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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the matter of:

COMMISSION MEETING

Discussion of 1986  
Policy and Planning  
Guidance

(Public Meeting)

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

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4 DISCUSSION OF 1986 POLICY AND PLANNING GUIDANCE

5 - - -

6 PUBLIC MEETING

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8 Nuclear Regulatory Commission

9 Room 1130

10 1717 "H" Street, N.W.

11 Washington, D.C.

12  
13 Tuesday, November 26, 1985

14  
15 The Commission met in open session, pursuant to  
16 notice, at 2:05 o'clock p.m., NUNZIO J. PALLADINO, Chairman of  
17 the Commission, presiding.

18  
19 COMMISSIONERS PRESENT:

20 NUNZIO J. PALLADINO, Chairman of the Commission

21 THOMAS M. ROBERTS, Member of the Commission

22 JAMES K. ASSELSTINE, Member of the Commission

23 FREDERICK M. BERNTHAL, Member of the Commission

24 LANDO W. ZECH, JR., Member of the Commission

25

## 1 STAFF AND PRESENTERS SEATED AT COMMISSION TABLE:

2 H. PLAINE

3 W. DIRCKS

4 J. ROE

5 D. RATHBON

6 G. EYSYMONTT

7 R. SCROGGINS

8 P. BOLLWERK

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## P R O C E E D I N G S

CHAIRMAN PALLADINO: Good afternoon ladies and gentlemen. The Commission is meeting today to discuss the Draft 1986 Policy and Planning Guidance document that I circulated to the Commission on November 20.

I believe the PPG is one of the agency's most important annual documents in that it sets forth NRC's regulatory philosophy, strategic goals and policies and it provides overall agency management direction.

It is intended to focus NRC efforts on implementing the regulatory process that is effective and efficient in protecting the public health and safety, the common defense and security and the environment.

The PPG for 1986 has been restructured from versions in previous years. The policies and planning guidance section is organized along the lines of 12 general mission areas that are being considered for use in formulating NRC's Five Year Plan.

It is the intent today to obtain the Commission's views on the PPG and to give direction to OPE regarding any needed changes so that we can finalize the PPG in a timely manner.

Unless there are other Commissioner comments at this point, I will have George Eysymontt from OPE lead us through the draft 1986 PPG. I should note that we also have Dennis

1 Rathbun here from OPE, the EDO Deputy and Controller.

2 Any additional comments?

3 COMMISSIONER BERNTHAL: I have one minor comment on  
4 your memo, Joe. It was not my understanding that the fact  
5 that we were going to try and do a Five Year Plan here  
6 necessarily has anything to do with the annual Policy and  
7 Planning Guidance.

8 The comment here that we are in a transition period  
9 to a five year planning process, well, we are going to do a  
10 five year planning process but we also will do a PPG, I should  
11 think, on it.

12 CHAIRMAN PALLADINO: Every year, yes.

13 COMMISSIONER BERNTHAL: It seems to me that obviously  
14 they have to fit together but we do both. That is all I want  
15 to say.

16 CHAIRMAN PALLADINO: The intent is to develop a Five  
17 Year Plan. At least it is my understanding of the Commission's  
18 intent is to develop a Five Year Plan and then each year  
19 supplement it with a PPG for the activities for that year.

20 COMMISSIONER BERNTHAL: All right. Just so we are  
21 clear.

22 CHAIRMAN PALLADINO: My only point in mentioning the  
23 Five Year Plan in this discussion is the fact that the PPG was  
24 developed around the 12 what we call mission areas that are  
25 being considered for use in the Five Year Plan.

1           COMMISSIONER ASSELSTINE: Let me ask, is that the  
2 understanding both of the staff and OPE as how they are going  
3 about the Five Year Plan? I have sort of had the sense that  
4 the Five Year Plan was going to evolve so that perhaps we  
5 would not have two separate documents. In succeeding years we  
6 would have a Five Year Plan that might highlight what needed  
7 to be done in the first year but that we wouldn't go through  
8 this exercise twice. It seems like an imminently reasonable  
9 idea to me.

10          MR. RATHBUN: Let me speak to that just for a  
11 minute. Quite frankly, I don't think that is fully shaken  
12 down.

13          COMMISSIONER ASSELSTINE: All right.

14          MR. RATHBUN: At least the thought of some of us was  
15 that the first year of the Five Year Plan in effect would  
16 contain --

17          COMMISSIONER BERNTHAL: PPG.

18          MR. RATHBUN: That's right, the PPG type guidance to  
19 the staff.

20          COMMISSIONER BERNTHAL: that is all right with me.

21          COMMISSIONER ASSELSTINE: Yes.

22          COMMISSIONER BERNTHAL: I guess that settles that.

23          COMMISSIONER ASSELSTINE: All right.

24          CHAIRMAN PALLADINO: I don't know that it settles  
25 it. It just says that we are flexible. We haven't really

1 decided.

2 MR. RATHBUN: At least the thought track that I and  
3 the others that have been working on the Five Year Plan have  
4 been on is that sort of thing, that in effect the first year  
5 of that would contain the Policy and Planning Guidance.

6 So in that sense I think the Chairman's statement at  
7 the beginning and also in his cover note is correct that this  
8 is a transitional type document.

9 COMMISSIONER ZECH: On the other hand, when you get  
10 the Five Year Plan in being the preamble to it or the  
11 introduction to it or the first part of it should indeed be  
12 some PPG type guidance and should lead into the Five Year Plan  
13 with that kind of introductory part. Whether we call it a PPG  
14 or a budget I don't think is too important.

15 COMMISSIONER ASSELSTINE: Right.

16 COMMISSIONER ZECH: But it should lead into it in  
17 some way, I agree.

18 Mr. Chairman, I have a comment I would like to make  
19 too before we get going.

20 CHAIRMAN PALLADINO: All right.

21 COMMISSIONER ZECH: First of all, it would have been  
22 very helpful for me to have a line-in/line-out type version  
23 because I am trying to figure out what we said last year and  
24 that doesn't mean with my people we can't figure that out  
25 ourself and all the other Commissioners can do the same thing,

1 but it would have been very helpful for what I call completed  
2 staff work, it would have been very easy and certainly make it  
3 a lot easier to approach this if you had given us what are the  
4 differences between last year.

5 I would still like to get that from you as we get  
6 into this. In any kind of a document like this, it is my  
7 suggestion that you consider at least a line-in/line-out thing  
8 to see whether it is easier to work with.

9 In other words, I don't know what changes yet  
10 although I have read through this rather quickly and my people  
11 are looking at it, too, but I am not sure if you have made any  
12 significant changes or not.

13 I read a lot of the same words and it sounds kind of  
14 familiar but it would have been very helpful to have that.

15 I would like you to get that to all of us as soon as  
16 you can.

17 CHAIRMAN PALLADINO: Incidentally, I had three  
18 questions and one of them is how does this differ than the  
19 planning guidance that we gave last year? Is there any policy  
20 or planning guidance that has changed significantly from last  
21 year and if so, identify?

22 Although I do think it may be difficult to do  
23 line-in/line-out because the whole format has changed but I  
24 still think we need to know what is different from last year.

25 MR. RATHBUN: Mr. Chairman, let me speak to that

1 just for a second if I may and make a proposal and see if it  
2 is satisfactory to the Commission.

3 We found in doing a line-in/line-out change on the  
4 Advanced Reactor Policy Statement where a lot of material was  
5 moved in a significant sort of way that it became very  
6 difficult for the Commissioners to follow and find out what  
7 was truly new and what wasn't.

8 As the Chairman points out there have been I would  
9 say very, very major changes in the organizational format this  
10 year in the PPG. What might be most helpful rather than do  
11 the traditional dashing-out and underlining for the new  
12 material is just to indicate in the margin material which  
13 essentially has come from last year's PPG.

14 I say "essentially" in the sense that if we changed  
15 some articles or adjectives or something, we wouldn't indicate  
16 that necessarily, but we would indicate then at least what was  
17 old, what came from last year's PPG rather than the dash-out  
18 kind of thing.

19 COMMISSIONER ZECH: I think that would be fine. I  
20 am not rigid on the format. It is just that I would really  
21 like to know what is new and what is not new and what has  
22 changed.

23 MR. RATHBUN: I think we can do that.

24 CHAIRMAN PALLADINO: That is a fair question and I  
25 think we all have that in the back of our minds.

1 COMMISSIONER BERNTHAL: Same comment from me.

2 Fortunately my staff here gave me finally or I should say at  
3 the last minute, we had to do exactly the same thing that your  
4 folks are trying to do, too, so we could have saved us all a  
5 lot of time the way it looks if somebody had done it for us.

6 CHAIRMAN PALLADINO: Any other comments?

7 COMMISSIONER BERNTHAL: Doing it five times over.

8 COMMISSIONER ZECH: No. That is all I have at this  
9 time. I have some comments later.

10 COMMISSIONER ROBERTS: Yes, I have some specifics.

11 COMMISSIONER ZECH: Perhaps we should hear from them  
12 first.

13 CHAIRMAN PALLADINO: All right.

14 MR. EYSYMONTT: I am a little afraid to speak,  
15 Mr. Chairman, after all that discussion.

16 (Laughter.)

17 MR. EYSYMONTT: What I was proposing to do is just  
18 to run you through basically the changes in organization that  
19 have been made in the document and to try to indicate some of  
20 the areas where we have reflected the fact that the staff has  
21 completed some of its efforts and reflect the changes in  
22 direction the Commission may have ordered through the past  
23 year and then try to indicate what our current thinking on the  
24 relationship between this document and the Five Year Plan  
25 which you of course have all discussed a few minutes ago.



1 But I will give you my views since I am one of the  
2 people involved in writing that document, also, so if I may  
3 for a minute longer.

4 The basic organization of the document is it has  
5 four sections now, an introduction, a section on philosophy of  
6 regulation, a section on strategic goals and a section on  
7 policies and planning guidance.

8 The introduction section basically talks about the  
9 purpose of PPG and states the general relationship of the  
10 document to the Five Year Plan.

11 As you were discussing earlier we view this document  
12 as a departure point for the Five Year Plan which the  
13 Commission will be getting a draft of in the middle of February  
14 of next year according to our current schedule.

15 The structure of the Five Year Plan especially with  
16 respect to strategic goals and policies and planning guidance  
17 will look fairly similar to what we have in the Policy and  
18 Planning Guidance, at least again according to our current  
19 thinking.

20 One of the differences, of course, will be that  
21 there will be five year objectives in that document whereas  
22 there are not five year kinds of objectives in this document.  
23 The Five Year Plan will also include a section on the external  
24 environment. There will be a forecasting section on electrical  
25 energy demand and the number of licenses we expect to get over



1 the next five years and so forth.

2 Also the Five Year Plan will contain a section on  
3 resources which will describe in detail how the strategic  
4 objectives will be met.

5 I guess that is all I am really prepared to say  
6 about the Five Year Plan at this point. I think we should  
7 wait obviously until February until you see the draft.

8 The Philosophy of Regulation section in the PPG now  
9 is essentially unchanged from last year's document with the  
10 exception of a section on special regulatory objectives which  
11 were in there last year.

