

1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION

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4 PUBLIC MEETING

5 on

6 PART 70 GUIDANCE DOCUMENTS  
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8

9 U.S. Nuclear Regulatory Commission

10 Two White Flint North

11 Room T3B43

12 11545 Rockville Pike

13 Rockville, Maryland  
14

15 Tuesday, September 12, 2000  
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17 The above-entitled proceedings commenced at 9:09  
18 o'clock a.m., pursuant to notice, Heather Astwood, NRC  
19 Staff, presiding.  
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1 PARTICIPANTS:

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3 NRC STAFF:

4

5 Heather Astwood

6 Tom Cox

7 Drew Persinko

8 Ed Flack

9 David Ayres

10 Rex Wescott

11 Wilkins Smith.

12 Mike Weber, Director, Division of Fuel Cycle Safety and

13 Safeguards

14 Ted Sherr, Chief, Safety and Safeguards Support Branch

15 Lydia Roche, Section Chief, Licensing Section

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17 PARTICIPANTS:

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19 John Connelly, Department of Energy

20 Jim Edgar, Siemens Power Corporation

21 Clifton Farrell, Nuclear Energy Institute

22 Bob Freeman, Framatone Kogema Fuels

23 Don Goldbach, Westinghouse

24

25

1 PARTICIPANTS (Continued)

2

3 Wilbur Goodwin, Westinghouse

4 Felix Killar, Nuclear Energy Institute

5 John Nagy, Nuclear Fuel Services

6 Steve Schilthelm, BWX Technologies

7 Bill Sharkey, CE Nuclear Power

8 Ruth Thomas (via telephone)

9 Charlie Vaughan, Global Nuclear Fuel

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

[9:09 a.m.]

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3           ASTWOOD: Good morning. How are you today? I  
4 guess we'll go ahead and get started.

5           My name is Heather Astwood. As most of you know,  
6 I am one of the Staff members that have worked on the  
7 revisions to Part 70 and the subsequent guidance documents.  
8 Other Staff members that are here with me today are Tom Cox  
9 and Drew Persinko and Wilkins Smith.

10           We also have Mike Weber, who is the Director of  
11 the Division of Fuel Cycle Safety and Safeguards; Ted Sherr,  
12 who is the Chief of the Safety and Safeguards Support  
13 Branch -- I had to write that down so I remembered it -- and  
14 we also have Lydia Roche, who is the Section Chief of the  
15 Licensing Section. Oh, I'm sorry, and we have Ed Flack over  
16 there -- he is another Staff member. I apologize for  
17 leaving him out -- and David Ayres and Rex Wescott. I think  
18 I have covered everybody there.

19           Today we are here to discuss, among other things,  
20 a specific chapter of Part 70, the Chapter 11 or Management  
21 Measures. We are specifically assessing the most recent  
22 revision of Chapter 11 in regards to NEI's most recent  
23 comments I think dated August 30th, 2000.

24           This is a public meeting. We are interested in  
25 getting input from all of the stakeholders interested in

1 giving us input on Chapter 11. We do have some members of  
2 the public tied in by phone.

3 Ruth, are you there? Ruth is not on the phone  
4 yet, but she should be joining us soon.

5 We have prepared an agenda for the meeting which I  
6 will discuss in just a moment, so that I can talk to you  
7 about how I want to run the meeting so that we do get input  
8 from all stakeholders.

9 Since I know there are several people here who do  
10 know the history I wanted to run through a little bit of  
11 history very briefly, not the entire history because that  
12 would take all day, but just really quick for some dates.

13 In December of '98 the Commission directed the  
14 Staff to continue its work on the revisions to the Part 70  
15 rulemaking. In July of '99 the Commission published a  
16 proposed rule for the revisions of Part 70 for public  
17 comment.

18 The rule was out for a 75 day comment period.

19 Since December of '98 we have had nine stakeholder  
20 meetings similar to this one to discuss both the rule  
21 language and mainly the SRP but a few other guidance  
22 documents. This will be our 10th meeting. I was surprised  
23 when I found out we have had 10 of these.

24 Throughout this entire process we have maintained  
25 a website that contains draft documents, final documents,

1 comments, transcripts from those -- I think eight of those  
2 meetings were transcribed.

3           Finally the final rule was approved the Commission  
4 and signed and sent for publication dated September 6th. It  
5 should be out in the Federal Register very soon. That  
6 therefore means that the rule language is final but we  
7 continue to work with the stakeholders to revise the  
8 guidance documents, the SRP being one of the largest, but  
9 there are several other ones that we are going to work on in  
10 the future.

11           In your packet of information you will find an  
12 agenda. We also find a copy of our revised Chapter 11. For  
13 the agenda, the way I would like to do this is for each  
14 agenda item I will introduce it and I will introduce the  
15 proper person who will introduce the topic, whoever that  
16 might be. It might be myself.

17           Then, since this is in response to NEI comments, I  
18 would like to start the discussion with NEI to see if we  
19 have resolved the comments, see if we totally understand  
20 what your comments and concerns are.

21           Once we have completed that discussion then I  
22 would like to turn it over to any other participants, any  
23 other stakeholders to see if they have any other comments on  
24 that topic. Once we have understood their comments and  
25 concerns, then we can move on to the next agenda item.

1           I guess that's all I wanted to say at the  
2 introduction. There are, of course, bathrooms out by the  
3 elevator, if anybody doesn't know that. There's coke  
4 machines down the hall. There is no eating and drinking in  
5 this room -- but I think you can bring in a coke or a drink  
6 if you would like.

7           We are transcribing this. Please try to introduce  
8 yourself when it is appropriate. We do want this to be a  
9 working meeting. We do want to really get into some of the  
10 issues. Constantly introducing yourself I think would start  
11 to hinder that, but when appropriate please try to do that.

12           Any questions before we move on?

13           WEBER: You might say something about how you  
14 organized the agenda. Are you going to get into that?

15           ASTWOOD: Yes, I was going to do that. I'll grab  
16 my agenda.

17           In the information that NEI sent us, there was a  
18 list of priorities that the topics that they wanted to --

19           THOMAS: Hello.

20           ASTWOOD: Hello, Ruth? You are on the conference  
21 line with a roomful of people. We have started the meeting.

22           THOMAS: I thought you were going to call me.

23           ASTWOOD: No, this is a bridge line. You and --

24           THOMAS: I did call you but I couldn't get  
25 through. Anyway, here I am.

1           ASTWOOD: Ruth, what we were going to do is I just  
2 introduced the NRC Staff people that were in the room. I  
3 will do that again for you, then we are going to turn it  
4 over to NEI for their opening comments and their  
5 introductions and then I will ask you if you have any  
6 opening remarks and for you to introduce the people who are  
7 with you, okay?

8           THOMAS: Okay.

9           ASTWOOD: There's myself, Heather Astwood, there's  
10 Tom Cox, Drew Persinko, Wilkins Smith, Ed Flack, Rex Wescott  
11 and David Ayres from the NRC Staff.

12           There's also Mike Weber, who is the Division  
13 Director of the Division of Fuel Cycle Safety and  
14 Safeguards, there's Ted Sherr, who is the Branch Chief of  
15 Safety and Safeguards Support Branch, and Lydia Roche, who  
16 is the Section Chief of the Licensing Section.

17           With that, I would like to turn it over to NEI for  
18 any opening remarks, any introductions of the folks who are  
19 with you.

20           KILLAR: I am Felix Killar with the Nuclear Energy  
21 Institute. I appreciate the opportunity to be here this  
22 morning to participate in this stimulating and hopefully  
23 thoughtful discussion where we can move towards wrapping up  
24 these two chapters, Chapter 11 and Chapter 3.

25           We do have some concerns, as we will get into



1 today and go through the presentation, but hopefully we can  
2 at least if nothing else have an understanding of where we  
3 disagree and we just disagree and go on, but I think we need  
4 to start trying to wrap these things up.

5           Before we get started, I do want to put on the  
6 record that while there's a number of people who have been  
7 very active in this program over the years and have been  
8 very helpful, from time to time occasionally they go on to  
9 bigger and better rewards.

10           You had Liz Tenek who did that. We have Wilbur  
11 Goodwin, who is going to do that. This is Wilbur's last  
12 meeting on Part 70 -- Wilbur has been very helpful to us  
13 over the years and he said he will continue to stay tuned in  
14 and keep us e-mailed and if we start going astray he'll let  
15 us know, and he said as a concerned citizen he will  
16 definitely let the NRC know as well.

17           I do want to recognize Wilbur for all his help and  
18 support over the years.

19           I think rather than me introduce everybody,  
20 probably the best thing is maybe just go around the table  
21 and maybe we'll start with Jim Edgar over at Siemens.

22           EDGAR: Jim Edgar from Siemens Power Corporation.

23           NAGY: John Nagy, from Nuclear Fuel Services.

24           CONNELLY: John Connelly, Department of Energy.

25           SCHILTHELM: Steve Schilthelm, BWX Technologies.

1 VAUGHAN: Charlie Vaughan, Global Nuclear Fuel.

2 SHARKEY: Bill Sharkey, CE Nuclear Power,  
3 Hematite, Missouri.

4 FREEMAN: Bob Freeman, Framatone Kogema Fuels.

5 GOODWIN: Wilbur Goodwin, Westinghouse.

6 GOLDBACH: Don Goldbach, Westinghouse.

7 FARRELL: Clifton Farrell from NEI.

8 KILLAR: And Felix Killar, and I think we are  
9 ready to start.

10 ASTWOOD: Great. The next step, Ruth, is for you  
11 to introduce who is with you.

12 THOMAS: I am not sure who will be joining later.  
13 A number are on vacation.

14 I am having a little difficulty following it, but  
15 anyway I wanted to -- as far as our being involved, it seems  
16 like if we are able to ask some clarifying questions --

17 ASTWOOD: Right. Ruth, the way I would like to  
18 set it up is we have agenda topics and I believe you have  
19 the agenda, is that right? Did you get that? So I will go  
20 through each agenda item. We will introduce the topic. We  
21 will have our discussion with NEI on that topic and then we  
22 will come to you and ask you if you have any comments or  
23 concerns on that topic and you can ask your questions then  
24 on each agenda topic as it comes. Is that okay?

25 THOMAS: Well -- [Inaudible].

1           ASTWOOD: After this meeting, the process after  
2 this meeting?

3           THOMAS: How the process works, in other words  
4 [Inaudible] what the company wants and then how it is  
5 resolved and also what I am trying to do is to get the  
6 information for stakeholders.

7           I did want to know, to start with, how much  
8 involvement there has been during this process with  
9 stakeholders.

10          ASTWOOD: This process has been going on that I  
11 have been involved with since December of '98 and since that  
12 point we have had nine stakeholder public meetings to  
13 discuss this issue, but it was the rule language and the SRP  
14 language and the rule has been finalized now and we are on  
15 to discussing the guidance documents and specifically today  
16 the SRP and Chapter 11 of that SRP.

17          From here we are trying to resolve these comments  
18 from NEI. I think we want to try to wrap up our comments or  
19 our discussions with NEI on this topic. We have had several  
20 meetings with them and hopefully we can come to resolution  
21 with their comments and we would like to put this SRP out in  
22 a final format.

23          However, if you have comments after this meeting  
24 you are more than welcome to submit them.

25          THOMAS: In other words, what input have you had

1 so far? As far as I know, there has only been one set of  
2 comments, so it seems like from the stakeholders' viewpoint  
3 they have not been involved to any extent.

4 WEBER: Ruth, this is Mike Weber. Are you  
5 referring to the MOX Standard Review Plan?

6 THOMAS: No, I am talking about 15.20 and I am  
7 talking more from the viewpoint of stakeholders in the  
8 Columbia area and in South Carolina related to Westinghouse.

9 WEBER: All of our meetings have been open to the  
10 public and we have put out, like Heather mentioned,  
11 extensive information over the web and we have communicated  
12 things by e-mail.

13 I would say that the preponderance of the  
14 stakeholders that have chosen to participate have been the  
15 fuel cycle fabricators, the licensees, as well as the  
16 Department of Energy, and we have gotten limited  
17 participation by other stakeholders.

18 We didn't take that as an indication of their lack  
19 of interest but more as an indication of their focus on  
20 other issues and priorities.

21 I think you bring to the table a perspective that  
22 we haven't had the benefit of before, and so as we go  
23 through the discussions hopefully you will be able to share  
24 your perspective on the views that you and others that you  
25 are involved with might have.

1           THOMAS: Well, it's a lot of responsibility and I  
2 am trying to follow as much as I can, and I take it that  
3 when you have these AB before certain things, that means  
4 there is a change being considered from what the document  
5 said, is that correct?

6           ASTWOOD: I am not sure I know what you mean by  
7 the "AB" -- what I sent you, I sent you two documents.

8           One is our revised Chapter 11, the way we would  
9 like to publish it, and I also sent you the comments -- a  
10 redline, strikeout, presented by NEI, which is the way they  
11 would like to have the chapter and we are going to go  
12 through and talk about the differences between those two  
13 documents.

14          THOMAS: Well, did I get everything? Because --

15          ASTWOOD: You got both of those documents, yes.

16          THOMAS: Well, it says that, one of them says that  
17 it is an NEI document --

18          ASTWOOD: Right. That is --

19          THOMAS: -- and I took that to be -- I went back  
20 to the original documents and of course I couldn't go  
21 through the whole thing. There wasn't time to do that, but  
22 I can see where certain things --

23          ASTWOOD: -- are different. Exactly. The NEI  
24 document is NEI's redraft of our Chapter 11. That's the way  
25 they would like to have the chapter read.

