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**NUCLEAR REGULATORY COMMISSION**

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Chapter 11 "Management Meeting"

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
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STAKEHOLDERS MEETING  
STANDARD REVIEW PLAN, CHAPTER 11  
"MANAGEMENT MEETING"

+ + + + +  
WEDNESDAY

DECEMBER 20, 2000

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ROCKVILLE, MARYLAND

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The meeting convened at the Nuclear  
Regulatory Commission, Two White Flint North,  
Technical Training Center, T3B43, 11545 Rockville  
Pike, at 10:00 a.m., Thomas Cox, presiding.

PRESENT:

- THOMAS COX, NRC, NMSS, FCSS
- LIDIA ROCHE, NRC, NMSS, FCSS
- PHIL TING, NRC, NMSS, FCSS
- WILKINS SMITH, NRC, NMSS, FCSS
- MIKE LAMASTRA, NRC, NMSS, FCSS
- ED FLACK, NRC, NMSS, FCSS
- BOB PIERSON, NRC

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RUSS WELLS, USEC

PRESENT (Continued):

KEN PERKINS, BNL/DOE

EDMUND KELLY, NFS

MICHAEL T. MARKLEY, NRC ACRS Staff

FELIX KILLAR, NEI

CHARLIE VAUGHN, GNF

JIM EDGAR, Siemens

DON GOLDBACH, Westinghouse

CLIFTON FARRELL, NEI

JOHN CONNELLY, DOE

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I-N-D-E-X

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

(1:11 p.m.)

MR. COX: Okay good afternoon. Welcome to the NRC on a cold wintery day.

We're here on December 20th to talk about a number of topics with our stakeholders regarding Part 70 and its follow-on guidance, a key element of which is Chapter 11, the Standard Review Plan.

My name is Tom Cox. I am in the Fuel Cycle Licensing Branch, and I'll be introducing some other people in a moment here. But let me just cover a few of the meeting logistics.

There are no eating or smoking in this room, although drinks are allowed. I think there's a Coke machine down around one of these areas.

Restrooms are off the elevator lobby.

We are transcribing this meeting. Please speak clearly and into a microphone, giving your name first.

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1           Everybody should have signed the  
2 attendance sheet and have a blue folder in their  
3 possession. If anybody who doesn't have that, now  
4 is the time to get that. I think Pam has pretty  
5 well taken care of everybody.

6           Okay. I'd like to introduce the NRC  
7 people with us today.

8           Lidia Roche is on my right. She is a  
9 Section Chief in Fuel Cycle Licensing Branch.

10          On my left is Bob Pierson, Deputy  
11 Director of the Fuel Cycle Safety and Safeguards  
12 Division.

13          Philip Ting, Branch Chief of the Fuel  
14 Cycle Licensing Branch.

15          Wil Smith, our quality assurance expert  
16 and training and qualifications consultant, and,  
17 Wil, what branch are you in now? Tell me that

18                 MR. SMITH: Special Projects.

19                 MR. COX: Special Projects Branch.

20          Okay. Now we'll have some introductions  
21 in a few minutes more of the other people. But let  
22 me first give you a brief review of the events that  
23 bring us here today.

24          We had our last meeting on this topic

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1 area on September 12 and 13 of this year.

2 Since that time the revised Part 70 has  
3 issued on September 18th of this year, and it was  
4 effective on October 18th.

5 This is our 11th meeting to discuss,  
6 with stakeholders, these topics since December '98.

7 So this is not the beginning, but we hope it's  
8 close to the ending of much of the work that we're  
9 doing.

10 Now, just in case you have not gotten  
11 all the documents you feel like you'd like to have,  
12 there's a Web site we maintain that contains all the  
13 documents pertinent to all of this work. I mean  
14 drafts, final documents, comment documents, all the  
15 transcripts, and the transcripts, by the way, are of  
16 about the last eight or nine meetings.

17 They're all on one Web site. If you  
18 don't already know how to get there, just ask me at  
19 some point and I will tell you. Of course, our  
20 attendance sheet has E-mail addresses on it. You  
21 can also E-mail me.

22 So getting to the planned agenda for  
23 today, here's the way I would like to do it, and you  
24 can comment on this in a moment. Just let me run

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1 through what I think the agenda will be.

2 First of all, we'll have remarks by the  
3 NRC, Bob Pierson here.

4 Then we'll go to remarks and  
5 introductions by NEI, starting I guess with Felix  
6 Killar from NEI.

7 Then we'll have remarks and other  
8 introductions by other stakeholders who are here,  
9 other than NEI.

10 The next item would be me launching into  
11 a short review of the status on the ongoing Part 70  
12 follow-on guidance work, and then we will get to our  
13 discussion of Chapter 11.

14 Now it may sound like a lot, but I think  
15 my remarks on the status will go quite swiftly.

16 And except for any discussion that might  
17 follow, I think we'll get to Chapter 11 in a timely  
18 way, and that's our main topic for today. So I  
19 wanted to get the other things out of the way first.

20 Does anybody have any other suggestions  
21 as for agenda? Is that okay with everybody?

22 (No response.)

23 MR. COX: All right. I'd like then to  
24 proceed and let Bob Pierson make a few opening

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1 remarks for the NRC.

2 MR. PIERSON: I'll just go ahead and  
3 then make a few remarks and transfer it to the NEI,  
4 and you can introduce your people.

5 First of all, I'd like to -- I want to  
6 say thank you for stopping in and talking with us  
7 today on this issue. We hope that we're in the  
8 final stages of this Chapter 11.

9 We think based on the comments that  
10 we've see and the discussion we've had, that we're  
11 in the final stages of the gestation of this  
12 particular chapter.

13 The hope would be at the end of this  
14 meeting that we would have essential consensus to  
15 move forward and publish the chapter as the Standard  
16 Review Plan for that particular topic.

17 I also understand that as a part of this  
18 process that there may be a situation where, you  
19 know, we have to reserve for the NRC a certain  
20 amount of and I guess I would call it editorial  
21 right in terms of what we're trying to accomplish  
22 and accommodate in this particular guide.

23 And that is that this is guidance for  
24 the NRC staff to be able to do an effective review.

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1 And I think that from reading your comments that  
2 you provided to us yesterday evening, I think in a  
3 lot of cases we'll be able to take those comments,  
4 and hopefully in those cases where we don't we'll be  
5 able to explain why we're not necessarily adopting  
6 the comments you proposed.

7 And I think that what I would ask you to  
8 remember in that context is that from our  
9 perspective, sometimes when it sounds like we're  
10 doing something that may sound redundant or not  
11 necessarily needed in terms of from your  
12 perspective, that's not necessarily the case for all  
13 of our different applications.

14 And we have a wide spectrum of people  
15 that will be utilizing this review chapter, and  
16 sometimes in a little bit of an additional  
17 explanation is useful to avoid having to go back and  
18 rehash something.

19 In addition to that, I'd also like to  
20 tell you that I really do appreciate the work that  
21 NEI's done on this. I think that as we finish up  
22 this chapter we'll be moving on to Chapter 3.

23 We've got some -- I think I see a light  
24 at the end of the tunnel for how we're going to do

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1 our integrated safety analysis, and I think that  
2 with that, that's very encouraging in terms of being  
3 able to implement through the Standard Review Plan  
4 not only the new Part 70, but also what we've always  
5 had, you know, the always the licensing, oversight  
6 for Part 70 that we've always utilized.

7 So with that I'll turn it over to NEI,  
8 and maybe you could go through your introductions,  
9 and then we can move on to the general audience if  
10 there's anything from that organization.

11 So, Felix, you want to?

12 MR. KILLAR: I'm Felix Killar, Director  
13 of Internal Licensees with Nuclear Energy Institute.

14 I'd certainly like to thank the NRC for  
15 inviting us in to talk about and continue the  
16 discussion and dialogue on Chapter 11.

17 As you saw from our things that we sent  
18 over the other night that we still have some  
19 significant issues which I hope today we can discuss  
20 those and get those resolved.

21 Before I go into any detailed stuff,  
22 I'll go ahead and let the balance of the people here  
23 introduce themselves. Why don't you go ahead and  
24 introduce yourself, Clifton?

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1 MR. FARRELL: I'm Clifton Farrell with  
2 NEI.

3 MR. EDGAR: I'm Jim Edgar with Siemens  
4 Power Corporation.

5 MR. VAUGHAN: Charlie Vaughan, Global  
6 Nuclear Fuel.

7 MR. GOLDBACH: Don Goldbach,  
8 Westinghouse, Columbia, South Carolina.

9 MR. WELLS: Russ Wells, USEC.

10 MR. KELLY: Ed Kelly, Nuclear Fuel  
11 Services.

12 MR. CONNELLY: John Connelly, United  
13 States Department of Energy, Germantown.

14 MR. PERKINS: I'm Ken Perkins,  
15 Brookhaven National Laboratory. I've been working  
16 with EH, so I'm here essentially as an observer.

17 MR. MARKLEY: Mike Markley, ACRS staff  
18 of the NRC.

19 PARTICIPANT: There are a couple NRC  
20 staff that just walked in.

21 MR. LAMASTRA: Mike Lamastra. I'm  
22 Senior Health Physicist with the Licensing Branch.

23 MR. FLACK: Ed Flack also a project  
24 manager for the PNFL -- BWXT. Excuse me.

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1 MR. KILLAR: Yes. I think what you'll  
2 see and what we'll talk about today, the comments  
3 focus around probably, I think, three major points.

4 One is that we still feel that the  
5 material is too descriptive or prescriptive in  
6 nature, and that we need to get some of that  
7 prescriptiveness out.

8 Once again we're looking for a  
9 performance base. It's a performance based rule,  
10 and if you implement it with a specific requirement  
11 in the SRP, it takes it from a performance base to a  
12 prescriptive rule.

13 And so we want to make sure we don't end  
14 up with a prescriptive rule as a result of the SRP.

15 Secondly, we are concerned that we've  
16 seen in this latest version some new materials that  
17 were introduced from previous versions. And so  
18 we're curious is it is an iterative process or an  
19 additive process here that every time we go around  
20 there's something else that's going to be added in.

21 We thought that we're kind of working  
22 from the same basis, and so we're a little concerned  
23 here as to what's being added in and not actually  
24 necessarily reflected in previous drafts or what

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1 have you.

2 And the last thing and probably is we  
3 are once again concerned that some of the flavor of  
4 some of the reactor aspects come over when you start  
5 and continue to have NQA-1 included in the  
6 management measures. So things like that.

7 So those are sort of a broad scope of  
8 what our concerns are with Chapter 11.

9 MR. PIERSON: Okay. I think we have an  
10 answer to what you've proposed there. So with that  
11 I'll turn it back over to Tom and you can lead on.

12 MR. COX: Okay. I'd like to just go  
13 through that briefly, a review of our status. And  
14 since we're here to talk about Chapter 11, I'll  
15 start with that one, and give you a brief statement  
16 before we get into the discussion.

17 Our feeling is that we have made  
18 substantial revisions in consideration of the NEI  
19 proposed version of October 13 since our September  
20 13th meeting. And legally we've arrived at a lean  
21 document that represents the minimum acceptance  
22 criteria that should produce a licensee response  
23 adequate for the staff to go ahead and do a review  
24 and make reasonable assurance findings that the

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1 licensee has or will comply with the requirements of  
2 Part 70.

3 And now just moving on from that to  
4 Chapter 3 of the SRP, we received a November 16th  
5 letter from NEI on Chapter 3. And based on that and  
6 the last couple of revisions by NEI of NEI's  
7 proposed industry guidance document on preparation  
8 of ISA summary, those things indicate that we do  
9 have a substantial difference in our respective  
10 views on what the licensees need to do to be  
11 responsive to and to be in substantial compliance  
12 with Part 70.

13 So the NRC is going to sponsor some  
14 additional public meetings to resolve these issues.

15 We'll be discussing staff's position on the NEI  
16 draft industry guidance document, and that draft is  
17 dated November 5th.

18 But our discussion on that is going to  
19 be dependant on, and it's going to have to follow  
20 further staff and stakeholder interaction on Chapter  
21 3 because they're so closely related.

22 That's the summary for Chapter 3. Now  
23 regarding the next topic, there is ISA material  
24 that's been previously submitted by DWXT.

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1 MR. KILLAR: Tom, could I ask you a  
2 question about what's on Chapter 3?

3 MR. COX: Yeah.

4 MR. KILLAR: You say about other  
5 interactions. Do you have an idea about the  
6 schedule or anything when we start talking about  
7 those?

8 MR. COX: I don't have a firm schedule  
9 on meetings solely on Chapter 3, no. As you know,  
10 there are some other meetings scheduled that kind of  
11 touch on Chapter 3, that is, as you know, we have a  
12 commitment now to discuss with the ACRS what we are  
13 doing, what our draft says on Chapter 3.

14 And then, of course, that involves  
15 Chapter 3, but as to the specific meetings with  
16 stakeholders, we do not have the specific meeting  
17 dates set or even in mind to discuss with you at  
18 this point, or other stakeholders.

19 MR. TING: If I may interject, as soon  
20 as we wrap up Chapter 11, I'm not trying to put this  
21 as preconditions, but so we can move on and  
22 internally we already begin the process of trying -  
23 - we got your comments from Chapter 3. We are  
24 working on them.

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1 We're here to give you a date, like next  
2 week or two weeks. Probably will be, I will say  
3 August. It would have to be as early as starting  
4 next year.

5 MR. COX: Any other question on that  
6 one?

7 (No response.)

8 MR. COX: Okay. Regarding the ISA  
9 material that I know you're interested in previously  
10 submitted by BWXT, Westinghouse, GNFA, we have  
11 scheduled a response letter to BWXT around late  
12 January 2001, with the other letters to follow.

13 This response is going to be to identify  
14 to licensees based on the new Part 70 the topics  
15 that we think are not addressed that should be.  
16 We're going to comment on the depth, scope, and  
17 content of those topics that are addressed.

18 So our letter to the licensees will be  
19 in that nature of a completeness review, based on  
20 what we have seen, but there will be some comments,  
21 you know, on the technical substance of the content,  
22 but because we're not doing a complete review  
23 between here and January, it will be of that nature,  
24 which we think is going to be adequate because the

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1 important thing is to get back some feedback on what  
2 it was that was produced.

3 And we understand that what was produced  
4 is not necessarily geared to the Part 70 that has  
5 been released. So there's no need to do a review to  
6 that measure because none of those materials were  
7 written to be compliant with Part 70 as its been  
8 released.

9 Any questions on that?

10 (No response.)

11 MR. COX: I'll go to the next one.

12 Draft ISA plan guidance. This is the  
13 rule Section 70.62(c)(3)(I), I believe.

14 We plan to have some written guidance  
15 out on this in at least draft, if not better than  
16 draft, about January 18th.

17 Next.

18 Staff guidance on the 70.72 change  
19 process, the 70.74 reporting requirements, and the  
20 70.76 backfitting matters we have scheduled for  
21 issue next year at various times.

22 Now, this is, of course, going to  
23 include appropriate stakeholder involvement. That  
24 means opportunity for comment, at least one public

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1 meeting for each of those.

2 That's all I have to say the status. Do  
3 we have any questions on that?

4 (No response.)

5 MR. COX: Then we're ready for Chapter  
6 11. Let me just briefly state a few points  
7 on Chapter 11 from my perspective. And I'm not  
8 going to get into the -- I guess we will proceed  
9 with the comment document I received at five o'clock  
10 yesterday from NEI.

11 But primarily, here's just a few points.  
12 At our September 13th meeting, Chapter 11 was 44  
13 pages, and that was, in fact, reduced from earlier  
14 versions throughout this past year. It's now 31  
15 pages, which is about a 30 percent reduction from  
16 what it was.

17 Secondly, NRC incorporated some of the  
18 chapter structure suggested by NEI in your proposed  
19 Chapter 11 given to us in an October 13th letter.  
20 Now, the structural changes we made were in the  
21 areas of review section and the acceptance criteria  
22 sections.

23 Section 11.5, Review Procedures, was  
24 revised to be essentially identical to that proposed

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1 by NEI.

2 Section 11.6, Evaluation Findings, was  
3 reduced somewhat.

4 And in the reference section we deleted  
5 two of the references. I think we're down from  
6 about 19 to about 17 now.

7 We did add a couple of paragraphs that  
8 you have reacted to, and they were deliberately  
9 added to enhance the understanding of the meaning  
10 and the staff use of acceptance criteria. And these  
11 paragraphs are the first paragraph of 11.4.1 and  
12 Section 11.4.3.

13 We'll get to discussing that matter.

14 Lastly, I would just mention that  
15 Appendix A, Checklist for Procedures, and the  
16 Appendix B, Records, have been revised in  
17 consideration of the NEI comments. And I think  
18 you'll find them or have found them essentially  
19 identical with what NEI recommended.

20 And we still feel that we have what we  
21 think we need for a minimum set of acceptance  
22 criteria to proceed with a good reviews.

23 Well, with that, if there isn't anything  
24 further, I'd like to move into discussion of Chapter

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1 11 in a little more detail.

2 And I guess I'm suggesting that we go  
3 through the NEI document. Is there a different  
4 suggestion?

5 MR. PIERSON: I have one comment. Does  
6 anyone else have any comments that they want to  
7 provide for Chapter 11?

8 We have received an E-mail from NEI that  
9 came in yesterday evening that essentially details  
10 some comments from NEI.

11 But is there anyone else that has  
12 comments that they'd like to offer in writing before  
13 we start or do we just want to -- is that  
14 satisfactory for everybody, that we just proceed  
15 through the NEI comments?

16 Because as it is right now that's all  
17 we've received, is comments from NEI. Any  
18 objections to proceeding through that matter?

19 (No response.)

20 MR. PIERSON: Okay. Then what we'll do  
21 is we'll just treat the NEI comments as the comments  
22 that we received for this particular version of the  
23 chapter, and we'll walk through and have this.

24 So, Tom, if you want to take these

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1 comments.

2 MR. TING: May I also ask does everybody  
3 have their copy of the NEI's comments? Otherwise I  
4 can quickly produce some copies for you so that way  
5 you can follow.

6 MR. FLACK: The one in the blue folder?

7 MR. COX: No.

8 MR. TING: No.

9 MR. COX: I'm sorry we received -- how  
10 many do we need? Hold your hand up if you've got --  
11 one, two, three, four, five, six.

12 MR. TING: You go ahead. I'm going to --  
13 -- you can cover it in general. First I'm going to  
14 make some copies.

15 MR. PIERSON: Okay. You can read the  
16 comments out as we go. People can catch up, I  
17 think.

18 MR. COX: Just to follow up on what was  
19 said, I'd just like to point out that we did issue  
20 our version of Chapter 11 on December 5th on the  
21 Web, and the notification of that was E-mailed to a  
22 large number of people on the stakeholders list,  
23 which I believe included the interested DOE parties.

24 And in fact, I have since mailed it to a

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1 couple of others who have not responded.

2 So I think it has been out there and the  
3 opportunity for response has been there.

4 Okay. I have in hand then an E-mail  
5 from Clifton Farrell last night. And I'm now going  
6 to page 1 of 1 on that.

7 Starting with general observations, of  
8 which there are six, and I would propose we go  
9 through those first, one by one. Okay, Felix?

10 MR. KILLAR: Sure. I might just state  
11 that we put this together just for the purpose of  
12 having the discussion along today and to give a  
13 little more background of what our concerns were and  
14 stuff. And so this was not to be viewed as a formal  
15 submittal, but just an informal information piece to  
16 help focus the discussion.

17 MR. PIERSON: Well, that's acceptable,  
18 but I think what we need to do is at some point we  
19 need to declare victory and move on.

20 So what we're going to do is we're going  
21 to look at these comments and we're going to  
22 disposition these comments, and hopefully at the end  
23 of this meeting we're going to say this is Chapter  
24 11 and we're going to declare victory and move on.

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1           And if there's some substantial comments  
2 that you've got that aren't included in here, I'd  
3 suggest that you bring them up --

4           MR. KILLAR:    There are no substantial  
5 comments that's not included there.

6           MR. PIERSON:   I'm sorry.

7           MR. KILLAR:    I said there is not any  
8 substantial comments that aren't included.

9           MR. PIERSON:   Okay, but for others, if  
10 there's any comment that you feel that is important  
11 that isn't being covered as part of this process, by  
12 all means bring it up because we want to address it  
13 today if possible because we're reaching the end of  
14 the point in terms of our resources to spend on this  
15 particular chapter.  We want to close it out and  
16 declare victory and move on, if possible.

17          MR. COX:    Okay.  I guess there's no real  
18 need to discuss number one.  Well, for the people  
19 that don't have a copy yet, number one regards  
20 licensee commitments.

21                        It says NRC has adopted industry's  
22 recommendation to include, quote, commitments in  
23 the, quote, acceptance criteria for each management  
24 measure.  Industry supports this change.

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1 So we don't need to discuss that one.

2 Second comment is titled New Rules  
3 Citations. The NRC has added new text in several  
4 places that incorrectly confuses management measures  
5 with other license requirements, parentheses, 70.20  
6 and 70.23.

7 Why the NRC has muddied the waters is  
8 unclear. Okay. Now regarding these, I think I  
9 understand that statement. Felix, if you want to  
10 elaborate on that, or Clifton, but I'm not asking  
11 you to. I'll give you an opportunity to.

12 MR. KILLAR: I think probably those  
13 particular two it may be better if we discuss them  
14 in context where they are referenced in the Chapter  
15 11 itself.

16 MR. PIERSON: I just wanted to say  
17 something general about that, and that is that I  
18 think that the intent of the Standard Review Plan is  
19 to apply not just necessarily to the revised Part  
20 70, but the revised Part 70, the historical Part 70  
21 in total.

22 If you remember correctly, we never  
23 really had a Standard Review Plan before. So this  
24 Standard Review Plan is really trying to encompass

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1 all of those things.

2 So if we have things in there, and then  
3 management met with license requirements, it's  
4 probably intentional.

5 We can talk about it specifically when  
6 we come to it, and maybe it will be clear, but I  
7 think --

8 MR. KILLAR: That's what our point is,  
9 is that we look at Part 70.20 and 70.23 where it's  
10 referenced in there, and we're not sure why the  
11 reference is in there.

12 PR PIERSON: Okay. Well, maybe we can  
13 clear that up as we move through.

14 MR. KILLAR: Because the relationship to  
15 that between the particular measure in that  
16 reference.

17 MR. COX: And for those of you who  
18 may --

19 MR. KILLAR: And we can discuss it when  
20 we get there.

21 MR. COX: Excuse me.

22 For those of you who may have copies of  
23 the 10 CFR with you, I think the correct reference  
24 is 70.22/23.

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1 MR. KILLAR: It's 22 and 23, yeah.

2 MR. COX: Okay. So we will get to that  
3 in the context of the specific paragraphs or  
4 sections called 11.4.1 and 11.4.3.

5 Moving to the third general observation,  
6 it's called verbose and prescriptive text. Many  
7 management measure, quote, acceptance criteria  
8 remain extremely verbose and seek very detailed  
9 information, paren, for example, training and  
10 qualifications, end paren. These must be  
11 simplified.

12 Text in the, quote, areas of review has  
13 been appreciably shortened, paren, excellent. There  
14 still remains a large amount of redundancy in this  
15 chapter that will only lead to confusion, period.