12 These objectives have now been put into section  
13 three entitled, "Strategic Goals."

14 There are five major goals together with a number of  
15 supporting objectives.

16 The first one is to assure safe operation of licensed  
17 facilities and proper construction of facilities to be  
18 licensed. There are supporting objectives to meet this  
19 broader goal of assuring safe operation ranging from applying  
20 operational experience on the part of both the NRC and the  
21 licensee to undertaking enforcement actions.

22 The second strategic goal is to improve regulation  
23 of the nuclear industry. There are a number of supporting  
24 objectives here which should be carried out to meet that goal  
25 including the control of backfitting, encouraging

1 standardization and preparing to deal with requests by  
2 licensees to reactivate deferred construction projects.

3 To assure adequate protection of nuclear materials,  
4 objectives in support of this goal range from ensuring that  
5 safeguards measures are commensurate with threats to reducing  
6 over exposures of radiographers.

7 The next goal is to assure radioactive waste is  
8 managed safely. The main supporting objective here is timely  
9 review of DOE's repository program and assuring that TMI-2 is  
10 expeditiously cleaned up.

11 The last goal is to manage the agency resources more  
12 effectively and in this section the Commission itself to  
13 continue pressuring for consolidation in one location and to  
14 continue to improve management accountability in all areas of  
15 administration.

16 The last section of the document is divided into 12  
17 mission areas. It is intended that the mission areas include  
18 all of the activities of the NRC.

19 CHAIRMAN PALLADINO: You say to include all of the  
20 activities?

21 MR. EYSYMONTT: Yes, that is correct.

22 The Commission does not give policy direction or  
23 planning guidance for every activity within the Agency but for  
24 accounting purposes the staff has suggested that the Commission  
25 subdivide its activities into these areas.

1           Perhaps the most significant change in using this  
2       scheme from last year's approach is that there is no separate  
3       section which addresses research. Rather, research activities  
4       are addressed within the mission areas and in the introductory  
5       section preceding the material for each mission area.

6           Mission areas include overseeing reactor performance,  
7       to adequately manage and support technical programs. Each  
8       program contains a policy part and a planning guidance part.

9           I have just a few more words to say about areas  
10      where we have done some updating and some additions from last  
11      year's document and then I think we would be prepared to go  
12      through the document page by page or as you would like to go  
13      through it.

14          CHAIRMAN PALLADINO: In your general comments, could  
15      you comment on how the 12 mission areas relate to the five  
16      strategic goals? It is a little difficult to connect, at  
17      least I found some difficulty in connecting the two.

18          MR. EYSYMONTT: I think quite frankly, Mr. Chairman,  
19      it has been very difficult for us to combine the two views  
20      that we have of the Commission's activities. The staff is  
21      very much concerned about being able to encompass all of the  
22      resource areas, all the activities within the agency.

23          Whereas, the general policy directions that the  
24      Commission gives does not necessarily encompass all those  
25      areas and trying to marry the two if you will has been in

1 fact a very difficult problem.

2 COMMISSIONER ZECH: Wait a minute now. It wasn't my  
3 intention and I am not so sure that it was the intention of  
4 any of the Commissioners to try to tell you in the guidance  
5 that we had given you every specific thing. Certainly I would  
6 expect the staff would cover areas that perhaps we had not  
7 even gotten to.

8 MR. EYSYMONTT: On the policy side, that is quite  
9 true, Commissioner. The policy does not cover every activity  
10 within the Agency.

11 However, the staff's concern on the other side and  
12 the resource side is that it does want to encompass all of the  
13 activities.

14 COMMISSIONER ZECH: Well, that's fine. Then you  
15 ought to get together and give us those recommendations.  
16 Don't just tell us we didn't give you all the policy. If you  
17 think there is something that we should give you that we  
18 didn't give you or the staff thinks there is something then  
19 you should bring it to our attention.

20 MR. EYSYMONTT: On the area of policy, I am not sure  
21 that we are asking you to give us further guidance. I think  
22 we are talking more about the organization of the document and  
23 two separate concerns.

24 Perhaps you would like to address your concern in  
25 the resource area.

1           MR. ROE: I think the mission areas should encompass  
2 all of our activities that if we were to address a Five Year  
3 Plan with just strategic goals there would be parts of our  
4 activities that are extremely important but we may not address  
5 as a strategic goal.

6           Let me give you an example. We have as one of our  
7 mission areas, inside one of the mission areas, to assure that  
8 we license operators sufficiently. It may not be one of those  
9 things that we address as a strategic goal. However, it is  
10 very important for us to do and I think it is important for us  
11 to realize the effort it takes both in the human resources in  
12 the staff and also financial resources.

13           We see that it is important for us to know what the  
14 strategic goals that the Commission wants to set out and find  
15 that they can stand somewhat alone. But it is important to  
16 the staff to have a comprehensive look at all of our activities  
17 so that the Commission can understand where we are putting  
18 forth the full range of our activities.

19           COMMISSIONER ZECH: It seems to me though that the  
20 strategic goals should in some way and maybe not in a very  
21 specific way but in some encompassing way should cover the  
22 major mission areas.

23           MR. ROE: They should and I think we will see --

24           COMMISSIONER ZECH: If they don't, we ought to put  
25 them together.

1 MR. ROE: We will track --

2 COMMISSIONER ZECH: It is just a logic thing.

3 MR. ROE: I think we can track everyone of these  
4 strategic goals back into the mission areas.

5 CHAIRMAN PALLADINO: I was thinking the other way  
6 around. You set some strategic goals and then your mission  
7 areas should relate at least to one or more of the strategic  
8 goals.

9 COMMISSIONER ZECH: Yes, that's right. So if we  
10 don't have the strategic goals covered properly then perhaps  
11 we should but by the same token you should not be performing a  
12 lot of missions that perhaps are not expected to perform.

13 It is a logic sequence. We are trying to flow  
14 through it and it should start from the top and flow down in  
15 this particular case in my view. There is nothing difficult  
16 about it.

17 MR. RATHBUN: Start with the strategic goals and  
18 then the mission areas conform to meet the goals?

19 COMMISSIONER ZECH: Sure. The strategic goals  
20 should be encompassing enough or broad enough to cover the  
21 mission areas and if they are not, we ought to fix them.

22 MR. RATHBUN: I think that is a key point,  
23 Commissioner.

24 CHAIRMAN PALLADINO: One way this might be approached  
25 is in each of the mission areas give some statement with regard

1 to its relationship to the strategic goal. Then that would  
2 begin to tie them together.

3 COMMISSIONER ZECH: Sure. It is just a matter of  
4 putting them together in a logical sequence but it should flow  
5 and it should be clear to anybody why we are doing these  
6 things in the mission area.

7 We are not doing just because the staff wants to do  
8 them. We are doing it because it is a strategic goal.

9 CHAIRMAN PALLADINO: It helps fulfill a strategic  
10 goal.

11 COMMISSIONER ZECH: Yes. It is to fulfill  
12 essentially our basic primary mission to our country.

13 CHAIRMAN PALLADINO: When you do that you may find  
14 some strategic goal that emerges that we haven't identified.

15 COMMISSIONER ZECH: Yes, that's right.

16 CHAIRMAN PALLADINO: Why don't you go ahead.

17 MR. EYSYMONTT: Yes. I was just going to mention a  
18 few of the items that we have changed in the document just to  
19 give you some examples and then propose that we start going  
20 through the document.

21 This year the Commission issued a Severe Accident  
22 Policy Statement so that now we have changed the document to  
23 reflect that and basically say that we will now begin to  
24 implement the policy.

25 We have taken into account the fact that the



1 Commission has a Backfit Rule in place. There is a section in  
2 the document that deals with the Commission's concern about  
3 preventive, corrective and other areas of maintenance. The  
4 Planning Guidance says for example that the staff should  
5 monitor the effectiveness of the accreditation program.

6 The staff has urged to continue to seek to understand  
7 the effects of aging and irradiation on materials and  
8 components in reactor containments.

9 The Planning Guidance says to conduct research to  
10 identify measures which can be taken to correct deficiencies  
11 attributable to aging. The Commission also indicates an  
12 intention to provide prompt and effective investigation of  
13 major incidents. The Planning Guidance says to implement the  
14 program recently approved by the Commission.

15 The document also suggests that we take some  
16 regulatory efforts to improve radiographer safety and that  
17 steps should be taken to expeditiously convert non-power  
18 reactors to low-enriched uranium.

19 Those are some of the examples of changes in the  
20 document.

21 CHAIRMAN PALLADINO: In light with Commissioner  
22 Zech's comment would either an accompanying letter or an  
23 insert or a section that is different or changes from last  
24 year or major highlights of this year as compared to previous  
25 years where you could summarize some of those, I think that



1 would be very helpful.

2 MR. EYSYMONTT: Yes, certainly we could do that. I  
3 think the line-in/line-out one would be a big problem but  
4 indicating it in the body of the document would be fine and we  
5 could do it very rapidly.

6 COMMISSIONER ZECH: Then also if you do it that way,  
7 you have to also not only indicate in the margin whether it  
8 was in last year or is something new or not, you have to tell  
9 us in a separate document or something what is eliminated, you  
10 know, if you left things out.

11 MR. EYSYMONTT: Very little is, but yes, certainly.

12 COMMISSIONER ZECH: If you do, just tell us that  
13 just so that we will all know. We have to know what is  
14 eliminated and what is added. What are the changes and any  
15 way you figure out to do it is fine with me as long as it is  
16 easy to read.

17 CHAIRMAN PALLADINO: I think there is some merit in  
18 giving a summary of the major changes in addition to  
19 identifying individual changes in the report.

20 MR. EYSYMONTT: I will be happy to provide that.  
21 That is the end of my presentation, Mr. Chairman. If you  
22 would like, we can begin going through the document or whatever  
23 format you prefer.

24 COMMISSIONER ZECH: Let's not do that.

25 (Laughter.)

1           COMMISSIONER ZECH: I think we all I have questions,  
2 I know I do.

3           CHAIRMAN PALLADINO: Yes. I had three questions for  
4 you and I had three questions I would the Commissioners to  
5 either address or consider in their comments.

6           My first one was how do the 12 mission areas relate  
7 to the five strategic goals and do the mission areas cover the  
8 entire agency's activities and I think you have covered that.

9           We discussed is there any policy or planning guidance  
10 that has changed significantly from last year and identify it.

11          Now could you review the schedule that we have for  
12 the PPG and what the plan of action is so that I get a better  
13 feel for the time table on which we are trying to work.

14          MR. EYSYMONTT: I think the original schedule,  
15 Mr. Chairman, was that as soon as we get comments from the  
16 Commissioners on how they would like to see the document  
17 modified within five working days we would be able to turn the  
18 document around and provide you with another copy.

19          I don't know whether you would like to have another  
20 meeting on it or not or whether it would be sufficient  
21 subsequent to that to just circulate the document and have the  
22 Commissioners approve or disapprove the final version.

23          Of course, we could do it on a line-in/line-out  
24 basis so that you would be able to see the changes that have  
25 been made.