1           Let's go ahead and try and start on the meeting  
2 and if you have questions as we go along --

3           THOMAS:   Okay.

4           ASTWOOD:  -- you can ask them, and I can also talk  
5 to you during the break and answer any other questions you  
6 have, okay?

7           THOMAS:   Okay.

8           ASTWOOD:  The first thing to talk about on the  
9 agenda is the NRC examples of one of the Management Measures  
10 sections.  If you open your packets and it says an example  
11 of Part 70 SRP audits and assessment section.

12           Now we have discussed in the past trying to put  
13 together an example of what the appropriate level of detail  
14 would be in a license application to meet the acceptance  
15 criteria in the SRP, so what I did is I took the audits and  
16 assessment section from the SRP and then I went through all  
17 of the current licenses.  I tried to find language that has  
18 already been submitted in current licenses that has the  
19 appropriate level of detail and as close to the correct  
20 content as I could.

21           I want to stress that there is a difference  
22 between level of detail and content.  For me level of detail  
23 is a range, you know, one to zero, very prescriptive or very  
24 general, and that is a level of detail, versus actually  
25 addressing every single point that is asked for in the SRP

1 at that level of detail, okay? So that is what I tried to  
2 do.

3 I also want to say that this isn't cookie cutter  
4 language. Turning in this exact language for this exact SRP  
5 may not be appropriate for each site, depending on your site  
6 and depending on, you know -- but I am trying to hit the  
7 appropriate level of detail.

8 If you look at this SRP Section Number 1, what is  
9 in bold is the actual words from the SRP. I then tried to  
10 follow through here with an example of the correct level of  
11 detail. What we had asked for is applicants to describe  
12 policy directives covering audits and assessment functions  
13 at a minimum, the activities to be audited, audit frequency,  
14 guidance in conducting the auditor or assessment, assigned  
15 responsibility for each phase of the work and procedures for  
16 recording the results.

17 In past meetings when we have brought those words  
18 up, there's been concern that we are asking for a procedure  
19 level of detail. When you see "and procedures for recording  
20 results" was one that actually came up in a meeting where  
21 somebody said, oh, there you are asking for exact  
22 procedures, so what I did in here, when you read this it  
23 talks about the fact that audits and inspections will be  
24 performed, Internal Audits is that section, and it actually  
25 goes through and says inspections will be performed at least

1 monthly on selected weekends and backshifts when operations  
2 are performed.

3           To us, that level of detail is audit frequency.  
4 It is not the exact procedure. There's going to be much  
5 more in your procedure and exactly what the frequency is and  
6 how you came up with that frequency, but to us that is an  
7 example of the appropriate level of detail.

8           Later in here -- I am trying to find where you  
9 address procedures for recording.

10           WEBER: Heather, why don't you just walk through  
11 each of the SRP acceptance criteria and talk about the  
12 examples.

13           ASTWOOD: Okay.

14           WEBER: Your first one, I think you just focused  
15 on what would be appropriate for audits in the NCS or the  
16 Nuclear Criticality Safety area.

17           ASTWOOD: Right. Well, I just pulled this out of  
18 a license. This particular licensee broke it down into they  
19 had NCS audits, they had Radiation Safety audits, and you  
20 would have to continue to go through all of that because  
21 in -- yes, that is just an example of level of detail of the  
22 policy directive, a description. You would have to continue  
23 that for each area that you are having audits and  
24 assessments in.

25           WEBER: If you chose to break it down into those



1 different categories.

2           ASTWOOD: If you didn't choose to break it down,  
3 you could have a general statement that says here is our  
4 directive, and then for I think SRP Section Number 5 it says  
5 "Audits and assessments will be conducted for the following  
6 areas" and it lists several areas, so that is where you  
7 would have to break it down.

8           I then say, the bottom paragraph, just before we  
9 get to SRP Number 2, that this contains an appropriate level  
10 of detail but it doesn't contain all the information.

11           This particular example to meet Criterion Number 1  
12 doesn't contain a description of the guidance available for  
13 conducting audits or the procedures for recording. I guess  
14 that is where that came up, and it doesn't describe -- yes,  
15 this is an example of a specific type of audit instead of  
16 general.

17           WEBER: What would we expect there for the  
18 guidance on conducting audits or the procedures?

19           ASTWOOD: The same type of thing. The Radiation  
20 Control technicians shall perform daily inspections  
21 following specific guidance on, using guidance on how to do  
22 these procedures that was developed -- or, you know, it's  
23 some statement that says you do have guidance for how to do  
24 these, that these people aren't going out and doing it just  
25 however they feel that they should be doing it, and that you

1 have made that statement to us, that you have it, and that  
2 you have made that statement to us that they are using it.

3 KILLAR: So what you are looking for is a  
4 statement to the effect that they will do this with  
5 established guidance, according to established guidance and  
6 procedures. You are not looking for the actual title of the  
7 guidance or the actual procedure --

8 ASTWOOD: Exactly, but what I was trying to show  
9 here was that this isn't simply taking each sentence and  
10 breaking it down and saying we commit to this, we commit to  
11 that. It is slightly more detailed to say here is a general  
12 description of our program. Yes, we do use procedures here,  
13 some of the frequencies we use -- you know, there are kind  
14 of monthly frequencies, they are done by radiation  
15 technicians, those kinds of things that you -- it is not  
16 simply commitment statement.

17 It is a brief description of your program.

18 COX: Can I make a comment here?

19 ASTWOOD: Sure.

20 COX: Tom Cox. Take that second item -- guidance  
21 in conducting the audit or assessment. You would be  
22 expected to say something about the fact that procedures are  
23 going to be in place and say something about what kinds of  
24 elements are addressed in the procedures, without a word for  
25 word submittal of the procedure itself, but just say here is

1 how we construct those procedures and here's the kinds of  
2 things that would be in a guidance procedure for conducting  
3 an audit or assessment. That is maybe just another way of  
4 saying not just a statement that there will be procedures  
5 for conducting the audit or assessment, but something about  
6 what those procedures will contain.

7 WEBER: If the licensee had a document that  
8 provided that guidance, would it be acceptable to reference  
9 that title?

10 ASTWOOD: Yes.

11 WEBER: In lieu of a description of the elements  
12 addressed by that guidance.

13 COX: Are you saying they would refer to a  
14 particular number of a procedure?

15 WEBER: Yes, they would say these audits are  
16 conducted in accordance with xyz guidance.

17 COX: Well, then we would want to look at xyz  
18 guidance and see that it contains at least a reasonable  
19 number of the kinds of things we think are necessary to  
20 structure an audit or assessment.

21 KILLAR: See, my concern if we do that, took that  
22 approach, that if we want to change that guidance or change  
23 that procedure you may want to look at that procedure before  
24 we made the change even though we should be able to do that  
25 within our change process, but because we reference that

1 particular document I think you would have some concerns on  
2 making changes, so I think along the lines that Tom is  
3 suggesting is that you provide a general description of what  
4 that guidance contains or what that procedure contains.

5           WEBER: But the licensee would have the  
6 flexibility to choose the approach, right?

7           ASTWOOD: Absolutely. The way it has been  
8 described to me, and I want to make sure I have this right  
9 if I am not saying it correctly, but the way it was  
10 described to me is if you had a description of your  
11 procedure and you said, oh, this is contained in Procedure X  
12 and we didn't specifically in the Licensing area review that  
13 for our safety basis even though you referenced it, you can  
14 change it. It is simply a pointer to know where it is,  
15 because what we used for our safety basis was the  
16 description that you included in the license application.

17           However, if you don't give any description and you  
18 say this can be found in X and we had to review X in order  
19 to get our safety basis, then that is something that we have  
20 reviewed and if we cite it in the SER then it is something  
21 that is more difficult for you to change because that is  
22 what we used in our safety basis. Does that make sense?

23           You can reference something and change it without  
24 coming to us as long as it is not something we have reviewed  
25 and used for our safety basis.

1           NAGY: But we don't control that --

2           COX: It should be covered in the Safety  
3 Evaluation Report that issues with the license amendment --

4           ASTWOOD: You do control that. You either send us  
5 X or you don't send us X, or we ask for it because you  
6 didn't provide that as proper information or not.

7           NAGY: This is John Nagy, NFS. Let me make a  
8 comment.

9           What worries me in the discussion is I think I  
10 heard two different views -- and we are still working on  
11 this too -- but I heard you can reference your procedure and  
12 then I heard well, yeah, but if you do then we are going to  
13 be held to it or if you don't you need to give us the  
14 descriptive language, but the thing that worries me the most  
15 is -- and I don't know whose license this excerpt is from --  
16 that gives us this guidance.

17           It says the purposes of the audit -- and it goes  
18 specifically to say what we are going to do. We are going  
19 to determine that site operations are conducted in  
20 compliance with NCS aspects of regulatory requirements,  
21 license conditions, operating procedures, posted limits,  
22 determine the adequacy of administrative controls and  
23 postings of verified use of sound NCS practices, to examine  
24 equipment and operations to determine that past evaluations  
25 remain adequate, and to examine trends and findings of NCS

1 inspections and the adequacy of corrective actions.

2 I think that is a wonderful description of an  
3 audit, the standard way that this company, whoever it is, is  
4 going to go about doing their audits, right in their license  
5 there.

6 To follow that up with a statement that says,  
7 "This is an example where it does not contain a description  
8 of the guidance available for conducting audits" sounds to  
9 me like we are not listening so much to what the license  
10 language is saying but we are trying to compare it to some  
11 standard I guess format almost that you are looking for.

12 I think they have said it here. This is the  
13 guidance on how to conduct an audit, to me -- if I was an  
14 NCS person in this company doing an audit, I know what my  
15 guidance is. I just read it.

16 ASTWOOD: I understand, I totally understand what  
17 you are saying.

18 There is flexibility in what you say and how you  
19 meet these SRP criteria. These SRP criteria aren't  
20 absolutely specific -- you have to meet 1, you have to meet  
21 2, you have to meet three.

22 So one person may choose to say when the license  
23 reviewer reviews that and says, well, you know, I need a  
24 little bit more information to discuss with them and say,  
25 well, I think that information is in there, I think you have

1 that freedom, and it will be different for each license  
2 depending on how they want to list it.

3 I think that the NRC reviewer is going to go by  
4 what is in the SRP and try to feel that you have met those  
5 criteria that are listed in the SRP.

6 It may take them calling you and saying, well, I  
7 have read your description of audits and assessments, I  
8 don't really understand what your guidance is, and you could  
9 make that statement. They may ask you for more information.  
10 You may have convinced them that, no, you did meet that SRP  
11 criteria.

12 It is not specific. I mean if we wanted a  
13 specific license for each licensee we would write the  
14 license application and give it to you and say this is what  
15 you turn in, everybody, so it is going to be different.

16 NAGY: Do you understand the disconnect though  
17 that I think I see here is that I believe I have very  
18 clearly just read what this company's license, you know,  
19 audit process is, what if anything an auditing process  
20 should deal with in the NCS area, and from my perspective  
21 looks adequate, yet what follows is simply no, this is not  
22 provided -- there are no guidelines.

23 Well, the license is a guideline, it really is, so  
24 I am asking what is the basis for even bringing up that  
25 issue that they are not addressing the guideline is the fact

1 they haven't referenced a particular procedure?

2 COX: I would like to address that, John.

3 Clearly the company that wrote this figured that  
4 these four items were describing the purpose of the audits,  
5 not how they are conducted. They are not a description of  
6 the guidance as to how to conduct the audit.

7 The last item, for instance, says the purpose is  
8 to examine trends and findings in inspections and the  
9 adequacy of those actions or the adequacy of corrective  
10 actions.

11 Guidance on what actually was done for, say, that  
12 last item might include, the company intends to look at  
13 trends over the past two years or any prior two years and to  
14 determine that -- it would say something in the guidance  
15 about how the corrective action, proposed corrective actions  
16 are captured in company documents and what was done about  
17 tracking them -- you know, we intend to shut off this system  
18 to track the completion of these actions or actions. At  
19 some risk level we intend to try to reduce the number of  
20 actions at such a risk level within one year. Others won't  
21 be done for maybe two years. That is a little more guidance  
22 on how the company intends to conduct that purpose that is  
23 laid out in that last line.

24 ASTWOOD: I don't know, based on that  
25 conversation, whether we want to continue to go through



1 these examples. They're the same.

2           Okay, so if we go on to SRP No. 2, applicant has  
3 committed to conducting internal audits and independent  
4 assessments, I give an example of that.

5           This is more of a commitment-level level of detail  
6 that we're requesting. It's the same with Number 3.

7           WEBER: On Number 2, I understand what you're  
8 saying there is that the information we just discussed under  
9 the first criterion is adequate to satisfy the second.

10          ASTWOOD: Right, and here's another example.

11          WEBER: And then you provided from another  
12 license, sample language that would also be sufficient to  
13 satisfy the acceptance criteria.

14          ASTWOOD: I mean, there's two ways to address  
15 these criteria, individually with general statements to  
16 address each one, or in your description of your program,  
17 you would describe some of these.

18          I mean, obviously, in that first description, they  
19 have made a commitment to do internal audits, because 2.8.1  
20 is internal audits and inspections, and these things will be  
21 done.

22          WEBER: Is there any discussion or comment on that  
23 one?

24          EDGAR: Yes. It seems that in -- I may be missing  
25 something here, but it seems the number -- Examples 2 and 3

1 -- commitment to conduct internal audits, and a commitment  
2 to verify that the audits are required to verify operations  
3 are being conducted properly, is enough, without describing  
4 how the audit is done in these two examples.