16 I'll make a simple statement here. I  
17 don't think we need to spend a lot of time on this.

18 For one thing, the SRP is essentially a staff  
19 document primarily for staff consumption, although I  
20 would not deny that we expect licensees and  
21 applicants to read it and become familiar with what  
22 is to be submitted.

23 So to the extent that there is  
24 redundancy or verbosity, this is an NRC problem, and

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1 in some cases we may feel that we need it for  
2 instructional purposes. You may have heard the  
3 phrase "you tell them what your going to tell them,  
4 then you tell them, and then you tell them what  
5 you've told them" kind of thing. This could relate  
6 to that.

7 But we feel that these things have been  
8 actually simplified to the degree that the staff  
9 feels necessary and still maintaining the substance  
10 that will lead to the proper submittals by  
11 applicants.

12 And I think this is not a comment so  
13 much on the substance on the thing.

14 MR. PIERSON: We'll also discover as  
15 we're moving through this, if you have specific  
16 examples, we can, of course, address it. I think  
17 that's sort of a generic heading, and I think it  
18 should go to your specific comments that will become  
19 clear what you're pointing out, and we can address  
20 each one specifically if you've got some specific  
21 heartburn there.

22 MR. COX: Any other comment on that?

23 (No response.)

24 MR. COX: Okay. Item four, new

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1 requirements. NRC introduces many new requirements.  
2 For example, one, following a facility change, all  
3 documentation must be updated, quote, within a few  
4 days, unquote, paren, versus the 30 days sought by  
5 industry.

6 Number two, the licensee must examine  
7 all corrective action work over the last two years  
8 to adjust the maintenance schedules.

9 Item three, procedures must be examined  
10 and approved at the application stage, period.

11 I think we can deal with that best under  
12 the individual sections that it appears.

13 MR. PIERSON: As an example, on the  
14 first one we think the latitude is there, within a  
15 few days. And there's a follow- on clause that says  
16 or another appropriate time or whether something's  
17 done.

18 And then if we can't do that, then we  
19 can talk about it and say what -- I mean, if you  
20 want a specific time, we could probably assign a  
21 specific time. Maybe 30 days isn't the right time;  
22 maybe it is, depending on the example.

23 We're trying to be flexible there, and  
24 we'll talk about it as we approach each example

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1 there. I think there are three examples of that in  
2 the SRP.

3 MR. COX: Any other comment on that one?

4 (No response.)

5 MR. COX: Okay. Item five called NQA-1.  
6 QA still requires application of all 19 elements,  
7 unnecessary. The SRP does not mention that the  
8 applicant may, as part of a graded approach to  
9 safety, only not need to apply all 19 criteria,  
10 period.

11 My comment here is I believe this  
12 comment is incorrect. If you look at the second  
13 paragraph of 11.4.3.8, I think this is addressed,  
14 and that it is clear that application of all 19  
15 elements is not necessarily required.

16 Any comment on that before we get to the  
17 -- or we can go over that when we get to that  
18 section.

19 MR. PIERSON: Again, as we're going  
20 through the specific comment, if you could show us,  
21 we think that we have adequately pointed out in the  
22 Standard Review Plan that you have flexibility with  
23 respect to quality assurance and that it's clearly  
24 delineated. It's on page 11-17, 11.4.3.8.

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1           If that's not the case then, you know,  
2 show us why you think otherwise, and we'll discuss  
3 it.

4           MR. COX:   Okay.   Terminology, item six  
5 in the last general observation is called  
6 terminology.   There remain many errors in  
7 inconsistent use of terminology from earlier  
8 versions of Chapter 11.  At least let's try to call  
9 all IROFS, that's I-R-O-F-S, by their correct name.

10           I think that's probably best saved -- I  
11 mean it's sort of vague.  We'll need to have some  
12 actually instances pointed out, I think, to see  
13 what, and if that's all it is, we can certainly fix  
14 that.

15           MR. TING:   And as we're going into the  
16 next five or six pages, there will have some special  
17 cases, and we'll address each one of them and I've  
18 read some of them, and I think they're very easily  
19 accepted for us to make the change.  Not a  
20 substantive problem.

21           MR. COX:   Okay.   If nobody has any  
22 further thing, I'd like to jump right into the  
23 specific observations.

24           Section 11.1, you know who I am now.

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1 Mark knows who I am.

2 Section 11.1 is called Purpose of  
3 Review. Comment number one says, paragraph one, for  
4 consistency with the rule language, 70.61(e), revise  
5 the sentence to read, quote, IROFS will be available  
6 and reliable when needed, adding the "when needed,"  
7 and thus.

8 Actually I believe this is not too  
9 difficult to do. I think it's clearly explained  
10 starting on Line 3 of the second paragraph, where  
11 you have provide reasonable assurance that the items  
12 are available and reliable to perform their  
13 functions when needed.

14 I'm not quite sure why the first  
15 sentence, or to Paragraph 1 you would need to state  
16 what is stated down in Paragraph 2.

17 MR. PIERSON: On the other hand, if it  
18 matters to you we can stick "when needed" in.

19 MR. COX: We can do it.

20 MR. PIERSON: Stick it in. We'll move  
21 on. We'll do it. Put "when needed" in.

22 MR. COX: Were you saying something?

23 MR. PIERSON: He says consistent.

24 MR. FARRELL: It's just an issue of

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1 consistency. A reviewer may say, "Oh the language  
2 is different. In the first one it says they must be  
3 available and reliable, perhaps all the time.  
4 Second paragraph says only when they're needed. Ah,  
5 confusion. What do we do?"

6 MR. COX: We can put it in.

7 MR. PIERSON: No problem, no problem.

8 MR. COX: We'll stick "when needed" in.  
9 Done.

10 Item two says, "To eliminate the  
11 confusion and repetition in this chapter, suggest  
12 adding back a simple sentence in the second  
13 paragraph. Management" -- here's the sentence --  
14 "management measures are applied to IROFS identified  
15 in the ISA summary, with some other material."

16 What is adding back mean, Clifton? I'm  
17 sorry.

18 MR. FARRELL: I think that was a  
19 sentence that I had put into my draft that I -- my  
20 proposed revision that I sent to you in October.

21 MR. COX: Yes.

22 MR. FARRELL: And then you didn't accept  
23 it in your December revision, and what I mean by  
24 putting it back in I'm just asking for

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1 reconsideration of that sentence.

2 MR. COX: Okay. I understand that.

3 MR. FARRELL: That's all that I put back  
4 in.

5 MR. COX: The rest of your comment there  
6 was, "This will obviate the need to constantly refer  
7 to 'IROFS,'" comma, "'as identified in the ISA  
8 summary,' a phrase that occurs dozens of times in  
9 this chapter."

10 Could you just show me a couple of those  
11 times?

12 MR. FARRELL: Yes. Whenever you refer  
13 to IROFS in Chapter 11, to be correct and consistent  
14 with the rule, you should have IROFS as identified  
15 in the ISA summary. And I'm just saying, well, for  
16 simplicity instead of repeating that phrase "as  
17 identified in the ISA summary," maybe we just put a  
18 general sentence in the introduction saying, "to  
19 which IROFS will the management measures apply."

20 And that's my suggestion. They will  
21 apply to the IROFS identified in the ISA summary.  
22 It's just for clarity and simplicity.

23 MR. COX: You're not saying that this  
24 phrase appears dozens of times. You're saying that

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1 it should appear dozens of times, or once in this  
2 central place.

3 MR. FARRELL: Okay. Well, example,  
4 Paragraph 3 in the Purpose of Review. "The degree  
5 to which measures are applied to the IROFS," which  
6 IROFS? I'm suggesting it should be "the degree to  
7 which measurements are applied to the IROFS as  
8 identified in the ISA summary," da da da da. That's  
9 what it should be technically correct, but I'm  
10 saying for simplicity if we simply want to stay as  
11 you've written in Chapter 3, then maybe we should  
12 put some sentence in Paragraph 2 saying THAT when we  
13 refer management measures being applied to IROFS,  
14 those IROFS are, in fact, the ones identified in the  
15 ISA summary.

16 It's just for consistency.

17 MR. COX: Okay. I think I know what you  
18 are saying. You were not saying that that phrase  
19 occurs dozens of times in this chapter.

20 MR. FARRELL: No. Just the term IROFS  
21 occurs.

22 MR. PIERSON: And what you should be  
23 happy with is if that first sentence on the second  
24 paragraph said "management measures are functions

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1 performed by a licensee generally on a continuing  
2 basis that are applied items relied on for safety,  
3 IROFS, as identified in the ISA summary," comma, "  
4 to provide" --

5 MR. FARRELL: That would be wonderful.

6 MR. TING: Just add one more sentence  
7 there.

8 MR. COX: All right. Done.

9 MR. PIERSON: And then carry that  
10 through.

11 MR. FARRELL: Exactly.

12 MR. PIERSON: And we wouldn't need to  
13 put it in dozens of times.

14 MR. FARRELL: Exactly.

15 MR. COX: Okay. Item three, Paragraph  
16 3. This paragraph needs revision. The first  
17 sentence should be clarified to make it clear that  
18 the choice to apply safety grading, IROFS, is made  
19 by the applicant. The second sentence is not wholly  
20 correct and conflicts with the purpose stated in the  
21 first sentence. The first sentence is correct.

22 Then the meaning of the third sentence  
23 could be better expressed without reference to some,  
24 quote, variations, unquote.

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1           What variations? It is never clarified  
2 to the reviewer how such grading can be presented.  
3 We recommend replacement of this paragraph with the  
4 following text:

5           Quote, "Management measures may be  
6 applied by the applicant to IROFS commensurate with  
7 the importance of an IROFS to facility safety,"  
8 period. "Such safety rating may be manifested  
9 either by applying different numbers of management  
10 measures to an IROFS or by varying the rigor or  
11 thoroughness with which a management measure is  
12 applied to an IROFS."

13           Okay. That was sort of long. We'll  
14 take it piece by piece here. The first comment was  
15 the first sentence ought to be clarified to make it  
16 clear that the choice is made by the applicant.

17           MR. FARRELL: I'm just thinking here  
18 that the reviewer my inquire, well, who's making  
19 the decision. Is the rule saying that the IROFS  
20 should be graded according to safety or is that  
21 really something up to the license applicant?

22           And really it is an issue of choice by  
23 the license applicant. And I just thought maybe  
24 that should be clarified a little bit.

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1           You know, even if you changed the first  
2 sentence there, "measures that are applied to IROFS  
3 may be" -- oh, I was going to say "may be at the  
4 choice of the applicant a functions of the item's  
5 importance." Somehow get in the point that it is a  
6 selection made by the --

7           MR. PIERSON: Why don't we just put at  
8 the beginning of the sentence? "The applicant may  
9 choose the degree to which measures."

10          MR. FARRELL: Yes. That would be good.  
11 A good suggestion.

12          MR. COX: Okay. I already had it in  
13 after the "may be." I was going to say "may be  
14 chosen by the applicant and will be a function of."  
15 I understand what you're talking about.

16          MR. PIERSON: We can fix that so that  
17 basically it will be something that the applicant  
18 may chose the degrees to which measure apply to the  
19 IROFS. That may be a function of -- comma, they may  
20 be a function, whatever. Okay.

21          MR. COX: Now let's take a look at the  
22 second sentence, "is not wholly correct." Would you  
23 explain how it is not wholly correct and conflicts  
24 with the purpose stated in the first sentence?

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1 MR. FARRELL: Well, its not totally  
2 correct in the sense that the purpose of this  
3 exercise is for the reviewer to gain the reasonable  
4 assurance that the aid of the management measures  
5 are sufficient in number and in their  
6 characteristics, the way they're going to be  
7 applied.

8 Now, has the applicant chosen the right  
9 -- excuse me. Has the applicant chosen a correct or  
10 reasonable way of applying a particular management  
11 measure to an IROFS?

12 That's the issue. Maybe we're arguing  
13 about semantics here. But when I just read it, the  
14 reviews to determine how individual management  
15 measures will be applied, that conflicts with the  
16 first sentence. The first sentence is the whole  
17 purpose here.

18 The reason the review is subjective is  
19 that are they sufficient and correct to provide the  
20 reasonable assurance of availability and so on.

21 MR. COX: Okay, I think I got it.

22 MR. FARRELL: It's just that they didn't  
23 quit jibe, I guess. But I agree this is not a major  
24 issue.

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1 MR. COX: I think I have a slight  
2 variation that would meet -- suppose the second  
3 sentence said, "The review is to determine the  
4 adequacy of individual management measures as  
5 applied to IROFS."

6 MR. FARRELL: Exactly. That sounds  
7 fine.

8 MR. TING: Good. Good.

9 MR. COX: Do you want to say something,  
10 Phil?

11 MR. TING: No, I said good.

12 MR. COX: Okay. Then we get to the  
13 meaning of the third sentence could be better  
14 expressed without reference to some variations.

15 I'd just like to mention here that we  
16 don't know at this time, and cannot know the  
17 variations that will be proposed by licensees or  
18 applicants. That's bailiwick and a level of detail,  
19 I would think from other comments, you wouldn't want  
20 us to deal with anyway.

21 And that will simply take some time and  
22 some working through a review or two to determine  
23 what variations might be proposed.

24 So I don't think we can or need to

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1 clarify exactly how such grading can be presented at  
2 this point.

3 MR. FARRELL: Okay. I think you've  
4 cleared the issue. I didn't quite understand what  
5 variations referred to. I guess what your  
6 understanding is that it's the method, the grading,  
7 the safety grading method; how that will be judged  
8 for its acceptability.

9 MR. COX: Yes.

10 MR. FARRELL: Okay.

11 MR. COX: Or the application of the  
12 method even. You know, what the grading means in  
13 terms of a varied system of levels of intensity --

14 MR. FARRELL: Exactly, that's --

15 MR. COX: -- of any measure applied to  
16 something.

17 MR. FARRELL: I wasn't quite sure what  
18 variations referred to, but its --

19 MR. COX: Okay. Now my comment on your  
20 recommended replacement of the paragraph is I don't  
21 think we will do that because the structure you've  
22 suggested there was more like acceptance criteria,  
23 not appropriate for a section entitled Purpose of  
24 Review.

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1 I think our statements there are more in  
2 line with the description of purpose. And your  
3 proposed paragraph is more in line with an  
4 acceptance criterion.

5 So with the changes that we've made,  
6 just discussed just now, and perhaps something done  
7 with the word "variations," I think we're okay on  
8 that paragraph.

9 Any other comment?

10 MR. PIERSON: Do you agree?

11 MR. FARRELL: Sure, good. That's fine.

12 MR. PIERSON: Moving on to the next one,  
13 we'll underline procedures.

14 MR. COX: Yes, we'll do that.

15 Section 11.3, item one, correct the  
16 numbering scheme in item two. Currently letters and  
17 numbers are intermixed.

18 I don't know --

19 MR. FARRELL: That may just be a way the  
20 file came through in the computer. It all mixed up  
21 numbers and letters, so I think we can skip these  
22 editorial things.

23 MR. COX: Okay. It doesn't seem mixed  
24 up in what I'm looking at.

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1 MR. FARRELL: Okay.

2 MR. COX: Section 11. --

3 MR. EDGAR: Did you look under two  
4 there?

5 MR. COX: Oh, I'm sorry. What?

6 MR. EDGAR: You said it didn't seem  
7 mixed up to you. Look under two in 11.

8 MR. COX: Under two I have an item two,  
9 physical description and core elements, and then I  
10 have A, B, C, D, E, F, G under that.

11 MR. KILLAR: I think what the statement  
12 is that on some of the versions we printed them off,  
13 it came out -- the first ones came out one, two, c,  
14 then four, five; and then the version you have here  
15 that's in the folder reads A, B, C, D, E.

16 I think it may just have been the way it  
17 got downloaded from the computer for some reason.

18 MR. COX: Yeah. We work in Word Perfect  
19 and then you guys can convert to Word, I guess, and  
20 make it happen.

21 MR. KILLAR: Okay. Moving on.

22 MR. COX: Item or Section 11.3.1,  
23 Configuration Management, item one. You have a  
24 comment on the last part of the sentence. The last

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1 part of the sentence, quote, and whether that level,  
2 IROFS, close quote, should be reworded as it is not  
3 obvious that a reviewer can do this.

4 Maybe I should ask --

5 MR. FARRELL: I think we skipped a  
6 section, Tom: 11.3.1?

7 MR. COX: I'm sorry. We sure did. I  
8 said 11.3.1 and then went to the other one.

9 Eleven, 3.1, item one, wouldn't it be  
10 better to add IROFS to this list of plant features  
11 that are governed by the CM program? The novice  
12 reviewer could conclude that CM does not apply to  
13 IROFS.

14 We think it's an adequate reference.  
15 let's see. To this list of plant features.

16 MR. FARRELL: If you go back to the  
17 definition of IROFS in 70.4, I think you can see you  
18 can equate that site structures, processes, systems,  
19 equipment, components, computer programs, da da da,  
20 equals an IROFS. But I just thought maybe for  
21 clarity we should put the word --

22 MR. COX: I didn't think there was going  
23 to be any problem with the -- I mean, we want the  
24 reviewer to determine that these things are

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1 captured. This is a little more detailed statement  
2 than just saying IROFS.

3 MR. FARRELL: No, I'm just saying add in  
4 addition to those words, site structures, processes,  
5 systems, equipment, components, computer programs,  
6 personal activities, IROFS, and supporting  
7 management measures. I'm just saying why don't we  
8 add IROFS for clarity.

9 MR. COX: Somebody might think that  
10 those other things then are not IROFS, and some of  
11 them certainly will be.

12 MR. TING: We'll just add it.

13 MR. COX: But we'll --

14 MR. FARRELL: I guess my thinking is the  
15 whole focus of Chapter 11 is management measures as  
16 applied to IROFS. I don't think we want to lose the  
17 focus there, and perhaps just including IROFS might  
18 be more complete. But it's not worth --

19 MR. COX: All right. I've got it marked  
20 in here.

21 The Section 11.3.3, are we there?

22 MR. PIERSON: This has the term CM  
23 policies should be omitted because it doesn't belong  
24 in licenses. You've got the NRC staff --

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1 MR. COX: Oh, I'm still skipping.

2 MR. PIERSON: -- within the CM policy,  
3 design requirements, design.

4 MR. COX: I don't think we agree with  
5 that. I think policies are something that we will  
6 review in support of making reasonable assurance  
7 findings that your CM program is adequate.

8 MR. EDGAR: That was a comment that I  
9 made, and I said from our perspective, policies are  
10 much higher and more general document that probably  
11 wouldn't appear on a license application in the  
12 first place; probably wouldn't even be, that I can  
13 see, referenced in a license application because  
14 policies are the things that then tell you what, you  
15 know -- we have a policy for maintaining safety or  
16 something like that.

17 That has a very high priority.

18 MR. PIERSON: You're applying a specific  
19 definition of policy, and I think we're using CM  
20 policy in the general Webster's generic definition  
21 of policies. So maybe we should think of a  
22 different word to put in there.

23 MR. EDGAR: That could be because every  
24 time I saw policy it kind of jumped out at me.

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1 That's kind of the way I looked at it, and maybe  
2 there's a different term or maybe it can be left in  
3 as long as we understand what we're talking about.

4 MR. PIERSON: We are not talking about a  
5 general over arching plant policy as your talking  
6 about. We're just talking about simply how the  
7 noun -- what the word "policy" means. Configuration  
8 management processes, protocols, that sort of thing.

9 MR. EDGAR: Procedures.

10 MR. COX: We describe what policy means  
11 back under acceptance criteria. It is one of the  
12 elements of the configuration program, and we  
13 described there, in about two paragraphs, on page  
14 11-6, starting on 11-6, what we mean by that.

15 MR. PIERSON: There it is, right there.

16 MR. COX: And I think we feel that that  
17 is the kind of information that --

18 MR. EDGAR: Where are you?

19 MR. TING: Eleven, six.

20 MR. PIERSON: The bottom of page 11,  
21 dash, 6.

22 MR. COX: Eleven, six is simply the  
23 acceptance criteria area under CM. The comment here  
24 -- you're in right now in 11.3.1 -- is just areas of

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1 review, where it says that the CM policies are one  
2 of the elements of the program that we're going to  
3 look at.

4 MR. TING: If you look at Section  
5 11.4.3.2, CM Policy.

6 MR. PIERSON: So we'd really be not  
7 inclined to change that particular word?

8 MR. EDGAR: I guess that's really mean  
9 is the description of the program or something like  
10 that.

11 MR. PIERSON: Yes.

12 MR. EDGAR: Frankly, I didn't think we  
13 had a CM policy in my context of policy. We have a  
14 description of our program but --

15 MR. COX: Okay. Section 11.3.2, there's  
16 just one item there. I think I read that, didn't I?

17 The last part of the sentence, quote,  
18 and whether that level, IROFS, unquote, should be  
19 reworded as it is not obvious that a reviewer can do  
20 this.

21 Well, we think it is a reviewer's job to  
22 do that. He or she may be trained to do it. And  
23 our judgement is that the SRP statement of that  
24 expectation seems clear enough.

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1           What    would    be    your    objective    in  
2 rewording, and how would you reword?

3           MR. EDGAR:   Well, again has a comment  
4 that I made. Whether the reviewer, and if you're  
5 saying they are trained, you know, it takes  
6 experience with the equipment you're working with,  
7 along with the knowledge of the manufacturers  
8 suggested maintenance procedures and so on, to  
9 decide whether the maintenance program would be  
10 selected for a particular IROFS is proper.

11           And my question was, I guess, really how  
12 are they going to make that decision. How are they  
13 going to decide -- how are they going to decide that  
14 the maintenance schedule we've put on a particular  
15 IROFS is adequate?

16           MR. PIERSON:   Well, they'll have to  
17 establish that in terms of their overall experience,  
18 knowledge of other plants and systems, industry  
19 information, test data .

20           MR. COX:   And by what the applicant  
21 says.

22           MR. PIERSON:   -- and by what you use to  
23 substantiate that. There's a whole host of things  
24 that they'll have to apply for that. It's not an

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1 easy decision.

2 MR. EDGAR: No, it's not. My question  
3 was this. It is a hard decision, whether the really  
4 could make that decision. Okay.

5 MR. PIERSON: So we agree that we're  
6 going to leave that sentence as it is then?

7 MR. EDGAR: Yes. I guess so.

8 MR. PIERSON: Okay. Eleven, 3.3.

9 MR. COX: Eleven, 3.3, I have two  
10 comments. The first is in the second sentence of  
11 11.3.3 --

12 MR. GOLDBACH: 11.3.4, right?

13 MR. COX: Eleven, point, 3.3.

14 MR. GOLDBACH: Okay. Go ahead.

15 MR. COX: Is there a question?

16 Okay. The first item there is, second  
17 sentence, remove the words, quote, for selection,  
18 unquote, as this topic of review just addresses,  
19 quote, training and qualifications.

20 Okay. My comment on this is that  
21 selection of candidates is important to the success  
22 of the training function. I mean, you probably  
23 wouldn't select a candidate for climbing up and down  
24 a ladder ten times a day if that candidate had one

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1 arm.

2 This is important to the training  
3 process. In fact, I guess it starts with selection  
4 of the people that you decide to train.

