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NUCLEAR REGULATORY COMMISSION

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IN THE MATTER OF:

PUBLIC MEETING  
DISCUSSION OF SECY-78-616 - REPORTING THE  
PROGRESS OF RESOLUTION OF "UNRESOLVED SAFETY  
ISSUES" IN THE NRC ANNUAL REPORT

Place - Washington, D. C.

Date - Monday, 11 December 1978

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

PUBLIC MEETING

DISCUSSION OF SECY-78-616 - REPORTING THE  
PROGRESS OF RESOLUTION OF "UNRESOLVED SAFETY  
ISSUES" IN THE NRC ANNUAL REPORT

Room 1130  
1717 H Street, N. W.  
Washington, D. C.

Monday, 11 December 1978

The Commission met, pursuant to notice, at 1:40 p.m.

BEFORE:

DR. JOSEPH M. HENDRIE, Chairman

VICTOR GILINSKY, Commissioner

RICHARD T. KENNEDY, Commissioner

PETER A. BRADFORD, Commissioner

JOHN F. AHEARNE, Commissioner

PRESENT:

Messrs. Aycock, Case, Denton, Gossick, Kenneke, Stello  
and Murphy.

P R O C E E D I N G S

CHAIRMAN HENDRIE: Okay, why don't we start?

The Commission meets this afternoon, first on a discussion of the unresolved safety issues chapter, draft chapter, for the Annual Report -- programs on it. What is proposed, and so on.

Lee, I see; Howell Denton, Ed Case are here -- and Mike Aycock.

Go ahead.

MR. GOSSICK: Howell, do you want to go ahead and introduce the subject?

MR. DENTON: Mike has spearheaded the effort on looking up the 133 issues that we have previously identified, the Congress have identified, which ones are truly unresolved safety issues in our estimation. And he has a presentation today on working through the process by which we culled the list down to the list we proposed.

So, Mike, why don't you go ahead?

MR. AYCOCK: Yes. If I could have the first slide.

(Slide.)

In the way of background, I think we should look at the Section 210, which is now the Energy Reorganization Act. As you recall, the Act was amended in December of last year to include a new section, 210, which required the Commission develop a plan for specification and analysis of unresolved



CP 2

1 safety issues relating to nuclear reactors and that they shall  
2 take such action as may be necessary to implement corrective  
3 measures with respect to such issues, and that such plans shall  
4 be admitted before January 1, 1978.

5 The plan was submitted in the form of NUREG-0410 in a  
6 report to Congress that also requires that progress reports be  
7 included in the Annual Report of the Commission thereafter.

8 Next slide, please.

9 (Slide.)

10 At the outset, we would like to point out that the  
11 terminology selected by the Congress -- that is, unresolved  
12 safety issues -- is one that the staff would say these issues  
13 are not unresolved in the licensing sense. That is, the staff  
14 has determined that licensing and operation of individual  
15 plants can continue pending generic resolution of these issues.

16 In this regard, we have made filings to date on two  
17 CP proceedings -- construction permit proceedings.

18 MR. CASE: And those filings were in response to an  
19 Appeal Board decision, A-Lab 444.

20 COMMISSIONER GILINSKY: Well, if you say "pending" resolution --

21 MR. CASE: It is pending a generic resolution, but not  
22 necessarily pending a resolution on that particular plant. Any  
23 particular plant, a solution which the staff believes to be  
24 acceptable for that plant is developed. And in response to A-Lab  
25 444, it is discussed in that particular proceeding, the reasons

CP 3

1 why we think this particular interim resolution is acceptable,  
2 pending the generic resolution.

3 And we have recently started to file these in each  
4 case because of the Appeal Board decision. And it is an  
5 evolutionary process to get all the material together. And I  
6 think it is fair to say, at least in our view, in each case we  
7 do more and are more explicit and more detailed concerning the  
8 unresolved safety questions in these filings.

9 MR. DENTON: Since we had not proposed to discuss the  
10 merits of these individual cases because of the pending  
11 proceedings, but in any case, even in my view at least, if the  
12 Commission today approves the list for us to discuss with  
13 Congress, it doesn't mean that we are relieved from discussing  
14 categories B's, C's, and D's in individual proceedings. And we  
15 are prepared to continue to discuss case by case whatever  
16 issues develop in a proceeding.

17 And that what we have done in the examples cited. And  
18 in the future, we will start discussing the ones that we  
19 eventually all agree on in the safety evaluation reports  
20 themselves on a case-by-case basis and how they apply to that  
21 particular plant.

22 COMMISSIONER AHEARNE: Who came up with the term  
23 "unresolved safety issues"?

24 MR. CASE: Congress itself. It was in the Act, and I  
25 suppose it is fair to say it is language which we and the

CP 4 1 Commissioners had used in discussions, perhaps not --

2 COMMISSIONER AHEARNE: All right.

3 MR. CASE: -- recognizing the implications that the  
4 unresolved has, at least the public implications, without an  
5 explanation.

6 COMMISSIONER GILINSKY: Well, we have had lists like this  
7 around for some time.

8 MR. CASE: Yes.

9 MR. DENTON: So that when they culled that --

10 MR. CASE: I am not really blaming the Congress.

11 COMMISSIONER AHEARNE: So when the Congress asked for  
12 unresolved safety issues, it wasn't a lot of head-scratching on  
13 the part of the Commission staff: "Now, what do they possibly  
14 mean?" It was an understood term, with in some sense a list  
15 that went with it.

16 MR. CASE: Yes, yes.

17 Now, a lot of people had a lot of different lists; so  
18 there is a lot of culling down to get it to one list. And this  
19 represents the latest culling.

20 COMMISSIONER GILINSKY: Well, let me ask you, Tom: you are  
21 saying that the problem is solved in some way or other in each  
22 individual case --

23 MR. CASE: Or not applicable.

24 COMMISSIONER GILINSKY: Or not applicable.

25 MR. CASE: Or whatever, yes.



CP 5

1 COMMISSIONER GILINSKY: Why aren't these solutions satisfactory  
2 solutions to the generic problem?

3 MR. CASE: Well, in some cases, they are procedural  
4 solutions, pending a more longer-term design change.

5 COMMISSIONER GILINSKY: You mean like operator frequency --

6 MR. CASE: Something like that.

7 MR. DENTON: Well, another one would be Atlas, which  
8 we think does have -- various plants of different susceptibility  
9 to that event. And in the cases to date, we have gone through  
10 the A's and B's and discussed the applicability of each issue to  
11 that individual plant.

12 COMMISSIONER GILINSKY: Are these individual solutions interim  
13 solutions on the part of the --

14 In other words, are they solutions like the example  
15 you just gave, which would not be acceptable over the long run  
16 or --

17 MR. DENTON: Sometimes.

18 MR. CASE: Sometimes yes and sometimes no.

19 One of the things you do over this longer-term period  
20 of study is determine whether, for instance, the interim  
21 solution is acceptable as a long-term solution or perhaps even  
22 something less than the interim solution might be acceptable for  
23 the long term.

24 MR. DENTON: One, for example, is BWR pipe cracking --  
25 that is on our list. And that is the one where we find we have



CP 6

1 a test for looking at it, and I expect recommendations back in  
2 January.

3 So we are saying that, based on what we now know,  
4 there is no need for immediate action while awaiting results of  
5 the task force before deciding what new action might be  
6 appropriate.

7 But they are ones that, if we don't do any more on,  
8 we would have difficulty with.

9 MR. CASE: In each individual case, the acceptab lity  
10 of the issue for that plant or what has been done is looked  
11 into by the adjudicatory process for that plant, including the  
12 Board's and Appeal Boar<sup>d</sup>'s.

