

ACRS-3027

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September 12, 1996

SUMMARY/MINUTES OF THE  
ACRS PLANNING AND PROCEDURES SUBCOMMITTEE MEETING  
SEPTEMBER 11, 1996

The ACRS Subcommittee on Planning and Procedures held a meeting on September 11, 1996, in Room 2B1, Two White Flint North Building, Rockville, Maryland. The purpose of the meeting was to discuss matters related to the conduct of ACRS business. The meeting was convened at 1:05 P.M. and adjourned at 3:00 P.M.

ATTENDEES

T. S. Kress, Chairman  
R. L. Seale  
W. J. Shack

ACRS Staff

J. T. Larkins, ACRS Executive Director  
R. P. Savio  
C. A. Harris  
S. Duraiswamy  
R. Summers

1. ETHICS TRAINING

The annual ethics training scheduled for the September 1996 ACRS meeting has been postponed to the October 1996 ACRS meeting as requested by the Office of the General Counsel (OGC). Representatives of OGC and the Division of Contracts intend to discuss the ethics requirements associated with the use of NRC-supplied rental offices and performing contract work by ACRS members. Additionally, ACRS members were reminded of potential impact of exceeding the 130-day limit for Special Government Employees (memo from C. Harris to ACRS Members dated August 21, 1996).

RECOMMENDATION

The Subcommittee recommends that those members who have questions regarding the use of NRC-supplied rental offices and performing contract work raise them during this session at the October meeting.

ASd  
o/y

2. CONTRACTING BY ACRS MEMBERS

The members are aware that they are required to submit financial disclosure forms to OGC annually for review. These forms go directly to OGC and are not reviewed by the ACRS/ACNW

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Office.

Based on its review, OGC makes a conflict-of-interest determination, specifying that a member cannot advise the ACRS on matters associated with certain organizations in which the member has a financial interest either through a contract or employment. The usual practice by OGC has been to hold members in conflict with all of the work performed by these organizations and not just the narrow areas in which the member works or has a contract.

Contract work that a member performs as a salaried employee of an organization such as a university normally only causes a member to be in conflict with the review of the work that was done under that contract and not with all matters directly affecting the company that paid for the work.

The ACRS staff engineers rely not only on the OGC determination but also on updated information provided by the members to determine the conflict-of-interest status for each Subcommittee and full Committee meeting. Consequently, it is very important for the members to keep the ACRS Office apprised of new contract work which involves matters being or expected to be discussed by the ACRS.

#### RECOMMENDATION

The Subcommittee recommends that Members keep the ACRS office apprised of their contract work.

### 3. MEMBERS' ATTENDANCE AT NRC-SPONSORED MEETINGS

Currently, the members are not required to fill out the "ACRS Special Travel Endorsement Form" to get the full Committee approval to attend NRC-sponsored meetings. It is recommended that those who plan to attend NRC-sponsored meetings:

- Fill out the ACRS Special Travel Endorsement Form to keep the Committee informed of the topics to be discussed at the meeting and to help the ACRS Office allocate necessary funding. Also, it makes it easier to establish that members were in official travel status and therefore covered for Workman's Compensation or Accident benefits.
- Prepare a summary report of the meeting for distribution to the other members and ACRS staff, especially for those meetings that involve discussion of matters of interest to the ACRS.
- Ensure that the meeting participants understand that the views, if any, expressed by the member are his own and

not those of the ACRS.

#### RECOMMENDATION

The Subcommittee recommends that Committee Members routinely fill out the Special Travel Endorsement Forms and prepare summary reports of meetings where applicable. The forms will be made available to the Members.

#### 4. INTERNATIONAL

- The German RSK Committee sent a fax (p. 1) to suggest that the proposed September meeting with ACRS be postponed until either November 8-12 or December 12-13.
- The Canadian Advisory Committee on Nuclear Safety sent a message by e-mail concerning the agenda for the October 9, 1996 meeting with ACRS (pp. 2-3). This message included a suggested final agenda and specifically requested that the meeting focus more on discussions than on presentations.

#### RECOMMENDATION

The Subcommittee recommends that the Committee suggest either November 6 or December 4 as proposed dates for the meeting with the German RSK.

The Subcommittee recommends that the attached agenda remain the final agenda for the meeting with the Canadian Advisory Committee on Nuclear Safety, as it does not differ substantially from the agenda approved last month by the Committee.

#### 5. ACRS REPORTS

The ACRS has recently written two reports (one on fire protection and the other on severe accident research) which have caused a significant amount of controversy at the EDO and Commission level. In one case, the usefulness of work in the area of fire protection performed by an ACRS consultant's company was endorsed without the associated report being reviewed by or made available to the Committee. In the second case, a comment was made that the NRC codes (RELAP5/SCDAP) are not capable of predicting steam generator tube failure during severe accidents. This comment was made without prior discussion with the RES staff. Consequently, the staff was not able to provide information to the Committee regarding the capability of the NRC codes.

The fire protection report was eventually provided to the NRC

staff by the consultant's employer and returned by the staff with a determination that it was not useful for the staff's purposes (pp. 4-5). The Committee's statements on the capability of NRC codes will be reconsidered at the September ACRS meeting in light of additional information to be provided by the NRC staff.

Dr. Catton has provided a report including an analysis of the issues to be discussed at the meeting (pp. 6-9).

#### RECOMMENDATION

The Subcommittee recommends that the Committee address this issue during a review of its letter-writing process at the October retreat.

#### 6) RETREAT

The ACRS retreat is scheduled to be held at the Royal Sonesta Hotel, 5 Cambridge Parkway, Cambridge, Massachusetts, on October 17-18, 1996. Reservations have been made for the nights of October 16 and 17 at the above hotel. Dr. Seale is preparing the agenda for this retreat.

#### 7) COORDINATION WITH THE NSRRC

As you know from our discussions in August 1996, ACRS management has been working to improve communications between the ACRS and the NSRRC (included in August handouts). The Commission has since issued an SRM requesting that the NSRRC coordinate its activities with those of the ACRS (p. 10). Coordination between ACRS and NSRRC would be an appropriate subject for discussion with Dr. Morrison on this Friday.

#### RECOMMENDATION

The Subcommittee recommends that the Committee discuss this subject with Dr. Morrison on Friday.

#### 8) MEMBER ISSUES

There were no Members' issues and no travel requests.

RSK-Geschäftsstelle / Office of the Reactor Safety Commission  
Husarenstraße 30, D - 53117 Bonn

**TELEFAX**

An / To: ACRS-Office, c/o Mrs. Summers

Telefax-Nr./  
Facsimile Phone No: 001-301-415-5589

von / from: RSK-Geschäftsstelle, Dr. Töpfer

Tel.-Nr./  
Phone No: 0049-228-305-3756

Telefax-Nr./  
Facsimile Phone No: 0049-228-670388

Seitenzahl/  
No of pages: 1

Betr./Subject: ACRS/RSK discussion about advanced reactors R&D Projects  
Bezug/Ref.: Your facsimile dated 8/9/96  
Text:

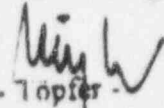
Dear Mrs. Summers,

thank you for your above-mentioned facsimile. Unfortunately I've got it this morning and so I could not answer earlier.

At Friday I was informed that Prof. Birkhofer is very interested in taking part in the visit. So I asked his secretary once more for the new date (September 19th). Unfortunately he will be in Moscow and Vienna in this proposed week.

Therefore I propose to postpone the meeting till November or December. At the moment the periods November, 8-12, or December, 12-13. seem to be suitable.

With best regards

  
- Töpfer -