5 MR. PIERSON: Do these have certain  
6 attributes in terms of a person's knowledge and  
7 skills and so forth before they move on to a certain  
8 training category? That's all. That's what we're  
9 looking at.

10 MR. TING: Do you have a concern on this  
11 particular one? I mean, your practical sense.

12 MR. EDGAR: I guess we have, you know,  
13 when we -- I don't know this for fact, but I would  
14 assume that our maintenance people, when they hire  
15 maintenance people, they probably look for certain  
16 qualifications, if they're not going to train in-  
17 house people to become maintenance people.

18 MR. PIERSON: Remember this is very  
19 narrow. The plan for a selection, training,  
20 testing, qualification of these personnel should be  
21 described in the application reviewed by the staff.

22 The plan may say there is not selection criteria.

23 It doesn't say there has to be a selection criteria.

24 It just simply says what we're asking is that

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1 should be one of the factors that one should  
2 consider.

3 As an example, maybe you don't do this  
4 so much anymore, but you used to have a situation  
5 where your criticality staff used to have certain  
6 attributes in terms of what constituted somebody  
7 that could be a lead Crit. reviewer or a secondary  
8 Crit. reviewer, and so forth, in terms of years of  
9 experience, degrees and that sort of thing.

10 That's all we're trying to cover in  
11 that. Maybe it doesn't necessarily apply to  
12 everybody all the time, but it applies to some  
13 functions some of the time.

14 MR. COX: I think the staff would just  
15 be interested in knowing whether or not, first of  
16 all, whether or not there is some kind of selection  
17 criteria. And, well, that's basically it. You  
18 know, do you have some plan?

19 MR. EDGAR: If you don't, what's a  
20 reviewer going to say if you do make a statement,  
21 "We don't have a selection criteria, but here's how  
22 we train people"? Are they going to say, "Well,  
23 you've got to have a selection criteria"?

24 MR. PIERSON: Well, that is the

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1 criteria. The criteria is you have none.

2 MR. COX: He might say, "Why not?" And  
3 then he might say, "Well, okay. If that's the way  
4 you want to play."

5 MR. PIERSON: I think it depends on what  
6 you're selecting the person for. If your selecting  
7 the person for a very specific job application that  
8 requires a lot of skill and education, then that's  
9 probably appropriate.

10 MR. EDGAR: Exactly.

11 MR. PIERSON: If you don't then the  
12 criteria, the selection criteria, maybe there is no  
13 criteria.

14 MR. EDGAR: Okay.

15 MR. COX: Okay. The second comment  
16 there was paragraph one, third sentence, final  
17 clause, quote, especially when humans performance is  
18 relied on for safety, unquote, is redundant and  
19 should be deleted. The first sentence of the  
20 paragraph is correct that the training and  
21 qualification measure in Chapter 11 just applies to,  
22 quote, worker activities that are relied on for  
23 safety.

24 I think we'll go along with that. We'll

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1 delete the clause. Okay?

2 MR. PIERSON: Okay. Section 11.3.4.  
3 Bob's trying to find the right sentence to delete.

4 MR. COX: I don't see it here. Where's  
5 the worker activity should be relied on for safe --  
6 ah, I'll find it.

7 All right. I looked at it before and  
8 it's okay.

9 Section 11.3.4, item one, paragraph one,  
10 first sentence, modify this sentence to be  
11 consistent with inclusion of commitments in the  
12 license application. Quote, the reviewer shall  
13 confirm that the applicant, underlined, and cross  
14 out "application address as a process for the  
15 preparation" and then add in "commits to use."

16 This comment of NEI needs a little bit  
17 broader treatment here.

18 I'd like to point out that Sections  
19 11.3.1 through 11.3.8 are all sections called areas  
20 of review. They are the different topics,  
21 management measures, within the section called areas  
22 of review.

23 NEI's October 13th letter proposed how  
24 these paragraphs should be structured. The first

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1 sentence of every section in the NRC document is  
2 exactly identical with the first sentence in every  
3 one of those sections as proposed by NEI in the  
4 October 13th letter.

5 If you will compare the two documents,  
6 you'll see that in each section we start out with a  
7 sentence like, under Procedures, which is where we  
8 are now, "the review should confirm that the  
9 application addresses a process for the preparation,  
10 use, and control of written procedures pertaining to  
11 IROFS," and so on.

12 That is identical with what NEI proposed  
13 on the October 13th letter, as is the equivalent  
14 sentence in every other one of those seven  
15 paragraphs.

16 So my question is: could you explain  
17 why this now should be different than what you  
18 proposed before? Because I can say that we want to  
19 address not just commitments, but commitments and  
20 the description accompanying those commitments, and  
21 that's why the paragraph is written this way.

22 And we agreed with writing it the way  
23 NEI proposed on October 13th.

24 MR. FARRELL: Okay. I would suggest

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1 that we continue with the October suggestion of NEI  
2 and industry. The way you have done it -- sorry.  
3 This is a -- comment number one under 11.3.4 came up  
4 for discussion yesterday, and we didn't have time to  
5 go back and look at what I'd written in October.

6 So I think we will -- if you ignore  
7 comment number one, I see that you have made all the  
8 areas of review consistent in that first sentence,  
9 and that's good.

10 MR. PIERSON: Good.

11 MR. COX: Okay.

12 MR. PIERSON: That takes care of the  
13 first one of the number.

14 MR. FARRELL: Yeah, this is the area of  
15 review. You're quite correct in saying how you  
16 address the area of review by means of a commitment  
17 or an outline of a procedure or a policy or  
18 whatever, that's later in the acceptance criteria.  
19 You're quite right.

20 MR. COX: Okay. Then item two under  
21 11.3.4, reads, paragraph two, first sentence, why  
22 have the waters been muddied with references to  
23 70.22 and 70.23? These sections are totally  
24 irrelevant to management measures. The first

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1 sentence of paragraph one is correct, and it quotes  
2 some of the material there.

3 And then it says delete the first  
4 sentence of paragraph two.

5 Well, I think here we may get into a  
6 little discussion because, as I think Bob maybe  
7 alluded to earlier, we look at Part 70 as a whole.  
8 The creation of Subpart H did not make the rest of  
9 Part 70 go away.

10 Seventy, point, 22 and point 23 are  
11 essentially the anchors that give the responsibility  
12 and authority to the proper parties to do their job.

13 Point, 22 lays certain responsibility on the  
14 applicant to produce certain material in an  
15 application. Part 23 assigns responsibility and  
16 authority to the NRC to make reasonable assurance  
17 findings before issuing a license.

18 If you look into 22 and 23, they both  
19 deal very specifically with procedures. The  
20 applicant is supposed to produce procedures. The  
21 NRC is supposed to review and approve procedures.

22 Now, we all know that that's not done  
23 quite at the level that might be implied by the  
24 statements in 22 and 23.

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1                   However, the authority is there, and the  
2 responsibility is there, and it applies from 22 and  
3 23 throughout the regulation. It doesn't stop when  
4 Subpart H starts.

5                   So we really added these paragraphs in  
6 not only in 11.3.4 or reference to it, but as you  
7 have pointed out in 11.4.1 in order to clarify where  
8 our requests for this information are flowing from.

9                   It wasn't to create new requirements. It doesn't  
10 create new requirements. It merely was inserted to  
11 clarify why and where this SRP level of detail comes  
12 from.

13                   MS. ROCHE: Seventy, point, 22 (a)(8)?

14                   MR. COX: Yes, it's 70.22(a)(8).

15                   MS. ROCHE: And the other one is  
16 70.23(a)(4)?

17                   MR. COX: Twenty-two is contents of an  
18 application. It says each application shall contain  
19 the following information, one of which is proposed  
20 procedures to protect health and minimize danger to  
21 life or property.

22                   Twenty-three is requirements for the  
23 approval of applications, and under there, as among  
24 other things, it has the applicant's proposed

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1 equipment and facilities are adequate to protect  
2 health and minimize danger. The applicant's  
3 proposed procedures to protect health and to  
4 minimize danger are adequate.

5 We have to make those findings.

6 MR. FARRELL: I have two comments to  
7 make. The first, I was puzzled why this paragraph  
8 or several paragraphs related to 70.22 and 23 all of  
9 a sudden appear in Chapter 11. And we've been  
10 working on Chapter 11 for who knows how long, and  
11 all of a sudden new things keep popping up.

12 And so I was puzzled why is there a  
13 change of mind? Is there some new thinking on  
14 behalf of the NRC of why they would all of a sudden  
15 put this in? That's my first point.

16 MR. COX: I'll answer it.

17 MR. FARRELL: Yes.

18 MR. COX: Because over time you have  
19 continually challenged or asked or requested why are  
20 you writing at this level of detail and on what  
21 authority do you presume to ask us these questions.

22 Well, we decided better to put something  
23 in there about that for both the reviewer and the  
24 applicant.

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1 MR. FARRELL: But there is a certain  
2 element of confusion in here. I'm not debating the  
3 importance of 70.22 or 23 in the need for  
4 procedures. You can have procedures for many  
5 different functions in the operation, but these are  
6 procedures applied -- this is a subset -- these are  
7 procedures applied to your IROFS.

8 So, yes, they're enveloped under the  
9 whole area of procedures, but these procedures may  
10 be quite separate from other general procedures that  
11 might just be for good industrial safety and so on.

12  
13 So I'm not debating -- I'm not trying to  
14 argue why we don't need procedures and why we're  
15 trying to not address the requirement of 70.22 and  
16 23 correctly. That's fine.

17 It just seems to be confusing the issue.  
18 Obviously any applicant is going to know what 70.22  
19 and 23 does. Procedures; document them; do whatever  
20 is required. But under the whole different sphere  
21 of management measures, those are different.

22 Those are applied to IROFS. Yes,  
23 they're procedures, and you know, procedures, but  
24 they may not be the same.

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1 MR. COX: The procedures referred to in  
2 22 and 23 are not other than IROFS in general. This  
3 whole -- all our regulations pertain to matters  
4 important to safety.

5 MR. FARRELL: That's what I said.  
6 There's a subset of the procedures required under 22  
7 or 23 or whatever.

8 MR. COX: I'm saying, no, it's not a  
9 subset. It's the same ones because --

10 MR. FARRELL: No, but you have  
11 procedures that --

12 MR. COX: -- our regulations apply to  
13 safety matters not to in general -- I think you used  
14 the phrase "general industrial practices." We're  
15 not talking about the procedures to repair the water  
16 cooler or something else.

17 MR. FARRELL: No. But you have  
18 procedures that apply to structure, systems,  
19 components, whatever, that may not be items relied  
20 on for safety.

21 MR. COX: That's not what 22 and 23 say.

22 MS. ROCHE: No.

23 MR. COX: They talk about --

24 MR. FARRELL: You just mentioned they

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1 referred to procedures.

2 MR. KILLAR: Tom, I think that's part of  
3 what we have -- what we're seeing as confusion. You  
4 have a requirement of general safety procedures or  
5 safety procedures for criticality, for radiation  
6 safety, chemical safety, what have you.

7 Each of the chapters in the balance of  
8 SRP indicate you have those procedures. In here you  
9 have procedures, but because these are management  
10 measures for items relied on for safety, now you're  
11 talking about specific procedures for those items  
12 relied on for safety, which is a separate set of  
13 procedures or additional set or a subset of your  
14 other overall safety procedures for radiation  
15 protection, chemical safety, fire safety, and things  
16 along that line.

17 And that's where, I think, there's some  
18 confusion here. You know, certainly you're required  
19 under 22 and 23 to have procedures, but now you're  
20 saying here you have to have specific procedures for  
21 these items relied on for safety from your correct  
22 or your -- the Federation Management Program.

23 And it's making it sound like you have  
24 two sets of procedures.

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1 MR. COX: Am I missing something?

2 MR. PIERSON: I don't understand where  
3 you're getting this. Is that in general a review of  
4 progress on the applicant's commitments and  
5 descriptions relevant to procedures in order to find  
6 compliance with 70.22(a)(8) and 70.23(a)(4).

7 And those are the general requirements  
8 that say you have to have procedures, the IROFS  
9 procedures. Specifically the IROFS would be subsets  
10 of these.

11 But this doesn't -- but the thing you  
12 need to remember is this Chapter 11 does not just  
13 refer to procedures for IROFS. It could proceed to  
14 other procedures as well that are needed for your  
15 program.

16 MR. FARRELL: No.

17 MR. KILLAR: No. You are  
18 misunderstanding now because Chapter 11 is  
19 configuration management which applies to the items  
20 relied on for safety.

21 MR. PIERSON: That's right.

22 MR. KILLAR: It's not for the overall  
23 other programs. So you have procedures that are  
24 dictated by Chapter 3 for doing ISA procedure

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1 requirements, and Chapter 4 for chemistry or  
2 whatever it is, Chapter 5 for criticality, Chapter 6  
3 for what have you.

4 And then you have procedures that are  
5 required for configuration management for the items  
6 relied on for safety for Chapter 11. And by putting  
7 22 and 23 in here, it looks like you're mixing all  
8 of those procedures together, rather than  
9 distinguishing it from procedures that are required  
10 specifically for the items relied on for safety.

11 MS. ROCHE: But the items relied on for  
12 safety --

13 MR. KILLAR: I don't have chapter -- any  
14 of the other chapters here to look at, but I would  
15 think that you'd have some general section in three  
16 or five or six saying, you know, procedures are  
17 required in accordance with 70.22 and 70.23, and  
18 what you should do here is say that in accordance  
19 with Chapter 70.22-23, procedures reporting to items  
20 relied on for safety should be developed.

21 MR. COX: Well, what have we said here  
22 that's incorrect in this paragraph that --

23 MR. PIERSON: I think we are talking  
24 past each other here.

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1 MR. COX: Because I would have -- were I  
2 now to go back to the other chapters, I would put  
3 the same paragraph in those other chapters. It's  
4 just that we finished the other chapters. You had a  
5 problem with why we were doing what we were doing in  
6 Chapter 11. So I thought, well, we'll put it in.  
7 We'll describe it, where it comes from. The  
8 authority and responsibility comes from those  
9 things.

10 You could say the same thing. You would  
11 not say anything different about procedures for  
12 Crit. safety or procedures for RAD safety or  
13 procedures for --

14 MR. FARRELL: The authority for  
15 management measure procedures comes from a different  
16 section than 70.22 or 70.23. It comes from  
17 76(d)(5), I believe. I could be wrong.

18 MR. COX: The ability to create them,  
19 the direction to create them. But having said that,  
20 the responsibility to put them in an application and  
21 the staff's responsibility to review and approve  
22 their adequacy, that comes from 22 and 23, which  
23 flows over the entire Part 70.

24 MR. VAUGHAN: I have a slightly

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1 different view on this one, and I don't think we  
2 really have a problem because I see management  
3 measures really as being the overriding bridge for  
4 procedures, period.

5 MR. PIERSON: Right.

6 MS. ROCHE: Exactly.

7 MR. VAUGHAN: I mean procedures is  
8 really, regardless of what you use those procedures  
9 for, is actually a management measure. And the  
10 regulatory reference, in my mind, in Part 70.22-23  
11 deals with the over arching issue of procedures and  
12 not whether it's just configuration management or  
13 whether it's just this.

14 MR. TING: Right.

15 MR. VAUGHAN: I mean, that's just the  
16 way I see it. I may be wrong, but, you know, I'm  
17 not sure that this creates a conflict.

18 MR. TING: No, you're correct.

19 MR. VAUGHAN: I mean, with some of the  
20 other changes at one point in time there was in  
21 conflict, but I'm not sure this doesn't creates one.

22 MR. TING: In other words, this is this  
23 is not incorrect. It should not create any --

24 MR. VAUGHAN: In the context with the

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1 way it's written now, I don't think it's a problem.

2 MR. COX: Okay. There's comment number  
3 two on 11.3.4. So if there are no other comments,  
4 we'll go to comment number two of 11.3.4. If  
5 there's no further comment, we'll go to number three  
6 in section 11.3.4.

7 Should the applicant be subject to  
8 review of detailed procedures at the license filing  
9 stage? Should these not be relegated to  
10 inspections?

11 Okay, now 11.3.4. I think we are  
12 dealing here with the last sentence, It refers to  
13 new license applications or new processes, and  
14 that's, by the way, on page 11.4 of your copy, top  
15 of the page.

16 The intent here was simply to point out  
17 that for the special circumstances described in this  
18 sentence a one or two, X number of specific  
19 operating procedures might be wanting to be looked  
20 at or the staff in its review might want to look at  
21 that.

22 And I think what you're suggesting here  
23 is maybe at the license filing stage there would not  
24 be these detailed procedures. That's the only

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1 problem I can think of that arises.

2 MR. FARRELL: That could be.

3 MR. COX: In that case, obviously, we  
4 wouldn't be able to look at it. And we'd probably  
5 ask some questions to try to find out what the  
6 intent of the applicant would be in that regard.

7 But where they're available for those  
8 kinds of situations, whereas we don't in general at  
9 the license stage look over all procedures, the  
10 detailed written ones that the plant has, there  
11 could be for certain processes described there the  
12 desire or the need for the staff to take a look at  
13 that, to feel that the plan safety is adequate.

14 MR. CONNELLY: Tom, a suggestion.

15 MR. COX: Yes.

16 MR. CONNELLY: Maybe you could say in  
17 the last sentence the licensing reviews may include  
18 reviews of selected detailed specific operating  
19 procedures if they are available.

20 MR. TING: Good.

21 PARTICIPANT: Change "will" to "may"?

22 MR. CONNELLY: Yeah, change "will" to  
23 "may" because that way it gets the reviewer off the  
24 hook.

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1 MR. TING: Good. I like that, and those  
2 last words "as they are available."

3 MR. EDGAR: -- anticipate that these  
4 would be reviewed. I mean, are you saying we would  
5 have to send them to review or would they be  
6 reviewed as an inspection or --

7 MR. PIERSON: They would be reviewed as  
8 an inspection item.

9 MR. COX: Well, that's the licensing  
10 process here. Perhaps. I can't predict that at  
11 this point. The licensee, if you've got the  
12 procedure, we may come down there and look at it or  
13 might ask for it. I don't know.

14 MR. PIERSON: What does--

15 MR. COX: I don't think it should  
16 matter.

17 MR. PIERSON: Those particular  
18 procedures that would rise to that level would be  
19 something that would be intrinsic to the safety  
20 judgement of some particular process. And in most  
21 cases you might be able to review them on site. In  
22 some cases that may be impractical, and you'd review  
23 them here.

24 But it's not going to be all the

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1 procedures, the whole suite of procedures you have  
2 for your program, or something like that. It's just  
3 -- and I think probably in most cases this would  
4 apply to like it says new applications or new  
5 processes, major amendments, where they bringing in  
6 a new system or something. We'd be interested in  
7 finding out how that worked.

8 MS. ROCHE: Yes, it also could imply  
9 that if you don't have them available at a given  
10 time, maybe later, you know, they'll be reviewed,  
11 once you have them completed for a specific  
12 procedure.

13 MR. KILLAR: One other thing, just a  
14 minor point. You also include in here mixed oxide  
15 processes. You have a separate SRP specifically for  
16 the mixed oxide facility. Do you need to put that  
17 in here?

18 MR. PIERSON: Where is that?

19 MR. KILLAR: In that same line you're  
20 reading. Such as time in stream process or mixed  
21 oxide process.

22 MR. COX: But this is a process here.  
23 It's not referring to a whole facility. I was just  
24 trying to cover all the bases here.

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1 Give examples of the kind of thing that  
2 might create the feeling of importance on the part  
3 of the reviewer because of the safety, because of  
4 the risk involved, because they might want to look  
5 at the applicant's actual procedural intent.

6 MR. PIERSON: We can scratch out "or  
7 mixed oxide processes" if that makes you feel  
8 comfortable. I mean, I don't --

9 MR. KILLAR: I don't want the reviewer  
10 to say, "Well, you know, do you have a mixed oxide  
11 process?"

12 MR. PIERSON: Okay. So it would say  
13 "such as highly enriched uranium liquid processes,"  
14 comma, "the licensing review may include reviews of  
15 selected details of specific operating procedures."

16 MR. TING: As they'll available.

17 MR. COX: If available.

18 MR. PIERSON: If available.

19 MR. COX: Okay on that one?

20 MR. KILLAR: Yep.

21 MR. FARRELL: The comment that we made  
22 on 11.3.5 and 11.3.6, the first one, just ignore  
23 those because --

24 MR. PIERSON: Okay.

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1 MR. FARRELL: -- we'll go back to NEI's  
2 October letter.

3 MR. PIERSON: Okay.

4 MR. COX: Okay. So we are at 11.3.6,  
5 item two. Eleven, point, 3.6, Line 9.

6 MR. PIERSON: We can agree with that.  
7 Basically change corrective action program. That's  
8 fine.

9 MR. FARRELL: No problem.

10 MS. ROCHE: That's fine.

11 MR. COX: Okay.

12 MR. PIERSON: So we are at 11.3.7.

13 MR. COX: Okay. We're at 11.3.7, one  
14 comment here, first paragraph, first sentence.

15 MR. FARRELL: Forget that one.

16 MR. TING: Same thing.

17 MR. COX: Oh, yeah, same thing.

18 MR. PIERSON: And the same thing for  
19 eight?

20 MR. FARRELL: Yes.

21 MR. TING: Yes.

22 MR. PIERSON: Okay. We're at 11.4.1  
23 then.

24 MR. COX: Okay. Now this is really the

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1 same thing we just discussed I believe, where we  
2 have referred to 70.22 and 23. Do I read this for  
3 the record?

4 MR. PIERSON: Do we need to go over that  
5 again or do we reach consensus on that?

6 MR. FARRELL: I just don't think any of  
7 it's necessary, frankly, but --

8 MR. TING: Okay.

9 MS. ROCHE: Okay.

10 MR. COX: Okay. Maybe we could address  
11 the last sentence there. In your comment, it said  
12 or the last comment said the last sentence gives the  
13 erroneous impression that only Subpart H pertains to  
14 facilities possessing a critical mass of SNN,  
15 period. In fact, all of Part 70 has applicability.

16  
17 I'm not quite sure about the logic of  
18 that statement there, but I didn't quite understand  
19 it.

20 MR. FARRELL: Well, you see, I think  
21 it's just the way -- well, first of all, I don't  
22 think the sentence is at all necessary. This is a  
23 type of sentence that should go in the introductory  
24 remarks to the Chapter 11.

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1 But setting that aside, if you just  
2 start reading it, Subpart H of Part 70 contains  
3 additional specific requirements for any facility  
4 that is or would be authorized.

5 It suggests to me that Subpart H is what  
6 contains the specific requirements, but in fact,  
7 Subpart H, everything pertains to it. My suggestion  
8 is I don't think the sentence is needed. It doesn't  
9 help us. It has no bearing on acceptance criteria.

10 MR. COX: That sentence is taken from  
11 70.60 almost verbatim.

12 MR. PIERSON: Yes. But just on the  
13 context here it sounds -- what they're saying, it  
14 sounds like we're restricting the sentences above  
15 that, restricting the application to only Subpart H,  
16 Part 70 only applies to that critical mass.  
17 Otherwise, it's nothing else. It's misleading. I'd  
18 scratch it.