13 COMMISSIONER GILINSKY: But do you tend to put the same fix on?

14 MR. CASE: Yes, to the extent that one can. Yes.  
15 Even in the same interim fix.

16 COMMISSIONER GILINSKY: Yes. But that is not considered a  
17 satisfactory solution for the generic --

18 MR. CASE: Until the study is done. As I say, it may  
19 turn out to be the satisfactory solution.

20 COMMISSIONER AHEARNE: I think you also said in some cases that  
21 solution might turn out to be more than --

22 MR. CASE: Yes.

23 MR. DENTON: This become a little clearer if we get  
24 into the substance of it.

25 MR. AYCOCK: Yes, let's go to the next slide.

CP 7

(Slide.)

As I indicated earlier, we filed the report last January; and NUREG-0410, which describes the NRR programs for resolution of generic issues and identified 133 generic tasks subdivided into priority categories A, B, C, and D.

You also note that in the transmittal letter to the Congress that our program was considerably broader than we believed the unresolved safety issues plan requested by the new Section 210.

COMMISSIONER AHEARNE: A reader of that transmittal last year, would they have come away with the conclusion that there were 133 safety issues that were unresolved?

Did we attempt at that time to --

CHAIRMAN HENDRIE: No, you wouldn't, because I got my hands on it and made it clear in both the transmittal letter and introduction of the report that it was a report which covered a good many issues beside "unresolved safety issues," including all kinds of things that were of interest to the staff for a variety of reasons and were legitimately on an action plan scheduled to the agency. But for reasons best known to the staff, they had gone ahead and packaged this whole thing.

But I think the transmission was quite clear that this considerably exceeded what would be the intent of the subject. And we anticipated at that time, in fact, winnowing it down.

MR. AYCOCK: In fact, I believe it said specifically

CP 8

1 that it may be more useful in later years or next year to report  
2 on only those issues that are the "unresolved safety issues."

3 COMMISSIONER AHEARNE: I would just comment that in May and  
4 June of this year, the staff who are recipients of that report  
5 were asking me what did I think about the 133 safety issues that  
6 were still unresolved; so that at least to some extent, that  
7 communication wasn't complete.

8 MR. DENTON: What did you tell them?

9 CHAIRMAN HENDRIE: All you asked was whether the  
10 transmission made it perfectly clear that there were more than  
11 safety issues. And the answer to that is yes.

12 Whether or not certain human skulls, you know, there  
13 is a channel that hasn't registered that information or is  
14 willing to register; it is quite another question.

15 MR. AYCOCK: The other types of issues include  
16 environmental issues, issues for improving the licensing process  
17 itself or possibly consideration of relaxing certain requirements.

18 The next slide.

19 (Slide.)

20 With regard to those tasks that were reported last  
21 year, first of all we want to look at the number of issues  
22 resolved.

23 We reported in NUREG-0410 that we estimated that we  
24 would complete seven category-A tasks, I believe, in FY '78. In  
25 actuality, we completed four. We have two more, if you will



CP 9

1 note in the footnote there, that are essentially complete with  
2 final documentation needed to be wrapped up and management  
3 review of recommendations and so on.

4 And two Category B tasks were also completed.

5 And you might ask, "Why are we working on Category B  
6 tasks?" The reason they were completed is that they were under-  
7 way when the program was initiated, and they were essentially  
8 complete when we assigned them to Category B.

9 COMMISSIONER BRADFORD: What are you using for a definition of  
10 "completed or resolved"?

11 MR. CASE: This means the solution is adopted by  
12 management, but it hasn't necessarily been implemented by  
13 management, but it hasn't necessarily been implemented on each  
14 applicable plant. However, the Section 210 plan doesn't stop at  
15 that point. It wants to know the plans and the schedule for  
16 implementation.

17 Am I correct? In the Section 210 reg.

18 MR. AYCOCK: It goes beyond this point.

19 MR. CASE: It goes beyond this.

20 COMMISSIONER BRADFORD: So there is a difference between what  
21 we would consider completed and what Section 210 would consider  
22 implemented.

23 MR. CASE: Yes, but we recognize the difference; and  
24 we do implement these things, obviously.

25 MR. AYCOCK: The Annual Report, proposed Annual



CP 10 1 Report, sections do discuss our efforts regarding implementation  
2 of these things.

3 MP. DENTON: Mike, I think a fair distinction would be  
4 by "completed" we mean the development of the technical position  
5 approved by R<sup>3</sup>C and this sort of thing. And that implementation  
6 follows after that.

7 COMMISSIONER KENNEDY: And what form will it take -- a  
8 modification of the regulations, reg guide, or what?

9 MR. CASE: Probably more likely a modification of  
10 their license.

11 COMMISSIONER KENNEDY: Modification of the license?

12 MR. CASE: Or it could be a reg guide. Even on that,  
13 the eventual implementation is a change in their license, a  
14 change in tech specs, change in design.

15 COMMISSIONER KENNEDY: And at what point does the question of  
16 back-fitting get addressed?

17 MR. DENTON: It gets addressed through the R<sup>3</sup>C methods.

18 COMMISSIONER KENNEDY: So when you say "completed,"  
19 decisions have been reached as to whether back-fitting is  
20 necessary, desirable, or unnecessary.

21 MR. CASE: Hopefully.

22 COMMISSIONER KENNEDY: What does that mean?

23 CHAIRMAN HENDRIE: It is nominally part of the task  
24 for the completion of the management review with completion of  
25 the task action planned to know where you are going to implement

CP 11 1 it and how, if there is any difference across the reg plans, if  
2 you did.

3 COMMISSIONER KENNEDY: That's what I am asking.

4 MR. DENTON: Well, the R<sup>3</sup>C recommendation, as you  
5 recall, put items in the categories as to how they were to be  
6 applied. And that was done without public input. And the recent  
7 letter to AIF says they will have an input into the process in  
8 the future. And we have asked that all sorts of things coming  
9 to R<sup>3</sup>C now do a much better job of spelling out how it will be  
10 implemented.

11 The ones that we did complete, I don't remember how  
12 they broke out as to how they applied.

13 MR. AYCOCK: Well, an example would be tasked A-31,  
14 which was on RHR shutdown requirements. That was marked  
15 "complete" following R<sup>3</sup>C approval of position and development  
16 of the implementation schedule. And in fact, a draft reg guide  
17 was issued which incorporated that decision.

18 CHAIRMAN HENDRIE: What about back-fitting  
19 considerations? Have they been considered?

20 MR. AYCOCK: It included back-fitting.

21 COMMISSIONER KENNEDY: Do you remember, Roger, the  
22 details?

23 VOICE: Yes, there was a requirement for new  
24 plants, another requirement for old plants; the Rash Committee  
25 approval of the -- this was in the reg guide.

CP 12

1 CHAIRMAN HENDRIE: Consideration of the implementation  
2 where, if it differs from group to group, what those differences  
3 are ought to be part of the so-called resolution of an issue.

4 Otherwise, you don't know where and how to apply them.

5 COMMISSIONER KENNEDY: When you say "completed," that  
6 decision has been taken --

7 MR. CASE: Yes.

8 COMMISSIONER KENNEDY: -- and implementation will  
9 affect whatever that decision has been, whether or not you have  
10 R<sup>3</sup> C.

11 MR. CASE: That's right.

12 COMMISSIONER BRADFORD: What kind of time do you  
13 expect to see between the time an issue is resolved and the time  
14 that the resolution is implemented for all plants to which the  
15 issue had applied originally?