1           CHAIRMAN PALLADINO: It depends on how extensive the  
2 changes are.

3           MR. EYSYMONTT: Yes, that is correct.

4           CHAIRMAN PALLADINO: I would say that if we could  
5 give you our guidance this afternoon plus any supplemental  
6 information we want to give by the end of the month, could  
7 you be ready by about the 6th of December with something you  
8 circulate?

9           MR. EYSYMONTT: Yes. That is the end of next week,  
10 yes.

11          CHAIRMAN PALLADINO: The object would be to try to  
12 have this ready for implementation by January 1st.

13          MR. EYSYMONTT: That's right. The normal course of  
14 action is to issue the document as early as possible in  
15 January and we would work toward that.

16          CHAIRMAN PALLADINO: I think we have been pretty  
17 successful in getting it done pretty much by January 1st.

18          MR. EYSYMONTT: Yes, that is correct.

19          CHAIRMAN PALLADINO: Well, why don't we come back to  
20 that.

21          COMMISSIONER ZECH: That is important because I  
22 think we have more work to do. It seems to me that we all are  
23 perhaps going to have some comments for you but first what we  
24 need to see is your revised version to us and fit it out as  
25 you see fit so we can look at the changes a little bit better.

1           COMMISSIONER ASSELSTINE: That is going to slow the  
2 whole process down a lot though if we have to wait before we  
3 give them comments until we see it.

4           CHAIRMAN PALLADINO: I thought we were going to give  
5 such comments as we could at today's meeting.

6           COMMISSIONER ASSELSTINE: Yes, I am ready today.

7           CHAIRMAN PALLADINO: Then if you have anything more  
8 to say, try to get it out by the end of the month.

9           COMMISSIONER ZECH: I have some general comments to  
10 give you today and I can give you a lot of specific ones,  
11 too. I am not so sure that they would be as meaningful as if  
12 I had from you what I have asked you for as far as the changes  
13 are concerned.

14          MR. EYSYMONTT: Let me attempt to have a document to  
15 you by Wednesday of next week. I don't think that is  
16 unreasonable.

17          CHAIRMAN PALLADINO: I think we ought to give you  
18 our comments and then the comments such as you made I think  
19 are very valuable and then we see it with all the comments in  
20 there.

21          COMMISSIONER ZECH: That's fine except it is very  
22 likely after we see their document we may have other comments.

23          CHAIRMAN PALLADINO: Oh, true.

24          COMMISSIONER ZECH: We can do it parallel. I have  
25 no problem with that. It just makes it perhaps not quite as

1       neat a way to do it.

2               CHAIRMAN PALLADINO:   The major comments we have had  
3       so far relate to making sure that we identify the changes from  
4       previous years.   There may be other specific comments but if  
5       you could provide them to OPE, they can go ahead and put  
6       together another draft and if our comments are consistent, it  
7       ought to be a converging process.

8               MR. RATHBUN:   Just to establish a baseline here,  
9       suppose we take this document as the document to which we  
10      respond to Commissioner Zech's proposal and yours also,  
11      Mr. Chairman, and that is to show as simply as possible the  
12      major changes from the PPG of last year.

13              CHAIRMAN PALLADINO:   All right.

14              COMMISSIONER ZECH:   Sure.   I don't think it would be  
15      that difficult.

16              MR. RATHBUN:   By next Wednesday.

17              COMMISSIONER ZECH:   That's what I say.   I don't  
18      think it would be that difficult.

19              MR. RATHBUN:   Then in addition, taking this document  
20      as the baseline document to incorporate such changes as we  
21      receive at the table here today and within the next few days  
22      begin to build in the changes that the Commission wishes.

23              CHAIRMAN PALLADINO:   So the proposal is --

24              COMMISSIONER ASSELSTINE:   We we would have two  
25      documents to work from.

1 MR. RATHBUN: You will have a document which shows  
2 the changes from last year and then you are going to have,  
3 that's right. You will have another.

4 COMMISSIONER ASSELSTINE: But it won't reflect any  
5 changes we discuss today.

6 CHAIRMAN PALLADINO: That is what bothers me.

7 MR. RATHBUN: That's true. You are right.

8 CHAIRMAN PALLADINO: Why don't we go ahead and  
9 discuss the changes and then we will come back.

10 COMMISSIONER ASSELSTINE: I guess I agree a little  
11 bit with Fred's point. If some people feel that they really  
12 need to see a line-in/line-out of the existing document before  
13 they are prepared really to offer a lot of detailed comments I  
14 think it may end up more confusing.

15 CHAIRMAN PALLADINO: I don't think a line-in/line-out  
16 is going to work on this one. However, there could be marginal  
17 notes on what would change in this document.

18 COMMISSIONER BERNTHAL: All I can say is that if I  
19 am going to sit here for an hour and a half offering comments  
20 and then get another document that doesn't reflect those  
21 comments, I will come back next time and offer my comments.

22 COMMISSIONER ASSELSTINE: That's right. That makes  
23 a lot of sense.

24 COMMISSIONER ZECH: My real comment was we shouldn't  
25 be in here without a line-in/line-out paper. Now if you want

1 to put marginal things rather the line-in/line-out, that is  
2 fine but you gave us a document that we can't work with very  
3 well and you can see how difficult and how we re wrestling  
4 with trying to help you out but it is your staff work we are  
5 talking about, not very good.

6 CHAIRMAN PALLADINO: Lando, no, no, don't, don't, I  
7 disagree.

8 COMMISSIONER ZECH: Well, that is my view.

9 CHAIRMAN PALLADINO: Let me tell you why I disagree.  
10 The OPE hd been trying to work such that the PPG would bear  
11 some relationship to the forthcoming Five Year Plan so they  
12 changed the structure.

13 Now when you change the structure as extensively as  
14 they did, the line-in/line-out doesn't work. That doesn't  
15 mean they should not have told us what was different between  
16 them because we all had the same question.

17 I am going to suggest if we can possibly live it  
18 let's get the suggestions we have today and if we have  
19 supplemental suggestions try to get them in by the end of the  
20 month and then have the revision come back with us and see if  
21 that can't satisfy --

22 COMMISSIONER ZECH: The end of the month is kind of  
23 like tomorrow, I think. I would say that we shoot for the end  
24 of next week, we get the whole damn thing done by then.

25 CHAIRMAN PALLADINO: If we had all the comments in,

1 we could. Let's go get the comments from today and then we  
2 will come back to the scheduling.

3 COMMISSIONER BERNTHAL: Am I going to get a document  
4 if we go through this today the next time that reflects what  
5 we say today?

6 CHAIRMAN PALLADINO: That was my idea.

7 COMMISSIONER ASSELSTINE: We get one document that  
8 does but you will also get one that doesn't.

9 CHAIRMAN PALLADINO: No. My intent was to --

10 COMMISSIONER ASSELSTINE: One document.

11 CHAIRMAN PALLADINO: One document.

12 COMMISSIONER ASSELSTINE: Which will indicate in the  
13 margins how the document differs from last year.

14 CHAIRMAN PALLADINO: From last year plus any comments  
15 that they get within the next ten days, counting the fact that  
16 some holidays are in there.

17 COMMISSIONER ZECH: I think it is not that difficult,  
18 I really don't. I recognize that it is a new undertaking but I  
19 really don't think it is that difficult to put together what at  
20 least I have in mind and certainly you can take our comments  
21 and factor them into the new document if you want to and just  
22 indicate the comments that you get.

23 We are just trying to make some progress without  
24 wasting our time here today and it seems to me that it is not  
25 that difficult a task.



1           CHAIRMAN PALLADINO: What I was proposing is they  
2 come back with one document that reflects the request for what  
3 is different and reflects the other comments as well.

4           COMMISSIONER ZECH: There is no reason they can't do  
5 that as far as I am concerned.

6           CHAIRMAN PALLADINO: That is what I think we are  
7 talking about doing.

8           COMMISSIONER ZECH: Fine.

9           COMMISSIONER ASSELSTINE: All right.

10          CHAIRMAN PALLADINO: I had as we go through -- those  
11 were my questions for OPE. For the Commissioners, I think we  
12 need to know whether the Commission agrees with the structure  
13 of the PPG and what about the substance of the Policy and  
14 Planning Guidance statements, whether there are any other  
15 specific near term or long term objectives that we should  
16 emphasize or identify and are the mission areas the right  
17 ones.

18          Let me start to see who would like to comment. Jim,  
19 should we start with you?

20          COMMISSIONER ASSELSTINE: Yes. I for myself, I  
21 guess my reaction would be that in terms of the Philosophy of  
22 Regulation part, Joe, I have some of the same kinds of concerns  
23 that I had last year and that we discussed last year. I guess  
24 I don't see a whole lot of purpose in going through that  
25 discussion again. I still disagree with it in many respects

1 and I would propose not to dwell much on the Philosophy of  
2 Regulation part.

3 I have maybe just one or two comments on it but I  
4 would reserve most of my comments for the Strategic Goals and  
5 the Policy and Planning Guidance for the coming year.

6 I have a number of detailed comments in both of  
7 those two sections that I could provide. In terms of the  
8 basic structure, apart from my substantive objectives to the  
9 Philosophy part, I don't have much of a problem with the  
10 structure of it or with the organization or the approach.  
11 That is fine as far as I am concerned.

12 But I have a lot of detailed comments that I would  
13 raise as we go through it. I am prepared to go page-by-page  
14 through the document.

15 CHAIRMAN PALLADINO: Let me ask if the Commissioners  
16 would like to go page-by-page and give their comments as they  
17 go along.

18 COMMISSIONER ZECH: I would prefer not to do that.  
19 I would prefer to do it later on. I have some specific  
20 comments, some general comments that I could give and I  
21 thought that would be sufficient as far as today is concerned.  
22 I will do it anyway that everybody wants to but it just doesn't  
23 seem to me that going through page-by-page is particularly  
24 useful at this particular time.

25 CHAIRMAN PALLADINO: Well, we have done it both

1       ways, Lando, in the past.

2               I am sure some of the comments may be sort of  
3       editorial and could be given separately.

4               COMMISSIONER ASSELSTINE: That is probably true,  
5       yes. That is right.

6               CHAIRMAN PALLADINO: Can you at least pick the ones  
7       that you think are quite significant?

8               COMMISSIONER ASSELSTINE: I can mention a few  
9       broader ones.

10              On thing in the Philosophy of Regulation part that I  
11       thought was particularly useful and was in last year's although  
12       you have modified it a little bit, I am not sure I understand  
13       quite why the modification was made, but the concept that  
14       excellence is an objective not only for the industry but also  
15       for the NRC and then you have several key elements that are  
16       apart of achieving excellence in our own performance.

17              I like that and I thought it would be very useful to  
18       try and feed some of those ideas back into the Policy and  
19       Planning Guidance part of the document for this next year. I  
20       think without going through and identifying specific places,  
21       some of those concepts, honest assessments, valid analysis,  
22       effective decision making, strong and vigilant management  
23       could be used fairly productively in the back part of the  
24       document as well to re-emphasize some of those concepts.

25              As I say, I don't have much beyond that broad

1 comment on the regulatory philosophy.

