

**Cross-Regional Panel Charter
For Temporary Instruction (TI)2515/191
“Inspection of the Implementation of Mitigation Strategies and
Spent Fuel Pool Instrumentation Orders and Emergency Preparedness
Communication/Staffing/Multi-Unit Dose Assessment Plans”**

Background

The objective of the Temporary Instruction (TI) is to confirm through inspection the implementation of:

- NRC Order EA-12-049 (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML12056A045](#)) which added requirements for mitigation strategies for Beyond-Design-Basis external events
- NRC Order EA-12-051 (ADAMS Accession No. [ML12056A044](#)) which added requirements for spent fuel pool instrumentation
- Communications and staffing plans needed to respond to a large-scale event as requested in the March 12, 2012 request for information letter (ADAMS Accession No. [ML12053A340](#)) and multi-unit dose assessment capabilities per COMSECY-13-0010, *Schedule and Plans for Tier 2 Order on Emergency Preparedness for Japan Lessons Learned*, dated March 27, 2013 (ADAMS Accession No. [ML12339A262](#)).

These plans and information were provided by licensees in their site specific submittal(s). With the exception of Emergency Preparedness, the NRC staff's bases for acceptance of these plans, if implemented as described, are documented in the NRC's plant safety evaluations (SEs) and safety assessments.

Purpose

- The cross-regional panel will promote consistent application and resolution of inspection issues and findings by providing a forum for Regional and Headquarters staff to review, discuss and obtain final consensus of the disposition of the issues and findings associated with TI 2515/191.
- This cross-regional panel will help achieve regulatory consistency for the final disposition of issues and findings and will provide a forum for the discussion of other issues of common interest upon request.

Scope

The panel will review and discuss all inspection issues of concern, performance deficiencies (Minor and More-than-Minor), findings, their significance and any potential violations, and will decide how the issues will be dispositioned.

Inspectors must bring to the panel every issue identified prior to the TI 191 inspection (but after the licensee submits their compliance letter to the NRC), during the TI 191 inspection or after the TI-191 inspection has been completed in order to ensure consistent resolution of issues.

This panel does not take the place of a Significance and Enforcement Review Panel (SERP) for findings evaluated under the ROP or an enforcement panel for violations evaluated using the traditional enforcement process. All potentially greater than green findings and any

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violations of Severity Level III or higher will be evaluated under those processes at the appropriate time.

Any issues involving suspected wrongdoing will be handled consistently with IMC 0612 Appendix B and Enforcement Manual guidance.

Participation

Participation will consist of designated representatives as indicated in Table 1, “List of Participants.”

A quorum consists of the Chief, Reactor Inspection Branch (IRIB) (or their designee) of the Division of Inspection and Regional Support (DIRS), NRR; the Chief, Orders Management Branch (JOMB) (or their designee) in the Japan Lessons Learned Division (JLD), NRR; the regional branch chief (or their designee) responsible for the inspection; the inspection team leader (who will be the presenter); and technical support branch chiefs/team leaders (or their designees) from all other regions. If the technical support branch chief is the same branch chief that is responsible for the inspection, then the additional regional branch chief is not required for quorum. The Chief or designee, IRIB/NRR will serve as the panel chair.

A quorum is required for initial presentation and final issue resolution. Other NRC offices will be included depending on the issues discussed. NRR and NSIR will ensure participation by the appropriate technical subject matter experts on the issues presented.

In preparation for each meeting, the presenter shall complete the worksheet in Enclosure 1, “TI – 191 Inspection Issue Format for Discussion,” **for each issue that will be presented** (e.g. if there are two issues at one site, two worksheets will be completed) and provide to the panel chair to share with all the participants at least five business days in advance of a scheduled meeting.

Note that Table 1 indicates that a JLD Division Director and Regional Division Director, or designees will serve as the panel chairs when the panel quorum makes the request. Upon receipt of the preparation materials, all quorum parties will review the information and discuss with their management prior to the panel meeting, as appropriate. If, prior to the panel discussion, there is anticipated general alignment amongst quorum participants, SES participation is not required. If alignment amongst the quorum participants is not anticipated, SES participation from at least JLD and the region representing the issue is required. SES participation from other quorum parties is optional. Additionally, any quorum party may request SES participation on the panel if the issue to be discussed is unique or first-of-kind, or is otherwise deemed appropriate for SES participation.