16 MR. DENTON: It would vary with how many plants it  
17 applied to, and this sort of thing. Maybe we can get an  
18 example --

19 MR. CASE: I think it would be typically years, as  
20 distinguished from months -- several years.

21 MR. DENTON: Let me ask this too: have we had any  
22 experience?

23 MR. STELLO: Of course, it depends on how complex the  
24 solution is and how much equipment you might have to modify,  
25 what you need to do in the plant.



CP 13

1 I think a good example is fire protection. We have  
2 been about that task now for a couple of years. There is an  
3 awful lot of hardware that needs to be designed, purchased, and  
4 installed. And hopefully by the end of next year, we will have  
5 had that task completed.

6 We have been on that one now for about three years.

7 COMMISSIONER BRADFORD: The task will be completed,  
8 but it won't be implemented.

9 MR. STELLO: I mean completed -- all the hardware will  
10 be in, fully implemented.

11 COMMISSIONER BRADFORD: That's different from the  
12 word "complete" as it appears on this chart.

13 MR. DENTON: Yes.

14 MR. STELLO: "Fully implemented" perhaps is a better  
15 description.

16 COMMISSIONER BRADFORD: When would it have been  
17 resolved and completed?

18 MR. CASE: When did the branch technical position  
19 on fire?

20 MR. STELLO: The branch technical position 951 must be  
21 close to three years, two and one-half years. I think about  
22 two and one-half to three years.

23 CHAIRMAN HENDRIE: It was the fire, it was Browns  
24 Ferry plus what? nine months?

25 MR. STELLO: About a year after the fire.



CP 15

1 CHAIRMAN HENDRIE: The Haneler force had to go through  
2 the whole thing.

3 MR. STELLO: We adopted a branch technical position  
4 which was the management solution to the problem. Then we began  
5 to implement it on the individual plants thereafter.

6 COMMISSIONER BRADFORD: So from that point in time --  
7 and fire protection would have been taken off the unresolved  
8 safety issues table, if there had been such a thing.

9 MR. STELLO: It would have been taken off the  
10 unresolved safety issue at the time the branch technical  
11 position was approved by the R<sup>3</sup>C, which had the solution for the  
12 new plants in it, and the solution for the old plants. At that  
13 time, it became a matter of implementation.

14 And Roger Maxin's division and mine began the actual  
15 implementation of the recommendations in the branch technical  
16 positions. They were applied to each of the plants. And now  
17 the plants are starting to install the hardware to meet those  
18 objectives.

19 MR. DENTON: But as Mike said, for our report to  
20 Congress on these issues, we will include implementation plan.  
21 I assume we will keep it going until it is fully implemented.

22 MR. AYCOCK: There is a discussion of what implementa-  
23 tion is ongoing or has gone on in the last year -- in the report,  
24 the draft report, Enclosure (1) of the Commission paper.

25 CHAIRMAN HENDRIE: Why don't you seize the several

CP 16 1 seconds of silence and plunge ahead to the next slide or  
2 complete that one?

3 MR. CASE: I just have to point out the manpower one,  
4 where some months ago we said that 50 man-years, and the record  
5 shows we expended 48.

6 COMMISSIONER AHEARNE: We have got that record tuned  
7 to very well.

8 COMMISSIONER KENNEDY: That is an innovation, I assure  
9 you.

10 CHAIRMAN HENDRIE: What the record shows very clearly  
11 is that there are two people who, if they had just worked a  
12 year out there, would have done three generic safety issues.

13 MR. CASE: I just calculated this last Friday. And  
14 that is the way it came out after we got Commissioner Kennedy's  
15 memorandum.

16 MR. AYCOCK: If we can go to the next slide --

17 (Slide.)

18 With regard to the process that the staff used to  
19 identify unresolved safety issues, the objective was to identify  
20 those generic issues that posed substantive questions about the  
21 adequacy of current safety requirements or plant designs.

22 The review or the decisions were made by NRR's  
23 technical activities steering committee, which is chaired by  
24 Mr. Case; and the members are the four NRR division directors.  
25 And they received input from the technical staff in making these

CP 17

1 judgments.

2 MR. CASE: Whose chairman is Mike Aycock.

3 MR. AYCOCK: They have an advisory group, yes.

4 MR. CASE: With members from each of the divisions  
5 involved, technical assistance from each division involved. And  
6 I must say right here now: it is that input that helped us do  
7 this job in a relatively short time and I think a rather  
8 effective way.

9 MR. AYCOCK: The first step was: develop a definition  
10 or a set of criteria for use in screening the generic issues and  
11 utilized a considerable amount of information which I will  
12 detail a little more later, including task action plans and the  
13 risk-based evaluation that is enclosed as Enclosure (3) to the  
14 Commission paper.

15 And they reviewed all of those generic issues that  
16 could potentially qualify as unresolved safety issues in a step-  
17 wise procedure.

18 If we can go to the next slide.

19 COMMISSIONER BRADFORD: Hold that one just a second.

20 Didn't you already have a definition of sorts when you  
21 were looking for generic issues that posed substantive  
22 questions about the adequacy of current safety requirements?  
23 Why wasn't that for all practical purposes your working  
24 definition?

25 MR. CASE: I think he just coined that for this slide,



CP 18

1 but I don't know.

2 MR. AYCOCK: We tried to characterize our view of what  
3 we thought that Congress' interests were. And in order to have  
4 a working definition, I believe you need something a little more  
5 definitive anyway.

6 COMMISSIONER AHEARNE: Could I ask you, you were  
7 saying that -- I'm confused on the role of the response to  
8 Congress versus the role of trying to concentrate on what other  
9 important issues you have been working on.

10 I would assume that in theory they -- they are somewhat  
11 synonymous; but I thought that this procedure that you are about  
12 to describe going through was narrowed down to focus on which  
13 were the truly critical issues and how much resources had to be  
14 expended.

15 MR. CASE: Right.

16 First, the Congress's view is just safety. So one  
17 would exclude all the other important issues, like environmental --  
18 don't necessarily involve safety.

19 Then, among the safety issues, the most important are  
20 the most significant. That was the logic that was used. And  
21 let me try to answer your question. We could have used the  
22 definition of whatever the substantive safety issues or what  
23 have you that could have been used.

24 The next slide has the definition. Perhaps if we move  
25 to that.



CP 19

1           There is some logic to it, but I must admit you could  
2 have used another definition. One of its bigger attributes is  
3 that a lot of people agreed to it and used it for this process.

4           I think that is its biggest plus.

5           MR. AYCOCK: If we can move to the next slide.

6           (Slide.)

7           The definition used by the steering committee was:

8           "An unresolved safety issue is a matter affecting  
9 several nuclear power plants for which it is likely that actions  
10 will be taken to (1) compensate for a possible major reduction  
11 in the degree of protection of the public health and safety, or  
12 (2) provide a potentially significant decrease in risk to the  
13 public health and safety."

14           MR. CASE: Now, let me say a few words about that  
15 definition.

16           As a matter of fact, in several nuclear power plants,  
17 you need something like that because it is generic. So you need  
18 some words like that for a definition.

19           It is important to know that it only applies to things  
20 where it is likely that actions will be taken. In other words,  
21 that is a judgmental step.

22           COMMISSIONER AHEARNE: Are you saying it is likely  
23 that actions will have to be taken?

24           MR. DENTON: Yes.

25           MR. CASE: Excuse me. Not necessarily. Because it

CP 20

1 covers for the first --

2 CHAIRMAN HENDRIE: For category I , yes.

3 MR. CASE: For category I, yes. For category II, which  
4 involves the potential risk reduction, you could be taking some  
5 risk reduction actions because of the cost-benefit ratio  
6 primarily, rather than you thought the risk was too high.