2 On the Strategic Goals we say in the Regulatory  
3 Philosophy that we are going to set priorities and i noticed  
4 or at least the sense I had was that there was not a set of  
5 priorities in the strategic goals. It struck me that is what  
6 the philosophy said we were going to do.

7 It might be useful to try and do that, say what the  
8 priorities are unless they all are of equal importance.

9 In terms of the Strategic Goals themselves, goal  
10 one, to assure safe operation, I didn't have any problem with  
11 the elements that you had in there. I had a couple of others  
12 that I thought might be useful as well, one being identify  
13 root causes of accident risks and applying resources in  
14 accordance with those risks.

15 That gets a bit perhaps at priorities in terms of  
16 what gets emphasis but overall I still have the comment in  
17 terms of the goals themselves.

18 There isn't any attempt or effort to set what our  
19 priorities are, what is most important to us.

20 In terms of goal number two I have a few editorial  
21 comments I could make on those but maybe now is not the best  
22 time.

23 CHAIRMAN PALLADINO: The editorial comments maybe  
24 could be submitted by submitting your marked up copy.

25 COMMISSIONER ASSELSTINE: Yes. Goal three, okay.

1 Goal four, radioactive waste management. I didn't think that  
2 all of the necessary elements were captured in the ones that  
3 we have there and I thought that some others could be added  
4 in. For example, identifying as soon as possible technical  
5 issues that must be addressed as part of the Commission's  
6 licensing process for the repository and attempting to reach a  
7 scientifically defensible resolution of those issues.

8 You have the timeliness in there. It seems to me  
9 you ought to have the technical part as well.

10 I think it would be useful also in the waste  
11 management area to emphasize encouraging State and Indian  
12 tribe participation, conducting reviews and evaluations in an  
13 open manner which are things that we are doing, that we are  
14 saying we are going to do.

15 I had a little question about whether we wanted to  
16 continue to put clean-up of TMI-2 particularly if one of our  
17 goals was to assure the expeditious clean-up of TMI-2, that is  
18 not one I would particularly want to draw attention to I think  
19 at this point in terms of our success in doing that.

20 CHAIRMAN PALLADINO: I would like to keep TMI-2 in  
21 there some way yet.

22 COMMISSIONER ASSELSTINE: If you want to keep it in  
23 the PPG part in the back, I think maybe that is useful in some  
24 way to continue to assure continuing progress or something  
25 like that. It might not be so bad.

1           Managing agency resources more effectively and  
2           efficiently, it struck me a couple of other areas that we  
3           could add in to emphasize, one would be training of our  
4           personnel and I remember the last time we had I guess it was  
5           one of the regional administrator's meetings somebody talked  
6           about the difficulty in making sure that our own people stay  
7           trained and aware of current developments and also I thought  
8           it might be useful to mention as one of our goals there  
9           assuring equal employment opportunity.

10           MR. DIRCKS: Clean-up of TMI-2 should be rephrased  
11           anyway.

12           COMMISSIONER ASSELSTINE: Yes.

13           MR. DIRCKS: We are not cleaning it up.

14           COMMISSIONER ROBERTS: We are not cleaning it up.

15           COMMISSIONER ASSELSTINE: I had lots of comments on  
16           the PPG itself both I suppose comments and questions. One  
17           comment on the positive side I would say I like the emphasis  
18           on emphasizing performance monitoring and some of the new  
19           ideas that are in there.

20           I think those are new ideas. They are consistent  
21           with some of the things Bill that you and Jim Taylor and  
22           Harold have been emphasizing and I think that is a good  
23           positive step and I was glad to see those reflected in the  
24           document.

25           MR. DIRCKS: I have one more contribution. I don't

1 know whether this is the right time to put it in there.

2 CHAIRMAN PALLADINO: Which?

3 COMMISSIONER ASSELSTINE: Sure.

4 MR. DIRCKS: Maybe this is something the Commission  
5 wants to debate about. I think somewhere in here should be a  
6 reduction of the number of challenges to safety protection  
7 systems.

8 CHAIRMAN PALLADINO: That is a good point.

9 COMMISSIONER ASSELSTINE: I like it.

10 MR. DIRCKS: Even though some of those challenges  
11 may come from balance of plants.

12 MR. RATHBUN: That should be a goal.

13 COMMISSIONER ASSELSTINE: Yes.

14 COMMISSIONER ZECH: But not necessarily a goal five,  
15 somewhere else, goal one or two.

16 COMMISSIONER ASSELSTINE: It could be part of goal  
17 one.

18 CHAIRMAN PALLADINO: Goal one, yes.

19 COMMISSIONER ASSELSTINE: Assure safe operation of  
20 the facility but then follow it up with some elements in the  
21 Policy and Planning Guidance as well. That is a good idea.

22 COMMISSIONER ZECH: I agree.

23 COMMISSIONER ASSELSTINE: I have a lot of mark ups  
24 or editorial suggestions and also some things to add in.  
25 Again, I don't know how much detail you would want to go into

1 on the PPG itself but there is a fair number of those. I had  
2 a couple of questions about what things meant, what the  
3 message was that was trying to be conveyed. I don't know how  
4 you want to proceed, whether you want to go through every one  
5 of those that each of us have.

6 I suspect all of us have those things.

7 COMMISSIONER ROBERTS: I suspect we all do. Don't  
8 you think this thing will be interminable if we do that?

9 COMMISSIONER ASSELSTINE: It can go two different  
10 ways.

11 CHAIRMAN PALLADINO: I think there are some important  
12 issues that you may want to raise that would benefit from  
13 interacting one to another. Could you pick out a few examples  
14 of non-editorial type comments or questions?

15 COMMISSIONER ASSELSTINE: Maybe this is a question.  
16 On page 12 on the oversee operating reactor performance, the  
17 first two policies. I guess one of the questions I had was  
18 what does the second policy mean, what is it intended to  
19 convey and how if at all does it modify the first policy?

20 What message is it that the second policy is trying  
21 to convey to the staff? What is it trying to tell them to do?

22 MR. RATHBUN: I have the impression that that is  
23 really a replication from last year.

24 COMMISSIONER ASSELSTINE: What did we try to convey  
25 last year?



1           MR. EYSYMONTT: Obviously, the issue, perhaps not  
2 obviously, the issue has been what role the NRC takes in the  
3 safety of a plant and I think there has always been dichotomy  
4 there between our regulating and going in and actually  
5 operating, the idea of operating the plant in the event that  
6 there is an incident.

7           CHAIRMAN PALLADINO: Why don't you accept it as a  
8 question to be examined and to be clarified.

9           COMMISSIONER ASSELSTINE: Sure.

10          MR. RATHBUN: Let me just say that it is more than  
11 just last year.

12          MR. EYSYMONTT: It has been a historical issue.

13          MR. RATHBUN: Going all the way back to the  
14 beginning.

15          MR. DIRCKS: It may fall under the Philosophy of  
16 Regulation.

17          COMMISSIONER ASSELSTINE: If the concept here is  
18 that the NRC should not be making operational decisions for  
19 plants in emergencies, okay, now I understand the point. That  
20 is clear enough. But I think that could be revised to convey  
21 that particular point if that is the point that policy is  
22 supposed to connect.

23          COMMISSIONER BERNTHAL: I think Bill has probably  
24 hit it on the head in that it really is a philosophy.

25          COMMISSIONER ASSELSTINE: Yes.

1 CHAIRMAN PALLADINO: Philosophy in policy sometimes  
2 emerge.

3 COMMISSIONER ASSELSTINE: Yes.

4 MR. DIRCKS: It may be a statement of the limits of  
5 our ability to control events out there.

6 CHAIRMAN PALLADINO: I think this could be clarified  
7 to better reflect the point that is trying to be made and make  
8 it into something that is more policy oriented than just a  
9 statement of philosophy.

10 COMMISSIONER ASSELSTINE: Let's see.

11 CHAIRMAN PALLADINO: Do you want to pick another one  
12 and then I will give somebody else a chance while you pick  
13 some others?

14 COMMISSIONER ASSELSTINE: Sure. On the monitoring  
15 of performance, I am not sure this is a major point.

16 CHAIRMAN PALLADINO: What page?

17 COMMISSIONER ASSELSTINE: Pages 13 to 14, again as I  
18 say I thought that this was one of the positive improvements  
19 in the document to put in the concept that we are going to  
20 focus more on plant performance and it seemed to me that you  
21 could strengthen that by adding -- we talk about plant  
22 performance indicators, monitorin performance indicators, and  
23 it seemed to me that one could be strengthened by putting in  
24 an element that the staff will prepare a set of performance  
25 indicators and a system for reporting plant performance

1 information which will be used as the basis for evaluating  
2 plant performance.

3 It seems to me that is implicit in what you have  
4 there but we ought to make it explicit that that is what is  
5 going to be done.

6 MR. DIRCKS: There is a statement of performance  
7 indicators.

8 MR. ROE: Page 15, number five, it says the staff  
9 should develop performance indicators to monitor operating  
10 reactors.

11 COMMISSIONER ASSELSTINE: It seems to me that it  
12 ought to be in one and it also ought to include a system for  
13 reporting performance information so that and that system will  
14 be the basis for these reviews.

15 MR. ROE: I think it is implicit, yes.

16 COMMISSIONER ROBERTS: I want to make sure you  
17 understand. Are you talking about operating criteria because  
18 that is what it sounds like to me.

19 MR. DIRCKS: I don't know how you define it. I  
20 think Commissioner Zech had a memo on performance indicators.

21 COMMISSIONER ASSELSTINE: That's right. It said we  
22 ought to have them and I agree with that.

23 MR. DIRCKS: I think you and I talked about it.

24 COMMISSIONER ZECH: right.

25 MR. DIRCKS: I think it is less than general

1     operating criteria and it is more in line with what maybe INPO  
2     is going.

3             COMMISSIONER ASSELSTINE: That is right.

4             MR. DIRCKS: It is not a regulatory -- the way I  
5     look at it and I may be wrong, it may not be a set of  
6     regulatory criteria but it is a set of indicators that would  
7     direct our attention to plants that may require --

8             COMMISSIONER ZECH: It is a record of their plant  
9     performance that could be useful to us perhaps in looking  
10    ahead to see a declining performance or a problem area, for  
11    example, increasing of rad waste or chemistry problems in the  
12    plant, those kinds of things.

13            Those are performance indicators as I see them but I  
14    think they are very useful for us in helping us to look into  
15    the future and perhaps find the plant that is declining  
16    performance and how we define them here, I guess it was my  
17    terms performance indicators. It sounded fairly clear to me.

18            MR. DIRCKS: I think general operating criteria  
19    connotes some sort of a regulatory requirement.

20            COMMISSIONER ROBERTS: No question.

21            COMMISSIONER ASSELSTINE: Yes.

22            MR. DIRCKS: This is not.

23            COMMISSIONER ROBERTS: All right. It just seemed  
24    that you are driving toward that.

25            MR. DIRCKS: That was not our intention.

1           COMMISSIONER ASSELSTINE: Trips, challenges to  
2 safety systems, failures of safety equipment, size of  
3 maintenance backlogs, it is those kinds of things, indicators  
4 that would point to the potential weak performer that needs  
5 attention or the potential good performer that we could back  
6 off a bit on.