5 WEBER: These audits don't describe how it's done.

6 EDGAR: Right, but the previous one, the previous

7 --

8 ASTWOOD: The previous one is --

9 EDGAR: You're asking more for that kind of --

10 ASTWOOD: Right, it's a general description of  
11 your program, is what Number 1 is supposed to describe,  
12 policy directives covering the audit and assessments, and  
13 then these are specific commitments that we would want to  
14 see in there.

15 EDGAR: Right.

16 ASTWOOD: There is some overlap, and I had a  
17 problem with that when I was putting this together. Some  
18 applications, one whole page had all these commitments  
19 interspersed and it was hard to find ones that were separate  
20 that would make a good example.

21 I guess that's what I'm trying to say, so --

22 Okay, Number 3, audits will be conducted to verify  
23 operations are conducted in accordance with the regulatory  
24 requirements and commitments in the license application.

25 Again, in the first one, they do make that

1 commitment in the very first sentence, and then here's  
2 another example from another licensee.

3 And that's --

4 WEBER: Then the distinction between Number 2 and  
5 Number 3 is the first one is emphasis on safety,  
6 environmental protection, and the second one is compliance  
7 with requirements?

8 ASTWOOD: Right, a commitment to do them, and then  
9 that they will be done to verify the operations.

10 Number 4, does anybody have questions with 2 or 3?  
11 Okay, 4, independent assessments will be conducted by  
12 offsite groups or individuals not involved in the licensing  
13 activity.

14 And I give an example of -- two examples of level  
15 of detail for that. And, again, what it says is an audit  
16 will be performed by an individual with experience, but not  
17 an employee of the applicant, thereby verifying what we  
18 stated, that independent assessment.

19 KILLAR: I have a problem with that, in that what  
20 you're basically asking for is that we have to hire a  
21 contractor to come in and do an independent assessment.

22 WEBER: No, that's not what it says.

23 KILLAR: Well, maybe it doesn't say it to you.

24 THOMAS: I have a comment on that.

25 ASTWOOD: Okay, Ruth, go ahead.

1           THOMAS: This is Ruth Thomas, and what you're  
2 saying on that is that you want some independent, the NRC  
3 wants some independent review, independent person coming in?

4           ASTWOOD: We want the audit assessments to be  
5 performed by individuals who aren't responsible for that  
6 particular area or that particular activity.

7           THOMAS: Well, would they still be employees of  
8 the applicant?

9           ASTWOOD: Yes, they could.

10          COX: But not directly related to the --

11          ASTWOOD: Or individuals not involved in the  
12 license activity.

13          COX: -- involved activity.

14          GOLDBACH: That's a bad example. It's saying two  
15 different things.

16          WEBER: Sounds like that's a point that needs to  
17 be clarified in the acceptance criteria, but our point is  
18 that this is an actual commitment in an existing license.

19          ASTWOOD: Right.

20          WEBER: That in this case, the licensee committed  
21 to have an outside party come in and do the audit and  
22 assessment.

23          GOLDBACH: But the requirement criterion  
24 definitely states that it will be conducted by offsite  
25 groups or individuals not involved.

1           ASTWOOD: Or individuals not involved.

2           COX: There's an "or," there.

3           GOLDBACH: Okay, the offsite does not apply to the  
4 individuals.

5           ASTWOOD: Right. How could we fix that to make  
6 that clearer?

7           KILLAR: I have problems with even the individuals  
8 not involved in the licensing activities. What do you mean  
9 or define by licensing activities?

10           If you only have -- if you have a criticality  
11 safety group that does the auditing for criticality, they're  
12 involved in the licensing activities of the criticality, but  
13 then by virtue of that statement, it dictates you have to  
14 have an offsite group, because they are involved in the  
15 activity, and that's what I have a problem with, that you're  
16 dictating that we have to have an offsite organization.

17           GOODWIN: That can be resolved very easily by  
18 saying just conducted by individuals or offsite groups.

19           COX: Tom Cox, NRC. Let me address that, Felix.  
20 You're exactly right in how I believe we approach this.

21           As far as the NCS analytic group, for instance, is  
22 -- you know, it conducts its activities within the company,  
23 and we would not want those same people reviewing in an  
24 audit or assessment way, their own work.

25           GOODWIN: We don't have any argument with that.

1 We agree fully.

2 COX: I thought I heard Felix say --

3 KILLAR: I think we're a little betwixt and  
4 between here, because I think that there is nothing wrong if  
5 you have an NCS group and you break it in half and half the  
6 group reviews the other half of the group's work, and that  
7 the other group reviews the other half's.

8 There's nothing wrong with that, because you have  
9 experts that are knowledge of the systems of those  
10 facilities, knowledgeable of the accounts, and all they're  
11 doing is verifying that the other group did what they were  
12 supposed to do, versus having to go outside to get it, or  
13 having to --

14 You know, by the way, that's written up that you  
15 have to do that.

16 COX: It could be fixed. I see what Felix is  
17 saying, and I would say, first of all, maybe that argument  
18 could be made, if the second half didn't really -- was not  
19 really involved in the, quote, licensing activity, in the  
20 first place, to do that analysis, if they were really  
21 independent from that.

22 Secondly, we're not talking here about the weekly  
23 walk-downs of NCS or something that is an inspection  
24 function within the company, but these fairly long term, in  
25 this case, biennial, audits that are set up and done by

1 companies, usually involving an outside group or person in  
2 some way, this is a relatively infrequent kind of audit or  
3 assessment.

4 I realize there are many more frequently done  
5 things like weekly and quarterly inspections to make sure  
6 that activities are being conducted correctly.

7 This is not an inspection; this is an independent  
8 assessment or audit.

9 WEBER: Would NRC find it acceptable that an  
10 employee of the licensee's organization conduct this kind of  
11 infrequent assessment? And I think the answer is yes.

12 COX: If the independence from the activity can be  
13 shown, I think that's correct, yes.

14 EDGAR: Is the phrase, licensing activity,  
15 accurate here?

16 WEBER: I think that's easy to clarify.

17 EDGAR: I think it is, too. I think it's the  
18 activity. It's really the safety activity or something. I  
19 don't think it's licensing.

20 GOLDBACH: The specific activity.

21 ASTWOOD: We might -- if we put individuals not  
22 involved with whatever the language there, first, or offsite  
23 groups, would that help separate the -- just switch the  
24 order; does that help?

25 NAGY: You don't want an offsite group that might

1 be the contractor that's responsible for that program.

2 WEBER: You might even look at the leading offsite  
3 groups.

4 GOLDBACH: Yes, because individuals not involved  
5 in the specific activity being assessed could be onsite,  
6 offsite.

7 COX: You could say groups or individuals.

8 ASTWOOD: Yes.

9 COX: If you want to allow for more than one  
10 person doing it. Just kill the word, offsite.

11 ASTWOOD: Okay.

12 All right, any other comments on 4?

13 [No response.]

14 ASTWOOD: Okay, well --

15 WEBER: Before we leave 4, you did say that they  
16 would -- these examples would somehow -- this is Mike Weber  
17 from NRC -- would somehow have to address environmental  
18 compliance functions.

19 ASTWOOD: Yes, that was --

20 SHARKEY: Is that specific to these examples?

21 ASTWOOD: Yes. In the statement, we had said  
22 safety, health, environmental compliance, and I just didn't  
23 pick an example that addressed all of those points.

24 WEBER: Because up under Acceptance Criterion 2,  
25 you have the applicant is committed to conduct internal



1 audits and assessments, activities significant to plant  
2 safety, environmental protection, which could also in the  
3 commitment there, address the same environmental --

4           ASTWOOD: Exactly, there's definitely some overlap  
5 between these, right.

6           You know, the criteria is really these are the  
7 types of things that you need to be looking for in their  
8 descriptions of audits, so there will be some overlap  
9 between those criteria.

10          THOMAS: Excuse me, I want to ask, are you going  
11 to be taking up training and questions related to that?

12          WEBER: I think that will come up in the general  
13 discussion of the SRP Chapter 11, because that is one of the  
14 sections in the Chapter 11 of the Standard Review Plan.

15          THOMAS: Okay, thank you.

16          ASTWOOD: Correct, good.

17          Okay, if we go on, Number 5, audits and  
18 assessments will be conducted for areas of ... and we list  
19 all the areas for which we feel audits and assessments  
20 should be performed.

21          Again, as we had mentioned in Number 1, it decided  
22 to break out the descriptions and describe each type of  
23 audit individually. I only put NCS in there, but that's the  
24 type of level of detail we would expect for the descriptions  
25 of all of these, if you decided to break them out

1 individually.

2           The other method of doing that would be to address  
3 Number 1 generically and then say that generic description  
4 covers the types of audits and assessments that we would do  
5 for -- and then list all of these area.

6           SCHILTHELM: Can we talk about that for a little  
7 bit?

8           ASTWOOD: Level of detail or content?

9           SCHILTHELM: I'm not sure. Level of detail. I  
10 think we all agree that all these programs, whether they're  
11 actually defined as programs or subsets of one another, are  
12 more into audit activities.

13           But I think most of us would probably conclude  
14 that, for example, the audit of your nuclear criticality --  
15 or the audit process surrounding your nuclear criticality  
16 safety program is probably a little bit more comprehensive  
17 than, say, your records management program.

18           ASTWOOD: I agree.

19           SCHILTHELM: And that's because of the items  
20 relied on for safety that are addressed by that audit in a  
21 sense with the -- it's just a bigger program.

22           ASTWOOD: Right.

23           SCHILTHELM: I think I'm hearing you say that if  
24 you chose to break out and talk about each type of audit,  
25 specifically, that there is room for difference between,

1 say, the audit you had described for criticality safety  
2 programs versus the audit.

3           ASTWOOD: Right, I agree. I'm trying to get  
4 across --

5           SCHILTHELM: Also, generically, there is this Item  
6 Number 5, which doesn't really indicate a difference, but as  
7 long as we can agree and understand on some program --

8           ASTWOOD: That's the same type of information.  
9 You know, we just want to know that you have a program, you  
10 have frequencies, you have people responsible for them,  
11 you're going to be doing independent -- the same points that  
12 we've listed in here.

13           And you can choose to have a generic description  
14 for your large programs and a generic description for your  
15 smaller programs, if you want it. I mean, that's --

16           Okay, move on to Number 6.

17           KILLAR: One other thing on Number 5. I'm Felix  
18 Killar, NEI.

19           Do we need to provide a road map, if, for  
20 instance, they do decide to break it out into, under 1,  
21 break out each individual program and when the reviewer gets  
22 to Number 5, does the licensee need to provide that, because  
23 I have elected to do this by individual programs, I'm not  
24 going to respond specifically to Number 5?

25           Or should it be to the obvious reviewer that's

1 what he's done?

2           ASTWOOD: All right, I think it should be obvious  
3 to a reviewer, as long as you made the statement -- they can  
4 see that maintenance, training, qualifications, emergency,  
5 have been addressed somewhere in there.

6           WEBER: I think we state in the Standard Review  
7 Plan that is a Standard Review Plan.

8           KILLAR: But it is also a format and content grid.

9           WEBER: And then we also go on to state that if an  
10 applicant chooses not to describe the information, you know,  
11 in using this format, it could slow down the review, but  
12 there's no obligation on the part of the applicant or the  
13 licensee to comply with the Standard Review Plan because  
14 it's guidance.

15           In other words, adherence to the description in  
16 the Standard Review Plan may facilitate and make more  
17 efficient, the licensing review, but it's certainly  
18 conceivable that the reviewer going through this part would  
19 have a question about where did you address audits and  
20 assessments for compliance?

21           And then the applicant can say, well, in fact,  
22 that's covered by this broader part, you know, over here.

23           But I would think that in most cases, the reviewer  
24 would identify where that information will be covered.

25           KILLAR: The other thing that this brings up is

1 that it goes to a little bit of the point that Steve was  
2 making earlier, is that by listing all these, once again  
3 you've evaluated or elevated these other programs to a  
4 higher level of significance.

5           And you question, you know, if that's truly what  
6 you intend to do, because what happens is, we're trying to  
7 establish a risk-based, performance-based rule, or  
8 risk-informed, performance-based rule, and if we have to  
9 start spending more and more resources and time on these  
10 programs because they have been elevated, it takes away  
11 resources to where the risks truly are in the facilities.

12           WEBER: So could you address that by just  
13 referring to management measures instead of listing all of  
14 those?

15           KILLAR: That would be my preference.

16           WEBER: Maintenance, training, qualification  
17 procedures?

18           FREEMAN: This is Bob Freeman. We currently don't  
19 have audits and assessments in programs of QA, CM,  
20 Maintenance. We do internal checks, we verify our  
21 procedures in the safety programs that address those issues.

22           We do not have a formal program. According to  
23 this, we will need to have these formal programs. Is that  
24 right?

25           WEBER: No, it just says you would be expected to

1 do audits and assessments in each of these areas.

2           FREEMAN: Internal, everyday, programmatic,  
3 annual, periodic?

4           WEBER: However you choose to describe your audit  
5 and assessment program, that's sufficient to ensure those  
6 management -- those items relied on for safety remain  
7 available and reliable.

8           SCHILTHELM: Let me ask a quick question: The  
9 list of items in Number 5, how was that derived?

10          COX: Let me try that. Tom Cox, NRC.

11           It lists the main safety-important chapters in the  
12 SRP as well as the management measures which are all key to  
13 supporting the IROFs.

14           I think what I'm hearing here is that we would  
15 continue to list the nuclear crit safety, chem safety, fire  
16 safety, and environmental protection, and then go to and  
17 management measures, rather than listing the management  
18 measures.

19          SCHILTHELM: I'm not sure the words matter. The  
20 words probably don't matter. That's the way most of our  
21 programs are probably set up, and can be described.

