING NUMBER 416

The Committee to Review Generic Requirements (CRGR) Meeting Number 416 was held on Monday, May 21, 2007, from 3:00 p.m. to 4:30 p.m., with the attendees listed in the enclosure. The purpose of the meeting was to (1) discuss the comments received from the stakeholders during the March 29, 2007, public discussion on the U.S. Nuclear Regulatory Commission (NRC) backfit controls and (2) engage in an informational briefing on the revision of Management Directive (MD) 6.4, "Generic Issues Program."

Item 1: Discussion on comments received in the March 29, 2007, public meeting

The CRGR engaged in internal discussions regarding the disposition of the various comments provided in the March 29, 2007, public meeting to discuss the NRC backfit controls and the disposition of the ensuing Nuclear Energy Institute (NEI) letter containing six examples of perceived improper imposition of plant specific requirements.

The discussion on this item and related actions is a result of the CRGR commitment to address industry concerns as noted in the CRGR annual report, SECY-06-0201, "Periodic Assessment of the Activities of the Committee to Review Generic Requirement from June 1, 2005 through May 31, 2006" (ML062410524). The concerns were raised in an industry conference held on August 9, 2006, at the 2006 Utility Working Conference held in Amelia Island, Florida. Exelon gave a slide presentation entitled, "Where is the CRGR When You Need Them" (available only as a scanned version: ML071490471), which asserted that CRGR improperly handled its responsibilities and that it did not accomplish some actions according to the CRGR Charter.

In response to the various assertions, the CRGR conducted a public meeting on March 29, 2007. A meeting summary was issued on April 12, 2007 (ML071000038). As discussed in the summary, various stakeholders attended, including licensees and representatives of NEI, the Fuel Cycle Facilities Forum (FCFF) and the Union of Concerned Scientists (UCS). (Note: The UCS representative left the meeting very early and did not participate in the discussions). The comments provided by the stakeholders (NEI, FCFF) are summarized in Enclosure 1 (ML071550242) along with the CRGR response, planned actions and recommendations.

CONTACT: Les R. Cupidon, CRGR  
301-415-6366

During the public meeting, NEI was asked to provide examples to help illustrate the industry's concerns. In response to that request, Mr. Thomas Houghton of NEI provided a list of six examples (Enclosure 2: Memo-ML071490266, List-ML071490261) taken from individual plant license amendment requests, inspection guidance, inspection reports, and a Regulatory Information Summary (RIS), which NEI believed should have required a regulatory analysis. The CRGR has reviewed and considered these examples in the development of the specific comments and recommendations contained in Enclosure 1.

The CRGR requests you approve the recommendations contained in Enclosure 1. In addition, CRGR recommends that you forward the specific examples provided by NEI to the appropriate office for consideration and action, as warranted.

Item 2: Informational briefing of planned revisions to MD 6.4

Mr. Jack Foster, Mr. John Kauffman and Ms. Raji Tripathi all of the Office of Nuclear Regulatory Research (RES), and Mr. Christopher Jackson of the Office of Nuclear Reactor Regulation (NRR), gave an informal briefing to the CRGR on the planned revision of MD 6.4. Supporting and background information for the CRGR informal review includes the SECY-07-0022, "Status Report on Proposed Improvements to the Generic Issues Program" (ML063460239), staff e-mail response to a CRGR member question (ML071440237), and Talking Points Slides (ML071570408). The CRGR had no objection to the staff proceeding with the MD 6.4 revision.

Enclosures:  
As stated

cc: See enclosed list

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The CRGR requests you approve the recommendations contained in Enclosure 1. In addition, CRGR recommends that you forward the specific examples provided by NEI to the appropriate office for consideration and action, as warranted.

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Enclosures:  
As stated

cc: See enclosed list

Package: ML071720188  
Letter: ML071440434  
Enclosure 1: ML071550242  
Enclosure 2: ML071490266  
Enclosure 3: ML071490261

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OFFICE	CRGR	E	RES/PMDA		CRGR	
NAME	L. Cupidon		Tech Edit		M. Johnson	
DATE	06/21/07		06/18/07		06/21/07	

MEMORANDUM DATED: 06/21/2007

SUBJECT: COMMITTEE TO REVIEW GENERIC REQUIREMENTS: MINUTES OF THE  
MEETING NUMBER 416

cc w/Enc: (via e-mail)  
Chairman Klein  
Commissioner McGaffigan  
Commissioner Merrifield  
Commissioner Jaczko  
Commissioner Lyons  
Annette Vietti-Cook, Secretary of the Commission  
Luis A. Reyes, EDO  
William F. Kane, DEDR  
Martin J. Virgilio, DEDMRT  
Vonna L. Ordaz, AO  
Hubert T. Bell, OIG  
Karen D. Cyr, OGC  
Kathryn L. Winsberg, OGC  
Frank P. Gillespie, ACRS  
Michael F. Weber, NMSS  
Eric J. Leeds, NMSS  
William Borchardt, NRO  
Gary M. Holahan, NRO  
Charles L. Miller, FSME  
George C. Pangburn, FSME  
James E. Dyer, NRR  
John A. Grobe, NRR  
Roy P. Zimmerman, NSIR  
William A. Dean, NSIR  
Brian W. Sheron, RES  
Les R. Cupidon, RES  
Eliot B. Brenner, OPA  
Samuel J. Collins, Region I  
William D. Travers, Region II  
Victor M. McCree, Region II  
James L. Caldwell, Region III  
Bruce S. Mallett, Region IV  
Thomas P. Gwynn, Region IV  
Dwight D. Chamberlain, Region IV  
Mark A. Cunningham, RES/DFERR  
James T. Wiggins, NRR  
Christopher P. Jackson, NRR  
Jack W. Foster, RES  
John V. Kauffman, RES  
Raji R. Tripathi-Chiramal, RES

**CRGR MEETING No. 416**  
**LIST OF ATTENDEES**  
**(May 21, 2007)**

**CRGR Members**

Michael R. Johnson, Chairman  
William M. Dean, NSIR  
John A. Grobe, NRR  
Thomas P. Gwynn, RIV  
Gary M. Holahan, NRO  
Eric J. Leeds, NMSS (unavailable due to prior commitment)  
George C. Pangburn, FSME (unavailable due to prior commitment)  
Kathryn L. Winsberg, OGC

Les R. Cupidon, CRGR Staff

**NRR Members**

James T. Wiggins, NRR  
Christopher P. Jackson, NRR/ADRO/DPR/PGC

**RES Members**

Jack W. Foster, RES/DRASP/OERA/O  
John V. Kauffman, RES/DRASP/OERA/O  
Raji R. Tripathi-Chiramal, RES/DRASP/OERA/O  
Lauren A. Killian, RES/DRASP/PRA/PR  
Denise E. Edwards, RES/DFERR/RADWAS  
Andrew J. Nosek, RES/DRASP/NRCA  
Richard F. Rivera-Lugo, RES/DFERR/ERA/MS  
Andrew J. Ireland, RES/DRASP/NRCA/C  
Osvaldo E. Font, RES/DRASP/OERA/P  
Robert G. Roche-Rivera, RES/DFERR/ERA/MS

Enclosure