Consensus

The panel chair will facilitate the discussion and help the panel reach consensus on the decision of the final disposition of the issue. If consensus is not reached, the panel will make a decision on how to disposition the issue(s) discussed via majority vote.

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Outcome

The panel chair will ensure that minutes of each panel meeting are posted in ADAMS and withheld from public disclosure. No more than five business days following each panel meeting, the panel chair will provide panel meeting minutes to meeting participants. The presenter will annotate Enclosure 1 to reflect the panel’s decision and forward the annotated version to the panel chair. The panel chair will place the completed Enclosure into ADAMS as SUNSI Group Classification: “Sensitive Internal Information.” The ML number for the panel decision will be made available to regional staff at the [NRR/DIRS/IRIB SharePoint site for Fukushima Follow-up Inspections](#).

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Table 1: List of Participants

Panel Member	Role
JLD and Region(s) Division Director(s) (as requested by quorum members)	Chairs
IRIB Branch Chief or designee*	Chair
JOMB Branch Chief or designee*	Participant
Regional Technical Support Team Leader/Branch Chiefs (or designees)*	Participants
Inspection Team Leader*	Presenter
JOMB Project Manager	Participant
JOMB Reactor Operations Engineer	Participant
NRR Enforcement Coordinator	Participant
Regional Inspection Team Inspectors	Participants
Regional Branch Chief responsible for the inspection* - (only required if the Regional Technical Support Team Leader/Branch Chief/Designee is not the responsible BC)	Participant
JLD Technical Staff (as needed)	Participant
NSIR Security/EP Specialist (as needed)	Participant

*Required for quorum

TI – 191 Inspection Issue Format for Discussion

Note: All Mitigating Strategies (MS) issues to be presented to the Cross-Regional Panel will be screened using IMC 0612, App B. If the MS issue screens “more than minor” the issue should be screened using IMC 0609 Attachment 4 prior to panel discussion.

Site/Plant Name:

1. Has the applicable site inspectors conducted or completed TI 2515/191?

If YES, continue to Step 2.

If NO, document why the issue needs to be paneled before conducting or completing TI 2515/191:

2. Before presenting to the cross-regional panel, has the regional office staff contacted NRR/JLD/JOMB to verify that the proposed issue resolution does not conflict with decisions, such as those made between NRC and industry, which may be documented in white paper endorsement letters?

If YES, continue to Step 3.

If NO then contact NRR/JLD/JOMB. Document any disagreements with respect to the interpretation of decisions.

3. What is the Issue of Concern?

4. Is this Issue of Concern similar to one that was dispositioned previously?

If YES, briefly describe the issue and the final outcome of that issue below. Then continue.

If NO, continue

5. Does the Issue of Concern meet the criteria for dispositioning through the Traditional Enforcement path?

If YES – continue below

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If NO – continue with question 6

- a. What is the violation?
- b. Is the violation willful? Please follow IMC 0612 before proceeding
- c. Using the Enforcement Policy and Manual, what is the Severity Level for the violation? Document the bases below.

Severity Level:

Bases:

6. Is there a Performance Deficiency?

- a. Issue of Concern was within the licensee's ability to foresee and correct because...
- b. Issue of Concern is contrary to a requirement (violation) or self-imposed standard

Requirement:

Self-imposed Standard:

7. Is the Performance Deficiency a Finding?

- a. Yes, the Performance Deficiency is more than minor. Document the criteria used and the justification for the more than minor determination.
- b. No, the Performance Deficiency is minor. Document the justification for this determination.

8. What is the proposed color for the Finding? Document which IMC 0609 Appendix, including whether Appendix O was used to color the Finding and the proposed color.

IMC 0609 Appendix or Appendices used:

Proposed color:

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9. Has Regional Management been briefed on the above analysis? If not, brief management prior to presenting the issue to the panel.

10. Additional Background Information (if needed):

11. Requested Participation of Technical Expertise:

12. Presenter document Panel Decision and forward this completed enclosure to the Panel Chairs:

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