7 If you saw a way of getting a significant decrease in  
8 risk for a few dollars, I think there would be general agreement  
9 that should be done, regardless of whether you particularly  
10 thought it was required or not.

11 COMMISSIONER KENNEDY: Is it conceivable you could  
12 have an unresolved safety -- that's true. The issue wouldn't  
13 take any action.

14 MR. DENTON: We would have one in a category.

15 COMMISSIONER KENNEDY: Then it wouldn't be an  
16 unresolved safety issue any more. By definition, it is something  
17 else.

18 CHAIRMAN HENDRIE: Once you decided what --

19 COMMISSIONER KENNEDY: Once you decided, you are not  
20 going to take any action. It is not an unresolved safety issue.

21 MR. DENTON: That's right; it is resolved.

22 COMMISSIONER KENNEDY: What is it? You know, if you  
23 use a definition like that, if you think for a second, just  
24 logic -- if you use a definition like that, all you have to do  
25 to eliminate all your unresolved safety issues is decide you

CP 21 1 are not going to take any action. Then, you have no unresolved  
2 safety issues.

3 MC. CASE: Then, there is no need for the staff to be  
4 studying it. That's true.

5 COMMISSIONER KENNEDY: That is a fascinating brand of  
6 logic.

7 COMMISSIONER AHEARNE: So you see two separate types  
8 of issues.

9 MR. CASE: Yes. That is important. One, I categorize  
10 more as looking back; the other is looking forward.

11 COMMISSIONER AHEARNE: On the first category, that is  
12 something that you would end up requiring action?

13 MR. CASE: Yes.

14 COMMISSIONER AHEARNE: That's right?

15 MR. CASE: Yes.

16 COMMISSIONER AHEARNE: And the second one is one that  
17 the cost-benefit comes into place.

18 MR. CASE: Or it could be required, too. I have to  
19 say that.

20 In other words, we might find out something we never  
21 knew before that would make us feel that you have to do  
22 something, you are required to do something, across the board to  
23 decrease the risk. There is some risk that was unbeknown to us  
24 at the time we issued a number of licenses.

25 COMMISSIONER BRADFORD: That would become a category I.



CP 22 1 MR. CASE: Well, it could. It could. B. y I,  
2 the major reduction in the degree of protection to the public  
? 3 health and safety, those are the words of Art to be used in the  
and Belt 14 abnormal occurrence criteria.

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pmcc 1

1 We tried to use words that are used in other places  
2 and have a meeting associated with them already. That was ne  
3 of the objectives.

4 COMMISSIONER AHEARNE: Try to help me understand.  
5 I am not that familiar with the words of art that you have in  
6 other places, so that I am having difficulty seeing a  
7 distinction, if you have concluded that you might have to  
8 take an action to provide a potentially significant decrease  
9 in risk.

10 It would sound like, if you didn't take the action,  
11 then you would conclude that there has been a major reduction  
12 in the degree of protection.

13 MR. CASE: Possible. One of the problems,  
14 Commissioner Ahearne, and we went through this, in identifying  
15 things we thought should be on the list, some people would say  
16 they are on there because of number two. Other people would  
17 say they are on there because of number one. They would agree  
18 --

19 COMMISSIONER AHEARNE: I am having some difficulty  
20 understanding the difference between one and two.

21 MR. CASE: To some people there is a difference, a  
22 sharp difference. To others there is not such a difference.  
23 I guess that is my answer.

24 But they wound up both agreeing that such and such  
25 topic ought to be one.

pmcc 2 1 COMMISSIONER AHEARNE: Is there a distinction in the  
2 minds of people who see a sharp distinction from, as you  
3 started to say in the beginning, that there is one category of  
4 actions that you could see being required to be taken because  
5 they would be a requirement to provide the adequate safety  
6 measure?

7 And the second category being one where you now do  
8 the cost benefit? And you conclude that for those, for the  
9 costs that would be involved, then it would be reasonable to  
10 take that action?

11 MR. CASE: Yes, for those who see a sharp distinction,  
12 is that true?

13 COMMISSIONER AHEARNE: Yes.

14 MR. CASE: Yes.

15 I think I see a sharp distinction, although some of  
16 the others don't.

17 COMMISSIONER AHEARNE: But is your distinction  
18 based upon those?

19 MR. CASE: Yes.

20 COMMISSIONER GILINSKY: Let me ask you, suppose  
21 somebody raises a question -- an issue was really the question  
22 -- and you don't know what in the world we are going to do  
23 about it, but it sounds important. Isn't that an unresolved  
24 safety issue?

25 MR. CASE: No, I don't think so. Not in what we



pmcc 3

1 have tried to draft here.

2 I think there ought to be some resources to study.

3 COMMISSIONER KENNEDY: Not unless you have decided  
4 to do something about it.

5 MR. CASE: But unless there is a relatively broad  
6 consensus that out of this study we are going to do something,  
7 then it doesn't rise to the test of unresolved safety  
8 questions.

9 COMMISSIONER BRADFORD: But at that point don't you  
10 think you have left behind a concern that the Congress had in  
11 mind when they used the terms?

12 MR. CASE: I don't believe so, but that is --

13 COMMISSIONER BRADFORD: The Congress, you think,  
14 only wanted issues on which they knew we were going to be  
15 taking action.

16 MR. CASE: It doesn't say, no. It says likely. It  
17 has some qualifiers in there, but what it tries, frankly, one  
18 of the things that I don't think should rise to the occasion  
19 is just one person's thought that this is a problem. The way  
20 this is constructed, it would have to be a broader consensus  
21 than that.

22 COMMISSIONER KENNEDY: Let me put it another way.  
23 Why wouldn't it be correct to say an unresolved safety issue  
24 is a matter affecting several nuclear plants, for which it is  
25 likely that action will be required to one or two?

pmcc 4

1 MR. CASE: You could say that.

2 COMMISSIONER KENNEDY: That's different.

3 You know, if it is required, obviously it is going  
4 to be taken, but this doesn't go to that. This says we just  
5 decide whether we are going to do it or not, and that  
6 automatically makes it an unresolved safety issue.

7 If you look at an action and say that is something  
8 you have got to do something about, then it is an unresolved  
9 safety issue.

10 MR. CASE: Depending on what you mean by actions, in  
11 order to get something done in a plant, the staff has to take  
12 some action; i.e., you have to write an order or write a  
13 something or other to get it done. And the licensee has to  
14 take some action to do it. And it includes both of those.

15 The action will be taken and includes both those  
16 steps. We take some action to require them to take some other  
17 actions.

18 COMMISSIONER KENNEDY: I understand what it means.

19 MR. DENTON: This is the one that the group actually  
20 used in making their separation. No doubt it could be worded  
21 differently and still meet as a result of these same risks.

22 COMMISSIONER KENNEDY: I wish I knew what it meant,  
23 so I would know what it was they decided.

24 MR. DENTON: But we deliberately didn't pick only  
25 those where we are 100 percent sure what we are requiring.

pmcc 5 1 You can't decide that well. So there are some on there tha  
2 may not require action once a thing is fully understood.

3 COMMISSIONER AHEARNE: I think there is a second  
4 question, though, Harold, based upon Ed's point that, at least  
5 in the minds of some people, to see a distinction between one  
6 and two, and there are then, I assume, some issues on the  
7 list put on there by some people who, A, saw such a distinc-  
8 tion and, B, thought they were category two.

9 COMMISSIONER BRADFORD: Which are those?

10 COMMISSIONER AHEARNE: Category two is a cost benefit  
11 argument, and that is a different character, I think, at least  
12 in the minds of -- certainly in my mind. And I think that was  
13 the point that Al had been making in the paper that he wrote.