7           MR. DIRCKS: This is something that INPO was very  
8 heavily involved in. I think they have something like 32  
9 performance criteria and that is another story but we have  
10 been trying to --

11          COMMISSIONER ZECH: But you also have information  
12 available to you on the number of trips and things like that.

13          MR. DIRCKS: This may be an area that we could  
14 jointly work with INPO on.

15          COMMISSIONER ZECH: Sure.

16          MR. DIRCKS: And work together with them on their  
17 criteria.

18          COMMISSIONER ZECH: But we should have some sort of  
19 operational performance criteria that you are looking at, that  
20 you can judge against, that we have enough experience by now  
21 certainly in this agency to be able to find useful trends and  
22 it is important that we do that. It is a responsibility we  
23 have, I think.

24          MR. DIRCKS: In the implementation phase of this and  
25 they say develop these performance criteria to the maximum

1 extent possible work with the industry group such as INPO to  
2 assure a common or work toward a common set of criteria.

3 COMMISSIONER ZECH: You know what we need though and  
4 what we are looking for and that is the important thing.

5 COMMISSIONER ASSELSTINE: Yes, but it does seem to  
6 me that the elements are a set of performance indicators that  
7 we feel are an accurate measure of performance trends and  
8 secondly a system that assures that we get the information on  
9 those so that we can keep track of where the plants are.

10 COMMISSIONER ZECH: Sure.

11 COMMISSIONER ASSELSTINE: Joe, if you want to go to  
12 others, I have some more, but feel free.

13 CHAIRMAN PALLADINO: Let me go to Tom and then  
14 meanwhile you can identify others.

15 COMMISSIONER ROBERTS: I have numerous editorial  
16 nits but in section four of the policies and planning guidance.

17 CHAIRMAN PALLADINO: What page is that?

18 COMMISSIONER ROBERTS: I am on page 10, look, I  
19 think the Research Program is important. I don't deny that  
20 but you have 12 mission areas and they more than cover the  
21 programs supported by research.

22 I just don't see any need to have this long  
23 dissertation on pages beginning at the bottom of page 10, 11  
24 and 12 about the Research Program.

25 MR. ROE: I think the point here is that we have

1 continuously spoken about the importance of our Research  
2 Program, however we haven't articulated it in any of our  
3 policy or planning.

4 I think if we take a look at what we have put in  
5 research in the past PPG's, it is relegated to the last part  
6 maybe three or four sections.

7 I think it is time even in a document like this to  
8 give them credit for the importance to our regulatory mission  
9 and in many of our licensing activities and some of the  
10 decisions you make are based on this fundamental research. We  
11 have done research in some of these areas.

12 I think that we have felt strongly about putting it  
13 in here and it has already been carved back by OPE once, the  
14 amount that we wanted to put in. We think it is time to make  
15 that statement of the importance.

16 CHAIRMAN PALLADINO: I think it is important  
17 particularly because we don't have a special section entitled,  
18 "Research."

19 MR. ROE: That's correct.

20 MR. EYSYMONTT: Last year, Mr. Chairman, we had a  
21 special section on research.

22 CHAIRMAN PALLADINO: Yes, I now we did.

23 MR. EYSYMONTT: This year because of the change that  
24 is being made in the structure of the document, there is no  
25 place to put research. It is really spread out throughout all

1 the 12 mission areas so that is why there are these paragraphs  
2 on pages 10 through 12 which deal with research and it is a  
3 structural problem.

4 COMMISSIONER ASSELSTINE: I think where we have  
5 fallen down in research in the past is in many instances not  
6 being as effective as we could in relating the research  
7 program to specific regulatory objectives.

8 MR. ROE: Or to the missions such as we have here

9 COMMISSIONER ASSELSTINE: Yes, that is right.

10 MR. EYSYMONTT: That is exactly what is being  
11 attempted here.

12 MR. ROE: That is exactly what the focus is here, to  
13 show that the research is related to the regulatory mission of  
14 the NRC instead of as an independent stand by alone program  
15 that is not relevant to any of our activities.

16 COMMISSIONER ASSELSTINE: But isn't the better way  
17 to do that to bolster the individual discussions of research  
18 efforts under each of the major topics than to put in this  
19 couple of pages.

20 MR. ROE: We tried to do that in certain areas,  
21 also.

22 COMMISSIONER ASSELSTINE: I think I am inclined to  
23 agree with Tom that maybe you could pare back some more on  
24 this discussion on pages 10, 11 and 12 but on the other hand  
25 bolster the discussion in specific areas to show what specific



1 contributions we expect the research program to make in each  
2 of the individual areas.

3 CHAIRMAN PALLADINO: I have to get my two-cents in  
4 here. I think we have made a big improvement because we have  
5 the research identified with the particular mission area and I  
6 think that is a worthwhile approach.

7 But still we need to bring together in one point in  
8 this document the general importance of research and the  
9 degree to which we have to rely on it in making sure that we  
10 have the data on which to make regulatory decisions. I would  
11 be cautious about just cutting too much out of this. I  
12 certainly would be receptive to changes that would improve it  
13 but I don't see it all that damaging.

14 As a matter of fact, I think it is a constructive  
15 element in the proposal.

16 COMMISSIONER BERNTHAL: I certainly don't think it  
17 is damaging.

18 CHAIRMAN PALLADINO: I think it is helpful.

19 COMMISSIONER BERNTHAL: You all have long known my  
20 views. I think we need to be far more specific and I think  
21 there needs to be far more direction on what we should do  
22 better and different in this research area perhaps to the  
23 point even of specific problems directing the staff to be  
24 setting some goals and deadlines to solve specific or develop  
25 the framework even for solving specific problems.

1           CHAIRMAN PALLADINO: I don't follow you. I thought  
2           that is what we did.

3           COMMISSIONER BERNTHAL: I will give you a copy of my  
4           memo from a year or so ago. I just don't think that there is  
5           the kind of direction and coherence in that effort that is  
6           going to keep us in the money. That is all. That is a crass  
7           way to put it but the track record is one of continual decrease  
8           in funding for research. We have to ask ourselves why.

9           COMMISSIONER ASSELSTINE: Tom, did you have specific  
10          problem with the stuff that was said in there other than you  
11          just thought it was a longer discussion than was necessary?

12          COMMISSIONER ROBERTS: More than is necessary, I  
13          question whether it is in the right place.

14          CHAIRMAN PALLADINO: How do others feel about at  
15          least that particular point?

16          COMMISSIONER BERNTHAL: I don't have any problem  
17          with leaving it in. I think it is boiler plate. It doesn't  
18          set any new directions.

19          CHAIRMAN PALLADINO: If you have some suggestions  
20          for improvement, I think those would be helpful.

21          COMMISSIONER ASSELSTINE: I can take a look at it  
22          and see if I can come up with anything. I didn't have any  
23          real problem with what was said.

24          CHAIRMAN PALLADINO: Tom, do you have more?

25          COMMISSIONER ROBERTS: No. I mean I have a lot more

1 but I don't think this meeting is the appropriate place for  
2 doing it.

3 CHAIRMAN PALLADINO: I was trying to get on the  
4 table items that we should discuss.

5 COMMISSIONER BERNTHAL: Let me put it this way. I  
6 think that the effort that we apparently tried and failed at  
7 is one that we should try again at it if I had my druthers.

8 We ought to go through here and every place where  
9 research has a program or an objective which relates to our  
10 overall policy that should be met, we should state that it  
11 should be met and tell what we expect to be done.

12 If you did something like that then you might begin  
13 to achieve the objectives that we need to in those areas.

14 COMMISSIONER ASSELSTINE: Joe, I have one or two  
15 others.

16 CHAIRMAN PALLADINO: I think that is a good  
17 suggestion to the extent that it isn't done here. Some places  
18 it is done but not extensively.

19 COMMISSIONER BERNTHAL: It is easy to forget it as  
20 you go through.

21 MR. SCROGGINS: Mr. Chairman, one area that can  
22 certainly be done on and is usually attempted to is once we  
23 take the policy and planning guidance and in effect put out  
24 the EDO program guidance which is much more specific is to  
25 clearly in that type of guidance intended to be much more

1 specific as to what the deliverables and the milestones as to  
2 how that research effort would meet the specific planning  
3 guidance that was there.

4 That may be a vehicle where certainly one can  
5 address that even more say.

6 CHAIRMAN PALLADINO: Yes, I think that is true  
7 although we should not miss the opportunity to indicate the  
8 role that research is playing in the particular mission area.

9 MR. SCROGGINS: I understand.

10 CHAIRMAN PALLADINO: Fred, do you have more for the  
11 moment?

12 COMMISSIONER BERNTHAL: I have some other comments  
13 but Tom, did you have more?

14 COMMISSIONER ROBERTS: No.

15 COMMISSIONER BERNTHAL: Let me see if I can keep  
16 away from editorials here and editorializing.

17 On page eight this is a thought, going down all  
18 those bullets there, I don't quite know how to put this in a  
19 delicate or a diplomatic way but it strikes me both in my  
20 visits to plants in the field, visits to regional offices and  
21 what-not, that we should have a greater consciousness and  
22 concern and perhaps some kind of a program if we don't already  
23 on diplomacy is too weak, maybe it is human relations or  
24 something.

25 What I am trying to say is that there should be some

1 kind of guidance, a program of instruction, or something to  
2 our field staff in particular on the kind of demeanor and  
3 professionalism that they should display in exercising dealing  
4 with licensees.

5 I am not being critical. I am saying that I don't  
6 even know whether we have thought about it but it has struck  
7 me on occasion that there is a certain attitude that is the  
8 right attitude and then there is sometimes the attitude that I  
9 don't think is the right attitude that kind of we are the Feds  
10 and we know how to tell you all what to do and there is a  
11 palpable difference as you go from one place to the other.

12 From time to time it has struck me that our people  
13 could use a little bit of guidance in that area. I don't know  
14 whether we try to do that or not. I don't know how you can  
15 word is delicately but we ought to do something like that.

16 CHAIRMAN PALLADINO: You are talking about an aspect  
17 of training perhaps.

18 COMMISSIONER BERNTHAL: It is an aspect of our own  
19 staff training, I think. I don't know. Bill, what do you  
20 think?

21 MR. DIRCKS: We could certainly give it a shot. It  
22 comes I think almost with wearing the federal uniform. It is  
23 not only common to our agency but it is common to any federal  
24 official to tends to exercise some authority.

25 COMMISSIONER BERNTHAL: Sure.

1 MR. DIRCKS: I can see what you are driving at and  
2 the possibility of introducing some training into this thing.

3 COMMISSIONER BERNTHAL: There is an element of being  
4 and you want firmness and resolve and yet you don't want a  
5 kind of negative attitude that will get negative results. It  
6 is a delicate line to be trod and I suspect there are people  
7 who worry about that a lot that teach management techniques  
8 and what-not.

9 CHAIRMAN PALLADINO: I wouldn't get into a lot of  
10 detail in this document.

11 COMMISSIONER BERNTHAL: No, I realize that.

12 CHAIRMAN PALLADINO: But you might include under the  
13 training of NRC employees for a more effective  
14 interrelationship of licensees and then think through the  
15 details of the program.