22          COX: Okay.

23          SCHILTHELM: But I'm not sure that the words  
24 matter, as long as the list is consistent, like you said,  
25 with the SRP chapters and the list of management measures.

1 COX: I'd like to back up for just a moment to Bob  
2 Freeman's remark, that you currently don't have these  
3 management measures, programs, or functions, as we call  
4 them.

5 You know, the rule does define these functions,  
6 and it says there will be these management measures, and it  
7 lists them. So that's not just an artifact of the SRP;  
8 that's the rule.

9 GOLDBACH: He says he doesn't audit them.

10 FREEMAN: We do have them.

11 COX: Okay, you have them.

12 FREEMAN: But no formal auditing.

13 COX: I heard that wrong then.

14 ASTWOOD: All right, on to Number 6, qualified  
15 personnel without direct responsibility for function and  
16 area being audited or assessments will be used.

17 Staff positions and committees responsible for the  
18 audits are specified.

19 Levels of management to which the results are  
20 reported and systems to ensure corrective actions are taken.

21 When I was reviewing the license application, very  
22 often this and the external audit information were combined,  
23 and that's what he was talking about, the routine, regular  
24 audits, you know, don't have to be external people, but the  
25 qualified people are used when you do do your audits. It's

1 similar.

2           So, in saying that, I listed an external audit  
3 section as an example of qualified personnel without direct  
4 responsibility for the function.

5           WEBER: But it doesn't have to be an external  
6 individual.

7           ASTWOOD: Right, exactly. Like I said, I was  
8 trying to find the examples. I guess I could have at the  
9 level of detail that we wanted, so --

10          WEBER: Steve should recognize this language.

11          SCHILTHELM: Not all of it.

12          ASTWOOD: I tried to take out all of the licensee  
13 names, so I apologize for that one.

14          There was a point I wanted to make about this  
15 section. What was the point I wanted to make?

16          [Pause.]

17          Oh, that previously in Number 1, we also talked  
18 about the procedures for recording results and recommended  
19 actions to be taken.

20          This last paragraph here that is described also in  
21 Number 6, levels of management to which results are  
22 reported, and the systems to ensure corrective actions are  
23 taken, again, there is overlap between those two, so these  
24 particular descriptions meet both of those.

25          WEBER: Both of what?



1           ASTWOOD:  What we're asking for in 6 under levels  
2 of management to which results are reported, and a  
3 description of not necessarily procedures, but a description  
4 of reporting the results and recommended actions.

5           Some of that is contained in here:  Repeated  
6 upsets and inadequacies will be reported to cognizant  
7 regulatory managers who in turn, report them to increasingly  
8 higher levels of management until effective remedial action  
9 is taken.  Those upsets will be documented, that level of  
10 detail, again.

11           NAGY:  I have a question.  John Nagy, NFS.  I  
12 think you said this right up front, but somehow I missed it.

13           This Number 6 is trying to talk about  
14 qualifications and non-association of the personnel with the  
15 function being audited or assessed; is it dealing with the  
16 entire audit and assessment program now?

17           ASTWOOD:  Yes.

18           NAGY:  So if I'm doing a license audit of  
19 radiation safety programs, I can't use one of my health  
20 physicists?  Am I missing something there?

21           ASTWOOD:  I think the -- go ahead.

22           COX:  I hope we are missing something here.  Tom  
23 Cox, NRC.

24           John, I think this means the person responsible  
25 has to be somebody at the top of this audit or assessment

1 who is not directly involved.

2           This doesn't mean they can't tap into various  
3 sources of expertise that may have been or are involved, but  
4 the responsible person for conducting this audit has got to  
5 have an objective view, not possibly tainted by direct  
6 connection.

7           NAGY: Okay, so being outside the line  
8 organization would be good enough?

9           ASTWOOD: Right, direct responsibility.

10          NAGY: For my organization, it's, by definition,  
11 external enough to do auditing of the rest of our production  
12 facilities.

13          COX: I would say so.

14          NAGY: That's the kind of demarcation we're  
15 looking for here.

16          COX: That implies that there is a group involved  
17 doing the audit. I mean, if it's one person doing the  
18 audit, that person can't be auditing themselves; know what I  
19 mean?

20          SCHILTHELM: Occasionally, we do that, Tom.  
21 Occasionally we tell on ourselves.

22          NAGY: As the staffs get smaller and smaller, you  
23 have to.

24          SCHILTHELM: There are some limitations to  
25 overlap, you know. We've got a safety and licensing

1 organization, and we've got health physicists that work in  
2 the safety and licensing organization.

3           And if I'm going to audit health physics, it's got  
4 to be with those people who ultimately report up to that  
5 organizational head.

6           You have to be able to rely on being able to tell  
7 on yourself when you find things in those audits.

8           So to expect complete organizational separation,  
9 while, in general, you can do it; in all cases, it might be  
10 a stretch, and I think it would really limit what you're  
11 able to do, if you had to try to do that.

12           I just say that --

13           WEBER: But you committed to do it, right?

14           SCHILTHELM: Well, shall be performed by an  
15 individual with radiation protection experience and not an  
16 employee of the organization.

17           WEBER: That's one component.

18           ASTWOOD: Personnel performing audits do not  
19 report to production organization and have no direct  
20 responsibility for the function and area being audited.

21           WEBER: I certain cases, you have to audit your  
22 own organization, and then you bring other components to  
23 bear that are external to your organization.

24           ASTWOOD: I think it's the direct responsibility  
25 that's the key. That's the key word there.

1           SCHILTHELM: Any individual component of the audit  
2 doesn't make the audit program work; it's the combination of  
3 components that make the program work, so there might be a  
4 component that audits itself and that might not be bad.

5           NAGY: Tom Nagy. I have one last comment  
6 unrelated to the first comment. The last section given as  
7 an example, the fact that it's in a license notwithstanding,  
8 to me is an example of something that doesn't serve any of  
9 us real well.

10           It has a lot of how kind of stuff in it, and I  
11 think in the performance-based environment, we've really got  
12 to get to what is it, what are the guiding principles of our  
13 programs? What are the things we're shooting for here.

14           Because what you want to see documented, I think  
15 that's what we want in our license, and it's certainly what  
16 we put in our policy. You use the term, policy directive  
17 and stuff in here, in a very different way than we do in my  
18 company.

19           I just don't -- it may give some satisfaction or  
20 may make some comfort level you think in the NRC, but I  
21 really think that it's the fundamental principles of how  
22 we're going to do things, and/or what we're going to do that  
23 needs to be emphasized here, and not the detail of how it's  
24 going to get passed from one management level to this  
25 discipline, over to this discipline, into this computer

1 system and then off to this list every month.

2 I think we've got to get away from that, because  
3 that drives the whole paper compliance regime, but I think  
4 we all want to get out of that. We want to get into how  
5 well are we performing?

6 How well is the audits and assessments program  
7 doing at my company, and not put anything that might  
8 restrain it or force it down avenues that are just for the  
9 sake of documenting that we have this avenue that it goes  
10 down. I think this is an example of what we don't want,  
11 what I don't want to see if I had to be in your shoes.

12 COX: Let me just comment on that, John. I think  
13 you're right, as far as it goes, but this is only Item 6 of  
14 several other items.

15 And this is one aspect of it that we do think is  
16 important as an aspect. But clearly we need all that other  
17 material which we think is covered in the other six or seven  
18 items under this 11.435.

19 NAGY: When you go back to the number 1, that  
20 starts out by saying the applicant should describe policy  
21 directives covering the audits and assessments function.

22 And if you hadn't put the parenthetical in there,  
23 that would -- I completely concur.

24 But then when you get into the parenthetical, you  
25 say, i.e., at a minimum, the activity is to be audited,

1 audit frequency -- I'm still with you there.

2 I think guiding principles for conducting the  
3 audits or assessment, you know, might be good. And then it  
4 would stop, because we've gone on now to assign  
5 responsibilities for each phases of the work, procedures for  
6 recording results and recommending actions to be taken.

7 These get away from the performance basis of the  
8 program and the guiding principles.

9 ASTWOOD: I understand that. The other aspect  
10 that we just need to keep in mind here is, you know, in  
11 doing the license review, there -- you know, we have to make  
12 a determination that your programs are adequate, and so  
13 that's where we get into looking at some of the description  
14 that you just don't have a single person who sits by himself  
15 and decides that things are okay; you know, that there is  
16 some management involvement, some tracking system that you  
17 have taken responsibility to make sure that these things are  
18 taken care of when they're found that they're wrong.

19 And I agree that there is a performance aspect to  
20 that that's taken up in the inspection program, after this  
21 initial safety basis is determined.

22 So I see your point; I agree, but we also have to  
23 keep --

24 EDGAR: The inspection program, you're right, does  
25 confirm our performance, but also in a lot of cases where

1 we've objected to putting this level of detail into our  
2 license application, we've always come back to the fact that  
3 we have these procedures, they are available for examination  
4 at our site.

5           And it's always heretofore seemed to have been  
6 agreed by both sides that there's a level of examination of  
7 operating procedures that needs to be done at the site by  
8 the license reviewer to confirm these things, and these  
9 things don't need to be part of the license application  
10 itself, because that severely restricts our ability to  
11 change these things that need to be changed.

12           ASTWOOD: So, in your opinion, what we've listed  
13 for Number 6 is to this observation -- observed process of  
14 that program is too detailed, is what I'm hearing from you.

15           That level of detail is too much.

16           EDGAR: I think so.

17           NAGY: It's not -- or anything. I'm just saying  
18 that to me it's an example of a non-value-added statement  
19 that -- I think we wouldn't agree on the value that it adds;  
20 let's put it that way.

21           What you're looking for, I'm looking to not have  
22 it. If I'm developing a license submittal, I'm trying to  
23 get rid of those things, not because I have any bad intent.

24           It's because I want to be able to have a good,  
25 compliant, and flexible program with performance objectives

1 laid out into it that I can work and make it happen.

2 And every time there's anything like this, it's a  
3 resistance to the change because now we're got to go through  
4 license changes every time, just like within our operation  
5 procedures. We've got to be careful we don't overdo it so  
6 that we can't -- where there's a resistance to change, if we  
7 have too much of an approval process, license amendments  
8 take a while.

9 So when I go to change a process, even for the  
10 better, I'm going to run up against opposition within a  
11 company when I have to change my license because of that.  
12 So be careful of what you ask for. I'm not sure you really  
13 want that.

14 WEBER: Again, this isn't what we're asking for.  
15 This is an example of something we'd find acceptable. Is  
16 something less than this acceptable?

17 Yes, it could be, but we didn't pull that example  
18 out.

19 NAGY: In a sense, you could, because you gave an  
20 example and said it's not adequate, and said we want that  
21 detail. And now you're saying, well, here's some detail.

22 WEBER: You're back on Number 1, then.

23 NAGY: I'm comfortable with that.

24 WEBER: I'm still on Number 6.

25 COX: Tom Cox, NRC. But just to speak for the



1 people in our staff who are interested in procedures, I  
2 would say I think we're going to have people here who think  
3 it's important that the applicant has committed to deal with  
4 upsets and inadequacies that are found in a way that says  
5 they'll be documented within the company and reported to  
6 management.

7 That's not a terrible level of detail.

8 NAGY: I would concur with that.

9 COX: Then that's --

10 NAGY: If they say it's going to be on a monthly  
11 report, reported to this line management, and then the next  
12 month it will go to the next one, and then it will go over  
13 to maintenance, and the person who did the audit will be the  
14 team leader. It's not always that -- that shoe doesn't  
15 always fit.

16 COX: That might be perhaps first-level managers  
17 not right, perhaps audit team leader is too detailed. But  
18 in general we want it reported to management, and we want  
19 the company to track it and dispose of it.

20 NAGY: Well, you want those kinds of things.

21 EDGAR: I think we would probably make a  
22 commitment to having the procedures that ensure that,  
23 without going into the detail.

24 ASTWOOD: All right, okay, I think we've completed  
25 discussion on the first example. Are there any other

1 questions on that.

2 Ruth, do you have any other questions on this  
3 section?

4 THOMAS: No, more general questions of what is  
5 going to get into that now or --

6 ASTWOOD: The plan for the meeting is, we have one  
7 other example to go through, and then we will talk  
8 specifically about Chapter 11, line-by-line, and hopefully  
9 would address all the points.

10 THOMAS: Well, these examples are not something  
11 that I have the background, you know, extensive background  
12 in, so I'm just trying to follow along and get an  
13 understanding of the process more than anything else.

14 ASTWOOD: Okay, well, I guess with that we can  
15 move on to the second example.

16 KILLAR: Not quite. I have a question on your  
17 example here.

18 In the SRP under Section 11.4.3.5, there is  
19 actually eight acceptance criteria. We had suggested that 7  
20 and 8 be deleted, and when I got your example, I said,  
21 great, they deleted 7 and 8.

22 But in what you've passed out today, 7 and 8 are  
23 in here, yet you don't have any examples for 7 and 8.

24 7 and 8, particular give us concern, because these  
25 are going to the level of detail we feel is more

1 prescriptive than is needed in a license.

2           ASTWOOD: Okay, well, hold on a second.

3           COX: Can we get to those in the discussion of  
4 Chapter 11?

5           ASTWOOD: Yes, but let me see why that's the case.

6           KILLAR: As I said, I read that thing right, they  
7 got them out of there.

8           [Pause.]

9           ASTWOOD: I might have been using an old version.  
10 It's --

11           COX: Tom Cox, NRC. I'd be willing to stipulate  
12 that your comment on Number 7 says it's all repeated from  
13 some item above.

14           And then you say delete this redundancy. We will  
15 take a good -- we haven't carefully examined that to make  
16 sure that is really is, in fact, just a redundancy.