14 And if there are that character to some of these  
15 items, I think it would be important to make that a little  
16 clearer.

17 MR. DENTON: Maybe in the presentation can you  
18 separate out which ones were one and which ones were two?

19 MR. CASE: There is not complete agreement on that.

20 CHAIRMAN HENDRIE: John, let me make a comment, and  
21 then I would suggest you might like to get on here a few more  
22 slides.

23 This two part definition is there. One of the  
24 reasons it's there is that the prescription or what is the  
25 required level of safety by virtue of the Atomic Energy Act,



pmcc 6

1 the Commission's regulations and various staff positions in  
2 many areas is not all that precisely defined.

3 There is, in fact, a bit of a fuzz to it. And  
4 people who might disagree on whether a particular improvement  
5 in safety was in fact required to meet that legal standard or  
6 whether the improvement is actually somewhat in excess of the  
7 legal standard but still a great buy, and hence in the public  
8 interest, these definitions allow both of those people to agree,  
9 both people to agree on the things where that is the case.

10 And I expect that is part of the reason that you  
11 evolved that two horned standard.

12 MR. CASE: That's right.

13 CHAIRMAN HENDRIE: And it also, as you mentioned,  
14 has a certain amount of forward looking -- backward looking to  
15 it.

16 MR. CASE: Yes.

17 CHAIRMAN HENDRIE: That is, if there is a perfectly  
18 well defined level required by law today that provides some  
19 level of safety for our nuclear facilities, are we in fact  
20 constrained never to do better than that for future  
21 installations?

22 And I think many people would read the fairly  
23 general mandates of the Atomic Energy Act as not to so limit  
24 the thing. So this again has to be --

25 CHAIRMAN AHEARNE: Joe, but the difficulty, I think,

pmcc 7 1 which you have focused on, I think Ed has pointed out, some  
2 discussion has pointed out, we have here a definition whose  
3 virtue seems to be that people can interpret it, the people who  
4 work with it can interpret it several ways and, therefore,  
5 enable various items to be included in its list, each feeling  
6 comfortable that it is there but perhaps for different  
7 reasons.

8 I think that that is their definition.

9 CHAIRMAN HENDRIE: Let me point out the reason you  
10 have a Section 210 now in the Energy Reorganization Act is  
11 because the staff evolved as a consensus position that there  
12 were a number of items that they proposed to treat generically;  
13 that is, rather than settle it all on plant A, it was going to  
14 be treated generically, and that list of items became known  
15 over a period of some years as generic safety issues or  
16 unresolved safety issues in some people's minds, and the term  
17 got picked up.

18 What the Congress did was say, "Make a report on  
19 these things and tell us what you can do about it."

20 Now, what they identified was a body of items which  
21 the staff had in fact agreed upon as a list of generic issues  
22 they wanted to work on on that basis.

23 So I think it is not totally inconsistent as the  
24 origin of the 210 position. The consensus of the staff to come  
25 back to that staff consensus for --

pmcc 8 1 MR. CASE: If anything, this errs on the side of  
2 putting more on the list than less.

3 COMMISSIONER AHEARNE: I am not concerned with that.

4 MR. CASE: If it errs, it errs in the right  
5 direction.

6 COMMISSIONER AHEARNE: I am not in any way concerned  
7 about the list being too big. The definition, I think, is  
8 sufficiently fuzzy that certainly I had difficulty understand-  
9 ing it, and I think, going out to the public or trying to  
10 work with it, it is difficult to work with, and you can move on.

11 MR. AYCOCK: I move on to the next slide.

12 (Slide.)

13 The next slide simply provides a list of the types  
14 of information used by the Steering Committee and its staff  
15 in reviewing the issues. The task action plans for the  
16 category A tasks, the set of problem descriptions for B, C and  
17 D tasks, we have no approved task action plans for lower  
18 category tasks at this time.

19 The draft risk based evaluation of the generic  
20 issues provided in Enclosure 3 to the Commission paper. We  
21 also had an NRR staff review of that particular evaluation.

22 The NRR groupings of generic issues into eight groups  
23 by type of activity. That was provided in Appendix A to  
24 Enclosure 2. And also we used the list of abnormal occurrences  
25 related to power reactors reported to Congress to date.



pmcc 9 1 MR. CASE: Because of that language tie-in that I  
2 discussed.

3 MR. AYCOCK: On the next slide --

4 (Slide.)

5 MR. DENTON: Probably we should mention too the  
6 key actors of this all had copies of the lowest committee  
7 report in their hands at the time of making the selection.

8 CHAIRMAN HENDRIE: Well-summed copies.

9 MR. AYCOCK: The next slide provides a list of those  
10 issues selected as unresolved safety issues for reporting to  
11 Congress. These are described in the proposed annual report  
12 sections, Enclosure 1.

13 I might note that we briefed the ACRS Subcommittee  
14 on Generic Activities last week on the Commission paper. They  
15 indicated at that time they probably would like to talk to us  
16 again in January, but in fact they put that off to some later  
17 time because their schedule was too crowded in January.

18 COMMISSIONER KENNEDY: You did speak of the staff  
19 review of draft risk based evaluation, which is an Enclosure  
20 3.

21 Table 2 of the enclosure refers to PWR accident  
22 perspectives and iodine for other reasons, the basis for  
23 the table being PWR design in the reactor safety study.

24 CHAIRMAN HENDRIE: Do they have a page, Dick?

25 COMMISSIONER KENNEDY: Yes. It is 11-A of the

pmcc 10

1 Enclosure 3.

2 Could you just clarify for me what that implies?

3 MR. DENTON: Yes. We have a research representative.

4 COMMISSIONER KENNEDY: Tell me what the basis for  
5 the table is.

6 MR. DENTON: Joe Murphy, Research.

7 MR. MURPHY: Basically this is a product of the  
8 probability of occurrence times the number of curies of  
9 iodine released.10 COMMISSIONER KENNEDY: These data are right out of  
11 the reactor safety standards or what?12 MR. MURPHY: The first six items are the PWR release  
13 categories one through six, and then number 12 is PWR release  
14 category 7. Those numbers derive directly from the safety  
15 study. They are normalized, so that they are 100 percent when  
16 added together.17 These other items were treated in the same way and  
18 normalized back to the values of the safety study.

19 COMMISSIONER KENNEDY: Thank you.

20 The fact that you had the Lewis study in your  
21 hands when you did this, a well-summed copy, as I get it, what  
22 effect did that have on this table?23 MR. CASE: It was on the use of the table that it had  
24 an effect. Those who used it, including those members of the  
25 Steering Committee, took into account the Lewis Committee.

pmcc 11 1 COMMISSIONER KENNEDY: How?

2 MR. CASE: Well, we agreed with the Lewis Committee  
3 thoughts what the range of uncertainties were in the absolute  
4 numbers given in the RSS study. We were aware of and agreed  
5 with their observations of the points.

6 We used this information in aiding our judgment on  
7 things rather than as the only basis for judgment.

8 CHAIRMAN HENDRIE: You also recognize that this  
9 table which is now normalized in a way that what is significant  
10 are relative positions and things of the table, which is  
11 entirely consistent with the committee's Lewis group  
12 recommendation.

13 , How Lewis would say is look at items 1 and 2, where  
14 you get nine percent on Cat 1, PWR Cat 1, and 9.7 on 2 and  
15 don't make a great deal of that difference, because it is  
16 getting down to the point where the precision of the results  
17 wouldn't justify drawing any strong distinctions between the  
18 two.