19 MR. FARRELL: Yeah. I don't think it  
20 really helps.

21 MR. COX: Subpart H applies to  
22 facilities that are authorized to possess a critical  
23 mass, and engaged in any one of several activities.  
24 That's a fact.

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1 MR. PIERSON: That is a fact, but in the  
2 manner that it's put here, it sounds like that is  
3 the only part, that only Subpart H of Part 70 that  
4 applies to critical mass, nuclear . . . and that the  
5 rest of Part 70 does not apply. That's the way the  
6 sentence -- the way it's constructed there. So I'd  
7 say just delete it.

8 MR. COX: All right.

9 MR. PIERSON: I think we're at 11.4.3.

10 MR. COX: Eleven, 4.3, item one, says  
11 that the first sentence is inaccurate. Management  
12 measures do not have to be submitted pursuant to  
13 70.22.

14 We've discussed that.

15 MR. PIERSON: Yeah, we did.

16 MS. ROCHE: Right.

17 MR. COX: Item two, third sentence  
18 delete -- I guess we could do that. I think it's  
19 fairly trivial.

20 MS. ROCHE: Would require, yes, we  
21 agreed to do that.

22 MR. COX: Item three, last sentence.  
23 Note that IROFS cannot mitigate an accident, but  
24 only the consequences of an accident. Revise this

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1 in part to read IROFS are expected to prevent or  
2 whose consequences they are designed to mitigate  
3 will be sufficiently -- I don't think that's too  
4 clear either.

5 I have a proposed a different version, I  
6 think, that can take care of that.

7 MR. FARRELL: Okay.

8 MR. COX: We'll just take out the part  
9 that is offending, and we'll eliminate the reference  
10 to IROFS completely in that sentence.

11 MR. FARRELL: Okay.

12 MR. COX: Okay. Let me see where we're  
13 at here. the last sentence 11.4.3. This  
14 reliability must be sufficient to assure that  
15 specific postulated accident sequences will be  
16 sufficiently unlikely. Delete the clause or delete  
17 "which the IROFS are expected to prevent or  
18 mitigate." Delete that.

19 MR. FARRELL: Okay, good.

20 MR. PIERSON: And delete the last clause  
21 as well according to the forms. Is that right?

22 MR. COX: No. I think you should leave  
23 that.

24 MS. ROCHE: That's okay.

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1 MR. COX: We should leave that. That's  
2 our measure.

3 Okay. Section 11.4.3.1, we can do the -  
4 - we'll take out the word "strict."

5 Second item, item two, paragraph two.  
6 Okay. This is a question about baseline, is it?

7 Let's see. It seems to be a paragraph  
8 carried over from the FAR earlier version of Chapter  
9 11. Assuming the applicant implements safety  
10 grading of IROFS and that the ISA is completed prior  
11 to submitting the application, parenthesis,  
12 required, the CM grading that's referred to in this  
13 paragraph will all have been done. The ISA summer  
14 will, in fact, identify all levels of CM. Delete  
15 this paragraph.

16 This relates to 70.64 almost verbatim in  
17 parts, where you do have a requirement for the  
18 baseline design criteria, and you'd consider  
19 essentially instructions to the staff and an  
20 exhortation to the applicants to consider this in  
21 these items under 70.64 in any new design.

22 MR. PIERSON: Let me explain what the  
23 rationale for that is. That's a holdover for some  
24 of the new facilities that we're looking at. That

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1 one case we're not looking at any longer, the TWRS  
2 facility.

3 And what we're concerned about is that  
4 as you're doing the design, you put yourself into a  
5 situation where you remove a component of the design  
6 without going through the systematic ISA process,  
7 and then by the time it comes to the NRC for review,  
8 it's too expensive to put that attribute back into  
9 the design.

10 And we don't have any basis -- we don't  
11 understand why you took it out, it's not there, and  
12 then it's too expensive to put it in. And we're in  
13 one of these conundrums where we're sitting there  
14 arguing with the applicant saying, "Well, we need  
15 this," and the applicant is saying, "Well, we've  
16 gone through this."

17 I can give you an example of the TWRS  
18 facility that is now no longer going to be designed.

19 And that was they had the system designed for  
20 passive ventilation system. And they submitted the  
21 processes of passive ventilation system, but when we  
22 reviewed the passive ventilation system, we couldn't  
23 come to the same conclusions that they did in terms  
24 of its ability to remove explosive gases.

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1           It was already gone. But now when we  
2 say you need to have some sort of an active measure  
3 to remove these explosive gases, it becomes a huge  
4 problem in terms of the cost because it's already  
5 out of the design. It's like retrofitting it back  
6 into the design.

7           And what we're trying to do is prevent  
8 that kind of a situation. We want you to go through  
9 the formal process, go all the way to the end, and  
10 then once you've established what those goals --  
11 what your design parameters are, then if you've got  
12 redundancy or you're over the design in some place,  
13 then take it out.

14           Don't take it out as an intermediate  
15 measure along the way. Does that make sense?

16           (No response.)

17           MR. PIERSON: I don't think it's going  
18 to be a difficult thing to -- I mean, I think if  
19 you're doing your ISA's and doing this in a  
20 systematic process, I don't think that you're going  
21 to be ever at a challenge by 70.64. But it could  
22 come up at times.

23           MR. COX: Your comment is essentially  
24 right. Nevertheless, we'd like to leave it in here.

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1 MR. PIERSON: Yeah. Because we're just  
2 trying to add additional information for our own  
3 reviewers, as a placeholder there.

4 MR. COX: That's right. You will have  
5 done this, and you will have met this.

6 MR. PIERSON: We agree.

7 MR. COX: All right. Item three which  
8 refers to item four called document control.  
9 Documents by themselves are not relied on for  
10 safety. Documents only specify worker activities  
11 that are relied on for safety, parenthesis,  
12 identified in the ISA summery, closed paren., or  
13 other activities, for example, maintenance  
14 procedures that pertain to IROFS.

15 I think we're in a semantic lock here.  
16 We feel that every worker action that is declared  
17 relied on for safety has to be defined by a  
18 controlled document that is itself --

19 MR. PIERSON: But I think what you're  
20 complaining about is you're complaining about the  
21 animation of the word document; is that correct?

22 MR. FARRELL: Yes. Exactly. In an  
23 earlier version we had systems relied on for safety,  
24 documents relied on for safety, and we just had to

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1 clear up the language.

2 MR. PIERSON: What they're really  
3 complaining about is some people, not necessarily  
4 me, but some people who study English in a very  
5 structured manner do not like animation and  
6 inanimate nouns. So what we'd have to say is  
7 something will capture documents which the staff  
8 relies on for safety or something like that. Just  
9 put something so it's clear the staff is the safety  
10 nexus, not the document.

11 MR. FARRELL: You have items relied on  
12 for safety or activities relied on for safety, but  
13 documents --

14 MR. COX: Say again how you would like  
15 to see it.

16 MR. PIERSON: Cliff, do you want to  
17 propose a --

18 MR. FARRELL: Could I say something  
19 here? Bob, I thought you had a suggestion.

20 MR. PIERSON: Well, the applicant  
21 describes how the CM system will capture documents  
22 which the staff relies on for safety. You just have  
23 to -- would that capture what you're trying to say?

24 MR. FARRELL: That's the idea, yes.

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1 MR. PIERSON: Rather than saying "that  
2 are," that the staff relies on.

3 MR. COX: Which the applicant relies on.

4 MR. PIERSON: Where the applicant or  
5 whoever is relying on it.

6 MR. TING: Yes. Relies on. It  
7 qualifies that statement.

8 MR. COX: I've got it. Capture  
9 documents which the applicant relies on for safety.

10 MR. PIERSON: We can delete "strict."

11 MR. COX: I believe we skipped one  
12 there, I think.

13 MS. ROCHE: We already discussed that  
14 one.

15 MR. FARRELL: Yes.

16 MR. PIERSON: We said we've dropped  
17 "strict."

18 MR. COX: Yeah, but how about item four,  
19 last sentence? This is too detailed; should be  
20 constrained to a commitment. We went from three to  
21 five, I think.

22 MR. PIERSON: Oh, I'm sorry. I guess we  
23 did.

24 MR. COX: In item four, called document

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1 control, the last sentence is too detailed and  
2 should be constrained to a commitment. I think I  
3 disagree with this because those are the documents  
4 or these are the information for important documents  
5 that should be available. That's all this says.

6 I do expect that an inspector should be  
7 able to go out there and find those kinds of  
8 information for important documents in the system.  
9 Okay?

10 MR. KILLAR: Yes. I guess the only  
11 concern I have is a little bit here that what you've  
12 done is you've created a lot of requirements here  
13 that go beyond the regulations for these documents  
14 and stuff. Most of them we don't have any problem  
15 with as far as the document owner, the current  
16 status, revision level, things like that.

17 But when you start saying information  
18 regarding pending changes, you know, how do you  
19 respond to that? You know, if somebody's out there  
20 on the floor saying, "Well, I think we need to  
21 change this operating procedures," is that a pending  
22 change?

23 MR. PIERSON: No, what we are talking  
24 about is when you make a change in the operating

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1 floor and how you implement that change to the  
2 process so that other people know that change has  
3 been implemented.

4 MR. KILLAR: So you're talking about the  
5 implementation of it rather than the information  
6 that has been --

7 MR. COX: Well, I don't know that  
8 there's a big difference there. The information  
9 would be your change package, for instance.

10 MR. PIERSON: But maybe there --

11 MR. COX: Like here's what we're going  
12 to do next.

13 MR. PIERSON: Maybe we could say  
14 revision level, current --

15 MR. KILLAR: What you're talking about  
16 is a document, the operating procedure or items,  
17 whatever that you're implementing it. I mean I say  
18 when I read this the first time --

19 MR. PIERSON: Let me propose is a  
20 change. The revision level, current status,  
21 document owner, pending change implementation.

22 MR. KILLAR: Okay.

23 MR. PIERSON: Would that work? Does  
24 that satisfy what you're trying to say, Tom?

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1 MR. KILLAR: Yep.

2 MR. COX: I don't know what it means,  
3 but information regarding the pending change means  
4 any --

5 MR. VAUGHAN: Yeah, I don't know what  
6 that means either.

7 MR. COX: First of all the statement of  
8 what's pending is as a change, and the analysis  
9 behind it, some justification for why you're doing  
10 it. In other words, do we know that the CM system  
11 is controlling the information that's going to cause  
12 this change to come about?

13 It's just a matter of -- this is about  
14 the CM system here. We ought to know that the CM  
15 system's capturing important materials.

16 MR. TING: I think this information,  
17 important even for inspections.

18 MR. SMITH: Could we change effectivity?

19 MR. PIERSON: I'm sorry?

20 MR. SMITH: Change effectivity and  
21 implementation.

22 MR. EDGAR: You are really taking about  
23 document control, and you're talking about revisions  
24 and ownership and approvals and things like that,

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1 and I don't think that information regarding pending  
2 changes -- I like Bob's better because you're really  
3 talking about you're controlling documents. You  
4 want to make sure that the proper document is in  
5 place when it should be.

6 MR. PIERSON: Could we say revision  
7 level, current status, document owner, change status  
8 or change process status, or something, or process  
9 change status, or something like that?

10 MR. COX: How about if we went to --  
11 maybe this is what's bothering you -- a change that  
12 hasn't taken place. Suppose we said information  
13 regarding changes that have been implemented, you  
14 know, or prior approved change packages.

15 MR. PIERSON: Would that work?

16 MR. EDGAR: What you're -- I guess my  
17 thought about what's somebody going to find when  
18 they come out, they're going to go looking for a  
19 document, and they're going to find the document,  
20 and they're going to see who prepared it. That  
21 would be the owner; what the revision is on the  
22 document; and then go looking in the document master  
23 list and make sure that's the right revision.

24 They're going to see who approved it.

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1 They're going to make sure that it's available to  
2 the people who need it. And they're not going to --  
3 for this particular document, you're not going to  
4 have anything there that's pertinent to its current  
5 use that's saying what changes are coming down the  
6 pike. It's just not going to be there.

7 MR. COX: I agree. That wasn't the last  
8 thing. I moved from that to let's make sure that  
9 the information that's captured in the system  
10 justifies the last change that was made and  
11 implement the change; that there's a change package  
12 behind that that has the proper analysis in it that  
13 supports that.

14 MR. PIERSON: Why don't we do this?  
15 Revision level, current status, document owner, up  
16 to date changes, and any other; how about that?  
17 Does that make sense?

18 MR. VAUGHAN: That makes sense.

19 MR. PIERSON: Up to date changes.

20 MR. EDGAR: I guess, Tom, I'm thinking  
21 what you're talking about would more fall under the  
22 next paragraph.

23 MR. COX: The next paragraph?

24 MR. EDGAR: The paragraph under change

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1 control as opposed to the paragraph under document  
2 control. The package that backs up the change and  
3 approves it and reviews it, that would fall under  
4 change control; I don't think under document  
5 control.

6 MR. COX: The next paragraph tells you  
7 what to do to put the package together, to make sure  
8 that the package is right. That's the change  
9 process.

10 Document control says you're going to  
11 capture the results of that process.

12 MR. EDGAR: Let's use your words, Bob.

13 MR. PIERSON: I think up to date  
14 changes. Is that acceptable to you, Tom?

15 MR. EDGAR: And the up to date changes,  
16 I mean, I think as long as you agree that the up to  
17 date change is the current revision.

18 MR. COX: Well, why not say information  
19 regarding changes that have been implemented? In  
20 other words, they're done already. You want to make  
21 sure you have the records of those that haven't been  
22 done.

23 Isn't that the same as that?

24 MS. ROCHE: You don't like up to date?

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1 MR. PIERSON: You know, the problem is I  
2 think what I see here is that there's a piece of  
3 paper, and the paper is going to have the revision  
4 level stamped on it, the status, the document owner,  
5 and that's different from this information regarding  
6 pending changes. The information regarding the  
7 changes is sort of like the stuff that's used to  
8 justify the piece of paper. So we're mixing two  
9 different functions.

10 MR. COX: That's the information I'm  
11 talking about. And pending, I'm admitting pending  
12 may be getting into too low of a level of detail  
13 because that's asking them what they're planning to  
14 do and they might or a change that's still in  
15 process.

16 I would be happy to have a change  
17 package simply established and captured in the  
18 system for a change that has taken place, for a  
19 change that's the last change.

20 MR. PIERSON: Okay. So what would you  
21 propose here?

22 MR. COX: Am I clear or am I --

23 MR. KILLAR: Yes. That's actually the  
24 point I brought up because --

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1 MR. COX: I think it is.

2 MR. KILLAR: -- the change that's  
3 pending, it hasn't --

4 MR. PIERSON: That's right.

5 MR. KILLAR: -- been completed yet. You  
6 may not ever complete it, but you've got to have a  
7 package out there according to this, when you look  
8 at this.

9 MR. COX: When it is implemented there  
10 should be analysis, drawings, mark-ups, you know --

11 PARTICIPANT: So what do you want to say  
12 then?

13 MR. COX: -- you want to capture that.

14 MR. SMITH: You're referring to  
15 temporary changes?

16 MR. COX: Information regarding  
17 implemented changes.

18 MR. GOLDBACH: Changes already made,  
19 already completed.

20 MR. COX: Changes already implemented.

21 MR. GOLDBACH: Already implemented.

22 MR. PIERSON: Information regarding  
23 implemented changes.

24 MR. COX: Is that okay? Implemented,

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1 past tense?

2 MR. KILLAR: Yes.

3 MR. COX: Instead of pending?

4 MR. KILLAR: Yes.

5 MR. COX: Got it.

6 Okay, we're now on item five under  
7 11.4.3.1.

8 MR. EDGAR: What did we end up with on  
9 that one?

10 MR. COX: We changed the word "pending"  
11 to "implemented."

12 MR. PIERSON: Information regarding  
13 implemented changes.

14 MR. TING: That means in the past. It's  
15 done.

16 MR. COX: A change that's already done.

17 PARTICIPANT: And five was strict.

18 MR. COX: Five was the word "strict."  
19 We can delete that.

20 MR. PIERSON: And now we're on six.

21 MR. COX: Item six says -- which is  
22 about item five, change control -- recommend  
23 changing the language to read availability of  
24 current revised documents as the term

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1 "authenticated" requires further definition.

2 We can go along with that. We'll do it.

3 Item seven, your item seven dealing with  
4 again item five, last sentence, within a matter of  
5 days is acceptable if it allows a 30-day change,  
6 period. Recommend clarifying this to read, quote,  
7 within in 30 days, unquote. Change, quote,  
8 personnel of outdated to read quote personnel to  
9 outdated.

10 MR. FARRELL: Let me first make a  
11 comment on the beginning of comment number seven. I  
12 think that I was being too prescriptive. Excuse us.

13 After some further discussion, you can't  
14 specify 30 days. It's going to be dependent upon  
15 the issue. For example, if you change an operating  
16 procedure, the changes to the documentation have to  
17 be made in a matter of hours or a shift, or  
18 whatever.

19 If you're changing a blue line diagram  
20 or blueprint or a line drawing, that may not -- that  
21 has been amended by hand or something -- that may  
22 not be required for 30 days.

23 So I guess what we'd like to consider in  
24 this sentence is some language that --

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1 MR. PIERSON: We have in the original,  
2 we have within a matter of days or a short enough  
3 period to avoid inadvertent access by site personnel  
4 to outdated design and other specifications for --

5 MR. FARRELL: No, I guess what I was  
6 trying to say is that is what, together with what I  
7 say, I think is inappropriate. A change in  
8 operating procedure cannot wait within a matter of  
9 days.

10 MR. PIERSON: Okay. Why don't we say  
11 changes will be made within a short -- within a  
12 period to avoid inadvertent access by site personnel  
13 to outdated design and other specifications for  
14 IROFS? And just --

15 MR. FARRELL: Something along the lines,  
16 very simple, in accordance with a schedule that --  
17 excuse me. I was writing this at lunch.

18 MR. GOLDBACH: What Bob said is fine.

19 MR. VAUGHAN: What Bob said is fine.

20 MR. GOLDBACH: Within a short enough  
21 period --

22 MR. TING: Just strike the within a  
23 matter of days.

24 MR. COX: Now it says --

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1 MR. TING: Oh I'm sorry.

2 MR. COX: -- a short enough period.

3 MR. GOLDBACH: Yeah, just delete a  
4 matter of days.

5 MR. PIERSON: Within a short enough  
6 period to avoid -- okay.

7 MR. GOLDBACH: A matter of days in some  
8 cases is too long.

9 MR. COX: All right.

10 MR. PIERSON: Okay. Done.

11 MR. COX: Item eight which is our item  
12 six, Assessments. You want to delete this whole  
13 paragraph which, you say, has already been expressed  
14 as a commitment in 11.4.3.1(1)(e).

15 Well, the fact that it's been expressed  
16 as a commitment doesn't mean that we don't want a  
17 description.

18 And my view is, no, we need the  
19 description as well as the commitment. And that's  
20 what this paragraph, item six, assessments, is  
21 about. The reviewer looks at what you have in the  
22 application to become confident that these things  
23 will be done.

24 MR. EDGAR: Doesn't this fall under --

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1 it seems to me that we're getting prescriptiveness.  
2 We need to make, as licensees, need to make  
3 commitments to do certain things. And you need to  
4 decide if those commitments are the kinds of  
5 commitments that you want us to make, and then  
6 inspect us to make sure that we have followed up on  
7 those commitments.

8 And we're getting to the point on a lot  
9 of these things, and the one we were talking about  
10 before where we said we changed that description to  
11 commitment was one of my comments, and I hadn't seen  
12 that we'd written it that way before, but it still  
13 seems that we're going to put a lot of descriptive  
14 stuff in here that better fits in procedures at the  
15 plant site, which can be inspected against the  
16 commitments we make in the application.

17 MR. TING: Jim, you have to realize, you  
18 know, the so-called prescriptive -- this is a set of  
19 guidance that we provide our reviewers. The rule is  
20 -- performance based rule is up to you how to  
21 describe how you're to meet that requirements.

22 But that doesn't mean that we don't tell  
23 or tell our reviewers, hey, you know, they're going  
24 to have a performance rule. You know, licensees

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1 have a lot of latitude, and so on and so forth.

2 But we still have to give our guidance  
3 to our reviewers, says, you know, is what you're  
4 looking for when the licensees, you know, send in  
5 their applications. So you see what I'm getting?

6 MR. EDGAR: No, I understand that.

7 MR. TING: Yeah. In other words, you  
8 gave a performance based rule, but you have to put  
9 together program in detail. Now, I mean just you;  
10 has to be you -- put in a program detailed enough to  
11 meet those performance based requirements.

12 So therefore, we have to tell our  
13 reviewers, "Look, you know, guys. Here's something  
14 you got to look into." See? That's all.

15 MR. EDGAR: I understand that and I  
16 agree with that. My objection is that I don't think  
17 that all this prescriptive information should be in  
18 the application.

19 I think the commitment to do these  
20 things that you've asked us to do should be in the  
21 application. How we do them is imbedded in  
22 procedures at our plant which the reviewer is  
23 perfectly welcome to come and review.

24 MR. PIERSON: But the reviewer has to

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1 understand in our description if you're saying  
2 you're doing an assessment, this is basically just  
3 telling a reviewer, you know, the applicant conducts  
4 periodic assessments of the configuration management  
5 function.

6 It says documents, assessments, physical  
7 assessments. It's conducted periodically. Follow-  
8 ups are done. That's basically just sort of giving  
9 them a quick description of what they need to look  
10 at to make sure that the assessment perspective is  
11 being covered from this review plan.

12 So you would have this thing in your  
13 procedures, but that doesn't obviate the fact that  
14 the reviewer has to understand what the bounds are  
15 in terms of what constitutes something that they can  
16 accept or not accept.

17 And there is latitude. I mean one  
18 doesn't have to do all these things, but this would  
19 be an acceptable way to approach it, for our  
20 reviewers to review it. That's all I'm trying to,  
21 intend to accomplish there.

22 MS. ROCHE: It's very general.

23 MR. COX: Let me say it in a slightly  
24 different way. You refer to the commitment at the

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1 bottom of the list, 1(e) on 11.4.3.1.

2 MR. PIERSON: I'm going to have to break  
3 out here for about 20 minutes to go to a contract  
4 meeting, and I'll be back. So please excuse me.

5 MR. COX: Okay. Thank you.

6 The applicant commits to periodically  
7 review the efficacy of the CM system and to  
8 incorporate improvements as needed. That's the  
9 commitment.

10 Item six, assessments, that's the  
11 descriptive material. The reviewer would be looking  
12 for statements in the application regarding  
13 assessments here under CM.

14 That you would do both document  
15 assessments and physical assessments. That's a  
16 little more specific than periodically review. If  
17 you're looking for your statement that all these  
18 assessments and follow-ups are actually documented,  
19 they're not just a wave of the hand somewhere, and  
20 that these things are planned and conducted in  
21 accordance with the overall audit and assessment  
22 thing.

23 You know, another way to write this  
24 would simply be to turn each one of those sentences

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1 into commitments and put it in that list up front.  
2 I don't think you'd necessarily want to see that.  
3 All we want -- we'll accept a broader, more general  
4 commitment, and then just give some description here  
5 somewhere under assessments that says how you would  
6 do this.