17           We'll do that. And if it is only a redundancy and  
18 is picked up in the above, the 1-6, I think we can do  
19 something about that. That's for Number 7.

20           Now, Number 8, I think that was just a remark that  
21 we -- your comment to us says we should cross out three  
22 words in Number 8. It doesn't say delete all of Number 8.

23           ASTWOOD: All right, that was just simply my  
24 mistake. I just didn't go all the way through that section.

25           COX: You would just renumber Number 8 to Number

1 7, after deleting Number 7.

2 ASTWOOD: That's why it wasn't in there.

3 GOLDBACH: Goldbach from Westinghouse. I have a  
4 question of clarification on SRP criterion Number 1. We're  
5 talking about procedures for reporting the results and  
6 recommending actions to be taken.

7 What do you mean by "procedures," there? This may  
8 have been touched on before, but this sounds like you want a  
9 list of procedures or explain the procedures we're using to  
10 do this, which sounds very low level and something that you  
11 would not want in a application.

12 ASTWOOD: Yes, it goes --

13 COX: It says describe the policy directives  
14 covering the -- what it means is, covering the development  
15 of those procedures, just some of the elements of those  
16 procedures.

17 You certainly probably have procedures for  
18 recording the results and recommending actions resulting  
19 from audits and assessments.

20 We don't want to know every detail in the  
21 procedure, but rather just what's the structure of the  
22 procedure? What have you basically told them to do?

23 ASTWOOD: Description of, I think, from the first  
24 sentence.

25 COX: Description of the principal elements of

1 that procedure, not the word-for-word procedure.

2           GOODWIN: I don't see anything wrong when you talk  
3 about eliminating the statement above to assign  
4 responsibilities and -- and I would suggest consideration  
5 for deleting that part, the procedures for recording  
6 results, et cetera.

7           You could fold that into the guidance for  
8 conducting the audit and assessment, just address it at the  
9 conceptual level, again, not the real detail.

10           GOLDBACH: I think the importance is in the word,  
11 because as Felix kindly acknowledged, Wilbur is retiring.  
12 He's been attending these workshops on the SRP over the  
13 years, and this is a transition.

14           I'm reading these words for the first time, and  
15 that to me means something very new and different.

16           A new inspector, new program manager, might read  
17 those words to mean we need to see procedures here.

18           When you've grown and lived with it, you  
19 understand one thing, but I might understand something  
20 different.

21           ASTWOOD: I understand. Again, I go back to we  
22 were trying to shoot at the appropriate level of detail  
23 here.

24           So, a general description as we have a general  
25 description of the activities to be audited, and a general

1 description of frequencies would be a general description of  
2 the procedures, not the procedure level. It's this level  
3 that you see here.

4 COX: In that Item 1 there, if it says within that  
5 parentheses -- it starts out that is at a minimum, and then  
6 I would add, insert there, descriptions of the activities.

7 In other words, not procedures, but would general  
8 descriptions be more fitting of the activities, the  
9 frequencies, the guiding principles in conducting the audit  
10 and procedures?

11 I would change that general descriptions of those  
12 things.

13 Okay, we could change the word, procedures, to  
14 processes, and processes for recording the results.

15 NAGY: Or methods.

16 COX: Methods?

17 NAGY: Why process?

18 COX: I'm just trying to get away from the word,  
19 procedures, which seems to hurt people, when we really care  
20 about the elements of those procedures.

21 So if you can think of a way to say that, then I  
22 would think methods within the procedures for recording the  
23 results or methods of recording the results.

24 NAGY: Why can't we commit to having procedures,  
25 and letting you examine those procedures at your convenience

1 at our plants?

2 I guess -- the license reviewer has to be  
3 comfortable with our plant and our operations, and to do  
4 that, he or she is going to have to spend some time out  
5 there.

6 I mean, I just don't see -- we can't give you all  
7 the information you need to be comfortable in the license  
8 application. I don't think we want to, I don't think you  
9 want it.

10 And so the opportunity is going to be available to  
11 examine any procedures that we've committed to having, at  
12 any time, but to put them in a license application or to put  
13 -- to constrain yourself as to the form or the content of  
14 those procedures in a license application just takes away  
15 any initiative to change.

16 As John said, you may want to make a change for  
17 the better, but if we have to -- if we put a procedure or  
18 the elements of a procedure in here that now somehow you  
19 have to review before we change, it just takes away too much  
20 flexibility.

21 COX: If we look at the elements of your procedure  
22 and we make a finding on the basis of that as described in  
23 the license application, we don't have to look at the  
24 procedure.

25 And you don't have to come to us with the

1 procedure, as long as you still meet those elements.

2 As a practical matter, we cannot conduct an entire  
3 safety review at the licensee's site. We need to get some  
4 information on these things that we have labeled or inserted  
5 in here as being important, without going to the site.

6 If we read something in here and we still have a  
7 question about it, we will examine a procedure at the site.  
8 But hopefully we wouldn't have to do that, and you wouldn't  
9 have to be held to the words in a particular procedure.

10 WEBER: There seems to be a bit of a  
11 misconception, too. This is Mike Weber.

12 The SRP would apply, whether you're doing the  
13 review onsite or back here in the office. It's still the  
14 guiding parameters for the license reviewer to make a  
15 determination on the acceptability of the licensee's  
16 program, safety program.

17 EDGAR: I understand that, but I guess it still  
18 seems to me that the object should be to get somebody out  
19 there to look -- I mean, not to do it all here, to actually  
20 have somebody onsite at some point. I understand you can't  
21 do the whole review there, but to get out there and get a  
22 feeling of comfort for the people, the processes, the  
23 facility, the whole thing, and at that time if you have  
24 questions about procedures, whether it's a procedure  
25 committed to or adequate, you can certainly review it



1 without having to describe them very fully in a license  
2 application.

3 COX: You're exactly right, Jim, and we will be  
4 out there. But you don't want us rummaging through all the  
5 procedures in a plant.

6 And we don't want to do that, either, but we think  
7 that something ought to be on the public record regarding  
8 this point, how you will record results and recommend  
9 actions to take and track completion of those actions.

10 That's a matter of public interest, and we think  
11 it's a reasonable point to have incised in the SER.

12 If it gets in the SER by a licensee looking at the  
13 procedure on the site, and he quotes a procedure number in  
14 the SER, that's not a very comfortable position, I don't  
15 think, for the licensee to be in, because he's made his  
16 finding on the basis of actually reviewing the procedure and  
17 its details.

18 We really don't want to do that any more than you  
19 want that, as long as we can determine that the elements of  
20 the procedure are sufficient, and adequately described on  
21 the license application.

22 NAGY: John Nagy, NFS. I think I really do agree  
23 with you that you want and we want in a license, those kinds  
24 of things, but I guess what I'm talking about is the  
25 performance, what are the objectives, what are the

1 performance criteria?

2           What are the things that you want in our audits  
3 and assessment program? I don't think you need to know how  
4 they're all implemented.

5           The process is not important. It's the results.  
6 And that's what you're going to be looking at in the long  
7 run, I hope, as inspectors, and not just about, well, did it  
8 go from this notch to that notch.

9           If we choose to go and run by three levels of  
10 management and go straight to the CEO of the company with an  
11 issue, have we violated our license now, if we have  
12 something that looked like the thing I read there that said,  
13 well, it goes to this level, and then that this level if  
14 it's not responded to properly?

15           We don't want to play the game, and you don't. If  
16 you want documentation, say that here. We want recorded  
17 audit inspection findings. We want to come onsite and see  
18 them.

19           We want them timely reported; we want them dealt  
20 with timely; we want a system to track them to completion.

21           Say the things we want, and let us figure out to  
22 do them. Then we're in complete agreement.

23           I think the public would be satisfied with that,  
24 yet, the process can be very confusing, frankly, I would  
25 think, to a member of the public if they were trying to read

1 that.

2 COX: I think that's what Item 1 says pretty  
3 closely now in describing policy directives, giving general  
4 descriptions of those procedures for recording the results  
5 and recommending actions.

6 NAGY: You'd just change the directives as if it  
7 was interchangeable with procedures. And I don't believe it  
8 is.

9 A directive, go and do -- I need to have this dirt  
10 moved. But a procedure is, well, I'm going to get a backhoe  
11 with a certain size bucket and I'm going to put four guys on  
12 a team working three shifts, and they're going to have the  
13 following things.

14 If you want the dirt moved from here to here, and  
15 that's the NRC's objective, and that's the licensee's  
16 objective, then we can all agree that doing that is  
17 fundamentally what we're after, and let's just say that,  
18 that those are the kinds of performance criteria.

19 You want established frequencies, you want the  
20 guiding principles to be well understood. What is it that  
21 you're going out to audit against? We would agree.

22 COX: Should we use those words, performance  
23 criteria?

24 NAGY: I'd rather see it, because it's more in  
25 line with everything else you guys are doing. What worries

1 me is that conceptually, in the SRP, to me it's a step  
2 backwards from the whole performance-based approach that I  
3 think we were trying to get to, which is that we get away  
4 from this harassing the detail level down and worrying about  
5 the paper compliance stuff, and try to get more of what it  
6 is that we really want to accomplish between all of us, all  
7 the stakeholders?

8           We want to safely produce the nuclear material, or  
9 whatever work we do. And the audit program is a very  
10 important aspect of that, we all agree on that.

11           So what are the principles of it that are so  
12 important? Not the process itself.

13           If we're hitting the principles, the process  
14 should be something that doesn't particularly matter in this  
15 document.

16           COX: I guess what we're saying is that we don't  
17 know what your principles are with some description of the  
18 process.

19           NAGY: Ask for them. Ask for the principles.  
20 What are the guiding principles of your audit? What are you  
21 out looking for? How are you documenting it?

22           COX: Well, that's --

23           NAGY: What's your timeliness, that type of stuff?

24           COX: In other words, we could say what are your  
25 guiding principles for recording the results and

1 recommending actions to be taken?

2 NAGY: Yes.

3 COX: That's all right.

4 NAGY: That would be wonderful.

5 GOLDBACH: This is Don Goldbach, Westinghouse.

6 Just a second ago, John to me very clearly stated, and we  
7 had a pre-meeting yesterday, the NEI/FOC.

8 We are -- we seem to be confused or we seem to be  
9 hearing two different things. Tomorrow we're going to hear  
10 about a risk-informed performance-based regulatory oversight  
11 process.

12 But again, looking at this with my fresh set of  
13 eyes, this seems to be going in a very different direction.  
14 This seems to be very prescriptive, very detailed, and,  
15 again, very compliance-oriented.

16 And it's different from where we think -- in fact,  
17 I think it's in the NRC mission statement to become more  
18 risk-informed, performance-based.

19 This does not seem, in my opinion, to lead us in  
20 that same direction. So we -- there was a lot of confusion,  
21 a lot of discussion yesterday among us as to which way are  
22 we heading?

23 I think it's very important for NRC to understand  
24 that.

25 GOODWIN: I think we understand that this is a

1 guidance document for the license reviewer. It's very  
2 detailed, very prescriptive, counter to your --

3           The point is, this document, being a guidance  
4 document, results in a license being written to comply with  
5 it, that is also very detailed, very prescriptive, and  
6 that's what we're trying to do, to give ourselves --

7           We have to manage our own plants. And if we don't  
8 have any latitude or flexibility as far as making changes  
9 that need to be made, even improvements in safety programs  
10 or equipment or processes, or whatever the case may be, and  
11 we have to come back and negotiate for amendments or apply  
12 for amendments, I should say, and spend a lot of time on the  
13 paperwork, we're into a burden.

14           You have to review them, you have to respond and  
15 it really seems counterproductive not to keep us focused on  
16 the risk-informed, performance-based.

17           You tell us what you want, we tell you how we'll  
18 do it. If you don't think it's good enough, then you can  
19 tell us. But you do have other means of confirming the  
20 legitimacy and the adequacy of what we're doing through site  
21 reviews, which I think you have to do, you know, with some  
22 periodic frequency, as well as through your inspection  
23 process.

24           One other specific, and then I'll shut up on that:  
25 In your parenthetical there where you talk about the general

1 activities to be audited, consider, instead of what you've  
2 got right now with the part starting with guidance in  
3 conducting, guidance in the conduct of the audit and  
4 assessment process, period.

5           Because when you conduct an audit, you plan, you  
6 prepare, you develop your objectives, you identify the areas  
7 you're going to audit, and then you do the audit and -- and  
8 the result of that audit obviously are your results and your  
9 findings, and you have to dispense with them; you have to  
10 communicate them.

11           So that's part of an overall process. That way it  
12 gets the procedures out of the picture, and the connotation  
13 that that word has.

14           COX: I see your point there, Wilbur. I just  
15 can't quite agree that the level of detail by pulling it  
16 into audit or assessment process, is perhaps what our people  
17 think is needed.

18           I'll bring that up, but that's what this level of  
19 detail discussion is about. We think that we want to know  
20 something about the audit or assessment process, including  
21 the fact that you have a part of your process addressing how  
22 you will record the results and recommend the actions to be  
23 taken.

24           GOLDBACH: I'll just say that's a part of the  
25 process.

1 COX: I hear you remarks.

2 SHARKEY: Bill Sharkey, CEE Nuclear Power.

3 Why is it important to you that you know how we  
4 record it, the results of the audit? Why is that important?

5 COX: Because then we have some confidence that  
6 you're doing it correctly, and that every licensee is doing  
7 it the same way.

8 SHARKEY: I would hope that we have a little more  
9 confidence in our integrity to do audits in some kind of  
10 professional manner.