16 MR. DIRCKS: And the public.

17 CHAIRMAN PALLADINO: And the public, yes.

18 COMMISSIONER BERNTHAL: The public as well. That is  
19 certainly true, too.

20 CHAIRMAN PALLADINO: All right. Do you have another  
21 point?

22 COMMISSIONER BERNTHAL: Page 13, point five,  
23 "Emergency planning should be based on realistic assumptions."  
24 You can't argue with that. I am not sure whether that means  
25 the others shouldn't. You might think about re-writing that.

1 Point six, it seems to me that the commitment to  
2 occupational radiation protection should be more positively  
3 stated. It is kind of stated as a -- we ought to consider it,  
4 it says, and it struck me that we should be a bit more positive  
5 and forthright in saying that that is an important  
6 consideration.

7 Page 15, on point six there one of the real  
8 difficulties it seems to me that we have and have talked about  
9 and continue to talk about is this problem of license  
10 amendments, technical specifications, how far behind we are  
11 and I don't see any new ideas. We say continue to provide  
12 timely response to the public at least but this is a serious  
13 problem area and I would sure like to see some new thoughts and  
14 ideas there if that is possible. I am not sure I have any.

15 MR. DIRCKS: This doesn't take account of some of  
16 the work that is going on that I think is pretty near fruition.  
17 Certainly the approach to technical specifications, how we  
18 write them and how we put them in the licenses is due to come  
19 down to the Commission very shortly.

20 COMMISSIONER BERNTHAL: Right. What about  
21 amendments?

22 MR. DIRCKS: How to amend licenses, I think we are  
23 back into "Sholley Land" and we can take another shot at that  
24 but technical specification changes and how we deal with them  
25 will make a major, I hope major, dent into this problem.

1 COMMISSIONER ASSELSTINE: We could be honest and  
2 drop the "continue to."

3 COMMISSIONER BERNTHAL: We really are not timely and  
4 that is the problem. If we are the verge of solving at least  
5 the tech spec problem maybe we should put in there what  
6 milestones we expect to achieve or expect the staff to achieve  
7 and then I sure would like to hear an idea or two on the  
8 amendment problem.

9 MR. DIRCKS: That I guess would be followed up in  
10 the detailed program guidance that flows from that where we  
11 establish more specificity.

12 COMMISSIONER BERNTHAL: What should the Commission  
13 be saying as a matter of policy? My policy at least would be  
14 that we have to do something better here but I think we ought  
15 to try to do better than that in providing guidance. That is  
16 enough comment for the moment on that.

17 CHAIRMAN PALLADINO: But I think your emphasis on  
18 technical specifications is a very important emphasis and  
19 should be highlighted. I am not demeaning the others but I  
20 think we have a lot of important work to do on technical  
21 specifications.

22 COMMISSIONER BERNTHAL: Then I am still troubled by  
23 70 license amendments in at least one case and I am sure there  
24 are others that sit there and we don't seem to get the backlog  
25 cleared away and if it is Sholley we are told lately that it



1 isn't Sholley.

2 COMMISSIONER ASSELSTINE: It is not Sholley, that is  
3 right.

4 COMMISSIONER BERNTHAL: If it is not Sholley, what  
5 is it? Well, enough said.

6 Point seven again on the TMI business, I was not  
7 sure that that was not out of place because it appears under  
8 operating.

9 COMMISSIONER ASSELSTINE: It ought to be under waste  
10 management.

11 COMMISSIONER BERNTHAL: It ought to be somewhere  
12 other than operating.

13 COMMISSIONER ASSELSTINE: It is also someplace else,  
14 too. It is back on page 13. Both of them should be someplace  
15 else.

16 COMMISSIONER BERNTHAL: That's editorial. Let's  
17 see. I would suggest that on page 19, point one under planning  
18 guidance, I have to read this. Listen to what you have  
19 written.

20 "Consistent with maintaining adequate levels of  
21 protection and without meeting legal requirements for operating  
22 facilities --"

23 COMMISSIONER ASSELSTINE: There is a typo in there  
24 someplace. There is something missing.

25 COMMISSIONER BERNTHAL: Then beyond that, "... staff

1 reviews and public hearings should be completed on a schedule  
2 that assures the licensing process will not be a critical path  
3 item which could unnecessarily delay reactor startup."

4 I know what you are trying to say but the licensing  
5 process is indeed critical path and there is no way to avoid  
6 that.

7 COMMISSIONER ZECH: You have to re-word that whole  
8 thing.

9 COMMISSIONER BERNTHAL: It doesn't sound right.  
10 Then at the very bottom again it reads as follows, "The staff  
11 should carefully consider, on a plant-specific basis, the  
12 necessity for some reactor operators with commercial experience  
13 at every plant."

14 I thought it would be nice to have that as a  
15 requirement.

16 COMMISSIONER ASSELSTINE: In fact, we have issued  
17 guidance that takes effect now in terms of what they have to  
18 have. I think the business of the shift advisors is over  
19 with.

20 COMMISSIONER BERNTHAL: Yes, it is.

21 COMMISSIONER ASSELSTINE: In which case this ought  
22 to reflect what the policy statement says.

23 MR. DIRCKS: It also gets back to the policies the  
24 Commission adopted on not operating experience.

25 COMMISSIONER BERNTHAL: Exactly. That's right.

1 MR. DIRCKS: I think we covered that issue.

2 COMMISSIONER BERNTHAL: Yes.

3 COMMISSIONER ASSELSTINE: We did.

4 COMMISSIONER BERNTHAL: It is settled.

5 CHAIRMAN PALLADINO: That ought to be reflected.

6 COMMISSIONER ASSELSTINE: It should be reflected but  
7 it is not.

8 COMMISSIONER BERNTHAL: That has been long settled.

9 COMMISSIONER ASSELSTINE: That's right.

10 COMMISSIONER BERNTHAL: On page 24 on the business  
11 of source terms, point number five, I thought that we ought to  
12 do a little better on that.

13 I realize the difficulties and I guess maybe I am  
14 accused as well of being among those who think we ought to  
15 settle the science before we charge ahead here. But on the  
16 other hand I would like to say something along the lines that  
17 when on an issue by issue basis when we see that a regulatory  
18 item has sufficient justification in the record, in the  
19 scientific record, that we are going to go ahead and pursue  
20 those items on a case by case basis when the record is  
21 sufficient.

22 I can give a broad example here and that is the  
23 case, let's suppose, of the large dry containments. If the  
24 couple of remaining outstanding issues are resolved in that  
25 area and we find that the Commission can take action for a

1 large class of reactors I think we ought to go ahead and do  
2 it.

3 Some people won't like that but I think we ought to  
4 be prepared to discriminate among plants.

5 MR. DIRCKS: I think the critical element there and  
6 maybe you can get at it this way will be that the scientific  
7 and technical basis behind the establishment of a methodology  
8 for source term calculation will be completed expeditiously  
9 and finalized.

10 Application of this methodology then could proceed,  
11 application of the finalized methodology then could proceed on  
12 a case by case basis with Commission approval.

13 I think what you want to do and I hate to go back  
14 into a source term discussion, but the essential element here  
15 is to finalize and accept the source term methodology.

16 COMMISSIONER BERNTHAL: What does that mean, Bill?

17 MR. DIRCKS: That means the codes, 0956, that we  
18 said we would now, is out for comment and we have extended the  
19 comment period and we intend to close the comment period  
20 February 2 and once we have closed the book on the methodology,  
21 then you can take the methodology into case by case  
22 application.

23 I think maybe that is what you want to achieve. You  
24 want to achieve finalization of this methodology.

25 COMMISSIONER BERNTHAL: I guess I feel a little bit

1 about that the way I did about standardization. You will  
2 recall my protesting a couple of years ago on that subject  
3 that it is certainly true here whether or not it was true in  
4 standardization that you are always going to be in an evolving  
5 area of knowledge and I am not sure you are ever going to get  
6 to the point where you have it in hand, everything you ever  
7 wanted to know about source terms is in this NRC NUREG and now  
8 we can move grandly ahead on all fronts.

9 I am not sure we will ever get there, Bill. It  
10 seems to me that when we are justified in moving in a given  
11 area and when the data support it, we ought to have it as a  
12 policy that we are going to move and not necessarily wait for  
13 the last --

14 CHAIRMAN PALLADINO: But I don't think, Fred, he is  
15 counting on that. I think he is counting on general  
16 methodology and how would we want to apply it.

17 COMMISSIONER ASSELSTINE: It is the approach.

18 CHAIRMAN PALLADINO: I think it is meritorious to  
19 wait for that but I agree with you when we can apply it and  
20 make some gain on a particular case we ought to do it.

21 MR. DIRCKS: What you want is an acceptable  
22 methodology for calculating whatever source terms you need to  
23 calculate for whatever purpose you need to calculate.

24 Until you get that acceptable methodology, the  
25 reverse of that is you are dealing with unacceptable

1 methodology.

2 COMMISSIONER BERNTHAL: I don't know what the word  
3 methodology means. If you are talking about computer codes,  
4 they are going to evolve.

5 MR. DIRCKS: That is what I am talking about.

6 COMMISSIONER BERNTHAL: They are going to change  
7 every year and get better and faster.

8 MR. DIRCKS: That's true. I would agree. However  
9 you want to explain it, you are going to have to have some  
10 approved methodology at whatever stage that methodology may be  
11 in at that time before you can apply it.

12 COMMISSIONER BERNTHAL: We are the ones that approve  
13 it. The staff decides that this particular area, let's say  
14 for large dries is good enough and it is time move ahead on  
15 that front. This area maybe for BWR ones, we don't know  
16 enough yet and we can't move ahead.

17 CHAIRMAN PALLADINO: I thought the issue on  
18 methodology has been that we didn't have consistency among the  
19 ways the people did things.

20 COMMISSIONER ASSELSTINE: that's right.

21 CHAIRMAN PALLADINO: I agree with you that the  
22 methodology will continue to evolve but I think getting to a  
23 point where we have a methodology that we have confidence in  
24 to get started would be worthwhile.

25 COMMISSIONER BERNTHAL: I think methodology then is

1 not the right word. What we mean is that we don't trust yet  
2 what we have seen and we are trying to verify it. Is that  
3 what you are saying?

4 CHAIRMAN PALLADINO: No.

5 MR. DIRCKS: I think what was looking for is a -- I  
6 hate to say it, a methodology that you can then apply to  
7 individual plants and the individual plants will vary. Some  
8 will be PWR's with large dry containments and the application  
9 of the methodology may result in a fairly clean cut answer.

10 COMMISSIONER ASSELSTINE: That's right.

11 MR. DIRCKS: Some may be other types of plants with  
12 more complex risk factors and you are not going to get a clean  
13 cut answers in applying the methodology.

14 COMMISSIONER BERNTHAL: All right. It is a fairly  
15 esoteric discussion.

16 CHAIRMAN PALLADINO: But I do think Commissioner  
17 Bernthal is making an important point, that we should not  
18 hesitate to go forward when we have reasonable set of data  
19 that could lead it to a conclusion even if it is on a  
20 particular type of plant.