7           And that does not mean that we would be  
8 reviewing your procedure for doing these things  
9 because your document assessment procedure and your  
10 physical assessment procedure were probably, you  
11 know --I don't know -- several pages each. We're  
12 not looking at those.

13           We're looking at your statement in a  
14 license application that you would do both document  
15 assessments and physical assessments as part of  
16 meeting the commitment to review periodically.

17           MS. ROCHE:       It's just a general  
18 description for reviewers if you read it.

19           MR. EDGAR:  No, I guess that kind of set  
20 me off because there is a -- back earlier on when we  
21 talk about, I guess starting in 11.3, where we talk  
22 about in each of the paragraphs, configuration  
23 management maintenance and so on, procedures, the  
24 review should confirm that the license application

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1 addresses a process for the preparation, blah, blah,  
2 blah, procedures rather than commits to using  
3 procedures.

4 All the way long, we -- and we kind of  
5 glossed over this -- but all the way along we've  
6 talked about the description of all these different  
7 programs as opposed to the commitment to conduct  
8 those programs.

9 And by requiring us to talk about design  
10 and implementation of incident investigation  
11 program, we've got a whole lot of extra words to  
12 write where if we just commit to an incident  
13 investigation program under informal procedures or  
14 something like that, those procedures can be  
15 reviewed.

16 And I guess I got into this because all  
17 the way along where those kinds of words appear, I  
18 had comments that this should be a commitment and  
19 not a description, and we didn't get that in there.

20 That's my whole objection to the way  
21 we're doing this. There's too much descriptive  
22 material required in the application and not enough  
23 commitments with the idea of inspecting our  
24 procedure at the plant to confirm follow through on

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1 those commitments.

2 MR. TING: Well, you realize in a  
3 typical inspection I just -- I've been in the  
4 inspection area for a long time. Inspectors come in  
5 for two or three days. You know, usually you are  
6 aware of it. You usually can only the best, you  
7 know, have a random, you know, pull out a couple of  
8 procedures, key, you know, principle, key procedures  
9 to take a look.

10 So if in the beginning you just make a  
11 statement just, you know, I'm going to come in to do  
12 this, do that, so our reviewers still have nothing  
13 to hang on, I mean, other than the licensee is going  
14 to commit to do all the following.

15 So, you know, you still at that stage  
16 will -- a little bit more, you know, your  
17 description of what you intend to do. Do you see  
18 what -- not just say send in applications and just  
19 say I'm going to commit to get all this done to meet  
20 a particular requirement.

21 I mean that just leave it too shallow.  
22 I don't believe that when you complete application  
23 it will be only to that level of details. Because  
24 make a commitment, what does that mean?

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1 I mean you know, and expecting --

2 MR. EDGAR: A commitment to us means a  
3 promise.

4 MR. TING: Well, I know. But we still  
5 have to know what you've committed, I mean, have a  
6 little bit description, you know?

7 This all to your good? Right? And as I  
8 said, you cannot rely on the inspector to come to  
9 the inspect. Besides the inspector, nobody cannot,  
10 you know, maybe make a judgment as detailed as the  
11 licensee reviewers of the content of a procedure;  
12 can only verify, yeah, the procedure's there and is  
13 updated, you know, and so on and so forth.

14 But the licensee reviewers have that  
15 kind of a technical expertise or detailed knowledge  
16 of making a judgement if that particular procedures  
17 are really as they described. You need to make it,  
18 you know, where it meet the intent.

19 MS. ROCHE: Also, I think we have  
20 already covered this from 11.3.5, you know, that we  
21 all agreed, Clifton, that we need a little bit more  
22 than that.

23 MR. EDGAR: No, we did go over that.

24 MS. ROCHE: We need a little bit more

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1 than just a commitment. We need a description.  
2 This is guidance for our reviewers. And in the long  
3 run it helps you, too.

4 MR. COX: Well, one point that Phil --  
5 Phil made the point in response to your statement  
6 that you make a commitment, and the point is there  
7 that just making the commitment saying we're going  
8 to do a program is not enough. We really know  
9 nothing about what you're going to do at that point.

10 Now, then you said, well, we have all  
11 these procedures and you just come look at them. We  
12 can't do a licensing review -- all the licensing  
13 review at a facility. That's not the way licensing  
14 works.

15 It's got to be something of substance in  
16 the license application backing up a commitment to  
17 do something. Because we just can't place reviewers  
18 at these facilities to do the entire licensing  
19 review. So that's about where we are on that.

20 Now, let's see. Where were we here?  
21 I'm not trying to leave it yet.

22 Oh, okay. We are still on item eight of  
23 11.4.3.3. Oh, I'm sorry. Eleven, point, 4.3.1,  
24 talking about the need for this description in item

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1 six.

2 And okay. At this point, I guess, what  
3 I'm saying is we don't want to change this from  
4 this.

5 MR. TING: Does anybody -- are you all  
6 sharing the same concern as Jim? I should not put  
7 him on the spot or any of you on the spot. I mean,  
8 we're looking for when you send applications in, you  
9 have dozens or hundreds of procedures in place.  
10 We're not looking for them. We are looking for in  
11 particular for those important procedures. You have  
12 a legal description of what that procedure is going  
13 to consist of.

14 MR. COX: Why don't we move on now so we  
15 can get through this hopefully? At this point we'll  
16 leave it as an open item and a point of  
17 disagreement.

18 MR. VAUGHAN: Yes, some of us disagree.

19 MR. COX: I'd just like to get to  
20 through some more of this, and we'll just note this  
21 point.

22 MR. VAUGHAN: Good.

23 MR. TING: Where are we now?

24 MR. COX: We're now on 11.4.3.2 --

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1 MR. TING: Okay.

2 MR. COX: -- called maintenance. We  
3 have 11 items under this one. Item one --

4 MR. TING: That shouldn't be a problem.

5 MR. COX: Item one is correct the  
6 numbering scheme.

7 Item two is the last sentence says  
8 nothing regarding surveillance or monitoring. It's  
9 a general nature and should be placed in the  
10 introduction of Chapter 11. Delete it.

11 Those two comments can't be -- we won't  
12 place it in Chapter 11. We'll delete it. Okay?

13 I mean we won't place it in the  
14 introduction to Chapter 11. We'll just delete it.  
15 So we've covered items one and two.

16 MR. FARRELL: My comment on number three  
17 I see is wrong because PM is defined in 11.3.2 so --

18 MR. TING: Okay. Cancel.

19 MR. FARRELL: Cancel three.

20 MR. TING: Yeah. Number four.

21 MR. COX: Item four refers to item  
22 three. Item three -- okay, we're still on PM.

23 First paragraph, second sentence. This  
24 newly added sentence is identical to the second

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1 sentence in paragraph two. It should be deleted.  
2 The initial PM schedules will rely on industry  
3 practice and/or manufacturer's recommendations.  
4 Such initial schedules will subsequently be modified  
5 taking into consideration failures.

6 Well, let's go back to the statement  
7 that it should be deleted because it's identical to  
8 the second sentence. I don't think it is identical.

9 The first sentence is a commitment. The second is  
10 speaking to description.

11 The first paragraph, second sentence,  
12 this newly added sentence is identical to the second  
13 sentence in paragraph two. So we look at both of  
14 those sentences and my point is I don't agree that  
15 they are identical.

16 First sentence is a commitment.  
17 Description should show that the applicant will  
18 consider the results. That's just asking that the  
19 applicant says, "I'll consider the results and the  
20 failure records."

21 The second sentence in Paragraph 2 said  
22 the applicant describes how the results from  
23 incident investigations and identified root causes -  
24 - notice we're not even talking about the same

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1 things here -- are used to modify the maintenance  
2 function.

3 That's a description, how you would  
4 handle those things, how you would deal with that in  
5 modifying the maintenance function. And maybe you  
6 wouldn't, but we want to address that.

7 I think you probably would use those if  
8 it were appropriate to modify the function. But my  
9 point is the two sentences are not identical.  
10 They're different in thrust. My feeling now is that  
11 I don't see a reason to change that.

12 MR. TING: Any comments? Clifton?

13 MR. FARRELL: Well, I don't want to  
14 belabor this. I think they're the same. Basically  
15 you're going to establish your PM schedule based  
16 upon your investigation of incident investigations.

17 But you can leave it in. It doesn't  
18 harm us one way or the other, I guess.

19 MR. COX: Okay.

20 MR. TING: Okay.

21 MR. COX: Item five, your item five,  
22 still in item three, preventative maintenance, first  
23 paragraph. I think you mean the fourth, not the  
24 second sentence.

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1 MR. TING: Yeah.

2 MR. COX: Replace safety control by  
3 IROFS. We'll do it.

4 MR. FARRELL: Okay.

5 MR. TING: Okay?

6 MR. FARRELL: Okay.

7 MR. COX: Your six, again, now we're on  
8 item five called corrective maintenance. First  
9 sentence, for clarity, revise in part to read -- oh,  
10 that's another one of those IROFS identified in the  
11 ISA summary things.

12 MR. TING: Yeah.

13 MR. COX: We already talked about that,  
14 didn't we?

15 MS. ROCHE: Yes, we did.

16 MR. COX: Okay. Your item seven, again  
17 in corrective maintenance, first sentence, delete  
18 the word "maintenance," second last word, for  
19 clarity in reading.

20 Okay. We'll do it.

21 MR. TING: Okay. Eight is already  
22 addressed.

23 MR. COX: Okay. Item nine, your item  
24 nine is still on corrective maintenance. Third

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1 sentence, delete the words "as necessary." The  
2 claimed likelihood cannot be established solely by  
3 the duration the IROFS is out of service. The  
4 overall likelihood is also dependent upon the  
5 initiating event. In the absence of an initiating  
6 event it doesn't matter how long the IROFS is not  
7 functional. Suggest that the entire sentence be  
8 shortened to read, "Records will be kept of  
9 estimated or actual elapsed time that the IROFS was  
10 deficient prior to discovery."

11 That's okay. We'll agree to revise that  
12 essentially as you have it in this. I had a  
13 different way of fixing it, but because I agree with  
14 your basic premise.

15 MR. TING: If no controversy, we'll take  
16 it.

17 MR. COX: Yes, we'll take care of that  
18 one.

19 MR. FARRELL: Yeah, okay.

20 MR. GOLDBACH: Can we have a little  
21 discussion on that requirement in general?

22 MR. TING: Okay.

23 MR. COX: Sure.

24 MR. GOLDBACH: The records will -- let

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1 me read the new words. "The records will be kept of  
2 estimated or actual elapsed time that the IROFS were  
3 deficient prior to discovery."

4 Now, I haven't been involved with the  
5 whole evolution of this chapter of the SRP, but what  
6 value does that add to know or to guess an estimate  
7 of the elapsed time that an item relied on for  
8 safety was not functional or deficient?

9 MR. COX: As it turns out, your  
10 reliability engineering space when you have more  
11 than one control in an accident sequence proceeding  
12 to a consequence at the end and the first control  
13 fails, and now you're dependent only on the second  
14 control to prevent you from arriving at the  
15 consequence; it makes a big difference in the  
16 ultimate likelihood of that consequence whether that  
17 first control failure is unknown for eight hours or  
18 a year.

19 The thing has failed and you don't know.  
20 If it fails and you know it, speaking rough order  
21 of magnitude, just speaking, you know, roughly, a  
22 short period of time versus a long period of time,  
23 it changes the likelihood of the consequence by a  
24 huge amount, orders of magnitude.

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1 MR. GOLDBACH: I would say that in most  
2 cases, without really thinking through all the IROFS  
3 that we have identified, that there is no good way  
4 to know when something became deficient or  
5 nonfunctional. So therefore, the only thing we  
6 could go back to was the last time PM was preformed  
7 on that IROFS and we knew it was good, and that  
8 could be four weeks, could be four months, could be  
9 whatever.

10 So I'm not sure. That just seems like  
11 an inordinate regulatory burden for us to have to  
12 keep track of this kind of information for all the  
13 IROFS that we've identified.

14 MR. COX: Well, it may not be important  
15 to every IROFS, but for IROFS in particular high  
16 risk sequences, if the consequence is high and  
17 you've got one human action in between you and the  
18 consequence which might have a likelihood of --  
19 well, this whole discussion doesn't apply to single  
20 controls.

21 But let's say you have a couple of  
22 controls and one of them is a human action with a  
23 relatively likelihood of failure. It can be very  
24 important to the risk. And you say, "Well, gee, we

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1 don't know."

2 Our concern is that today there's too  
3 many situations out there where you don't really  
4 know what the risk is for a situation like that, and  
5 part of the ISA work will reveal that.

6 MR. GOLDBACH: I think the key words you  
7 used, Tom, which I'll think are necessarily are  
8 here, were for high consequence accidents. You used  
9 some words there that maybe they are in here if I  
10 read the rest of this sentence here.

11 The point is necessary to confirm the  
12 claimed overall likelihood for that in sequences in  
13 which the IROFS is designed to act or prevent or  
14 mitigate consequences.

15 MR. COX: To meet the performance  
16 requirements. Well, meeting the performance  
17 requirements is whether it's high or intermediate.

18 MR. GOLDBACH: Okay.

19 MR. COX: That covers that. Also the  
20 claimed overall likelihood. You know, for a high  
21 consequence accident, you'll be claiming a much  
22 lower likelihood than for a lower consequence  
23 action, well within the rule requirement.

24 MR. GOLDBACH: Okay. So that gives us

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1 some -- we can determine when we need to do this  
2 record keeping?

3 MR. COX: Absolutely.

4 MR. GOLDBACH: Okay.

5 MR. COX: Because that's what "as  
6 necessary" means.

7 MR. GOLDBACH: Right.

8 MR. TING: Yeah.

9 MR. COX: I'll tell you the way I was  
10 going to change that was pretty simply to account  
11 for Clifton's recognition there that -- and it was  
12 never intended that I was saying this knowledge of a  
13 failed control was the only data point that counted  
14 in a likelihood calculation.

15 So I would change this to say records  
16 will be kept of estimated or actual elapsed time  
17 that the IROFS was deficient prior to discovery as  
18 necessary to -- and here's the insert -- to assist  
19 in confirming the claimed overall likelihood.

20 In other words, that's one of the things  
21 that you have to consider and one of the things you  
22 have to deal with in claiming a particular  
23 likelihood. But we do consider it, and I think we  
24 will show you as we talk about Chapter 3 more that

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1 it is an important parameter in arriving at the  
2 ultimate likelihood of an accident consequence.

3 MR. GOLDBACH: Okay.

4 MR. TING: Okay.

5 MR. COX: Okay. I think we've got that  
6 one nailed. Where are we on this page? I keep  
7 losing my place.

8 MS. ROCHE: As necessary, there.

9 MR. COX: Okay. We are now on item ten  
10 under 11.4.3.2. Refers to our item six called work  
11 control methods, and says this seems to be far to  
12 detailed information, paren., describing work  
13 control methods, closed paren. Can't this just be  
14 stated as a commitment and inspected during  
15 operations?

16 Well, the same --

17 MR. TING: Same thing.

18 MR. COX: Same thing as we discussed two  
19 or three ago. Just a commitment doesn't tell us  
20 anything. Well, that may be too harsh, but it  
21 doesn't tell us anything that a reviewer can use to  
22 make a finding that, yes, I feel that I've got  
23 reasonable assurance these people know how to  
24 implement this commitment and will.

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1           And these are not what you read here  
2 under work control methods -- we don't think our off  
3 the wall, strange, difficult things. We believe  
4 you're probably doing these, and I'm quite certain  
5 you've probably told us that you're doing these  
6 things, that you have these things imbedded in your  
7 procedures.

8           And all we were asking for is a  
9 description that says essentially what you see here,  
10 that we, the applicant, plan to include these kinds  
11 of things in our procedures, our work control,  
12 methods, procedures.

13           It's not giving the NRC the actual  
14 procedures. It's simply describing the kinds of  
15 elements that will be included in the procedures.

16           MR. VAUGHAN: Actually not to belabor  
17 this whole point, but the way it's called out here  
18 is much more acceptable to me because it identifies  
19 that the NRC is identifying those elements that they  
20 feel are important to be included in that procedure.

21           And I can make a commitment to do that.

22           The one we were talking about earlier  
23 when we were talking about a commitment, we wanted a  
24 commitment and I wouldn't mind committing to these

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1 kinds of things, but what it was then asking for was  
2 to me to bring you a rock that said this is a  
3 description of my program.

4 And it takes a lot more writing and a  
5 lot more detail to detail a program, and it's  
6 somewhat confusing when I brought a licensing  
7 document that has a programmatic detail as opposed  
8 to a licensing document that says this is my  
9 commitment, where my commitment may be to have a  
10 procedure, but also the procedure that does this,  
11 this, this, this. Okay?

12 Then I can try my licensing document and  
13 I can implement that much easier than if I have  
14 prose in my licensing document about, you know, how  
15 this system works.

16 I don't know whether that's making much  
17 sense or not, but this is an easier way for a  
18 licensee to deal with and be a lot cleaner and more  
19 accurate with their implementation of a license,  
20 than if you just say, "Tell me what your procedure  
21 is." I mean, you know --

22 MS. ROCHE: This is why I said -- you're  
23 totally right. This is what I said before when we  
24 were discussing assessments, that this type of

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1 description helps you, the licensee as well.

2 MR. TING: Yes.

3 MR. VAUGHAN: But the other type in just  
4 a general "tell me what your program is" and a  
5 license doesn't then translate into implementable  
6 actions as easily as what you'd specified like that.

7 MR. COX: Well, Charlie, you referred to  
8 the last one we discussed which was item six,  
9 assessments, under configuration management. And  
10 that paragraph, which is only five lines, has  
11 elements in it. I'll just read you a sentence.

12 "The applicant conducts periodic assessments of the  
13 CM functions to determine the function's  
14 effectiveness to correct efficiencies."

15 And the next one says, "Both document  
16 assessments and physical assessments, system walk-  
17 downs, are conducted periodically."

18 It seems to me those describe elements  
19 that could simply be reflected back in your  
20 discussion that says we will do these things. I'm  
21 not quite sure why that's so much harder to  
22 interpret.

23 MR. VAUGHAN: That's not exactly --

24 MR. TING: Page 11-8, 11, dash, hyphen,

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1 eight.

2 MR. VAUGHAN: I know, but that wasn't --  
3 I must have misspoken there because that wasn't  
4 exactly the one that I was thinking about.

5 MR. TING: That was the one we spent,  
6 devoted quite a bit of time.

7 MR. VAUGHAN: Yeah. And it was actually  
8 -- it wasn't that one. It was -- well --

9 MR. EDGAR: We can go back to any of  
10 those, 11.3, five, six, seven.

11 MR. VAUGHAN: It was one where it  
12 basically said just, you know, define your program  
13 without saying what the important program elements  
14 were, and that leads to a prose kind of description  
15 which raises questions about what are your  
16 commitments and what are the important parts of the  
17 program and what are the licensees' discretionary  
18 parts of the program, where when you state it like  
19 you have here, it's very clear that the NRC views  
20 these as important elements, and they expect to see  
21 a commitment. They expect to see those implemented.

22  
23 And when it's written that way the  
24 licensee can do a very clean job of doing that.

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1 They may also have some other things they need in  
2 the procedure to fit in their own system. But this  
3 kind of assures that what really is important there  
4 gets into the program.

5 MR. TING: So six is okay? Then for  
6 that matter six and, you know, ten and 11? No  
7 change?

8 MR. EDGAR: I don't think 11 is.

9 MR. TING: Same thing. So ten is okay?

10 MR. COX: Ten is okay. Now we're on NEI  
11 number 11, the final paragraph, too prescriptive,  
12 detailed and unnecessary. Delete the entire  
13 paragraph.

14 We're talking about paragraph -- we're  
15 talking about the last paragraph under -- just  
16 before 11.4.3.3. We're on page 11-10.

17 Page 11-10, the comment is that this  
18 paragraph is too prescriptive. They would like it  
19 deleted.

20 Well, this paragraph was intended to  
21 wrap up the entire maintenance area by saying we  
22 wanted to know how this is linked to other  
23 management measures if it was and as appropriate to  
24 discuss. You can't discuss it in ways it is not

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1 linked to other management measures.

2 But as it is, we would like to know  
3 about it. We gave an example. Since the  
4 maintenance workers are trained, a description of  
5 the link between maintenance and training should be  
6 provided.

7 It doesn't sound very prescriptive in  
8 four lines.

9 MR. TING: Give you some expectation on  
10 our part, pretty much.

11 MR. COX: Half of that paragraph is just  
12 an example.

13 MR. EDGAR: But again, to me, it's just  
14 a lot of prose. I mean, we're talking about --  
15 you're saying because a maintenance man is trained,  
16 we have to add some words that say he's trained  
17 according to what we're talking about in the next  
18 paragraph?

19 To me it's just unnecessary.

20 MR. COX: Maybe it's the second one.

21 MR. EDGAR: We've got maintenance  
22 people, we've got maintenance, we've got training  
23 and we've got assessments. They all fit together.  
24 Do we have to explain have they fit together.

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1 MR. COX: There is a training and  
2 qualifications management measure. It might be as  
3 simple as reassuring the NRC and the public that the  
4 maintenance workers will be trained under the tenets  
5 or the criteria or the principles of the training  
6 and qualification program that you describe  
7 elsewhere.

8 MR. KILLAR: I think part of the problem  
9 with it is that these are the type things that get  
10 you in trouble as a licensee because what happens is  
11 in your training section you'll write about how you  
12 do training for maintenance people. Over in your  
13 maintenance section now you've talked about how your  
14 training is interactive with your maintenance.

15 Now you go up and you update your  
16 procedures and what have you, your training session  
17 and you change something that reflects that the  
18 training section, but you don't catch that in what  
19 you said over here in your maintenance section as  
20 far as training because now you've got it in two  
21 different sections and two different aspects of it,  
22 and you catch it in one, but you don't catch it in  
23 the other.

24 And since they're all already

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1 intertwined and you talk about training for all  
2 different aspects of it, you don't necessarily have  
3 to call out how maintenance is intertwined. It's  
4 similar to we talked about quality assurance and how  
5 quality assurance flows through all this.

6 You can either do it as a separate  
7 section or you can do it individually in every  
8 section. So you do the same thing here.

9 MR. COX: I'm sure you would claim that  
10 you do integrate your maintenance and training  
11 functions, that, you know, training for maintenance  
12 workers is coordinated with the real needs as  
13 developed by the maintenance function.

14 What I hear you saying is that -- well,  
15 I don't hear you saying we do it, but I'm sure you  
16 do it. I'll say that. And now you're saying it's  
17 too hard to tell us about it because --

18 MR. KILLAR: No, what I'm saying, Tom,  
19 is that --

20 MR. COX: -- it sounds complicated.

21 MR. KILLAR: -- what you're asking for  
22 specifically in maintenance, and you don't do this  
23 in other sections is how is maintenance involved  
24 with quality assurance. How is it involved with

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1 training? How is it involved with document control?

2 You know, you're asking for how its used  
3 throughout your configuration management program,  
4 but you've only asked for that under maintenance  
5 because you've got this last paragraph on there.