11 Again, I think we're just getting bogged down in a  
12 level of detail that doesn't need to be in the license, and  
13 we're going to get bogged down with programs that are not  
14 performance-based, that are very prescriptive.

15 And the tendency of the people that review them is  
16 to look at the prescriptiveness and go through a check list  
17 where you're doing all these prescriptive things, and not  
18 focusing on what's really important.

19 SCHILTHELM: We're afraid of the rookie reviewer  
20 that takes this and maliciously uses it without any  
21 understanding or concept or history about what's going on at  
22 these facilities.

23 And that's a real danger. Both the industry and  
24 the NRC struggle with turnover, and they struggle with  
25 keeping experienced people on the job.



1           And it's a reality that in the hands of an novice,  
2 this thing will be terrible.

3           WEBER: Are you better or worse off by making this  
4 more general with a rookie reviewer, in your view?

5           SCHILTHELM: No, I can't answer that, because  
6 there are advantages and disadvantages. You're right, the  
7 public, if you hand this to a rookie reviewer and the rookie  
8 reviewer has got this level of detail to judge the licensee  
9 against, then as the public, you're going to have more  
10 confidence than if he just has some level of general --  
11 they'll have an audit program.

12          THOMAS: Excuse me. When you're talking about the  
13 public, I wanted to understand who was speaking and how  
14 you're involving this, because I'm not catching all of it.

15          Are you saying that certain of you believe that  
16 the public would be more confident with the details in some  
17 of what the NRC is proposing, more than dependent primarily  
18 on the way it has been done in the past?

19          I'm not sure what is being said here. And I want  
20 to be clear on this since you're talking about the public's  
21 perceptions.

22          SCHILTHELM: This is Steve Schilthelm from BWXT in  
23 Virginia.

24          THOMAS: You're with whom?

25          SCHILTHELM: BWXT in Virginia.

1 THOMAS: What is -- that was another question I  
2 had. What is BWXT?

3 SCHILTHELM: BWXT is the -- I represent the  
4 company that manufactures the cores for the Naval reactors,  
5 submarines. And we have a facility in Virginia that does  
6 that.

7 THOMAS: Oh, submarines?

8 SCHILTHELM: Submarine reactors. We build  
9 submarine reactors.

10 THOMAS: Like the ones that are down in  
11 Charleston, South Carolina?

12 SCHILTHELM: Where they are at any given time,  
13 nobody know, but, yes, I think there is a shipyard down  
14 there, to answer your question.

15 We're licensed under this regulation because we  
16 are a private company that builds those reactors.

17 THOMAS: So you're Craig --

18 SCHILTHELM: Steve Schilthelm.

19 THOMAS: What?

20 SCHILTHELM: Steve Schilthelm.

21 WEBER: Steve works with Craig.

22 THOMAS: Okay, I guess I'll get to some of this in  
23 the transcript, but I wanted to get a better idea of what  
24 you were saying in relation to the public's perception.

25 SCHILTHELM: The point that I was making was that

1 in -- today's NRC has a population of very experienced  
2 reviewers.

3           The reviewers know the facilities, the facilities  
4 have been operating for many years. The reviewers know the  
5 programs that exist at the facilities.

6           So the reviewers are able to make a judgment based  
7 not only on what's on the paper, but what's actually  
8 existing at the facilities as to whether the facilities are  
9 being managed appropriately and have made the proper  
10 commitment to being managed appropriately.

11           That fact, I believe, is deriving the licensee's  
12 belief that this SRP does not need to be so terribly  
13 prescriptive in program areas.

14           THOMAS: In other words, it's a generic standards  
15 sort of thing which doesn't apply to or can't apply to all  
16 the unique situations with a facility or a particular site.

17           SCHILTHELM: You're a very quick study. For just  
18 coming into this process, you're catching on very quickly.

19           Yes. So, what we were talking about was the  
20 concern of the licensee is that because the SRP is written  
21 in a very prescriptive level, a reviewer who has no  
22 experience with the licensee or with the fuel industry or  
23 with the other licensees, is going to have a very difficult  
24 time making a judgment on the adequacy of the safety without  
25 basically seeing the SRP spit back at him verbatim.

1           He doesn't have an experience base to make a  
2 judgment in the absence of that.

3           THOMAS: So there is sort of a need for some type  
4 of process in between the standard generic and the  
5 site-specific and facility-specific to help the public  
6 understand better, what's going on in their own community?

7           SCHILTHELM: I don't think there's any substitute  
8 for the experience and knowledge base that exists in the  
9 NRC, and we all struggle to maintain that experience and  
10 knowledge base.

11           If they have new people then the effort has to be  
12 made between the NRC and the licensees to make sure that  
13 those new people get the experience that they need with the  
14 facilities, so that they can make an informed judgment about  
15 whether the facilities are operating safely.

16           The SRP, as prescriptive or nonprescriptive as it  
17 may be, is not going to accomplish that and words in a  
18 license are not going to accomplish that.

19           THOMAS: I see.

20           NAGY: John Nagy, NFS -- if you are done, Ruth.

21           THOMAS: Yes.

22           NAGY: I don't want it to be misinterpreted, and I  
23 think it has been, that I am trying to espouse some fuzzy  
24 generality, in your language, that would be somehow  
25 difficult to apply to us. I don't think you should be fuzzy

1 and general. I think you should be very specific.

2           What are the principles you want to see in an  
3 audits and assessment program and ask us to make commitments  
4 in our license to those types of principles.

5           An example would be, and just looking at the SRP  
6 under Records Management, and you don't have to worry about  
7 the fact that it is Records Management. It is on page  
8 11-22, but it says, "The reviewer will find the Applicant's  
9 records management system for records acceptable if it  
10 satisfies the following criteria" -- records are specified,  
11 prepared, verified, characterized and maintained. Records  
12 are legible, identifiable and retrievable for their  
13 designated lifetimes.

14           It goes on to list what I would call the  
15 principles for records management that I think we all agree  
16 on. These are good attributes and licensees should make  
17 commitment to that type of attribute perhaps, in this case,  
18 and the same thing can apply to audits and assessments.

19           But when you get into "Describe the process by  
20 which records are specified and prepared" -- "Describe how  
21 they are verified" -- and in the license now, and what is  
22 the process for going about characterization and how are you  
23 going to do it, who is going to do that, who is going to  
24 report to who on that, and everything else, I don't think it  
25 serves anybody.

1           I think what you want to do is say, look, here's  
2 the standard, folks, and we say, yup, we recognize that and  
3 we will implement that -- here is our organizational  
4 commitment to do so.

5           I am not saying there wouldn't be some more detail  
6 because I think -- maybe there is, but I just want to point  
7 out that I think what we want to keep clear is what it is we  
8 are trying to get to, what are the endpoints we are trying  
9 to get to, and not get caught up in the details of how we  
10 get there with our own programs because they really are  
11 going to be different too.

12           By the way, just a simple thing like recording the  
13 findings on an audit, you bet it's different at different  
14 companies.

15           It's all the same. Is it fundamentally the same,  
16 in principle? Is it done for the same reason? Yes. But is  
17 it the same way? No.

18           We have three different ways of doing it at NFS  
19 alone, depending on where the auditing organization is. The  
20 Quality Assurance Program does it one way. Safety and  
21 Regulatory has a different process. Even within Production  
22 now they have their own process for doing it. I think it's  
23 good.

24           THOMAS: Nuclear Fuel Services, is that in West  
25 Valley, New York?

1           NAGY: Not anymore. No, we are in Erwin,  
2 Tennessee.

3           THOMAS: But it is the same company?

4           NAGY: It is the same company that was in West  
5 Valley, yes.

6           KILLAR: There's different processes. The West  
7 Valley facility is a reprocessing facility. The Erwin  
8 facility is the facility that makes the first step of the  
9 fuel for the Naval reactors which goes to BWXT.

10          WEBER: John, do you see that this SRP, the  
11 acceptance criteria, currently lock you into a particular  
12 type of recording?

13          NAGY: No, but my concern was that that was the  
14 type of question being asked and that it would. In other  
15 words, if the example provided was not adequate and what was  
16 inadequate about it was that it didn't have the detail on  
17 that process, then yes, you would have locked us in, not as  
18 an industry but as a company to this one little process, for  
19 no reason.

20          You want to make sure that we are recording it,  
21 that you can get to that record when you come in to visit  
22 our plant. That is what you need to say.

23          That is what we need to commit to, the process by  
24 which we report it. You want to make sure it is  
25 communicated throughout our management. I mean that is a

1 principle that ought to be in any audit program --  
2 significant findings are communicated effectively in a  
3 timely fashion throughout the management organization that  
4 are responsible for making the corrections and fixing the  
5 problem. You bet.

6           The process by which we do that? You don't need  
7 to know it and it doesn't serve us or you for us to tell  
8 you. That was my point.

9           ASTWOOD: Okay. Do we need to take a break or do  
10 people have a lot of coffee in them?

11           WEBER: We are going to break at Noon for lunch.

12           ASTWOOD: Yes, we are going to break at Noon for  
13 lunch.

14           WEBER: I would suggest we keep going and if  
15 people need to get up --

16           THOMAS: I just want to let you know I am going to  
17 take a break right now and I will be right back.

18           ASTWOOD: Okay.

19           THOMAS: I'll go ahead.

20           ASTWOOD: Thank you, Ruth. Well, then, let's  
21 continue on and if you need to get up, feel free.

22           We will go on to the NEI's Management Measures  
23 example that they submitted as Appendix C, I believe.

24           Now I didn't retype Appendix C in this example --  
25 this page that is in your packet is simply my comments on



1 what was written in Appendix C.

2           Again I tried to focus first on level of detail,  
3 and second on content and what I was using was the same, was  
4 the SRP criteria contained in Management Measures, which I  
5 didn't list on here. Let me pull out my SRP on Management  
6 Measures.

7           I didn't put the exact words in. I was going to  
8 just read it. I didn't put the SRP words in.

9           [Pause.]

10           WEBER: Heather, if we pick up on the  
11 discussions -- this is Mike Weber from NRC -- from the first  
12 discussion example, we are saying in this case what is  
13 lacking is a description of how the results will be used to  
14 modify the maintenance function.

15           ASTWOOD: Right.

16           WEBER: I can anticipate there might be concerns  
17 about the "how" instead of the commitment that will be used  
18 to modify the maintenance function.

19           Would we find it acceptable if their description  
20 committed to revise or modify their maintenance function  
21 based on incident investigation and review of failures and  
22 identified root causes?

23           ASTWOOD: The first part of that description?

24           WEBER: If they made a commitment as part of their  
25 application that they will modify the appropriate

1 maintenance function based on the results of incident  
2 investigations review of failures and identified root causes  
3 and leave it at that?

4 COX: I am not sure we would agree with that,  
5 Mike, in that we are not trying now to modify Item 1 of  
6 11.4.3.2 in the Standard Review Plan.

7 In fact, the NEI or public comments on that  
8 particular item were not really substantive. It requested  
9 that we take out the reference to failure log, which of  
10 course is correct to do and we must do that, but I think  
11 Heather's comment here is simply that the examples should  
12 have added to it this description of how the results from  
13 investigations are used to modify the function.

14 ASTWOOD: I guess that's the actual words that are  
15 right out of the acceptance criteria -- "Applicant describes  
16 how the results will be used."

17 WEBER: But to pick up on John's comment earlier,  
18 why do we need to know how they are going to modify the  
19 function? Is that something that we need to know to make  
20 our adequate safety finding?

21 ASTWOOD: Or do we need to state a principle of  
22 what we needed.

23 NAGY: John Nagy, NFS. How could we possibly tell  
24 you how without knowing what the finding was on was it a  
25 failure of the maintenance computer program to trigger

1 something on the adequate time or was it a failure of a  
2 piece of equipment? I mean we don't know what it is here.

3           The fact is it goes into the management of the  
4 maintenance program and they will correct the problem as  
5 identified. How much more could we say without knowing the  
6 individual problems as they come up? In any program in NFS  
7 regardless of whether it be management, QA or any other  
8 process, when we find it lacking that is a given.

9           COX: Well, I think -- I am sure that what is  
10 asked for here is simply that the general principle is to be  
11 described about how you are going to use the results from  
12 incident investigations, how you are going to use the review  
13 of the records of failure and identified root causes, how  
14 you are going to go about using that.

15           Do you set up a team? Do you synthesize some sort  
16 of a -- have you some procedure or do you put down some  
17 principles about how you will attack the issues to modify  
18 some maintenance function and eliminate and --

19           THOMAS: This is Ruth Thomas. There would be  
20 incident reports based on some problem, right, that would go  
21 to the Nuclear Regulatory Commission?

22           WEBER: It could be, but they could be internal to  
23 the licensee that we would never see.

24           THOMAS: Because they have to reach a certain  
25 level and I was thinking of some particular situations and

1 at least from the public's standpoint I was not able to  
2 really find out too much about what happened after the  
3 incident and I didn't know how that process worked, is this  
4 Standard Review on 11.1 trying to incorporate that idea,  
5 that there would be changes following some sort of incident  
6 to ensure that it didn't happen again or that it wasn't  
7 likely to happen again?

8 COX: I think the answer is yes, Ruth, that we are  
9 simply asking that the licensees make some statement in the  
10 license application as to how they would use data taken from  
11 failure records or incident investigations to modify the  
12 surveillance program.

13 It could be a fairly general statement of  
14 principle that we are going to use this data. We are going  
15 to examine it and to the extent that it would change the  
16 surveillance frequencies we will investigate how to do that  
17 and possibly do it for particular failures, as appropriate,  
18 or as we determine should be done.