21 MR. DIRCKS: And an approved acceptable method or  
22 way of calculating the source terms.

23 CHAIRMAN PALLADINO: Yes.

24 COMMISSIONER ASSELSTINE: That's right. It is a  
25 structure or framework for making decisions that you have

1 confidence that it is going to lead to sound results and those  
2 results may differ depending upon the plant type or the  
3 individual plant.

4 COMMISSIONER BERNTHAL: That is a good discussion  
5 and we should pursue it sometime but the statement as it reads  
6 says, "Changes to current regulatory policies will be  
7 considered if the reassessment of the radioactive source terms  
8 and their risk importance so warrants."

9 That is pretty weak stuff and I would suggest at  
10 least that we say specific changes to regulatory policies will  
11 be timely pursued when the reassessment, et cetera, et cetera.  
12 I don't know. Let's true to get across the message.

13 MR. DIRCKS: I was trying to be helpful in this  
14 thing by giving you firmer words.

15 COMMISSIONER BERNTHAL: It is worth thinking about.  
16 I don't want to worry about re-writing it here.

17 COMMISSIONER ASSELSTINE: As long as the concept is  
18 in there though that changes will take place if and when we  
19 have the framework and the sound science that demonstrates  
20 that those changes are justified. Those are the two elements.

21 COMMISSIONER BERNTHAL: To me, the framework is  
22 science and I guess that is the operative word here.

23 Page 35, I guess that is mostly editorial. Let me  
24 not get into that on the HEO/LEU thing.

25 That is all I have for now.



1           Oh, one other broad point. In view of what we have  
2           undertaken yesterday and I guess in one or two additional  
3           meetings I was wondering whether there shouldn't be some words  
4           in here if the Commission agrees that the Commission expects  
5           of staff evaluation of IAEA adequacy, the adequacy of IAEA  
6           safeguards, to come out of this process that we have begun  
7           here.

8           That is a policy matter that we need to settle now.  
9           Now whether we want to put it in the PPG or not, I don't  
10          know. I am inclined to think that we may want to have some  
11          record.

12          CHAIRMAN PALLADINO: It is a tricky question. I  
13          think we want the best assessment we can get but we have had  
14          division among Commissioners on what application of the IAEA  
15          safeguards means. I remember when Commissioner Ahearne was  
16          here, he and I joined forces to say well Congress ought to  
17          tell us better so that we don't have to guess. I guess I am  
18          supporting you but it may be a broader issue than just making  
19          an assessment for the present time based on the issues that we  
20          have before us.

21          COMMISSIONER BERNTHAL: Let me put it this way.  
22          Somehow in the next few months we ought to have some document  
23          or piece of paper that represents Commission policy in this  
24          area.

25          If one of us needs to go somewhere to a meeting as

1 I did, we ought to have something that is later than 1982 to  
2 point to. We don't have it.

3 CHAIRMAN PALLADINO: I think among other things you  
4 are suggesting that we ought to look at these things at least  
5 every five years so they don't sit forever.

6 COMMISSIONER BERNTHAL: That is the point.

7 CHAIRMAN PALLADINO: Let me give Lando a chance to  
8 bring up points he has and then I can come back.

9 COMMISSIONER ZECH: Now that you have heard my  
10 suggestion on the format and I do think it would be helpful to  
11 have that kind of format as we have discussed before, let me  
12 just say that I think that both OPE and the staff have done a  
13 very good job in trying to put together this difficult PPG as  
14 we working toward a Five Year Plan and I have a real  
15 appreciation for the task that you had and that you still have  
16 to work through this.

17 I think as the Chairman has pointed out that the PPG  
18 document itself is a very important piece of work and it does  
19 have a standing of significance that we should all respect so  
20 I do have an appreciation of what you are doing and that is  
21 why I think it is important that we do the best job we can.

22 What I would like to do is just point out several  
23 things here and I do have some editorials, too, that I will be  
24 happy to get together in a very short order.

25 I think the goals that we have mentioned before

1       probably do need to be expanded a bit and I would suggest that  
2       the staff and OPE see where you feel that needs to be done and  
3       give us your suggestion in that regard.

4               CHAIRMAN PALLADINO:   This is strategic goals?

5               COMMISSIONER ZECH:   Strategic goals.  I think they  
6       should flow right into the policies and planning, into the  
7       mission areas that we have discussed.

8               Let me just say on the mission areas I am looking  
9       now at the table of contents and it is easier to look at it  
10      that way because you have them all listed together, I would  
11      suggest that we consider combing these major mission areas.  
12      Rather than have 12 of them, get it down to a number of maybe  
13      about seven.

14              I think some of them would combine very easily.  F  
15      example, I would suggest you combine "A" and "C" and then  
16      combine "B," "D" and "F."  That makes two out of five, two  
17      from five.

18              CHAIRMAN PALLADINO:   Which were the first two?

19              COMMISSIONER ZECH:   Combine "A" and "C," "Oversee  
20      Operating Reactor Performance" and combine that with "License  
21      Current and Future Reactor Designs."  Then combine "B," "D"  
22      and "E."

23              I am just trying to get less than 12 major areas so  
24      that we can have a little bit better number to start with.  We  
25      might break these down further in the subdivisions.

1           Then I would suggest combining "G" and "H," "Regulate  
2   High Level Waste," combine that with "Regulate Low Level  
3   Waste."

4           I would suggest combining "J" and "K," "Review  
5   Allegations and Conduct Investigations" and combine that with  
6   "Take Enforcement Actions." It seems to me that is a rather  
7   logical combination.

8           CHAIRMAN PALLADINO: Which two were those again?

9           COMMISSIONER ZECH: "J" and "K." You end up if you  
10   do that with seven instead of 12 and it is just a little more  
11   manageable.

12          Also, while we are looking at this and I think we  
13   have already talked about the research area but I am not  
14   exactly sure of the best way to hit research.

15          I see I think what the staff is telling us and I  
16   appreciate the fact that they are trying to show us that  
17   research should be blended in across the board in all of our  
18   areas and I submit that is a logical way to look at it.

19          On the other hand you can see as we get to -- let's  
20   see. I am going to skip over to page ten where they talk  
21   about research and Commissioner Roberts already talked about  
22   this and pointed out that it kind of hit him as it did me,  
23   too, that all of a sudden we are talking research in a way we  
24   are not talking other areas.

25          I appreciate what we are trying to say. I don't

1 know that we have hit the right way to execute what we want to  
2 do. I think we need to think about this a little more. I  
3 think we are trying to emphasize the importance of research  
4 because you have taken it out of all those mission areas as a  
5 headliner and I appreciate that but I would say that we should  
6 think about that to see whether it is the best way.

7 It just kind of hits you like you had a package and  
8 you just kind of put it all in here and all of a sudden we are  
9 talking research. It needs to be said a little differently I  
10 think.

11 If I could go back to page nine on goal four where  
12 it says, "Clean up TMI-2 expeditiously," I think we have  
13 touched on that. I just said that we should change the  
14 wording of that to something like support efforts to clean up  
15 TMI-2 expeditiously rather than imply that we are cleaning it  
16 up because I don't think it is the agency's job to do it  
17 directly but I think we certainly should support the efforts  
18 to clean up TMI-2 or continue to support or words to that  
19 effect.

20 In goal five, I think we ought to have a bullet, the  
21 first bullet, somewhere or other should reflect our people  
22 programs and our emphasis on our people resources. It says,  
23 "Reorganize value of NRC employees." I think that should be  
24 expanded a bit so that we do more than recognize the value of  
25 them but that we find other words to show the importance we

1 give our people.

2 I am not going to go over them all, Mr. Chairman,  
3 but let me just hit on a couple of other things I had. I  
4 guess we have talked about page 11, the planning guidance  
5 number one. I think we have talked about that one and I guess  
6 you agreed to re-write that one.

7 Also on the bottom, have we talked about this, I  
8 think we did, too, "The staff should carefully consider plant  
9 specific basis the necessity of some reactor operators with  
10 commercial experience." Yes, I think we already hit on that  
11 one. That is another one that I think should be reworded.

12 I have some more editorials but they are small  
13 suggestions. I could skip to page -- let's see, more  
14 editorials. If you go back to page 38, again we talk about  
15 NRC's greatest resource is its employees.

16 I submit that is almost an understatement and  
17 somehow or another I think we should talk about ways to  
18 encourage more effective and productive use of our people but  
19 also the recognition of our people across the board in the  
20 agency, their overall importance to us.

21 I am talking about such things as their professional  
22 competence as well as their integrity, all around performance  
23 and even something about service to your country and our  
24 responsibilities to our fellow citizens.

25 I just think that this is an ideal document to state

1 some of those things that I believe very strongly and I think  
2 this would give us an opportunity to do that.

3 I have other suggestions but they are really not of  
4 a nature that I think we need to take more time today. I do  
5 think that we should all try to get in our specific comments  
6 as soon as we can and I would hope that we could get them in  
7 sometime like by the end of next week. Maybe that is too  
8 soon.

9 CHAIRMAN PALLADINO: The end of next week being  
10 what?

11 COMMISSIONER ZECH: Something like the 6th of  
12 December, I think, isn't it?

13 CHAIRMAN PALLADINO: Yes. I was going to ask for  
14 them by the 6th.

15 COMMISSIONER ZECH: That's fine. I think we ought  
16 to be able to do that. It is not an easy task and the program  
17 is very important and we cannot do that in a manner that we  
18 are not reasonably confident, they are putting out a  
19 first-class document.

20 So it does take an effort but I think we should  
21 shoot for that. I certainly will.

22 CHAIRMAN PALLADINO: Yes. I was going to suggest  
23 that we try to get our comments both the specific and editorial  
24 comments to OPE I was going to say by the 6th.

25 My target was to see if we could have a document on



1 which we might even vote by the 18th of December.

2 COMMISSIONER ROBERTS: Would you refresh my memory,  
3 Mr. Chairman? Did all of us support last year's PPG?

4 CHAIRMAN PALLADINO: I don't remember.

5 COMMISSIONER ASSELSTINE: No. I did not support the  
6 regulatory philosophy.

7 CHAIRMAN PALLADINO: That's right. But I think when  
8 we get close enough, there are preferences where somebody  
9 might prefer to say things one way as opposed to another but  
10 when we feel that we have the points covered and we get them  
11 covered at least to the extent that the Commission feels is  
12 warranted, then I would suggest we try to approve it.

13 COMMISSIONER ZECH: I think the schedule is  
14 reasonable as far as I am concerned.

15 COMMISSIONER ASSELSTINE: Sounds good.

16 CHAIRMAN PALLADINO: Why don't we make our next  
17 target, try to get all our comments in by the 5th of December.

18 MR. EYSYMONTT: Mr. Chairman, does that mean you  
19 still want a document which shows the differences.

20 CHAIRMAN PALLADINO: I am going to ask indulgence of  
21 the Commission to do the following, they don't have to indulge  
22 me but I would suggest we do the following and I hope it is  
23 okay with you, Lando, that we get our comments in including  
24 the comments that we want to have some indication, we want to  
25 have indication of what things were in last year's version and



1 then have them modify the document to reflect all the comments  
2 they get as much as they can.