6 Where if you look at the training  
7 section you say, okay, you will apply training  
8 across the board and, you know, talk about how, and  
9 touch each aspect of it.

10 So what you've done now is you have  
11 maintenance in the maintenance section, but you also  
12 have it in the training section. You also have it  
13 in quality assurance section.

14 And when you go making changes to the  
15 quality assurance section or the training section,  
16 now you've got two places that you have to make sure  
17 that you've captured any commitments you've made for  
18 maintenance because of the way you've asked to have  
19 this written up.

20 MR. TING: Tom, do we have these similar  
21 kinds of words in other sections?

22 MR. COX: Maintenance is the one of the  
23 seven or eight management measures where you have  
24 people actually doing activities that require --

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1 they're doing hands-on work activities on IROFS. So  
2 you have to train them.

3 Procedures, incident investigations,  
4 records, management, QA, CM are all programs.

5 MR. KILLAR: I think --

6 MR. COX: We're not talking about  
7 workers who need to be trained there, who need to be  
8 trained.

9 MR. TING: I fail to see your concern  
10 because you know that the training -- the matters is  
11 important and you are doing it, see. It is not -- I  
12 think your concern about our document, how we  
13 instruct our reviewers is something that you want to  
14 be sure that you do not put as the earliest -- that,  
15 you know, new, additional requirements.

16 They are going to think that this thing,  
17 you know, is not new requirements. It's something  
18 that you're doing, and so we just want to alert our,  
19 give guidance to our reviewers, and say, hey, when  
20 you look at this area you want to be sure these  
21 maintenance many people are trained in accordance to  
22 the integrated training program, which is you have,  
23 you know, an integrated training program.

24 MR. EDGAR: We described our maintenance

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1 function and we've described a training and  
2 qualification function. And we've said that, you  
3 know, here's the training qualification function we  
4 use. Why do we have to go back for a maintenance  
5 person now and say how -- the link word kind of  
6 bothers me -- but how we train them?

7 I mean, that's in our maintenance  
8 procedures, how we train people. We're committing  
9 to training them. We're committing these people who  
10 work on IROFS to have a lot of stuff. We employ a  
11 lot of maintenance measures and now the idea of  
12 having to write volumes about how all these things  
13 interact just seems to me, in a license application,  
14 seems to me to be way too much.

15 I guess that's the best way to put it.

16 MR. KILLAR: I think from my point is  
17 that what you're doing is your duplication in that  
18 you've talked about what you're doing in maintenance  
19 and in maintenance you'll talk about what type of  
20 training you will have and you'll need.  
21 Additionally you'll have in the training section  
22 that you'll have appropriate training requirements  
23 as necessary.

24 But then as you're writing, now you have

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1 to write how you relate to the training session and  
2 things along that line. So you've added something  
3 else in there and you're duplicating what's already  
4 there.

5 And the thing is that it's not limited  
6 to training. Training was the only example. You  
7 say as other configuration management measures as  
8 appropriate. So it applies beyond just training.  
9 Training was only an example you've given here.  
10 You've got seven configuration management areas and  
11 so the reviewers can say, "Okay. You did it in  
12 training. Now talk about quality assurance or  
13 procedures or the assessments."

14 MR. COX: All right. If we don't find  
15 what we need in the other management measures  
16 regarding maintenance we'll just have to ask about  
17 it in that case.

18 MR. TING: That's about all added to the  
19 -- you know, if we missed something in the training  
20 section. So right now --

21 MR. KILLAR: I understand your concern,  
22 Tom, that this is a hands on type thing but --

23 MR. TING: Right now we'll put on --  
24 we'll delete it from here, and then later on we

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1 don't have it. Either we add it under the training  
2 and all or we go back here. Right now it's gone.

3 MR. COX: We'll accept the notion that  
4 maybe sufficient coverage will be given somewhere  
5 else on this.

6 MR. TING: At this point may I propose  
7 like a five-minute break so we can go to the men's  
8 room or something. I think we have a good momentum.  
9 We make good progress. We convene in about five  
10 minutes.

11 (Whereupon, the foregoing matter went  
12 off the record at 3:31 p.m. and went  
13 back on the record at 3:36 p.m.)

14 MR. KILLAR: Okay. Are we on 11.4.3.3?

15 MR. TING: Yes, Tom.

16 MR. COX: Okay. General comment number  
17 one, or general comment, item one. This section on  
18 training is far too detailed and should be  
19 shortened. See the industry version of Chapter 11.

20 We're talking about the whole section,  
21 which is on two pages, about two pages worth, two  
22 plus pages worth.

23 Well, let's talk about specifics then  
24 because let's move on to the next one. We'll see

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1 where you think it should be changed because  
2 obviously we came to this point thinking that we had  
3 it. We think the material in here. The substance  
4 in here is what we want.

5 Item two.

6 MS. ROCHE: Most of them are NEIs.

7 MR. COX: That's a very interesting  
8 point, too. Let me just grab this for a moment. In  
9 doing this, I took one copy here. I looked at what  
10 we put in, that NEI had in that Chapter 11 version,  
11 and this list, the first list of commitments, which  
12 amounts to nine items, more than half of those are  
13 NEI's. One, two, three, four --

14 MS. ROCHE: Just list them.

15 MR. COX: The first one is NRC. The  
16 second one is NEI and NRC. One (c) is NEI. One (d)  
17 is NEI. One (e) is NEI. One (f) is NEI. (g) is  
18 NRC. (h) is NEI. (i) is NRC. So six out of the  
19 nine are the NRC.

20 MR. PIERSON: But you guys don't object  
21 to the commitments?

22 MR. FARRELL: Absolutely not. The more  
23 the better.

24 (Laughter.)

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1 MR. COX: We have very little under the  
2 descriptions part.

3 MR. TING: Yeah, we really do.

4 MR. COX: So that's why we've got what  
5 we have under there. We think we need these things  
6 described in this way.

7 MR. TING: Let's go into the specifics.

8 MR. COX: Item -- your item two which  
9 refers to item 1(a), clarifications should be  
10 included that states that management measure  
11 training applies to worker activities relied on for  
12 safety. Revise the end of item 1(a) to read  
13 personnel involved in managing, supervising and  
14 implementing training -- and here's an addition --  
15 of workers whose actions are identified in the ISA  
16 summary to be relied on for safety.

17 MR. PIERSON: We can't argue that, can  
18 we. So we'll add that.

19 MR. COX: Okay.

20 MR. KILLAR: Good.

21 MR. COX: NEI, item three, again on item  
22 one, final paragraph. I guess that means (j).

23 MR. FARRELL: I think we discussed that.

24 MR. TING: We discussed that.

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1 MR. COX: Okay.

2 MR. TING: That's moot, right? Number  
3 three is moot.

4 MS. ROCHE: We agreed to that.

5 MR. COX: Yes. We're going to delete.

6 MS. ROCHE: Item 1(g).

7 MR. COX: Okay. Item four, item 1(g),  
8 delete this paragraph as the subject matter is  
9 already covered in item (e).

10 MR. FARRELL: Maybe we merge (e) and (g)  
11 together.

12 MR. TING: Okay.

13 MR. PIERSON: Okay. That sounds  
14 reasonable.

15 MR. COX: Okay. Merge (e) and (g).

16 MR. PIERSON: Okay. Good comment.

17 MR. COX: Item five, regarding item two,  
18 second -- item two, first sentence, delete the word  
19 plant positions and replace by required for worker  
20 activity to be relied on for safety.

21 Well, I have to admit I haven't been  
22 able to digest these particular ones here in this  
23 section. So I'm just going to do it on the --

24 MR. PIERSON: I think that's okay.

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1 MR. TING: That's okay. Just quality  
2 that in a position, you know. Require for workers,  
3 activities, relied on safety. We can buy that.

4 MR. FARRELL: Instead of saying that  
5 this particular position, operator of piece of  
6 equipment X, that's not an item for safety.

7 MR. TING: Yes. Okay. We can buy that.

8 MR. COX: The plant positions and  
9 activities relied on for safety was what that was  
10 supposed to mean. Positions and activities relied  
11 on for safety. What's the problem with that?

12 MR. FARRELL: Well, it's the activity,  
13 what the person assigned to that position does as an  
14 activity relied on for safety. The position can not  
15 do anything. But the worker in that position who  
16 does the activity -- this is more of an English  
17 semantic.

18 MR. COX: Okay.

19 MR. FARRELL: The position relied on for  
20 safety is not correct but the workers --

21 MR. PIERSON: We can make that.

22 MR. FARRELL: Okay. Thanks. Let's go  
23 on.

24 MR. COX: Describe the formal training

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1 required for the activities relied on for safety.

2 MR. FARRELL: Good. That's fine.

3 MR. COX: Eliminate three words, plant,  
4 positions, and --

5 MR. FARRELL: Okay.

6 MR. PIERSON: Now, item five, two  
7 detailed requirements.

8 MR. COX: Simplify. It's called  
9 organization of instruction using lesson plans and  
10 other training guides. Too detailed; simplify.

11 MR. PIERSON: What did the industry  
12 have? Where is their version? Can somebody break  
13 it out and read it?

14 MR. COX: Yeah. Maybe the industry  
15 would like to point out to me where it is in your  
16 T&Q, Section 11.4.3.3. Here's the program  
17 description of the core elements. That's what they  
18 have for the whole deal.

19 MR. FARRELL: Page seven.

20 MR. PIERSON: He says page seven.

21 MR. COX: Well, that might not be the  
22 same. We're under 11.4.3.3 on your document. Is it  
23 under seven, parenthesis? I'm not sure on this  
24 numbering system, but we have a seven called program

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1 description and core elements. Is that where we  
2 are?

3 MR. FARRELL: We have a two called  
4 program prescription core elements. The applicant  
5 defines responsibility, da da da.

6 MR. COX: Yes.

7 MR. FARRELL: We've lost numbers in  
8 those downloading files.

9 MR. COX: That's another one of those  
10 conversions.

11 MR. PIERSON: My question is what are we  
12 asking to replace this with. If somebody could read  
13 it out and tell us. The lessons plans.

14 MR. COX: We're trying to find this, the  
15 lesson plans and other guides.

16 MS. ROCHE: In here. It's five in here.

17 MR. COX: It's item five in our document  
18 where we are trying to find confidence that  
19 activities will be based on learning objectives  
20 derived from specific performance requirements.  
21 That doesn't seem so far fetched.

22 Plans and guides should be used for in  
23 class training and on-the-job training, and should  
24 include standards for evaluating acceptable

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1 performance.

2 Those are things we feel that you should  
3 be able to say.

4 MR. TING: Just describe your --

5 MR. PIERSON: I guess what I'd like to  
6 know is just what are you -- what -- it says see  
7 industry version of Chapter 11, and I don't know  
8 what it is you're talking about.

9 MR. KILLAR: Well, that's about as  
10 simple as you get. If you look under our version,  
11 there's nothing in there.

12 MR. PIERSON: Then that's a bit  
13 disingenuous, isn't it?

14 MR. KILLAR: I think so.

15 MR. PIERSON: I mean, what you're  
16 essentially saying is too detailed requirements;  
17 please delete; not see industry version of Chapter  
18 11. Because what you're saying is there's nothing  
19 in your Chapter 11 --

20 MR. KILLAR: Yeah, I can't find anything  
21 here.

22 MR. PIERSON: -- that neatly fits into  
23 that slot.

24 MR. KILLAR: No.

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1 MR. PIERSON: We would disagree with  
2 deleting it, but we would certainly if there's  
3 something that you wanted to put in instead, we'd  
4 listen to what your proposed version would be.

5 MR. FARRELL: Well, I think we'll have  
6 to pass on this one. I would make one comment  
7 though on what Tom mentioned, including standards  
8 for evaluating acceptable training performance.  
9 That I think is more in perhaps number six, how you  
10 evaluate if the training is successful, i.e., can  
11 the guy preform his job.

12 Anyway we'll go back and take a look at  
13 number five.

14 MR. PIERSON: We don't want to go back  
15 and think about anything. We're closing it out  
16 today. This is the end of it. So let's figure out  
17 what we want to do with this, and just move on.

18 Plan guide should be used for in class  
19 training and on the job training and should include  
20 standards for evaluating acceptable trainee  
21 performance. Now, what is it you want to change  
22 there?

23 MR. COX: I think that's organization,  
24 not doing the evaluation.

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1 MR. FARRELL: I guess in a very high  
2 level sense we are making a commitment. We are  
3 going to train an individual appropriately to do  
4 some job. I guess how we do that, if we do a  
5 particular lecture series or on-the-job training or  
6 use multiple choice answers or essay questions for  
7 examinations or how many examinations, that I guess  
8 is more of the details that maybe the licensee -- it  
9 should be up to him.

10 So as far as using lesson plans and  
11 other training guides, well, you know, he'll have to  
12 do whatever he wants as appropriate.

13 MR. COX: Let me ask you a question. Do  
14 you want to take out the word "should"?

15 Plans and guides could be used for in  
16 class training and on-the-job training and could  
17 preclude -- would that be helpful?

18 MR. FARRELL: Sure, that would be fine I  
19 think.

20 MR. COX: Because we really mean is they  
21 don't have to do it.

22 MR. FARRELL: I understand that.

23 MR. PIERSON: Even "should" is a  
24 recommendation. It's not a requirement, but "could"

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1 would be better, yes.

2 MR. EDGAR: What about taking out --

3 MR. PIERSON: This is not really -- I  
4 don't really think it should be a requirement.

5 MR. EDGAR: What about taking out plan  
6 in that -- what is it in that second sentence? --  
7 taking out plans/guides should be used for, and  
8 start with in class training and on-the-job training  
9 should include standards for evaluating training  
10 performance.

11 MR. KILLAR: I think you're changing it.

12 MR. COX: I think plans and guides  
13 should be used, and that those plans and guides  
14 should include standards.

15 MR. KILLAR: Yeah.

16 MR. COX: That's what we've said here.

17 MR. KILLAR: Yeah, but, Jim, what you're  
18 changing, you're going from the organization of the  
19 training into the evaluation of the training which  
20 is six.

21 MR. COX: I don't think so. Setting the  
22 standards is not doing evaluation.

23 MR. PIERSON: If what we've got written  
24 here is required on that plan and guides for

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1 training, then we don't want to do that. We need to  
2 mute that sentence. We can say plans and guides can  
3 be used or plans and guides --

4 MR. FARRELL: May be.

5 MR. PIERSON: -- may be used in class  
6 training and on-the-job training, and if so should  
7 include standards for evaluating simple training  
8 performance.

9 MR. COX: If you don't have any plans or  
10 guides written for training, how is one of our  
11 inspectors going to go in and say, "Well, what are  
12 you training these guys in this particular" --

13 MR. PIERSON: That's up to them. My  
14 point is that I'm not going to tell them that they  
15 have to have a plan and guide. The output is the  
16 training, the essence of what the training is trying  
17 to accomplish. We can't make up -- there's no  
18 provision that says we have to define that they have  
19 to have that kind of detail there.

20 MS. ROCHE: The inspectors will just ask  
21 more questions.

22 MR. PIERSON: They'll just have to ask  
23 more questions. Come up with some different  
24 protocol. Because what your saying --

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1 MR. FARRELL: That's exactly what I'm  
2 saying, yes, Bob. I know.

3 MR. COX: You got it. I don't agree  
4 with it, but you got it. Do you want to delete the  
5 paragraph?

6 MR. PIERSON: I don't think we should  
7 delete the paragraph. I think that it needs to be  
8 something --

9 MR. COX: Change to "could"?

10 MS. ROCHE: May be used, may.

11 MR. PIERSON: I think "may."

12 MR. COX: May? May be?

13 MS. ROCHE: Yeah.

14 MR. PIERSON: May be used for in class  
15 training and if so should include --

16 MR. COX: Just put "may" there.

17 MS. ROCHE: And if so, should include  
18 standards.

19 MR. PIERSON: And if so should include  
20 standards for evaluating simple training  
21 performance. So now it would read plan guides may  
22 be used for in class training and on-the-job  
23 training, and if so should include standards for  
24 evaluating acceptable training performance.

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1 MR. COX: If used.

2 MR. TING: There is nothing there  
3 shouldn't be acceptable to you. There's nothing  
4 there.

5 MR. PIERSON: No, there is something  
6 there.

7 MR. FARRELL: There is something there.

8 MR. PIERSON: There's substance, because  
9 you have to have some basis for training. It  
10 doesn't necessarily have to be a class.

11 MS. ROCHE: And if they don't have an  
12 inspector, they will ask more questions.

13 MR. COX: Okay. Move on? Done with  
14 that one? Let's see here. Seven.

15 MR. FARRELL: It was just a statement.  
16 We can move on.

17 MR. COX: Okay. Note that these are  
18 should. We're on 4.3.4, item one, procedures. Item  
19 1.1, look at the definition of management measures.  
20 This section is wrong, and should be written in  
21 terms of IROFS.

22 And then there's a quote there on what  
23 should be included. Which one are we talking about  
24 here? One (a).

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1 MR. TING: Yeah, 1(a), yeah.

2 MR. COX: The one that reads the  
3 applicant commits to using a system of procedures,  
4 is that the one we're talking about?

5 MR. FARRELL: That's the one we're  
6 talking about. What you've written is fine. It's  
7 correct, but it's not a management measure. Chapter  
8 11 is dealing with procedures applicable to the  
9 items relied on for safety or for performing  
10 activities relied on for safety, and I guess we're  
11 coming back to the 70.22 or 23 argument.

12 MR. COX: Was your problem the  
13 parenthetical statement we have in (a)?

14 MR. FARRELL: Yes.

15 MR. COX: It starts off with operations  
16 Crit. safety, RAD safety, Chem. safety, fire safety,  
17 and then gets to related management control --

18 MR. FARRELL: Exactly.

19 MR. COX: Well, I think as a matter of  
20 fact, your system of procedures will include all of  
21 those things and should. It just happens that we're  
22 writing about it here because this is where  
23 procedures are covered in this entire SRP.

24 MR. FARRELL: Procedures applicable to

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1 IROFS. You'll have procedures for radiation safety  
2 and fire safety and emergency response, and so on,  
3 but that's not really the focus of Chapter 11.

4 MR. PIERSON: So what you would say is  
5 the applicant commits to using a system of  
6 procedures to control all safety important  
7 activities, parenthesis, IROFS, parenthesis, period.  
8 Is that what you want to say?

9 MR. FARRELL: You could leave in "and  
10 the related management measures."

11 MR. PIERSON: Okay. I can agree with  
12 that. We can put IROFS in there.

13 MR. COX: Okay. I'll take the  
14 parenthesis out and right there we'll put in  
15 pertinent to IROFS and the related --

16 MR. PIERSON: Parenthesis, IROFS and in  
17 management measures --

18 MR. COX: Well, we've got to say  
19 "pertinent to" I think here.

20 MR. PIERSON: Yeah.

21 MR. FARRELL: No, you don't.

22 MR. COX: You would leave the  
23 parenthesis in?

24 MS. ROCHE: Yeah, the IROFS may include

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1 all those, but --

2 PARTICIPANT: Okay, number three. Far  
3 too detailed. Simplify and shorten.

4 MR. COX: Oh, sorry.

5 MR. FARRELL: My comment on -- oh,  
6 excuse me. I'm looking at the wrong one. I thought  
7 this was -- that's number C. I'm sorry. We've got  
8 mixed up numbering here.

9 I guess I need a little bit more  
10 explanation from you for that.

11 MR. PIERSON: This is number three.

12 MR. FARRELL: Perhaps we've discussed  
13 this with Charlie's comments on listing these  
14 important components is a useful exercise, but  
15 requiring detailed descriptions of every one of  
16 these Q items, is maybe -- is not appropriate.

17 MR. VAUGHAN: Yeah. We had some  
18 previous discussions on things like emergency  
19 operations and temporary operations and things like  
20 that and those are not --

21 MR. PIERSON: So what you'd say is three  
22 should read the applicant provides a description of  
23 its general approach to the contents of written  
24 procedures, which contents should be sufficient and

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1 complete and comprehensive, period.

2 Is that what you'd be proposing.

3 MR. COX: No, when you were out, Charlie  
4 was saying having a list of elements is useful  
5 because then they would address -- they'd say our  
6 procedures include these things.

7 MR. PIERSON: But that's not what they  
8 say in this comment. It says --

9 MR. COX: Well, I'm aware of that.

10 MR. FARRELL: We had a discussion when  
11 you were absent.

12 MR. PIERSON: So what you're saying is  
13 number three you're happy with now?

14 MR. FARRELL: As a listing of the  
15 elements of a procedure that's useful to have, but  
16 requiring a description of every one of these items  
17 as part of the procedure is --

18 MR. COX: It doesn't say that. It says  
19 as appropriate. It says you should provide a  
20 description of the general approach to the contents,  
21 and these contents should be sufficiently complete  
22 and comprehensive, including the following as  
23 appropriate.

24 This just means that you say to us what

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1 your procedures contain.

2 MR. TING: You have a lot to edit. You  
3 really do, you know.

4 MR. PIERSON: What could we change --

5 MR. COX: We address all these as  
6 appropriate.

7 MR. FARRELL: Do you guys have a problem  
8 with that?

9 MR. VAUGHAN: No, it's a pretty good  
10 checklist.

11 MR. TING: Yes.

12 MR. PIERSON: I think what we could do  
13 is we could chop up the sentence and the applicant  
14 provides a description of the general approach to  
15 the contents of written procedures, period. And  
16 then start out the second thing: contents should be  
17 sufficiently complete and comprehensive, period.  
18 Elements include, as appropriate, and list them if  
19 that helps, but something like that is sort of --

20 MR. FARRELL: That would be good.

21 MR. COX: Okay. My note here says  
22 revised to chop into three sentences.

23 MR. PIERSON: Okay. Number six. I  
24 guess you wanted to delete six.

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1 MR. COX: Not needed as this subject  
2 matter is already covered in training. Delete this  
3 section. We're now talking about item six, which  
4 says in the NRC document -- it says that the  
5 applicant has formal requirements governing  
6 temporary changes to procedures.

7 MR. FARRELL: That's the wrong one.

8 MR. COX: I'm sorry. That's five. Item  
9 six in the NRC document says applicant's policy on  
10 use of and particularly adherence to procedures is  
11 described, and this has everything to do with the  
12 fact that there are differences among licensees on  
13 whether procedures are used literally or whether  
14 they're just trained on them and then they operate  
15 in their own sphere without having the procedure in  
16 hand.

17 And what we're saying is we just want to  
18 know what your policy is on that. And you say in  
19 your comment that this subject matter is already  
20 covered in training.

21 Well, would you show us where that is?

22 MR. FARRELL: Well, training in the  
23 sense that, okay, Mr. Operator, you are going to use  
24 the procedures in such-and-such a manner. Well, I

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1 think again maybe this is --

2 MR. COX: How does that tell the what  
3 your policy is? We're supposed to dig it out of a  
4 training procedure somewhere?

5 MR. FARRELL: I don't know. This number  
6 six I believe is something that you added to the  
7 latest version. It's something that we have not  
8 really considered before.

9 MR. COX: Well, you've considered it  
10 just enough to make this comment on it.

11 MR. FARRELL: I thought we were getting,  
12 kind of coming to closure, getting closer and closer  
13 to the final product, and yet periodically these new  
14 things all of a sudden appear and that's --

15 MR. COX: Well, yeah, this --

16 MR. FARRELL: If you're having second  
17 thoughts, this is going to on ad infinitum. That's  
18 why I have this concern.