19 But if you want to compare PWR Cat 2 at 81 percent  
20 to RCS main pump seizure, my God, about three times to the  
21 minus eight on a relative basis.

22 So I think it is not an inconsistent proposition.  
23 This is just on an iodine release basis, and one could form a  
24 table like this of the same group of --

25 COMMISSIONER KENNEDY: This was nothing but an



pmcc 12 1 illustration.

2 CHAIRMAN HENDRIE: -- issues on the basis of what  
3 whole body doses in the near term, total doses over the long  
4 term.

5 This one is simply on an iodine release basis,  
6 which has occasionally been used for these comparative purposes.  
7 I know a farmer and his group for years used an iodine release  
8 as a measure, not to reflect everything that went on in an  
9 accident, but as a useful way to characterize the severity of  
10 various --

11 COMMISSIONER AHEARNE: Since the issue has been  
12 brought up, Enclosure 3 is described as a preliminary draft.  
13 Did you get a final report?

14 MR. CASE: No, it has not become final yet because  
15 the interaction between the staffs has not yet taken place.  
16 It would be helpful and needed before the thing were made  
17 final.

18 COMMISSIONER AHEARNE: I wonder if I could ask Mr.  
19 Murphy a question.

20 In the consideration I notice that, in addition to  
21 the point that Commissioner Kennedy raised, there are several  
22 of these descriptions of the various problems that were  
23 examined that give absolute values of probabilities of  
24 occurrence in addition to just relative.

25 Are you examining that, or what did you have in mind?

pmcc 13 1 Or in your view is the preliminary draft the final?

2 MR. MURPHY: Well, I think right now I don't  
3 expect things to change. But we are going to look over the  
4 considerations that we are hearing from NRR on their review  
5 of the documents.

6 In order to make relative comparisons you have to  
7 have absolute numbers. The strength of the report, though --  
8 and it should only be used in terms of the relative  
9 comparisons. I think we have made that fairly explicit in  
10 the earlier parts of that document.

11 As I say, we don't expect any change at the moment,  
12 but we are going to continue our dialog with NRR.

13 COMMISSIONER AHEARNE: Do you have some reasonable  
14 confidence in the absolute values?

15 MR. MURPHY: In many areas the analyses that were  
16 done are bounding in nature, and therefore the absolute  
17 values do not represent realistic numbers, and they were not  
18 meant to. We tried to preserve something close to the same  
19 degree of conservatism as we went through, so the relative  
20 comparisons have some meaning.

21 But I would question against the use of the absolute  
22 values.

23 MR. AYCOCK: If we can move to the next slide --

24 (Slide.)

25 -- I would like to go through the procedure of steps that were

pmcc 14 1 used to consider those issues that might qualify as  
2 unresolved safety issues.

3 In step one we considered those issues that appeared  
4 in NRR groups 1, 2 or 3, and those groupings, I guess the  
5 definitions of those groupings are provided on pages six and  
6 seven of Enclosure 2.

7 Perhaps I could get backup slide number 2.

8 (Slide.)

9 These are the definitions of the first six groups. We used  
10 groups 1, 2 and 3 because we felt that these were the groups  
11 that included those issues which potentially could result in  
12 the staff upgrading its requirements, safety requirements.

13 The other issues, the other groups, as you note  
14 from the definitions, group 4 would be relaxing requirements.  
15 Group 5, develop and maintaining, improving staff capability  
16 to perform audit calculations, improving guidance. Seven has  
17 to do with environmental reviews and so on.

18 If we can go back to the previous slide --

19 (Slide.)

20 -- we use those issues that appear in groups 1, 2 and 3 and  
21 also appeared in the draft risk report categories 1 or 2; that  
22 is, they're categories of potentially high risk significance  
23 and potentially low risk significance. We didn't give any  
24 significance to the two groups.

25 I think we considered anything in those two



categories as being potentially risk significant.

Result that taking this cross cut of issues provided us with the most likely candidates for unresolved safety issues, compared each issue against the definition or the criteria. And as we note on the next slide --

(Slide.)

-- this graphic, that 11 of the category A issues, or the 15 category A issues considered in this step, were determined to qualify. There were four category B issues considered in this step. One was determined to qualify. It was previously Task B-57, station backout. As a result of this review of unresolved safety issues and its assignment to the group of unresolved safety issues, it was elevated to a category A issue, A-44.

And part of one category C issue was determined to qualify. It was Task C-3 regarding insulation usage and containment. It had to do with, that particular part of the task had to do with some potential for blockage. Go to the next slide.

(Slide.)

Step two --

MR. CASE: First I would like to say one could make an argument, we could have stopped there. We had taken those from our groupings that were most significant to safety and those from the research grouping of highest risk potential and

pmcc 16 1 looked at those, and one could have said, well, that's good  
2 enough.

3 We went beyond that, as Mike will indicate, to make  
4 sure that we had picked up any that might have been on the  
5 fringe in between that step and the research step.

6 MR. AYCOCK: That's correct.

7 In step two there were 51 additional issues that  
8 appeared in our groups 1, 2 or 3 that were not determined to  
9 be potentially risk significant in the draft risk base  
10 report that were considered in step two.

11 These, it was unlikely, we felt, they would qualify,  
12 principally because of the draft report characterization, but  
13 nonetheless we considered them.

14 It is noted on the next slide --

15 (Slide.)

16 -- of the 12 category A issues considered in this step, three  
17 were determined to qualify. And one category B issue,  
18 previously issue B-14, on vortex suppression requirements was  
19 combined with the category C issue considered in the previous  
20 step in the task of emergency sump reliability.

21 (Slide.)

22 And step three considered the remaining five issues  
23 that were classified as potentially risk significant in the  
24 draft report that were not considered in step one. Again, we  
25 felt these were unlikely to qualify because they appeared in the

pmcc 17 1 lower groupings of NRR groupings of the issues by activity  
2 type.

3 And it is noted in the next slide --

4 (Slide.)

5 -- two issues, two category A issues were determined to qualify  
6 in this step.

7 COMMISSIONER AHEARNE: Which were they?

8 MR. AYCOCK: They were Task A-24, which is on  
9 environmental qualification of safety related electrical  
10 equipment.

11 I think principally because the original plan for  
12 resolution was such that it was to simply review vendor  
13 programs that we would request on a generic basis, so we can  
14 apply the solution case by case. It was more of an audit  
15 type review. That task was subsequently, it was assigned  
16 therefore to group 5 in the NRR groupings.

17 Subsequently that task was expanded to include  
18 additional things which we believed caused it to qualify.  
19 That is the development of an interim position on how in fact  
20 do you meet the positions of IEEE 323, 1974.

21 MR. CASE: It is a fair way to say our paperwork  
22 didn't catch up with the way the task was going. The direction  
23 of the task and its scope moved faster than the paperwork  
24 describing that particular task.

25 The effort in this area to a large part was driven



pmcc 18 1 by our work on the Union for Concerned Scientists' petition  
2 on electrical vectors and our paperwork didn't catch up with  
3 the pace of the work. But here it did catch up, and we  
4 considered it to be an unresolved safety issue.

5 COMMISSIONER AHEARNE: It sounds almost like it was  
6 shifting up into other categories.

7 MR. CASE: Yes, all the time.

8 CHAIRMAN HENDRIE: What was the other one?

9 MR. AYCOCK: The other one was task A-40 on seismic  
10 design criteria.

11 CHAIRMAN HENDRIE: Okay.

12 MR. AYCOCK: In the final step --

13 (Slide.)

14 -- because of the use of the terminology or use of terminology  
15 similar to that used in the abnormal occurrence criteria --

16 COMMISSIONER AHEARNE: I'm sorry, as the Chairman  
17 in his question triggered something, why wouldn't seismic  
18 design criteria have fallen into group 2 or group 3?

