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November 4, 1992
OGW-92-117

FREEDOM OF INFORMATION
ACT REQUEST

Mr. Donnie H. Grimsley, Director
Division of Freedom of Information and
Publications Services
U.S. NUCLEAR REGULATORY COMMISSION
Washington, D.C. 20555

FOIA-92-539
Rec'd 11-9-92

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST

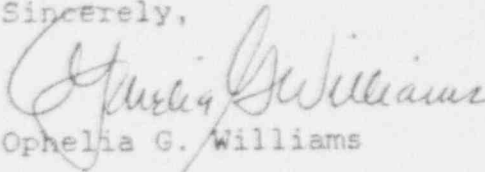
Dear Mr. Grimsley:

Pursuant to the Freedom of Information Act, 5 U.S.C. Paragraph 552 and NRC's regulations, please make available documents that provide the information as outlined in the section below.

I would appreciate your prompt response within ten working days of the receipt of this letter, as provided by the Code. If you have any questions regarding this request, please contact me at 301/249-9672.

Thank you.

Sincerely,


Ophelia G. Williams

DOCUMENT(S) REQUESTED:

An NRC memo from James Taylor to Chairman Ivan Selin regarding Fitzpatrick's individual plant examination (IPE) program. This was referenced in the enclosed article from the August 24, 1992 edition of Inside NRC.

Enclosure

Inside N.R.C.

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An exclusive report on the U.S. Nuclear Regulatory Commission

Vol. 14, No. 17—August 24, 1992

EDO DEFENDS IPE PROGRAM IN MEMO TO SELIN; FITZPATRICK SITUATION UNIQUE

Executive Director for Operations James Taylor entered the debate about the NRC's Individual plant examination (IPE) program through a memo to Chairman Ivan Selin in which he defends the agency's recent actions on one utility's IPE as well as the severe accident policy program in general.

Utilities may take comfort in Taylor's assurance to Selin that Office of Nuclear Reactor Regulation (NRR) staff is "committed to minimizing" requests for information separate from those of the Office of Nuclear Regulatory Research (Research). However, they should also note that if they intend to use their IPEs for future regulatory justifications, as, for example, in complying with the maintenance and license renewal rules, such actions "are likely to require a more in-depth review" of utility IPEs, Taylor said.

In his memo, Taylor said NRR involvement with the New York Power Authority's (NYPA) FitzPatrick IPE was "unique" and that staff would minimize requests for information separate from those of Research. Research has responsibility for the formal, programmatic review of utility IPE submittals as required under severe accident policy program's Generic Letter 88-20 (GL 88-20). The NRR involvement came about because the FitzPatrick IPE, which staff characterized as showing an unusually low core damage probability, contrasted with the operational problems discovered in an agency diagnostic evaluation team (DET) inspection. NRR in February asked NYPA to re-evaluate its IPE in light of the DET findings (INRC, 18 May, 1).

The Advisory Committee for Reactor Safeguards (ACRS), which has been critical of NRC's expertise in the field of probabilistic risk analysis (PRA) or IPE work, apparently saw the FitzPatrick incident as another example of its charges about the misapplication of PRA technology by the staff. ACRS Executive Director

(continued on page 11)

NUMARC READY TO MOVE ON THERMO-LAG WHEN NRC DEFINES A 'PASS' TEST

Admitting that its previous opposition to a Generic Letter on fire barrier systems has been overtaken by events, the Nuclear Management & Resources Council (Numarc) has now outlined an industry program (see chart, page 2) to resolve generically growing concerns about the effectiveness of nuclear plant fire barrier systems using Thermo-Lag 330. Numarc will hold an informational workshop for utilities on its plans to resolve Thermo-Lag issues August 25 at the Stouffer Concourse Hotel, 2399 S. Jefferson Davis Highway, Arlington, Va. A portion of the meeting, from 10 a.m. to noon, will be open to the public.

"We believe the issue is well enough defined that we should move forward on the generic letter and we encourage you to do that," Numarc Vice President Bill Rasin told NRC staff at an August 12 meeting. "We no longer consider our original comments (urging a more deliberate approach) to be particularly germane," Rasin said.

Numarc officials said their generic program is being designed "to give utilities the tools they need to evaluate their installed configurations." However, one of the obstacles in the way of resolving concerns and launching an industry testing program is questions about NRC's acceptance criteria (INRC, 10 Aug., 1). The industry group promised to "move forward expeditiously" once it knows "what will constitute a 'pass' test." Numarc said it planned to develop an industry testing program that will envelop many existing industry applications and provide the testing justifications for potential upgrades.

NRC has issued several information notices and one bulletin to industry and has drafted a generic letter

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