19 Why did we need to add this in the  
20 latest version, I guess?

21 MR. COX: Well, because it was probably  
22 important to operating with procedures.

23 MR. PIERSON: I think we could let it  
24 go.

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1 MR. COX: Do you think so? Just let me  
2 take a look back here for a second and see.

3 MR. PIERSON: While he's looking for  
4 that one, let's go on to the next one, item seven.  
5 Where you've suggested in the first sentence this  
6 has already been expressed in commitment in item  
7 one, and I agree that it has, although I'd suggest  
8 what we do is if we put item one, I guess it's 1(c),  
9 the applicant commits to periodically review  
10 procedures to validate the continued accuracy and  
11 usefulness, and nothing else could be used pursuant  
12 to -- maybe we could add this: at a minimum all  
13 operating are reviewed every five years or are  
14 reviewed every year into that 1(c) and capture that.  
15 Would that be all right?

16 MR. FARRELL: Yes.

17 MR. TING: Seven would be gone.

18 MR. PIERSON: We'll just get rid of  
19 seven.

20 MR. COX: What are we doing with --

21 MR. PIERSON: We deleted seven and added  
22 the second sentence there. At a minimum all  
23 operating procedures reviewed every five years or  
24 reviewed every year to 1(c) because it's

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1 essentially --

2 MS. ROCHE: Essentially the same.

3 MR. PIERSON: Yes.

4 MS. ROCHE: We're moving the second  
5 sentence to --

6 MR. PIERSON: Yep.

7 MR. COX: The second sentence goes to  
8 1(c).

9 MR. PIERSON: Yes.

10 MR. FARRELL: Did you find what you were  
11 looking for?

12 MR. COX: Yes. This discussion on the  
13 use of procedures within the September 10th version  
14 as item 12, just before 11.4.3.5. It is not a new  
15 item. It is a different wording, but prior words  
16 were like guidance identifies the manner in which  
17 procedures are to be implemented. Routine  
18 procedural actions are frequently repeated, might  
19 not require the procedure to be present.

20 Procedures for complex jobs or dealing  
21 with numerous sequences where memory can't be  
22 trusted may require, da da da, in-hand procedures  
23 that are referenced directly.

24 This was a way of rewording it,

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1 tightening it, and being more direct. Tell us your  
2 policy on use of and adherence to procedure.

3 MR. PIERSON: Why don't we just say  
4 that?

5 MR. COX: Well, that's what the first  
6 sentence says.

7 MR. PIERSON: Then let's just leave it  
8 at that without going into in the hand of user and  
9 that other stuff? Having a policy on use of and  
10 particularly adherence to procedures as described,  
11 period.

12 Would that be what you'd be willing to  
13 have?

14 MR. COX: Yes, because I think so.

15 MR. PIERSON: Yeah. I think that would  
16 be good.

17 MR. COX: Is that all right with  
18 everybody?

19 MR. PIERSON: Okay. Eleven, 4.3.5

20 MR. COX: Item one, which I guess is  
21 1(a) in the NRC document, revise part of the first  
22 sentence to read including that phrase relied on for  
23 safety.

24 MR. PIERSON: We could do that.

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1 MR. COX: Activities relied on for  
2 safety.

3 MR. PIERSON: Right here.

4 MR. COX: Yeah.

5 MR. FARRELL: I think that's what you're  
6 reading there.

7 MR. COX: Yeah. And it looks like you  
8 would delete a phrase called significant to plant  
9 safety and environmental protection.

10 MR. FARRELL: Yes.

11 MR. COX: In other words, you've just  
12 cut out the thing about environmental protection.

13 MR. FARRELL: Well, I'm sorry. I was  
14 suggesting replacing significant to plant safety by  
15 relied on for safety.

16 MR. COX: Okay. Not deleting the  
17 environmental protection statement.

18 MR. PIERSON: No.

19 MR. FARRELL: I'm suggesting you delete  
20 the word "significant" right to the end of the  
21 sentence and replace that by --

22 MR. COX: That's what I thought.

23 MR. FARRELL: -- relied on for safety.

24 MR. COX: That's what I said. You want

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1 to eliminate plant safety and environmental  
2 protection.

3 MR. FARRELL: I'm sorry. I thought you  
4 were going to leave in environmental protection.  
5 That was a misunderstanding.

6 MR. COX: I --

7 MR. PIERSON: The sentence will read,  
8 "The applicant has committed to conduct internal  
9 audits and independent assessments of activities  
10 relied on for safety and environmental protection."

11 MR. FARRELL: No, "and environmental  
12 protection" is covered by activities or items relied  
13 on for safety.

14 MR. PIERSON: I don't think it is.

15 MR. EDGAR: Isn't that what we're  
16 talking about?

17 MR. FARRELL: Yes.

18 MR. PIERSON: There's some overlap, but  
19 do you think you can live with that?

20 MR. COX: I think we probably can live  
21 with that because the IROFS are covered in all  
22 accident sequences. The accident sequences in the  
23 ISA summary should include those that protect the  
24 environmental --

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1 MR. PIERSON: Okay. One, two, you mean  
2 probably 1(d), I guess.

3 MR. COX: I think I mean 1(b).

4 MR. FARRELL: I'm sorry we have numbers  
5 instead of letters.

6 MR. COX: Delete this item as this  
7 cannot be dictated in a license. Part of a  
8 company's overall safety culture that must be  
9 fostered by the management.

10 MR. PIERSON: You're talking about  
11 the --

12 MR. EDGAR: Now, that falls under really  
13 a company policy.

14 MR. PIERSON: The applicant commits to  
15 encourage employees at all levels of the  
16 organization to identify and report a broad range --  
17 and also to provide prompt feedback to those  
18 employees about corrective actions.

19 MR. EDGAR: I just think that's a --  
20 that really would be a company policy. I mean,  
21 that's a cultural thing that all the rest of this is  
22 going to foster, I think.

23 MR. PIERSON: It's pretty easy to pay  
24 lip service to it, too. So really what does it

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1 prove?

2 MR. EDGAR: Yep.

3 MR. PIERSON: I agree. I think we  
4 should just leave it out.

5 MR. FARRELL: Okay.

6 MR. PIERSON: I'd say we'll take out  
7 (d).

8 MR. FARRELL: Okay?

9 MR. PIERSON: Yep. Okay. Now item two,  
10 delete -- I'm confused now.

11 MR. TING: No, 3.4. Three, four means  
12 (d), (d).

13 MR. PIERSON: No, I think we're on item  
14 two.

15 MR. KILLAR: The big item two.

16 MS. ROCHE: They're on item two now.

17 MR. PIERSON: Item two asks applicant  
18 described an audit function which will be conducted  
19 to verify operations are being conducted in  
20 accordance with regulatory requirements and  
21 commitments in the license. Audits may be conducted  
22 utilizing -- I agree. I think we should get rid of  
23 that one, too. That seems like that's sort of self-  
24 evident.

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1 MR. KILLAR: I think we're on big item -  
2 -

3 MR. PIERSON: What else were they going  
4 to commend? What else would they do?

5 MR. KILLAR: I guess, the comment there  
6 was -- describe an audit function to me has a  
7 connotation of like an organization.

8 MR. PIERSON: It also has a connotation,  
9 I think, of something outside the norm. What this  
10 sounds like is you're agreeing to conduct an audit  
11 to make sure you're operating your facility  
12 correctly, which presumably -- I mean that's what  
13 it's your business to do, right?

14 MR. PIERSON: Right.

15 MR. COX: But you still have audits to  
16 prove it. For instance --

17 MR. PIERSON: Yeah, but look what you've  
18 got written. Applicant describes an audit function  
19 would be conducted to verify the operations will be  
20 conducted in accordance with regulatory requirements  
21 and commitments in the license application.

22 MR. COX: That's right. That's what  
23 people do. There's an audit function to my  
24 understanding, and I know it's in at least two

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1 licensees. Like every three years you review the  
2 Crit. safety program to make sure it's in compliance  
3 with the requirements, both internal and NRC.

4 MR. GOLDBACH: It doesn't address IROFS  
5 specifically, I think is your point.

6 MR. PIERSON: Well, my other question it  
7 says -- has any audit that you've ever done ever  
8 come up with anything?

9 MR. COX: Sure, they do. And they write  
10 a report which often a contractor writes a report  
11 that they buy.

12 MR. PIERSON: Well,, I would accept it  
13 if it said the applicant describes an audit function  
14 by an independent auditor or something like that.

15 MR. COX: We don't want to direct them  
16 how to do it.

17 MR. PIERSON: I understand, but it seems  
18 to be like this is -- what do you guys think? Do  
19 you want this?

20 MR. COX: I'm confused why it's not a  
21 separate audit.

22 MR. EDGAR: You've got to help me out on  
23 this because I may be a little confused, too, but my  
24 comment was that it's not a separate function, but

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1 procedures are written to requirements and audited  
2 against by a number of different groups. I mean, we  
3 audit ourselves. We have QA audit us.

4 The flavor I got from that was a  
5 description of a particular group or something.

6 MR. GOLDBACH: Group organization.

7 MR. EDGAR: Organization that does this,  
8 and it's just not done by a single organization. We  
9 audit ourselves all the time.

10 MR. PIERSON: It's an ongoing, living  
11 process. You don't necessarily every three years  
12 have an audit come in and do the safety from stem to  
13 stern. You basically do all of it continuously such  
14 that in three years it's done.

15 MR. EDGAR: And our quality group does  
16 periodic audits of all the different functions. We  
17 have a few independent auditors come in, but not for  
18 all functions.

19 MR. COX: Well, this doesn't say  
20 anything about independence. This says applicant  
21 describes the function, conducted and verified; may  
22 be conducted using qualified personnel.

23 MS. ROCHE: That was pretty generous.

24 MR. COX: Who are involved in the

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1 audited activity. That was a particular back-off on  
2 that part.

3 MR. EDGAR: That's right.

4 MR. COX: They're not independent  
5 necessarily, and this says nothing about the rate at  
6 which they're done or the period.

7 MS. ROCHE: Very generous.

8 MR. COX: I don't see the problem here.

9 MS. ROCHE: Don't forget this is  
10 guidance.

11 MR. EDGAR: What if we said the  
12 applicant describes a program in which audits will  
13 be conducted, blah, blah, blah?

14 MR. PIERSON: A program for how audits  
15 will be conducted?

16 MR. EDGAR: No, just describes a  
17 program.

18 MR. COX: You mean change the word  
19 "function" to "program"?

20 MR. EDGAR: Yeah. The audit function.

21 MR. COX: For three years we had to  
22 change program to function because every time we'd  
23 say program that meant an independent manager had do  
24 it.

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1 MR. KILLAR: I think the connotation  
2 here is that when you say an audit function, it  
3 gives the flavor that you're going to have a  
4 specific audit group, and we don't have specific  
5 audit groups.

6 MS. ROCHE: We don't mean that.

7 MR. KILLAR: I know that's what you  
8 don't mean, but the way you say it when you say an  
9 audit function that's what it implies to us.

10 MS. ROCHE: Don't forget this is  
11 guidance for our reviewer. So they'll know what we  
12 mean.

13 MR. COX: How about an audit activity  
14 instead of a function?

15 MR. PIERSON: Just the audit.

16 MR. VAUGHAN: It just describes the  
17 audit.

18 MR. PIERSON: Applicant describes an  
19 audit which will be conducted to verify the -- just  
20 delete the "function."

21 MR. COX: That's a single one audit, and  
22 we want to be a little more broad.

23 MR. VAUGHAN: Audit activities.

24 MR. PIERSON: All right. Activity it

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1 is.

2 MR. COX: Are we done with item three  
3 and this section?

4 MR. PIERSON: Yeah.

5 MR. COX: Four, item four. Delete --  
6 this is again on item three now of ours -- delete as  
7 this subject matter is covered in item 1.3. That  
8 would be 1(c).

9 But 1(c) is a commitment. This is the  
10 descriptive part. Our item three here is more than  
11 the commitment to use appropriately trained -- wait  
12 a second.

13 MR. PIERSON: Well, item three says  
14 applicant describes how assessments will be  
15 conducted by groups not involve or directly  
16 responsible.

17 MR. COX: Right.

18 MR. PIERSON: And they're saying that  
19 it's covered by, I think --

20 MR. COX: One (c).

21 MR. PIERSON: -- 1(c).

22 MR. COX: But 1(c) is a commitment to  
23 use --

24 MR. PIERSON: But, see, I think you're

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1 putting yourself in a box because it seems to me  
2 that you need three to describe what you're trying  
3 to accomplish. I think 1(c) is not -- is not going  
4 to get you there.

5 MR. COX: Well, 1(c) says you commit to  
6 use personnel who are sufficiently independent.  
7 Item three says describe what you mean by that. How  
8 assessments will be conducted by groups or  
9 individuals not involved in or directly responsible;  
10 in other words, how would you go about assuring  
11 sufficient independence?

12 MS. ROCHE: And that's pretty standard.

13 MR. PIERSON: And that's pretty -- yeah.

14  
15 MR. COX: We've always asked that  
16 question.

17 MR. PIERSON: Are we ready to move on?

18 MR. FARRELL: Yes.

19 MR. VAUGHAN: If you describe how you  
20 assure independence, that's one thing, but this says  
21 how assessments will be conducted.

22 MR. COX: By groups not involved in.

23 MR. PIERSON: Well, what would you  
24 suggest adding there instead?

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1 MR. VAUGHAN: It sounds like you want  
2 some discussion of how the assessments are conducted  
3 when what you really want is some justification or  
4 identification of how these will be independent of  
5 those people responsible for the licensed activity.  
6 I mean, is independence the concern?

7 MR. PIERSON: That's what we're trying  
8 to derive here.

9 I'm sorry, but that says that to me. So  
10 why don't you suggest some words and we'll just put  
11 it in. I think what you're describing is what we're  
12 trying to accommodate. If that's not clear, let's  
13 revise the words to say that.

14 MR. SMITH: Take it out just like above  
15 in two. We had audits, describe an audit which will  
16 be conducted.

17 MR. PIERSON: Applicant described  
18 assessments?

19 MR. COX: How about this?

20 MR. GOLDBACH: Applicant describes how  
21 independent groups or individuals --

22 MR. COX: Will be identified.

23 MR. GOLDBACH: -- will be identified to  
24 conduct assessments.

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1 MR. PIERSON: Okay. Independent groups  
2 or individuals. So it says applicant describes how  
3 independent groups or individuals. What's the rest  
4 of it?

5 MS. ROCHE: Will conduct.

6 MR. COX: Not involved in or directly  
7 responsible; will conduct assessments to verify.  
8 Applicant describes how independent groups or  
9 individuals not involved in or directly responsible  
10 for the licensed activity will conduct assessments  
11 to verify.

12 MR. PIERSON: Okay. That sounds good.  
13 Now item five.

14 MR. COX: Delete unnecessarily  
15 prescriptive. Three lines: levels of management to  
16 which audit and assessment results are reported and  
17 the systems are described. The approach to  
18 prioritizing and tracking, identify corrective  
19 actions to completion are described.

20 We have recently had a very strong --

21 MR. EDGAR: I think you're describing  
22 what levels of management get results is too  
23 prescriptive.

24 MS. ROCHE: No, we're not.

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1 MR. COX: We want to know that it's high  
2 enough that something will get done, and that the  
3 responsibility --

4 MR. EDGAR: There are times when the  
5 direct supervisor can get that done. There are  
6 times when the unit manager or department manager or  
7 division manager has to be involved, but I don't  
8 think -- I could see if it said something to the  
9 effect of you're committing to get appropriate  
10 levels of management involved, but really it would  
11 be hard for us to anticipate all different  
12 situations and write a cookbook for you to say --

13 MR. TING: I like the word how about  
14 appropriate level of -- appropriate management  
15 level, whatever level may --

16 MR. VAUGHAN: But the real action is  
17 whether it gets done or not. It doesn't make any  
18 difference what level in the organization does it.  
19 It's whether it gets done.

20 MR. COX: At the licensing stage, we  
21 don't know whether it gets done or not, except by  
22 some description that gives confidence that it will  
23 get done in the future. The licensing --

24 MR. VAUGHAN: But the level does not

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1 assure anything. If you want to -- if you want  
2 something in there, then it will get done. That's  
3 fine, but the level has absolutely nothing to do  
4 with it. It's the performance is what has to do  
5 with it.

6 MR. PIERSON: I agree with that. Why  
7 don't we just skip that and just say that approach  
8 to prioritizing and try to identify corrective  
9 actions to completion as described? Just leave it  
10 at that.

11 MR. VAUGHAN: And if it doesn't work,  
12 then your inspection program is going to tell you  
13 that.

14 MR. TING: Okay. Delete the first  
15 sentence. Is that okay, Charlie?

16 MR. VAUGHAN: Okay.

17 MR. TING: Delete the first sentence.

18 MR. PIERSON: Item six.

19 MR. FARRELL: That would be 1(e) for  
20 you.

21 MR. COX: Item six, the next paragraph.

22 MS. ROCHE: Eleven 4.3.5.

23 MR. COX: Appropriate documentation and  
24 results as retained in the --

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1 MR. PIERSON: I know, and they're saying  
2 it's the same as 1(e) back on the previous page, not  
3 1.5.

4 MR. COX: Yes, that's right. This is  
5 commitments for --

6 MR. TING: This is commitments, the same  
7 thing again.

8 MR. PIERSON: So I think we could just  
9 leave that.

10 MR. TING: Since appropriate document  
11 anyway.

12 MR. COX: Okay. Let's move on.

13 MR. TING: Move on.

14 MR. PIERSON: Eleven, 4.3.6, item two,  
15 third sentence. The investigators will be  
16 independent from the line functions involved with  
17 the incident under investigation.

18 What you're saying is this may not  
19 always be the case.

20 MR. FARRELL: That's right.

21 MR. PIERSON: So should we say the  
22 investigator should be independent or if possible  
23 should be independent, or what is it we're saying  
24 there?

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1           And to staff here, is it important that  
2 they always be independent? Because sometimes they  
3 may not be able to be independent.

4           MR. SMITH: That is similar that kind of  
5 came up on the MOX SRP.

6           MR. PIERSON: What did you do there?

7           MR. SMITH: And in that case we had a  
8 similar requirement which we left in place.  
9 Description of the functions called and  
10 responsibilities of management persons who will lead  
11 the investigation, and those are team members, and  
12 at that point put an asterisk saying individual  
13 members of the team may have responsibility for the  
14 functional area provided -- provided that they had  
15 no involvement in the incident being investigated.  
16 The team leader or individual investigator is  
17 independent of the functional area.

18           MR. PIERSON: Does that sound reasonable  
19 to you all?

20           MR. TING: Just copy. We'll get it from  
21 you.

22           MR. SMITH: You know, that's in NUREG  
23 1718, 15.0 -- it's 15.7.1.

24           MR. COX: Wait a minute. Let me write

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1 that down.

2 MR. FARRELL: Section 15.7.1?

3 MR. COX: Yeah.

4 MR. FARRELL: That would replace the  
5 third sentence.

6 MR. SMITH: Yes.

7 MR. COX: That would replace the third  
8 sentence?

9 MR. PIERSON: Yes.

10 MS. ROCHE: Yes.

11 MR. COX: In item two.

12 MR. PIERSON: It replaces investigators  
13 will be independent and rely on functions involved  
14 with the incident under investigation.

15 MR. FARRELL: Section 15.7.1.

16 MR. PIERSON: Then you've got an  
17 elaboration on that. It says on the next one, Item  
18 2.2 -- we say criteria for selecting the management  
19 person who would lead an investigation team for  
20 selecting -- I would agree we need to scratch the  
21 management person and say criteria for selecting the  
22 person who would lead an investigative team for  
23 selecting the other team members, and leave it at  
24 that.

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1           It doesn't necessarily have to be a  
2 management person.

3           MS. ROCHE:       It's 2(b), what you're  
4 talking about, right?

5           MR. PIERSON:   Yes.

6           MR. COX:       Two (b).

7           MR. FARRELL:   Actually, Bob, if you look  
8 down at item number three, the second sentence, this  
9 is the beginning. It's individuals or teams. That  
10 was really one of the things or my concerns with  
11 item 2.2. It says it will lead an investigative  
12 team.

13           Well, in some instances you just may  
14 need a single individual if it's a minor affair.

15           MR. KILLAR:     Okay.       Criteria for  
16 selecting the person? What do you want? Do you  
17 want to change B?

18           See, criteria for selecting who would  
19 lead an investigative team doesn't mean that every  
20 time you have to have an investigative team.

21           MR. FARRELL:   That's my point, yeah.

22           MR. KILLAR:     Well, maybe just say will  
23 lead an investigation or investigative team.

24           MR. EDGAR:       What about just lead an

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1 investigation?

2 MR. KILLAR: An investigation.

3 MR. COX: Criteria for selecting the  
4 what? The person or the management person?

5 MS. ROCHE: Criteria for selecting the  
6 person.

7 MR. PIERSON: What it will say is, "B.  
8 Criteria for selecting the person who would lead an  
9 investigation and for selecting other team members  
10 for identifying their responsibilities and for the  
11 scope of the team's authorities and  
12 responsibilities.

13 MR. COX: Okay.

14 MR. PIERSON: All right. Now, we're  
15 on --

16 MR. TING: Three, item four.

17 MS. ROCHE: Item 4.

18 MR. PIERSON: Four is ambiguous.

19 MR. TING: Just take them out.

20 MR. PIERSON: We'll just scratch that.

21 MR. TING: Un-huh, scratch it.

22 MR. PIERSON: Okay. Five, this is a  
23 totally new requirement to review the last two years  
24 of incidents and corrective actions. This has never

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1 been required. Delete this item.

2 So what's our response to that? Is this  
3 a totally new requirement?

4 MR. COX: No, I don't think it's totally  
5 new, but it's just been reworded from the old one.

6 MR. PIERSON: So what is your feeling,  
7 that it's something we've never done before or  
8 something?

9 MR. FARRELL: Mandating that you have to  
10 look at at least two years of historical documents.

11 MR. PIERSON: That seems like it's been  
12 around for a time.

13 MS. ROCHE: This has been around  
14 forever.

15 MR. COX: That's not too long a time.  
16 Shorter than that could be too short.

17 MR. EDGAR: Are you saying that the idea  
18 that we have to review it every two years has been  
19 around for a long time or the requirement for  
20 keeping the records?

21 MR. PIERSON: We're saying when you got  
22 in an incident or an investigation, we have to go  
23 back two years for corrective actions to see whether  
24 there's any --

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1 MR. EDGAR: So you're saying to keep the  
2 records on those.

3 MR. PIERSON: Yeah, for two years.

4 MR. EDGAR: But this thing says retain  
5 and examine over time, at least two years. I don't  
6 know. Does that mean every two years we have to go  
7 back and examine all of those? Is that what you're  
8 saying?

9 MR. TING: No.

10 MR. EDGAR: Or you're just saying we've  
11 got to retain them for two years?

12 MR. TING: For the investigator --

13 MR. PIERSON: Read what the sentence  
14 says. It says appropriate auditable documentation  
15 results as retained and examined over time,  
16 parentheses, at least two years, to assure that  
17 identified problems associated . . . to identify  
18 trends, repeated occurrences, genetic issues  
19 involved.