19 MR. AYCOCK: Let me try to give you the rationale.  
20 Seismic design criteria, I believe, was initially based in  
21 group 4, which was the group for consideration of relaxing  
22 certain requirements.

23 (Slide.)

24 Paragraph A-40 is a task principally looking at our  
25 developing the tools necessary for the staff to re-review

pmcc 19 1 seismic design of operating plants. That is looking at  
2 quantifying conservatisms in the design and so on. In that  
3 sense, it might allow the staff to accept something less than  
4 provided by current requirements, if you were to review old  
5 plants to current requirements.

6 So in that sense it would be possibly relaxing.  
7 The Steering Committee felt that it was likely that some  
8 actions were going to be necessary at some plants too --

9 MR. CASE: Existing old plants.

10 MR. AYCOCK: Existing old plants, to upgrade the  
11 seismic design.

12 COMMISSIONER AHEARNE: It shifted from relaxing to  
13 upgrading and shifted --

14 MR. AYCOCK: Yes.

15 COMMISSIONER AHEARNE: Okay.

16 MR. AYCOCK: In step four --

17 (Slide.)

18 -- we reviewed those events reported to Congress as abnormal  
19 occurrences in the past. Five generic issues resulting from  
20 previously reported abnormal occurrences had already been  
21 identified as unresolved safety issues.

22 MR. CASE: By these previous steps.

23 MR. AYCOCK: An example would be steam generator to  
24 integrity. One generic issue related to a recent abnormal  
25 occurrence report --

pmcc 20 1 COMMISSIONER AHEARNE: The pipe cracking.

2 MR. AYCOCK: The pipe cracking in oiling water  
3 reactors -- was determined to meet the definition. It was  
4 also made a generic issue and assigned to category A at the  
5 same time.

6 The other generic cases either don't require long  
7 term study or compensating actions have been or are already  
8 being taken. I believe that's all I have as far as the  
9 presentation is concerned.

10 MR. CASE: The point I would like to make is we  
11 went through a rather systematic, deliberate procedure for  
12 coming up with these issues which is more than the definition,  
13 but it is in support of the definition.

14 And I think it was a logical way to do it, and  
15 because of the deliberate nature of that process, coming back  
16 to something we said earlier, you should recognize that for  
17 each thing that is labeled an unresolved safety issue, we have  
18 to testify at adjudicatory hearings why it is, why does the  
19 staff think it is, what is its program for resolving it, why  
20 is it all right to license in the meantime?

21 And through this process we have developed a  
22 consensus on those questions and stand prepared to talk about  
23 these at the various adjudicatory hearings.

24 COMMISSIONER AHEARNE: The impression I get from the  
25 comment you made earlier, Mike, about the ACRS is that they



pmcc 21

1 have not completed or may not go through a detailed review of  
2 your culling. Is that correct?

3 MR. CASE: Either one or the other.

4 They have a list of their own of generic issues, and  
5 there is a lot of correspondence between the two lists. But  
6 they didn't choose, nor did we, to try to combine them on a  
7 common list. We just handled them separately.

8 As a matter of fact, in each hearing we talk about  
9 these various issues, what the status is and why -- or why it  
10 doesn't apply to this plant and why, when we think one could  
11 license in the meantime, and the same way for our issues.

12 COMMISSIONER AHEARNE: You would not expect any time  
13 in the near future or perhaps at all to get a letter from the  
14 ACRS saying, "Yes, we have reviewed your process. We believe  
15 that the 14 that you have chosen are the high priority items."?

16 MR. CASE: No.

17 MR. DENTON: I had thought we would be able to get  
18 this to them in time to reach such a list, but we just didn't  
19 make it. And we ran up against the need for the yearly  
20 report. Maybe next year we will be able to come to that kind of  
21 a resolution.

22 We had in hand their grouping from, I guess, about  
23 mid-summer that gave us a report. Their report also includes  
24 items which are researches on going a lot.

25 COMMISSIONER AHEARNE: Is there any advantage to

either explicitly asking them or some group to review this to  
try to get an advisory opinion concerning it?

MR. DENTON: I anticipate we will be getting advice  
from them in February on this; that is, their views on the  
list.

COMMISSIONER AHEARNE: I thought Mike had said the  
meeting had been postponed from January.

MR. DENTON: The January meeting has been postponed,  
but I think eventually we will get together on it.

pmcc 22

end t#2

781.03.1

gsh 1 I guess the reason I didn't see it as crucial is  
2 this is not a rule-making defining of these as the only  
3 issue. That's why I prefaced my earlier comments, I still  
4 anticipate having to address anything on the list for us to  
5 determine are applicable.

6 It would be maybe convenient next year sometime to see if  
7 we could get a list that ACRS agreed with. One thing we do  
8 want to do is start numbering them all sequentially, the  
9 As and Bs and 1s and 2s -- just list all the issues and we  
10 can talk about their relative priorities.

11 COMMISSIONER AHEARNE: In what way are the resources  
12 that you have to place on these issues going to be reduced if  
13 we agree to a reduction to essentially 14 high priority items?

14 MR. DENTON: The resources now are spread over the  
15 As and Bs, mainly concentrated in the As. If you approve  
16 this, they will be redirected to go into the As as much as  
17 possible. I think the 51 man-years or so that we budgeted  
18 in '79 for this activity will enable us to work on this  
19 entire list and a little bit on other ones, but not a lot.  
20 And we will attempt to use dollars in place of manpower on  
21 the ones that are in the lower priority list.

22 COMMISSIONER AHEARNE: You are saying as far as  
23 the NRR manpower that is allocated to the items, that that  
24 is going to stay relatively the same, even if we accept the  
25 reduction in the high priority items.



gsh 1 MR. DENTON: Yes.

2 MR. AHEARNE: And if we don't, it just means it will  
3 spread the same number of people over the items.

4 I guess one comment I have to make is that not having had  
5 the opportunity or not having taken the opportunity to go  
6 through last year's reports, I did come into this exercise  
7 with the idea in mind there were roughly 133 items of  
8 contention. Starting to read through the material that has  
9 been coming up over the last month, I recognize that it has  
10 been culled down.

11 I am, though, not myself satisfied with the explanation,  
12 the written explanation of the culling process that brings  
13 you down to 14, because to some extent, you started with this  
14 list of category A items which were identified as either being  
15 high priority with regard to the safety issues or the  
16 licensing process. And then, the category 1, which are high  
17 probability of risk.

18 I would have expected, at least, a more lengthy explanation  
19 and maybe it was because it was assumed that it had been  
20 done last year of going from the 133 down to that matrix,  
21 two pieces. And then a more full explanation of why  
22 every one of those items that was going to be dropped wasn't  
23 on it. Because I think that, frankly, in many people's minds,  
24 there really are 133. And to suddenly turn around and say,  
25 "Oh, no, it's 14," that is an order of magnitude.

781.03.3

gsh 1 And to make that a believable step is going to have to take  
2 some very careful explanation, because it is going to be very  
3 hard to believe.

4 MR. DENTON: Some of them that are on the list will  
5 probably continue to be worked on if things --

6 COMMISSIONER AHEARNE: No. You are saying that he  
7 is the high priority set --

8 MR. DENTON: Yes.

9 COMMISSIONER AHEARNE: -- which means that the  
10 others must be lower priority. And it is that step which will  
11 have to be explained more carefully.