19 It is a recognition of an activity you are going  
20 to promise to do.

21 NAGY: But if it is just from incident  
22 investigations that might be the review of failures and --  
23 root causes from incident investigations, it's huge. It is  
24 not just going to come to frequency of PM. There's all  
25 kinds of different things that can come up in that context.

1           PERSINKO: Drew Persinko, NRC. I assume you have  
2 a corrective action program documented somewhere at your  
3 site, right?

4           NAGY: Yes.

5           PERSINKO: And in that corrective action program I  
6 would assume you would have information such as how results  
7 of incidents investigations factor back into a maintenance  
8 program, wouldn't you?

9           NAGY: Not specifically into maintenance, how they  
10 factor into anything NFS does. Yes, we do.

11          PERSINKO: Including maintenance then, too?

12          NAGY: You bet. Our Safety and Safeguards Review  
13 Council then puts them in a certain system that tracks them  
14 to resolution. We have all that. Why does it need to be  
15 here?

16          PERSINKO: I am thinking from that corrective  
17 action program that you have at you site somewhere, wouldn't  
18 you be able to extract from that some high level description  
19 that meets this, how your results factor back in?

20          NAGY: I could. I can provide any of the details  
21 that's being asked for. The comment I am making is do I  
22 need to? To what value is that? Maybe at some level it is  
23 of some value. My concern is that we get to the deeper  
24 levels that are adding any value.

25          KILLAR: That goes back to maybe what Mike started

1 the discussion on, that when you ask the "how to" it gets  
2 into more of how we actually run the facility, and how we  
3 run the facility is based on what we want to do and how we  
4 want to run the facility, and not something that the NRC  
5 needs to have intimate detail on how we run the facility.

6           What the NRC needs to know is that we run the  
7 facility safely and how we are doing it is safely, but for  
8 things like this, the Applicant shows how results of  
9 investigations -- we commit by the Applicant to provide or  
10 the commitment of the Applicant to respond to incident  
11 investigations, incorporate those into changes and  
12 modifications to the facility as a result of those  
13 incidents, so it is more of a commitment to make changes  
14 based on those incidents rather than how you do it.

15           COX: This phrase in the paragraph, Item 1,  
16 surveillance/monitoring does say, the operative words are  
17 "describes how results are used to modify."

18           Obviously that has got to be done in a general  
19 principles way because you can't address every failure  
20 that's occurred in the last 10 years. I mean that's not  
21 what it asks here. It really just asks for a general  
22 description of how you would go about this.

23           NAGY: Should we say there should be a commitment  
24 that results are used to modify?

25           COX: Is that really all that can be said about

1 that?

2 NAGY: No, there could be a lot more said.

3 COX: Well, I would recommend saying a couple more  
4 sentences about it so that the public has some feeling and  
5 the Staff has some feeling that there is in fact a planned  
6 way of going about that in the company.

7 EDGAR: The commitment to have that plan should be  
8 enough then, shouldn't it?

9 COX: Well, that's what I just thought I said --  
10 that the company and the Staff and the public --

11 EDGAR: You wanted comfort that there was a plan  
12 to do that.

13 COX: Wanted some comfort that the company does in  
14 fact know how it is going to go about doing that, not just  
15 that it commits to do it, but there is a plan for how to  
16 approach that.

17 SCHILTHELM: You just hit the root of our  
18 disagreement.

19 PERSINKO: We have had this discussion I think in  
20 previous meetings -- commitments versus a little more meat  
21 on the bones than just the commitment.

22 NAGY: No, I think it's commitment with details.  
23 What are the specific areas you really want to see in that,  
24 not just some generic, what are the things you want to see,  
25 and this is a very simple one. When you have an incident

1 that shows you that you have a problem with maintenance, you  
2 are going to fix your program in maintenance. That to me  
3 doesn't need to be said even -- it is so obvious. If we  
4 have a problem, we are going to fix the problem.

5 Do you need us to say it?

6 VAUGHAN: You know, the first thing is a  
7 commitment that it going to be used. That is the base level  
8 commitment that one could make.

9 What is the next thing? Used in accordance with  
10 documented procedures? I mean does that do it?

11 WEBER: Not to meet this current acceptance  
12 criterion, because you still lack the "how" in the  
13 description.

14 VAUGHAN: Well, I know, but the "how" is what is  
15 at issue.

16 WEBER: Right.

17 VAUGHAN: Where do you get to and how, and I  
18 contend to you that the how you do it is almost the least  
19 important. In other words, whether you have a committee,  
20 whether you have a computer tracking system, whether you  
21 have a paperwork tracking system, whether you have a bell,  
22 whether you have a whistle, those are absolutely immaterial.

23 It is do you collect the information and do you  
24 use it appropriately in each case, and each case is  
25 different, so if you come down the hierarchy in terms of



1 what is important, one is that it's used to correct the  
2 problem. That doesn't seem to make people comfortable, so  
3 what is the next step, you know, in terms of level of  
4 detail?

5 Well, it is in accordance with a documented or  
6 approved plan. Is that acceptable or not? If it is not,  
7 then what is the next level or thing that you would apply to  
8 it or specify that would make you comfortable?

9 By talking about whether it is a team or whether  
10 it is a computer or whether it is a form or whether it's a  
11 hard copy is really not what is important in terms of  
12 performance.

13 COX: I think, Charlie, you used the words  
14 "documented in accordance with an approved plan." If we  
15 knew just several, and I say several meaning one to five,  
16 elements of that plan, that's enough. We don't need to know  
17 about the computers or what people do it or perhaps not when  
18 but just something about that plan.

19 SHARKEY: That level of detail is that kind of  
20 thing that is subject to change. It might be a paper system  
21 today and next week it may be a computer system, and why  
22 burden NRC with a license amendment to change that level of  
23 detail?

24 COX: Don't need to know whether it is paper or  
25 computer, but what do either of those two things do for you.

1           VAUGHAN:  Let's investigate the one to five  
2 characteristics of this plan that might be acceptable.

3           I mean let's just name them.  Pick one out and  
4 let's see what goes on the list.

5           PERSINKO:  What does your corrective action  
6 program have --

7           VAUGHAN:  Mine is that they are identified as an  
8 unusual event and there's a procedure that covers  
9 identifying them as an unusual event, specifies the forms  
10 that will be used, specifies the systems that will track it,  
11 specifies the reporting requirements.

12          PERSINKO:  Does it give any guidance as to how to,  
13 any guidance as far as doing the investigation and the  
14 feedback loop into, say, another program such as the  
15 maintenance program?  Does it have anything like that in it?

16          VAUGHAN:  It does not -- it is not programmatic  
17 driven.  It is event driven.  It is root cause driven and it  
18 says "fix this" and it doesn't make any difference what  
19 program or programs are involved.  Basically it says "fix  
20 it."

21          PERSINKO:  So basically it says investigate it and  
22 feed it back into the appropriate programs then is what I am  
23 hearing, and that is all your corrective action program  
24 says?

25          WEBER:  On this aspect, right?

1           NAGY: Well, let me give you another example, if  
2 you want to hear a different plant, because we have a  
3 similar front end. Unusual events are reported. This is  
4 John Nagy, NFS.

5           Unusual events are reported. We now have a  
6 computer system to do that on, so we don't actually have to  
7 fill out the paper anymore, and that goes and immediately  
8 contacts individuals in the area of the discipline that was  
9 identified.

10           Let's say it was a nuclear safety issue, our  
11 Nuclear Safety Management is immediately notified, the line  
12 management for the facility is immediately notified that  
13 that has been reported.

14           We then have a screening process by which during  
15 the next couple of hours that investigation or that unusual  
16 event is classified as to whether it will be investigated  
17 and if so at what level and who will be responsible for the  
18 investigation and what senior manager is in charge of that  
19 area. That's all assigned.

20           Then the actual investigation occurs and there's a  
21 preset period, depending on the type of investigation, for  
22 how long that will occur. There is also a standard way we  
23 do investigations. We use tap root methodology for certain  
24 levels and at certain levels we don't -- we say no, you can  
25 just go out and take a look at it, do immediate cause

1 recognition in the field.

2           That would then get fed back, depending on the  
3 level of investigation to the Safety and Safeguards Review  
4 Council, which is our multidisciplinary council at the plant  
5 that represents maintenance and production and safety and  
6 everybody else. That group will take the investigation  
7 report and the root causes and the corrective action  
8 recommendation and then make a determination as to whether,  
9 first of all, they agree with them, or what they want to add  
10 to them and who is responsible for them and what the  
11 timeliness of completion is, and they put that in a  
12 different computer program that tracks those to completion.

13           Now that is NFS's system.

14           PERSINKO: So your system sounds a lot different  
15 than Charlie's.

16           NAGY: The principles are probably the same.

17           WEBER: I think he could have spent another half  
18 hour describing his system if he wanted to.

19           VAUGHAN: I could spend a long time describing it.  
20 I wasn't trying to give you every detail. I was looking for  
21 some high level points coming down the hierarchical scale,  
22 instead of starting down in the grass --

23           PERSINKO: And I was asking you, trying to lead  
24 you down -- trying to find out that level, what might be an  
25 appropriate level. You stopped there and I said is that all

1 there is, and you said yes.

2 [Laughter.]

3 SCHILTHELM: Wait. We were asked for one to five.  
4 Charlie gave us three.

5 [Laughter.]

6 PERSINKO: I was trying to figure out if there was  
7 any more.

8 COX: And I think John fleshed it out with these,  
9 maybe you got five, but that's still a sentence of two that  
10 is more than just we'll take care of it.

11 The event is identified, it's captured in a  
12 reporting system, some management level is given  
13 responsibility for it and the event is evaluated and two or  
14 three more things about tracking and completion. That's it.

15 NAGY: So tracking, evaluation, looking for  
16 general applicability, other places where you plan to --  
17 these are principles I think that Charlie is saying. If  
18 these are principles we agree on, let's list them here.  
19 Let's make those things that are listed here.

20 COX: I can't list them here because I don't know  
21 until just now what you said and then what Charlie said.

22 VAUGHAN: But if they are principles, everybody  
23 ought to be able to list them. Everybody ought to  
24 understand them because everybody ought to subscribe to the  
25 same principles and the public ought to be able to

1 understand what principles we are applying.

2 COX: Well, you can either give us those  
3 principles to write in here or we can say Applicant  
4 describes the principles of applying the results from  
5 incident investigations, failure records and whatever to  
6 possible modifications of the surveillance monitoring  
7 program.

8 For our purposes I think it would be sufficient to  
9 say describe the principles of. If that would be better  
10 than how results from are used, if we could say describes  
11 the principles of.

12 WEBER: And the purpose of those principles is to  
13 provide the NRC confidence that the licensee has a program  
14 that will properly dispense with the results of those  
15 incident investigations?

16 NAGY: That we share the same concept of what that  
17 program ought to do for us, what ought to be happening.  
18 That is what you want to know. You want to know we share  
19 the same concept.

20 WEBER: Right.

21 NAGY: What is the point here?

22 COX: I would just say Applicant describes the  
23 principles of using the results from so on and so on.

24 WEBER: What does that mean?

25 COX: Well, it means what John described in about

1 five points, what Charlie described in three, but the  
2 principles may vary between companies, so I don't want to  
3 put them in here necessarily. I would rather have them come  
4 back with what their principles are.

5 VAUGHAN: I think we ought to have a common  
6 understanding of what the principles are between everybody.

7 NAGY: Yes. I am reminded of the problem  
8 identification resolution and corrective action program  
9 principles that was developed and I wasn't involved in the  
10 development of that but it was handed out by Walt Swink at  
11 one of the recent meetings.

12 It was an INPO guidance document --

13 WEBER: INPO?

14 NAGY: Yes. That was wonderful. I thought it was  
15 excellent, because it was principles. It was clear  
16 principles -- "These are the types of things that we are  
17 looking for in the PIRT program" -- and we used that to  
18 modify our internal program and a good example of how that  
19 kind of thing can be used.

20 Some of those are applicable here because they  
21 talk about looking for the generic causes, making sure that  
22 you do proper root cause investigations, so you have a  
23 method that everybody ascribes to at the plant, so you have  
24 consistency in how you do your investigations and stuff like  
25 that.

1           I think there's a few principles like that that  
2 could be applied here that we would all be in agreement  
3 with.

4           COX: Okay. Does somebody want to take the  
5 assignment of giving me five bullets or however many, three  
6 bullets? I'll put them in here. If you don't like -- if  
7 you would rather have that than just a general statement on  
8 principles.

9           NAGY: I'll provide one --

10          COX: All right, fine.

11          ASTWOOD: I think finally after 10 meetings I now  
12 understand exactly what you are talking about with the  
13 principle idea. I understand what you are saying with it.

14                 It is not the method we use to do the SRP and so  
15 it's taken us a little while to process that, how that would  
16 change, because what crosses my mind is that really is a  
17 different format to put the SRP in, and then is it only  
18 Chapter 11 or is it the entire SRP.

19                 We intended to give flexibility and that was the  
20 point -- describe your program in general terms to give us  
21 an understanding of your program so that we understand it  
22 and feel that it is appropriate and adequate, and what you  
23 are saying is a little different from that, but that is  
24 where we came to describe what it is or the way you do  
25 things is to allow the flexibility between the licensees, to



1 describe it in detail or not detail, and account for  
2 differences.

3           WEBER: I think, Heather, those principles, if you  
4 will, are reflected in the acceptance criteria --

5           ASTWOOD: Yes.

6           WEBER: -- and elsewhere in the SRP.

7           ASTWOOD: Yes, it's just a different way of  
8 stating the acceptance criteria.

9           WEBER: Of how to write the acceptance criteria.

10          ASTWOOD: Exactly. It's a different -- I mean the  
11 same ideas are contained in there but it is a different way  
12 of stating it.