20 That's with respect to what this topic  
21 is, which is incident investigation. So what we're  
22 saying is that if you've got an incident  
23 investigation, look back through two years at your  
24 records to see if there's --

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1 MR. EDGAR: To make sure that they --

2 MR. PIERSON: That's right.

3 MR. COX: Let me point out to you once  
4 more this was in the September 10th version.  
5 Procedures requiring maintenance of all  
6 documentation relating to abnormal events for two  
7 years or for the life of operations.

8 MS. ROCHE: They agree. Let's move on.

9 MR. PIERSON: I think we should leave  
10 that in.

11 MR. COX: Not a new requirement. It's  
12 not a requirement anyway.

13 MR. GOLDBACH: Excuse me. I'd like to  
14 go back number three. It talks about root cause  
15 analysis techniques.

16 MR. PIERSON: Number three?

17 MR. GOLDBACH: Yes.

18 MR. PIERSON: No, it's just on 11.4.3.6.

19 MR. GOLDBACH: Paragraph 3, identified  
20 failures are evaluated, blah, blah, blah, and it  
21 talks about root cause analysis techniques.

22 Now, we use root cause analysis as a  
23 particular investigative technique, but we also use  
24 other --

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1 MR. PIERSON: That's fine.

2 MR. GOLDBACH: -- techniques based on  
3 the severity of the situation. I want to make sure  
4 that the--

5 MR. PIERSON: Well, it says individuals  
6 or teams trained in root cause analysis to evaluate  
7 significant problems. Was that the problem?

8 MR. TING: Well, he's using other  
9 problems.

10 MR. EDGAR: You're saying kind of  
11 generic root cause.

12 MR. GOLDBACH: Yeah.

13 MR. TING: It's small letters.

14 MR. COX: Plural on techniques also.  
15 Root cause techniques, a structured root cause  
16 method.

17 MS. ROCHE: Yes, okay.

18 MR. PIERSON: Eleven, 4.3.7.

19 MR. COX: That's okay. We're leaving  
20 that one, right?

21 MR. PIERSON: Right. The text in  
22 parentheses is unnecessary. Item two.

23 MR. TING: That's 1(b) -- 1(a).

24 MR. PIERSON: -- for details on records

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1 management. You don't -- is that what you want  
2 moved out?

3 MR. FARRELL: It's not worth arguing  
4 about.

5 MR. PIERSON: I don't think so either.

6 MR. FARRELL: It's fine.

7 MR. PIERSON: Okay, fine. Okay. Item  
8 4.

9 MS. ROCHE: Item 5.

10 MR. PIERSON: Unnecessarily detailed  
11 requirement. This is a delete mode here. Let's  
12 read this.

13 MR. FARRELL: Just a minute. I'm sorry.  
14 May I go back to 11. -- excuse me. The first  
15 comment, number one. I guess I am objecting to the  
16 inclusion of 11.6.7 because that is simply the  
17 summary that the reviewer is writing on the adequacy  
18 of the record management system. So I don't think  
19 you ought to refer to the applicant or -- excuse me  
20 -- the reviewer to what hasn't yet been written. I  
21 guess that's my real point.

22 Should 11.6.7 be deleted?

23 MR. COX: Wait a minute. The 11.6.7 is  
24 simply a statement of what is supposed to be found

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1 and what will be written for evaluation findings,  
2 isn't it?

3 MR. FARRELL: It's just whatever is in  
4 here, yes.

5 MR. COX: But what's in this SRP is not  
6 what hasn't been written yet. It is written in the  
7 SRP. Then what conclusions have to be arrived at?

8 MR. PIERSON: Basically it's just  
9 talking about records management. See Section  
10 11.6.7 on page 11-23 for records management.

11 MR. COX: For details.

12 MR. FARRELL: Let me try to explain the  
13 confusion I had. The section, what the reviewer  
14 will write under 11.6.7 has yet to be written before  
15 he's done the review of --

16 MR. PIERSON: We're not asking him to  
17 look at what he's written. We're asking him to look  
18 at Section 11.6.7 of this document.

19 MR. FARRELL: Then this is really in the  
20 wrong place. This has become an acceptance criteria  
21 as opposed to an evaluation findings.

22 MR. PIERSON: No. This is all SRP.  
23 This is records management.

24 MR. COX: But we are in the acceptance

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1 criteria section of records management, and we're  
2 referring you to somewhere else to look for this.

3 MR. FARRELL: It's the same document.

4 MR. COX: Because if we had printed  
5 11.6.7 in here, you would have said that's  
6 unnecessary duplication, redundancy, and whatever,  
7 and it's not right to do that.

8 MR. FARRELL: Okay. This has been a  
9 constant problem, and I think we're doing much  
10 better on Chapter 11. You know, the acceptance  
11 criteria, the areas for review, all of them seem to  
12 get mish-mashed, and I think if this is an  
13 acceptance criteria as written in 11.6.7, then put  
14 it in the acceptance criteria. That was my only  
15 concern.

16 MR. PIERSON: Okay, but I think it's  
17 pretty clear when it says see Sections 11.3.7 and  
18 11.6.7 for details on records management, we're just  
19 using that as a--

20 MR. COX: Eleven 3.7 is only three lines  
21 and a word that says confirm these things.

22 MR. FARRELL: Yeah, well, that's  
23 appropriate for an area review.

24 MR. COX: It does list what the things

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1 are.

2 MR. TING: Okay. Move on.

3 MR. PIERSON: Item four and item five.

4 MR. COX: Item four is said to be  
5 unnecessarily detailed. That's not what it says  
6 about five.

7 MR. TING: Is that (e)?

8 MR. COX: That's the 30-day change again  
9 problem.

10 MR. PIERSON: It says item four and item  
11 five.

12 MR. TING: No, no, no. It's item four.

13 MR. COX: Yeah, you're right.

14 MR. TING: Yeah, okay. Item four and  
15 item five.

16 MR. COX: Well, these are what we know  
17 to be good principles of records management. Again,  
18 when we say the procedures for records management  
19 should, that's just a list of elements. That  
20 doesn't mean that we're going to review the  
21 procedure, but it says you should say something  
22 that's essentially a commitment to address those  
23 things or that your procedures contain these kinds  
24 of elements

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1 MR. TING: That'll go back to Charlie's  
2 earlier -- you know, you'd probably like to see some  
3 of this, you know, things like this, a list, you  
4 know, checklist.

5 MR. COX: I think the item five there is  
6 sort of important in this age that we're in.

7 MR. PIERSON: Well, I mean what you  
8 said, unnecessarily detailed requirements. These  
9 aren't requirements. It's a guide. So what's the  
10 problem with four and five that we want -- that you  
11 want us to take out?

12 MR. FARRELL: The mission of records  
13 management is the licensee must provide sufficient  
14 certainty that any stored records will be  
15 retrievable in an intelligible form and can be  
16 accessed.

17 Now, how the guy does that, whether he  
18 buries the records underground or keeps them in a  
19 safe or whatever, that's really -- you know, those  
20 are details. So long as you can meet the commitment  
21 of making the -- of recording the data, storing it,  
22 and making it retrievable, that's really the --

23 MR. PIERSON: That's what we say in  
24 four. Records are categorized by relevant safety,

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1 importance. Identify records protection and storage  
2 needs, and designate the retention period for  
3 individual kinds of records. The procedures for  
4 writing should (a) assign responsibility for records  
5 management; (b) specify the authority; (c) specify  
6 the control, who has access; (d) provide for  
7 protection for loss, et cetera; and (e) specify  
8 procedures for -- that's pretty standard,  
9 boilerplate stuff for how you protect records.

10 MR. FARRELL: I'm not objecting to the  
11 usefulness. It just seemed to be unnecessarily  
12 prescriptive here, but anyway, as a list of  
13 elements, it has use. I don't think it's harmful.

14 MS. ROCHE: It's useful for our  
15 reviewers with those.

16 MR. FARRELL: Well, we can change, but  
17 we're changing, evolving with time. We don't always  
18 want to stick with the old records, the old systems.

19 MR. COX: Well, I don't think any of  
20 this stuff here would prevent evolution of processes  
21 and ways to do thing.

22 MR. PIERSON: How about number five?

23 MR. FARRELL: I think the comment that  
24 we made before, the way we addressed it in an

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1 earlier section, the 30 days --

2 MR. TING: Yeah, we can change that.

3 MR. FARRELL: -- whatever change we made  
4 there, just duplicate it.

5 MR. TING: We just deleted the matter of  
6 days. We just said within a short enough period or  
7 whatever, you know.

8 MR. FARRELL: Okay. Within a short  
9 enough period, all right.

10 MR. COX: This one we're not changing, I  
11 guess.

12 MR. PIERSON: No, we're not changing.

13 MR. TING: This is another thing.

14 MR. PIERSON: Okay. Eleven 4.3.8, other  
15 QA elements. Recommend that a general statement  
16 such as that recommended by -- to be included  
17 somewhere in Chapter 11 telling the reviewer that QA  
18 can be addressed in one of two ways. Why does the  
19 NRC appear nervous to do this?

20 Recommend addition of the following  
21 text. Quality assurance is one management measure  
22 that may be either treated as separate, stand alone  
23 or an integral component of each of the remaining  
24 seven management -- the application may, therefore,

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1 describe the overall QA program in a stand alone  
2 management measure or it may incorporate discussion  
3 of QA and the description of individual management  
4 measures.

5 MR. COX: Let me address the first  
6 question. There's a couple of comments made there.

7 It says recommend that a general statement be  
8 included telling the reviewer that QA can be  
9 addressed in one of two ways.

10 If you look at Paragraph 2 under  
11 11.4.3.8, seventh line down, the sentence says some  
12 QA functions may be imbedded in the design of other  
13 management measures, in which case the applicant may  
14 reference other areas of the application that  
15 present information relevant to QA.

16 Doesn't that address that worry?

17 MR. FARRELL: Well, I just think my way  
18 is clearer. We've all been working on Chapter 11  
19 for a year, but five years down the road when we're  
20 all gone and new faces come, I think that maybe I'm  
21 just trying to just address issues where there might  
22 be questions coming up, but --

23 MR. PIERSON: I don't care if we add  
24 this sentence. I mean we're already -- why don't we

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1 just say them both? We'll just add in that quality  
2 assurance is one management that may be treated -- I  
3 don't have -- do you have a problem if we add that?

4 Let's just add it in there.

5 MR. COX: We'll add it in.

6 MR. PIERSON: We'll add it in.

7 MR. FARRELL: Okay.

8 MR. COX: Don't know yet.

9 MR. PIERSON: Well, I think it would  
10 probably fit somewhere in that --

11 MR. COX: That first paragraph, yeah.

12 MR. PIERSON: -- first paragraph there.

13 MR. COX: Near the beginning.

14 MR. FARRELL: All right.

15 MR. COX: First or second paragraph.

16 MR. TING: Okay.

17 MR. PIERSON: I don't have any problem  
18 with the second paragraph. I think the words  
19 appropriate measures and revised to read the  
20 applicant's QA elements should be structured to  
21 apply to IROFS and other management measures which  
22 may include design. I think we can add that one,  
23 too.

24 MR. FARRELL: Okay.

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1 MR. COX: Wait a minute. Where are we  
2 now?

3 MR. PIERSON: Second line, top of the --

4 MR. COX: Second paragraph. Delete the  
5 word?

6 MR. PIERSON: What he's saying, delete  
7 the words "appropriate measure" and revise it in  
8 other --

9 MR. COX: Yeah. We agreed we could do  
10 that.

11 MR. PIERSON: Yeah. Third sentence.

12 MR. COX: Recommend using words right  
13 out of the rule for this. QA maybe applied, da,  
14 da, da.

15 MS. ROCHE: That's okay.

16 MR. COX: For the reduction of risk.

17 MR. PIERSON: I don't have a problem  
18 with that one either.

19 MR. COX: It's going to look fairly  
20 repetitive by the time we get through.

21 MR. PIERSON: We can put that in there.

22 MR. TING: Yes.

23 MR. PIERSON: We'll do that one, too.

24 You guys are on a roll.

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1 MR. FARRELL: Number three was okay?

2 MR. PIERSON: Yeah.

3 MR. FARRELL: All right. Number four.

4 MR. PIERSON: In QA-1 these should  
5 either be deleted or some general words added to  
6 state that QA audits may include one or -- I thought  
7 we already did that, but we can put that in there.

8 MR. COX: We already talked about where  
9 we would put it,

10 MR. PIERSON: Yeah. We'll put it in  
11 just before the last sentence, and we'll say QA  
12 element may include one or more of the following  
13 elements, comma, key attributes as shall be  
14 determined to be appropriate applied by the  
15 applicant.

16 Is that all right?

17 MR. FARRELL: Okay.

18 MR. PIERSON: Okay? So that takes care  
19 of four.

20 MR. FARRELL: Does anybody else want to  
21 talk to that?

22 MR. TING: Give you all kinds of  
23 latitude here.

24 MR. COX: We're on 11.6.

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1 MR. PIERSON: Eleven 6.1.

2 MR. COX: Wil, you had looked at these.  
3 Is this the three that you had looked at?

4 MR. SMITH: Eleven 6.1. I think we  
5 basically agreed to most of these.

6 MR. PIERSON: It seemed okay, 11.6.1.

7 MR. COX: Did he agree with that?

8 MR. SMITH: Yes. We agreed with 11.6.1.

9 MR. COX: Okay.

10 MR. PIERSON: Eleven 6.2

11 MR. SMITH: I read "said okay" to all  
12 three of those.

13 MR. COX: Good.

14 MR. PIERSON: I agree with that, too. I  
15 don't have any problem.

16 MR. COX: Eleven 6.2?

17 MR. PIERSON: Yeah. Eleven 6.3. I  
18 think as I remember this, Jerry, you guys have a  
19 point here.

20 MR. COX: Well, you certainly do have  
21 those kinds of people at the facility. You've got  
22 the design engineers. You've got shops that build  
23 things and construct them. All of those things can  
24 be in house activities, right?

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1 MR. FARRELL: Yes, they could be, but we  
2 don't want to specify that they must be.

3 MR. COX: I don't think this does. It  
4 says that --

5 MS. ROCHE: It doesn't prohibit the  
6 operator from being an operator. We're talking  
7 about --

8 MR. COX: If you're going to put these  
9 kind of people in jobs, it's just a matter of  
10 knowing that they'll be trained.

11 MR. PIERSON: What they're concerned  
12 about here is they're concerned about who are  
13 qualified to maintain and modify the facility  
14 safely, and what you're concerned is that there  
15 could be some -- somebody could look at that and  
16 think that an operator needs to understand how  
17 modifications are done, something like that.

18 MR. COX: But T&Q doesn't just apply to  
19 plant operators

20 MR. PIERSON: We agree, but what we need  
21 to say here is there's a reasonable assurance that  
22 the implementation will result -- maybe operations  
23 personnel who are qualified to start up and operate  
24 the facility and other personnel who are qualified

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1 to design, construct, maintain and modify the  
2 facility or something like that.

3 So the person has to understand that  
4 there's a distinction between those two roles.  
5 Would that -- would you agree with that?

6 MR. TING: Read it again. We just added  
7 a couple of words.

8 MR. PIERSON: Do you agree with that?

9 MR. VAUGHAN: That's fine. I think so.

10 MR. PIERSON: Okay.

11 MR. FARRELL: I'm sorry, Bob. Could you  
12 just go over it one more time, please?

13 MR. PIERSON: Okay. I said there's real  
14 assurance that implementation of the described  
15 training and qualification will result in operations  
16 personnel who are qualified to start up, operate,  
17 and shut down the facility safely.

18 And then we can say period, and then we  
19 can say that facility personnel who are qualified or  
20 appropriate facility personnel are qualified to  
21 design, construct, maintain, and modify the facility  
22 safely.

23 I can give you this thing because it's  
24 pretty basic. You break it down to two sentences,

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1 one an operating role and one maintenance,  
2 construction, modification role.

3 Well, we're making good progress here.  
4 How about Section 11.6.4? I don't have any problem  
5 with that. Do you have any problem with that, Wil?

6 MR. SMITH: Huh-un. Delete the second  
7 sentence?

8 MR. PIERSON: We add applicable to IROFS  
9 in the third sentence and we delete the second  
10 sentence.

11 Okay? Can you live with that, Tom?

12 MR. COX: I don't know. I'll take a  
13 look. Oh, the second sentence.

14 MR. PIERSON: The IROFS have been  
15 addressed as well as an item -- so basically the  
16 application described a suitably detailed process  
17 for the identification, development, approval and  
18 implementation of perceived applicable IROFS,  
19 period.

20 MR. COX: Applicable IROFS.

21 MR. PIERSON: Applicable to IROFS, and  
22 then we delete the second sentence.

23 Okay. Now, 11.6.5, 6.6, and 6.7. We're  
24 moving right along. So 11.6.7.

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1 MR. FARRELL: The first one is just that  
2 it's stated tidying up. That's okay.

3 MR. PIERSON: I like that word, "tidy  
4 up." Favorite words of my wife, "tidy up."

5 MR. FARRELL: Okay. Now, the first one  
6 is. The second one, again, we get the same comment.

7 MR. PIERSON: Yes.

8 MR. FARRELL: Especially as you're  
9 referring to it in the acceptance criteria --

10 MR. COX: It's only ten lines.

11 MR. FARRELL: -- to this 11.6.7. I  
12 think the three points are useful.

13 MR. PIERSON: So you agree with that,  
14 Wil?

15 PARTICIPANT: We can tidy it up; do you  
16 agree?

17 MR. COX: I don't see anything --

18 MR. PIERSON: How are we going to tidy  
19 this thing up?

20 MR. COX: It's not worth shortening.  
21 It's not worth the effort to put much into  
22 shortening it.

23 MR. EDGAR: We decided not to short it,  
24 right?

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1 MS. ROCHE: Yeah.

2 MR. EDGAR: Okay. Now we're tidying.

3 MR. PIERSON: I think we're better off  
4 just leaving it as it is.

5 MR. KILLAR: It's going to be a long,  
6 tidy section.

7 MR. PIERSON: I think we should just  
8 accept 11.6.7 as it is and move on. Okay?

9 MR. FARRELL: All right.

10 MR. TING: And we're going to give you  
11 number eight as a freebie.

12 MR. COX: Okay. Eleven 6.8.

13 MR. TING: Because it provides --

14 MR. PIERSON: We can do that.

15 MR. TING: You've got that one.

16 MR. GOLDBACH: Under references, the  
17 first references, we deleted that in the attached.  
18 Does that still need to show up there in the  
19 references?

20 PARTICIPANT: We didn't delete that from  
21 the text.

22 MR. GOLDBACH: We said that we approve  
23 applicable.

24 MR. COX: I don't remember that.

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1 MR. GOLDBACH: We didn't delete it from  
2 the text.

3 MR. COX: Where did you see that?

4 MR. SMITH: -- is deleted from the text.  
5 This is just in as a reference. I think we should  
6 leave it in as a reference.

7 MR. PIERSON: So we're leaving it in as  
8 a reference. All right. Any other comments?

9 MR. SMITH: Was there one item we  
10 skipped over that related to detailing?

11 MR. TING: No, no. Stay put.

12 MR. PIERSON: Are we happy now if we  
13 make these changes? We're going to go final. Is  
14 there any problem with that?

15 MR. FARRELL: Well, I'd like -- yes.  
16 Let's see the final version that you --

17 MR. PIERSON: You want to read it one  
18 more time?

19 MR. FARRELL: You bet.

20 MR. PIERSON: Here's the deal. If we  
21 write one more version, we don't want another seven  
22 or eight page change "happy" to "glad" and "glad" to  
23 "happy" again.

24 MR. EDGAR: As long as you guys won't

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1 add anything.

2 MR. PIERSON: No additions.

3 MR. TING: We probably -- I mean, really  
4 it's very serious. We committed our C management  
5 and got it done before the end of this month, which  
6 is only one more week, and you know in --

7 MR. PIERSON: So what we'll do is we'll  
8 make these changes. We'll E-mail it out to the  
9 stakeholders, and we'll hope to go final probably  
10 Friday afternoon because I think we can get these  
11 changes tomorrow. Maybe next week we'll go final,  
12 depending on how long we can do this.

13 MR. FARRELL: Because there are some  
14 vacation problems next week.

15 MR. TING: That's one of problems.

16 MR. PIERSON: The other thing to  
17 remember, I think we're 99.9 percent there. These  
18 things are not chiseled in stone. If there's some  
19 egregious oversight, we can always come back and  
20 revisit it, but I think we're to the point of  
21 diminishing returns of trying to have meetings like  
22 this and going through details. I'd like to move on  
23 to ISAs and do other bigger and better things now.

24 We'll make a commitment to follow what

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1 we agreed to today, and we'll try to get it out to  
2 you soon, the next day or two, and you can read it,  
3 and then maybe at the end of next week or something,  
4 we'll go final on this thing if we don't hear  
5 anything back from you.

6 If there's something there's an  
7 oversight or something, we can work it out on the  
8 telephone, and hopefully we won't get into any  
9 impasses, and for those of you who are on vacation  
10 and won't have a chance to read this, you know, the  
11 system should work. If it doesn't work, we'll just  
12 revisit it later, come back and look at it again.

13 We'll have change one, Chapter 11.  
14 These things are going to change in time anyway. So  
15 they're not --

16 MR. COX: Well, it can be revised again.

17 MR. PIERSON: But I think it's close.  
18 I'd rather just go ahead and capture it and go ahead  
19 and move on unless somebody's got objections.

20 MR. TING: I might add Bob is here. We  
21 know that no one has added new things other than any  
22 -- no, other than here. So Bob can give -- you  
23 know, be okay, tell people okay with liberty put a  
24 cap on this. We've go to.

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1 MR. PIERSON: Any of the other  
2 stakeholders have any comments or questions that  
3 they'd like to add? Do you want this thing  
4 delivered to you on Christmas also?

5 MR. KELLY: We'll find it under the  
6 tree.

7 MR. GOLDBACH: I guess a higher level  
8 question that I have is for I'll say significant  
9 license amendments that have either just recently  
10 been submitted or will in the near future be  
11 submitted, what will be used by the license reviewer  
12 to review these? The same process that's been used  
13 in the past?

14 MR. PIERSON: The same process that's  
15 been used in the past until we say the standard  
16 review plan is done and we can move forward. We're  
17 not going to -- as the chapter gets completed, we're  
18 not going to hold you hostage to it. That's not the  
19 way.

20 We'll come out with a standard review  
21 plan hopefully soon now, whatever it is, six weeks  
22 or whatever it is, because we still have to do  
23 Chapter 3, but once we finish Chapter 3, then we'll  
24 send it out, and then we'll give you a reasonable

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1 period of time.

2                   And then again, if you get it on  
3 Tuesday, March 10th or whatever and you're sending  
4 in something on Thursday, I don't expect you to be a  
5 window so you can implement your program. Okay?

6                   Sound reasonable? Well, thank you very  
7 much. I appreciate your taking your time.

8                   (Whereupon, at 4:47 p.m., the meeting  
9 was concluded.)

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