3 When we get the new document, then I would expect to  
4 see a line-in/line-out of this document because I would expect  
5 that you are not changing the whole format.

6 MR. EYSYMONTT: Right. I don't see any problem with  
7 that, Mr. Chairman. The issue still is what do we do with a  
8 comparison between this year's and last year's document.

9 CHAIRMAN PALLADINO: All right. I will make a  
10 suggestion on that, that you actually put as part of the  
11 document some of the principal changes that occurred during  
12 the past year that impact on this document such as you did in  
13 a summary form here.

14 Then I think for Commission use, give us marginal  
15 notations on the changes in specific areas as you go through  
16 the document and if there is no change, I don't know that we  
17 need to mark "no change" but if there is a change then indicate  
18 it.

19 Jim, you had not finished?

20 COMMISSIONER ASSELSTINE: Yes. I have a couple more  
21 that I found that are more than editorial that might be  
22 worthwhile just to mention.

23 CHAIRMAN PALLADINO: All right.

24 COMMISSIONER ASSELSTINE: Page 10, item number five  
25 calls upon the staff to propose policy guidance and develop

1       licensing criteria to define requirements for operating  
2       license extensions, the plant life extension question.

3               I agree that that is an important thing to begin  
4       working on but it struck me that this next year might be a  
5       little early for us to be actually --

6               MR. ROE:   No.

7               COMMISSIONER ASSELSTINE:   You are going to be ready  
8       to promulgate licensing criteria by then?

9               MR. ROE:   That is one of the things that when we  
10       have seen the scheme it is time to start to address them so  
11       that they can go through the process as the first ones come  
12       up.   At least that is the assessment from the staff, that it  
13       is not too early to start looking at this issue because of the  
14       time frame it may take.

15              COMMISSIONER ASSELSTINE:   All right.

16              MR. ROE:   Some of these are very unique issues that  
17       we have never addressed before is life extension past 40 years  
18       and if you lay out the diagram it may not be too early.

19              COMMISSIONER ASSELSTINE:   All right.

20              MR. RATHBUN:   I think that is a timely issue.   We  
21       wrote a paper to the Commission on that within the past two  
22       weeks and we are getting some reaction from the Commissioners  
23       now.

24              COMMISSIONER ASSELSTINE:   All right.

25              MR. RATHBUN:   So I think it is timely.   I agree with

1 Jack.

2 COMMISSIONER ASSELSTINE: Good. The next one is on  
3 page 23, we talk about on page 22 containment performance. I  
4 think it is something that is called for under the Severe  
5 Accident Policy Statement. It seems to me that we ought to  
6 have an item on page 23 that says the staff should develop a  
7 set of containment performance criteria that will ensure the  
8 safe and effective containment performance by all plants, just  
9 put it in specifically.

10 The next one is on page 24, item number six, on  
11 safety goals. It looks to me like that ought to be updated.  
12 It is the same thing from last year and it is not a question  
13 of the preliminary safety goals and you won't use them. It is  
14 now we are going to be revising, finalizing or whatever it is  
15 we are going to be doing over the next year. It ought to be  
16 current.

17 MR. RATHBUN: We left that the same the reason being  
18 that the evaluation period has not concluded yet, has not been  
19 completed yet and the Commission's guidance to the staff was  
20 and I assume remains this sentence at least at this time not  
21 to use the preliminary safety goals as a basis for making  
22 regulatory decisions during the evaluation period.

23 COMMISSIONER ASSELSTINE: All right.

24 MR. RATHBUN: If you want to go beyond that, that is  
25 fine.

1           COMMISSIONER ASSELSTINE: I think it could be  
2       updated to say that the Commission is going to be working to  
3       develop a final set of safety goals during the current year.  
4       In the meantime, the previous direction stands that you don't  
5       use the interim one.

6           COMMISSIONER BERNTHAL: It seems to me that the  
7       planning guidance or policy guidance should be to plan for  
8       implementation. I would hope that we would have that thing  
9       out of here in the next few months.

10          COMMISSIONER ASSELSTINE: At least we ought to be  
11       addressing it.

12          COMMISSIONER BERNTHAL: You all look so skeptical.

13          CHAIRMAN PALLADINO: I am with Fred on that one.

14          COMMISSIONER ZECH: I am not so sure either but we  
15       can try to work some other words but I am not so sure that it  
16       is going to happen anytime soon.

17          CHAIRMAN PALLADINO: I think the staff owes us  
18       something on safety goals. We had a presentation. They had a  
19       steering committee that worked for a couple of years and came  
20       out with a report that covers a lot of territory. We had an  
21       informal presentation that I think grew out of management  
22       review of that report.

23                I think the staff owes us a recommendation now on  
24       what we ought to do on safety goals. If it is the steering  
25       committee report, fine. If it is some modification of it,

1 fine. I think that would give us something on which to act.

2 Right now we are in limbo and that is why it is  
3 going to take a long time but I don't see why we couldn't get  
4 a report by April or even earlier.

5 MR. DIRCKS: You don't want to take that up now, do  
6 you?

7 CHAIRMAN PALLADINO: No.

8 MR. DIRCKS: I could say something.

9 CHAIRMAN PALLADINO: I am just giving you --

10 COMMISSIONER ROBERTS: I am sure you could.

11 (Laughter.)

12 CHAIRMAN PALLADINO: I just took this opportunity to  
13 make my little speech on safety goals.

14 COMMISSIONER ASSELSTINE: We can take it up at the  
15 next meeting.

16 COMMISSIONER BERNTHAL: Oh, yes.

17 (Laughter.)

18 CHAIRMAN PALLADINO: Since we were talking about  
19 what the PPG ought to say, I am with Fred on that.

20 COMMISSIONER ASSELSTINE: I think it ought to say  
21 something about what our intentions are for this year as well  
22 as just the old direction that they are not to use the interim  
23 ones.

24 COMMISSIONER BERNTHAL: It is like saying, "What are  
25 you intentions, young man?"

1 MR. DIRCKS: I don't want to prolong this.

2 CHAIRMAN PALLADINO: Go ahead. I think I have to  
3 give the EDO a chance to respond.

4 MR. DIRCKS: We did have that meeting and we took  
5 the safety goals basically as developed and we didn't come in  
6 with a proposal to change the safety goals but we came in with  
7 a matrix proposal to implement it.

8 Now as a result of that I think how we left it is we  
9 would get some guidance back from the Commission and then we  
10 would incorporate that and then go to the ACRS.

11 CHAIRMAN PALLADINO: I will get back to you. I  
12 didn't mean to debate it all here.

13 MR. DIRCKS: I didn't want it left that we were just  
14 sort of sitting here not doing anything. We were waiting to  
15 move in certain directions.

16 CHAIRMAN PALLADINO: I will come back to that.

17 COMMISSIONER BERNTHAL: That is my recollection too,  
18 Bill, in fairness and I think that right now the monkey is on  
19 our back and with all due respect to the ACRS if we wait until  
20 they finish their debates on this subject, I am sure we will  
21 be able to look down the road at least a year or two and I see  
22 no reason to do that.

23 I think that this issue becomes rather simple when  
24 you really sit down and ask what we are going to need to  
25 achieve. If someone wants to demonstrate to me why it is

1 complicated, then I am happy to listen but I would like to  
2 hear some ideas and thoughts from the staff or anywhere else.

3 CHAIRMAN PALLADINO: I apologize for getting us off  
4 the track. It is one of the items that is very dear to my  
5 heart and I would like to see us get somewhere but we ought to  
6 talk about this in a different forum.

7 MR. DIRCKS: It is not simple because I got an ear  
8 full when I was in Paris from other countries on the issue of  
9 safety goals.

10 COMMISSIONER BERNTHAL: Let's get at it then. I  
11 think it is time to get moving.

12 CHAIRMAN PALLADINO: Let's see if we can cover some  
13 more points.

14 COMMISSIONER ASSELSTINE: Why don't I stop at that  
15 point. I think essentially the rest of mine are largely  
16 editorials so I would stop at that point.

17 CHAIRMAN PALLADINO: All right. Let's see if we can  
18 agree --

19 COMMISSIONER BERNTHAL: Joe.

20 CHAIRMAN PALLADINO: I am sorry.

21 COMMISSIONER BERNTHAL: I have one more point of  
22 substance that I neglected to mention. I am not sure that we  
23 can settle it here but I am more convinced than I have ever  
24 been that we should think about some new guidance on our  
25 entire handling of data, ADP data handling, document handling,

1 communications, in this agency and if the Commission could  
2 find its way clear to issue policy guidance on that I would  
3 urge us to do so.

4 It is just becoming as clear as can be that we have  
5 not given adequate guidance there and I think it is time to do  
6 so. That is a new thought.

7 COMMISSIONER ASSELSTINE: Let's start with let's not  
8 throw good money after bad.

9 COMMISSIONER BERNTHAL: Yes.

10 CHAIRMAN PALLADINO: Why don't you propose something  
11 that might be incorporated or at least let them try to propose  
12 it and return.

13 MR. ROE: We can put something in there.

14 COMMISSIONER BERNTHAL: I could revert to my mentor,  
15 Victor Gilinsky, here on this point.

16 COMMISSIONER ROBERTS: I am anxious to hear this  
17 one.

18 (Laughter.)

19 MR. EYSYMONTT: That has perked things up!

20 (Laughter.)

21 MR. DIRCKS: I thought we dealt with all of Victor's  
22 suggestions.

23 COMMISSIONER BERNTHAL: I think we need somebody  
24 that manages that for the entire agency and his long idea of  
25 combining all of those functions including communications in



1 one shop, one office, was correct. I think we are having it  
2 demonstrated more year by year. That is all I wanted to say.

3 CHAIRMAN PALLADINO: Why don't you make the proposal  
4 or any suggestion to OPE. If you don't make a suggestion let  
5 them try to come back to you.

6 COMMISSIONER BERNTHAL: I think George might be able  
7 to work something out like an addendum.

8 CHAIRMAN PALLADINO: While I am trying to be helpful  
9 on the PPG, I wouldn't want to be appearing to endorse the  
10 complete criticism of all our ADP work.

11 COMMISSIONER BERNTHAL: I realize that we probably  
12 are not ready to agree and we shouldn't make PPG an area to  
13 settle detailed guidance but we might at least say a few words  
14 about the policy in this area and where the Commission thinks  
15 we ought to head.

16 CHAIRMAN PALLADINO: If we are through on PPG at  
17 least for the time being, let me suggest that we get all of  
18 the comments in that we have by December 5th and then you try  
19 to give us a document by at least a week later,  
20 line-in/line-out showing the changes that you made including  
21 a general statement of the broad changes over prior years and  
22 then identification in the margin for Commission use, changes  
23 that apply to specific areas or topics of discussion.

24 Unless there are others, I am going to adjourn this  
25 meeting. I was going to suggest that we delay affirmation for

1 15 minutes. I have been alerted to the need to discuss a  
2 question with OGC that might affect our affirmation. So  
3 unless there are other comments at this time, we will stand  
4 adjourned.

5 Thank you.

6 [Whereupon, the Commission meeting was adjourned at  
7 3:45 o'clock p.m., to reconvene at the Call of the Chair.]

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