12 MR. DENTON: That true, we haven't documented. And  
13 you would just, I guess, have to weigh the need for that  
14 against using the same resources of the group moving on the  
15 top of the list. ((

16 It depends on how carefully you document.

17 COMMISSIONER AHEARNE: Harold, it almost sounds like  
18 you are saying we accept your calling, because if we don't  
19 accept it, you can't afford to spend the time.

20 MR. DENTON: No, not at all. It just takes a little  
21 bit of time. We recognize, I guess, we could have documented  
22 better the reasons that we didn't. It took much longer to  
23 get this far than we thought.

24 We could certainly go back and document the reasons and  
25 rationale that was discussed in the group as to why they didn't

781.03.4

gsh 1 take any of the As or the 1s and 2s, the ones that had been  
2 rejected, and find out why they did so.

3 We have difficulty doing it on the schedule we are on, but  
4 we could do it.

5 Maybe Mike can address how difficult a task it would be.

6 MR. CASE: Let me speak for him. It would be quite  
7 difficult to meet the deadline of the Congress for this report

8 COMMISSIONER AHEARNE: I guess when you say,  
9 "documents," and I say explain, I guess what I am having  
10 difficulty -- I am not trying to say that you need voluminous  
11 documentation.

12 What I am assuming is that if a task which was one of the  
13 Category A, Category 1 items is not going to be included,  
14 that there must be in someone's head resident the understanding  
15 as to why.

16 MR. CASE: There are only 4, I believe is the right  
17 number, Mike. Category A, Group 1, 2, 3, high research.

18 COMMISSIONER AHEARNE: I am talking about A and 1,  
19 the sum of those 2.

20 MR. CASE: But you see, it could have been an A  
21 and an environmental issue.

22 COMMISSIONER AHEARNE: Fine. But I believe it has  
23 got to be explained if we are going to be -- if this going in  
24 with a much reduced list is going to be greeted with anything  
25 other than great skepticism and disbelief and cynical



81.03.5

gsh

1 reception.

2 MR. AYCOCK: Are you saying, though, that our  
3 Category A and also appeared in the draft risk based  
4 evaluation as potentially a --

5 COMMISSIONER AHEARNE: Category A or --

6 MR. AYCOCK: Category A or. I understand.

7 COMMISSIONER AHEARNE: It is just a personal  
8 belief.

9 MR. CASE: So I don't know how many there are.  
10 There were some number like 40 As and --

11 MR. AYCOCK: Well, we can get them out of here.

12 COMMISSIONER AHEARNE: That is just my own personal  
13 reaction.

14 CHAIRMAN HENDRIE: As or what?

15 COMMISSIONER AHEARNE: As or Is. One of the  
16 dominant themes --

17 CHAIRMAN HENDRIE: As and Is?

18 COMMISSIONER AHEARNE: That's right. I'm not saying  
19 Harold ought to be putting his resources on it. But I am  
20 saying if we are going to accept a reduction to 14, where we  
21 have got a list somewhere of the number of As that perhaps  
22 it was a bad set of categorization.

23 CHAIRMAN HENDRIE: I think it is more like 19, but  
24 a comparable list.

25 COMMISSIONER AHEARNE: I think that we ought to be

gsh

1 able to write down in a clear fashion why those are not items.

2 MR. CASE: It is not clear to me — As and Is or

3 As or Is?

4 COMMISSIONER AHEARNE: Well, it is not the union's,  
5 the intersection, in other words. If it were an A —

6 MR. DENTON: Any A or any one, which doesn't get on  
7 the list.

8 COMMISSIONER AHEARNE: Correct.

9 MR. KENNEKE: We have the explanation for the As  
10 and Is.

11 COMMISSIONER AHEARNE: An explanation.

12 MR. DENTON: If it doesn't need to be in the annual  
13 report, we could sure do it early by the time anyone gets  
14 around to the questioning. If it has got to be in there,  
15 we will have to make a major perturbation to document it.

16 COMMISSIONER AHEARNE: You might keep some more  
17 on the list.

18 MR. DENTON: But I think the staff did discuss them.  
19 They really don't think they need the high effort. It is just  
20 the question of how long it will take to remember what the —  
21 because they weren't documented at the time.

22 I assume they weren't documented.

23 MR. AYCOCK: No.

24 CHAIRMAN HENDRIE: I think it would be helpful to have  
25 some discussion on a sort of rung, work one's way down the

gsh 1 previous list and note what the disposition was and why.

2 And we might be able to schedule that.

3 MR. DENTON: I assume I can add that we could even  
4 today, if necessary, go through the list. And you are just not  
5 organized.

6 MR. CASE: See, we didn't organize it that way. If  
7 you just want to look at the As and Is, we can give you a  
8 clear story of why we don't think there any any unresolved  
9 safety questions.

10 Part of the story will be they are not safety issues; it  
11 is an environmental issue. Or if it is a safety issue, it is  
12 confirming rather than we think there is anything likely to  
13 come of it.

14 The research, but even though it is likely that some action  
15 will be taken, the risk potential is low, i.e., it is not a  
16 major reduction in --

17 COMMISSIONER AHEARNE: Ed, I'm not saying you can't  
18 do it. I'm just saying I haven't seen it. And I think it is  
19 necessary if it is going to be believed --

20 MR. CASE: What we attempted to do is to it by class.  
21 I am reacting to we didn't do it. We did it by class.

22 COMMISSIONER AHEARNE: Oh, no.

23 MR. CASE: We said everything that is not in  
24 groups 1, 2, and 3, never mind the fact that it is an A, by  
25 definition, is not an unresolved safety issue.



gsh

1 COMMISSIONER AHEARNE: But unfortunately, you have  
2 already crossed a couple that really should have been in  
3 1, 2, or 3.

4 MR. CASE: But it is because of changed circumstances,  
5 changed information.

6 COMMISSIONER AHEARNE: Fine. That's one of the  
7 reasons why --

8 MR. CASE: You don't do this continuously; you do  
9 it periodically. And it is that period of time you ought to  
10 review all the information you have -- move some up, move  
11 some down. That's what we did.

12 CHAIRMAN HENDRIE: I don't want to do it this  
13 afternoon, as we have two other items to get to. But what  
14 do you think of some further discussion which would allow  
15 a point-by-point working through these things and questions  
16 can be raised at appropriate times?

17 COMMISSIONER AHEARNE: Well, I would certainly like  
18 to do it when it is convenient. And if everybody else isn't  
19 interested, that's all right.

20 COMMISSIONER BRADFORD: I think we need it as well.  
21 OPE has pointed out several --

22 CHAIRMAN HENDRIE: That would also allow discussion  
23 in the context of that kind of report, particular items OPE  
24 has raised.

25 And it seems to me that that would be the way to get out

gsh

1 of it.

2 Sam, when can we schedule that?

3 MR. CHALK: I will have to look.

4 CHAIRMAN HENDRIE: How fast can you be ready?

5 MR. CASE: If you are talking orally, we are ready  
6 any time. If you are talking writing, that will take --

7 CHAIRMAN HENDRIE: Orally is fine.

8 MR. CASE: I have all my troops here ready right  
9 now. Are you people ready?10 CHAIRMAN HENDRIE: No. We are going to talk about  
11 something else, not unrelated totally.12 MR. DENTON: I would like to suggest, then, that if  
13 you want to do it immediately, let us do it through slides  
14 and handouts and data at the meeting, rather than trying to  
15 prepare a paper.

16 COMMISSIONER AHEARNE: Oh, yes, fine, fine.

17 CHAIRMAN HENDRIE: Sam, let's see how soon. Okay,  
18 why don't we then turn to subject 2 for this afternoon.19 (Whereupon, at 2:55 p.m., the meeting was adjourned.)  
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22  
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