13          WEBER: It is a more performance oriented  
14 approach.

15          GOODWIN: I think you are right, Heather. It is a  
16 common theme throughout the entire SRP and I think that is  
17 what we have been trying to say all along, is yes, we can  
18 give you the principles, whether you call it features or  
19 elements, characteristics, you know, that sort of thing, but  
20 leave us flexibility within those key elements, features,  
21 whatever the case might be, as far as the "how to."

22          WESCOTT: My name is Rex Wescott from NRC. So  
23 what is the SRP then really going to ask for? A commitment  
24 to --

25          ASTWOOD: Oh, I'm not -- I didn't say I was

1 changing that. I said I understood it. It is something we  
2 are going to have to consider because it is a different way  
3 to do it. It is not the way we have looked at formatting  
4 this in the past.

5           WEBER: I'll just throw this out and you guys can  
6 shoot me down, but to put what we just discussed together I  
7 think you would be looking at something like the licensee  
8 commits to use of incident investigations, review of  
9 failures, identify root causes and modifying the maintenance  
10 function. That satisfies the following principles.

11           ASTWOOD: Identify that they are reported, that  
12 management is notified.

13           WEBER: And then the reviewer would look at  
14 whatever description the Applicant provides and compare it  
15 with those principles and says does this proposal satisfy  
16 these principles. If the answer is yes, then that is an  
17 acceptable program for this part. If it doesn't, you would  
18 go back and ask the questions, and then you might get into  
19 more prescriptive information, but that would be because  
20 there would be questions about whether the principles have  
21 been satisfied.

22           ASTWOOD: All right. I guess we'll continue.  
23 Under surveillance and monitoring, what we had stated is  
24 that for the criteria listed in the SRP under surveillance  
25 and monitoring that the example did provide the appropriate

1 level of detail and provided most of the description except  
2 for description of how the results have been, incident  
3 investigations are used, so that is what we have just been  
4 talking about.

5 We can move on to Number 2, which is --

6 WEBER: Before we move on to Number 1, John, you  
7 offered to share a straw man of what those principles might  
8 be. Do you plan to work that with the other licensees or --

9 NAGY: They didn't nod in aggressive agreement.

10 WEBER: That is why I am asking because --

11 KILLAR: We'll certainly tell you if you are  
12 wrong, John.

13 [Laughter.]

14 WEBER: In terms of timeframe, what can NRC  
15 expect --

16 NAGY: I'm on Number 3.

17 WEBER: So you think today you will have --

18 NAGY: I can throw something out there.

19 WEBER: So maybe after lunch we could come back  
20 and -- okay?

21 Do you want to pick up with corrective  
22 maintenance?

23 ASTWOOD: Yes, corrective maintenance in the SRP  
24 that we have here, the current SRP, corrective maintenance  
25 is Number 4. The one I used, it was Number 2.

1           THOMAS: Ruth Thomas here. Did we bypass  
2 something about training and qualifications?

3           WEBER: No.

4           ASTWOOD: No, we are in Section 11.4.3.2 in  
5 Maintenance.

6           THOMAS: Isn't that beyond --

7           ASTWOOD: Yes. We are not going in order yet.  
8 This is a second example.

9           THOMAS: Okay, okay.

10          WEBER: Ruth, something you may have missed at the  
11 beginning, in our previous discussions on Chapter 11  
12 specifically I think the stakeholders and the NRC agreed  
13 that it might be useful to discuss specific examples in two  
14 of those areas. The two areas were maintenance and audits.

15          THOMAS: -- on page 1 --

16          WEBER: Right.

17          THOMAS: Okay.

18          WEBER: But that is not to supplant the need to  
19 have a general discussion about the other comments on  
20 Chapter 11, so I suspect now after lunch we are going to  
21 come back and go through pretty much line by line Chapter 11  
22 of the SRP.

23                    Is that the plan?

24          ASTWOOD: Yes. That is the plan, after lunch to  
25 go through each section.

1           WEBER: So that is where training and  
2 certification will certainly come up.

3           THOMAS: Thank you.

4           ASTWOOD: Under corrective maintenance, which is  
5 that the Applicant provides documented approach used to  
6 perform corrective actions, repairs on IROFS, maintenance  
7 function provides a planned, systematic, integrated  
8 controlled approach for the repair and replacement, the kind  
9 of information that we are asking for in Number 2 under  
10 corrective maintenance.

11           What I stated was that the example provided by NEI  
12 provides a description of the corrective maintenance  
13 function at the appropriate level of detail. I didn't feel  
14 that it left out that general description. It gave me an  
15 indication that it was a planned, systematic, controlled  
16 approach, that corrective maintenance was made as a  
17 commitment. I felt it was appropriate.

18           Does anybody --

19           COX: I'll just make an aside here that I think is  
20 pertinent. In the NRC revision of Chapter 11 in response to  
21 NEI's comment document on Chapter 11, this particular  
22 paragraph on corrective maintenance has been revised some  
23 but I think it is in line with Heather's statement she just  
24 made and I think it actually improves the paragraph some.

25           We will get to that this afternoon I guess as we

1 go through Chapter 11, but all I am pointing out is if you  
2 look at the NRC current Chapter 11 you will see something  
3 different in this paragraph than --

4 ASTWOOD: Right.

5 COX: -- than the one that Heather actually looked  
6 at in evaluating this example.

7 ASTWOOD: Yes, I used the SRP prior to your most  
8 recent redline strikeout because we did this in parallel so  
9 he was --

10 COX: I think you will find the current version  
11 more pertinent, better worded.

12 WEBER: Now you have been working on these since  
13 the August 3rd meeting.

14 ASTWOOD: Right.

15 COX: Oh, yes. We have been working all week on  
16 NEI's August 30 comment document that you received last  
17 Monday.

18 ASTWOOD: Right, so that is why there's some  
19 disconnect between them but I think again we go back to what  
20 you submitted was the appropriate level of detail to  
21 convince us that there was a planned systematic activity,  
22 which is what we had asked for.

23 WEBER: PM?

24 ASTWOOD: Okay. PM example -- Preventive  
25 Maintenance.

1           Basically we wanted to see that the Applicant  
2 provided a description of their preventive maintenance  
3 function that demonstrated a commitment to conduct  
4 preplanned and scheduled refurbishing or partial or complete  
5 overhaul for the purposes of ensuring that unanticipated  
6 losses of IROFS do not occur, that the activity includes the  
7 results of your surveillance and failure records, instrument  
8 calibration and testing were addressed by the Applicant is  
9 part of this component.

10           It describes how the function will be designed to  
11 assure that the objective of preventing failures through  
12 maintenance is appropriately balanced against other  
13 objectives, against the objective of minimizing  
14 unavailability of IROFS.

15           You don't want to be taking them out from  
16 maintenance and fixing them so often that they are not  
17 around when you need them.

18           I read your example. You described your  
19 preventive maintenance function in the appropriate level of  
20 detail. However, you didn't address each point. To fully  
21 address it I think you would have to include a description  
22 of how the results again, the same situation we had before,  
23 how the results are included in that from incident  
24 investigations, how you modify your function because of  
25 those incident investigations.

1           WEBER: Or commit to following an approach that  
2 satisfies the principles.

3           ASTWOOD: Right, exactly. If we ended up changing  
4 the words this would be changed.

5           COX: This would be the same as the bullet under  
6 Number 1.

7           ASTWOOD: Right, exactly. It's the same.

8           Instrument calibration and testing wasn't  
9 addressed at all in your description.

10          GOODWIN: Is there a reason for that? Is there a  
11 problem not including instrument calibration and testing?

12          COX: Maybe they have it under surveillance and  
13 monitoring or somewhere else.

14          ASTWOOD: Not in this section.

15          GOODWIN: I don't think there's any objection to  
16 addressing it.

17          COX: No, I don't think so because the comment  
18 document from NEI did not object to that in our chapter.

19          WEBER: This may have been overlooked in the  
20 example.

21          ASTWOOD: The other, one of the statements we were  
22 looking for is how the function was designed to assure that  
23 the objective of preventing failures through maintenance is  
24 appropriately balanced.

25          That is a topic that you have thought of and it



1 was incorporated into the design of the program. I didn't  
2 see that addressed in here.

3 GOODWIN: That statement was not clear to me. I  
4 am not sure what was intended there.

5 When you talk about the objective of preventing  
6 failures through maintenance, balanced against the objective  
7 of minimizing unavailability, those are one and the same.

8 If you are trying to maintain it so that you  
9 prevent failures, conversely you are trying to make it  
10 reliable and make sure it is available.

11 COX: This has to do with the frequency of PM and  
12 how if you examine something frequently enough you can  
13 actually contribute to additional failures or failures at  
14 the wrong time.

15 It is a matter of balancing how often you do PM  
16 because then you are taking this thing out of service and  
17 you may be eliminating one of two controls that are needed,  
18 and if you do this online without shutting down, the process  
19 is being controlled, you may be adding to risk if you test  
20 frequently enough.

21 SCHILTHELM: We would also be out of compliance  
22 with the performance criteria of the rule.

23 COX: Possibly. This is just calling for give us  
24 something so that the Staff can understand you are cognizant  
25 of and considerate of this potential.

1           It doesn't mean you have to describe in gritty  
2 detail how it is done, because establishing PM frequencies  
3 is a fairly or can be a sophisticated activity, but rather  
4 that you are just aware of the necessity to do it and will  
5 consider that.

6           GOODWIN: So if I understand you correctly then,  
7 your concerns is if you have a system that normally isn't or  
8 shouldn't be called on to perform its intended function and  
9 very rarely does so, if you go test it, let's say, weekly,  
10 you are saying that could in fact reduce the reliability of  
11 it and thus make it not available.

12           COX: What the SRP says here is the Applicant  
13 describes -- I mean you tell us a little bit about how the  
14 function, that is PM, will be designed to assure that the  
15 objective of preventing failure through maintenance,  
16 preventive maintenance, is appropriately balances against  
17 the objective of minimizing unavailability of IROFS because  
18 of monitoring or PM.

19           You are balancing two things, causing  
20 unavailability by too-frequent maintenance versus getting  
21 the PM you need for the system or component.

22           We put this in the PM paragraph saying you, the  
23 Applicant, please tell us that you are cognizant of this and  
24 we will deal with it.

25           GOODWIN: In other words, don't wear it out with

1 too-frequent testing.

2           ASTWOOD: Unavailable through --

3           KILLAR: And it is unavailable to perform the  
4 safety function.

5           COX: What we really hope that is over time you  
6 would be able to develop the PM for frequency for each of  
7 the IROFS that was the proper one.

8           WEBER: Well, I'm sure they want that too.

9           SCHILTHELM: Hopefully we have that.

10          COX: We have seen PM that is really in some cases  
11 little more than just oiling it in accordance with the  
12 manufacturer's recommendations and for many IROFS that may  
13 not be enough.

14          ASTWOOD: All right. The next bullet that I had  
15 in there that I didn't find in your description was a  
16 description of the methodology, the basis used to determine  
17 the PM frequencies.

18          WEBER: That sounds more elaborate than --

19          COX: It's the same thing.

20          WEBER: -- we probably intend.

21          ASTWOOD: Right. How is it that you are  
22 determining your PM frequencies? What is it that you are  
23 using? -- which incident investigations, surveillance  
24 results, things like that.

25          WEBER: Could that be a commitment to follow a

1 manufacturer's recommendations?

2 COX: Not for IROFS. Perhaps not for an IROFS  
3 that is controlling or that is involved in a high risk  
4 accident sequence. You may have to develop a more stringent  
5 practice for that IROFS.

6 The manufacturer may not have any idea how  
7 frequently this thing should be monitored for performance.

8 WEBER: But this is ultimately tied to the  
9 reliability --

10 COX: That's right.

11 WEBER: -- of the IROFS that is assumed in the  
12 ISA, so if you have a high reliability IROFS, that ought to  
13 be reflected in the PM frequency.

14 COX: The PM frequency will have to be the right  
15 one in order that this reliability can be achieved.

16 WEBER: Correct.

17 [Pause.]

18 WEBER: You are looking here for a general  
19 description, not IROFS by IROFS?

20 ASTWOOD: Right.

21 COX: That is true. At this position, it would be  
22 a general description of how it would be approached for  
23 IROFS in general.

24 WEBER: That's why you call it a methodology.

25 COX: Yes.

1           WEBER: It would be exhaustive to do, to list all  
2 the frequencies.

3           ASTWOOD: Oh, definitely.

4           COX: Well, suppose the ISA summary says that a  
5 particular IROFS is designed here such that we expect it to  
6 fail only, you know, once in 100 years. Some reviewer may  
7 ask, well, how do you assure that, and one thing will lead  
8 to another and ultimately the guy might want to know how the  
9 PM frequency was set for that, because it will be pertinent  
10 to how the reliability is assured for that particular  
11 device.

12           But that is not -- that doesn't mean that we are  
13 going to do that for every listed IROFS. That would only be  
14 for a few of the really critical ones in high risk accident  
15 sequences.

16           FARRELL: We do include a general statement saying  
17 that the frequency of PM will be based on three factors,  
18 three considerations.

19           One is the manufacturer's recommendation. The  
20 second is prior operating experience. The third is the  
21 safety importance of the IROFS, but I gather you want  
22 something more -- an expansion upon that idea?

23           COX: Well, if that's really what you use to do  
24 it, and that's all, then that is what you would put down.

25           FARRELL: That's what I did put down in the

1 example.

2 COX: I don't think every company does it that  
3 way.

4 WEBER: But this is just an example.

5 ASTWOOD: I guess when I was reading that, my  
6 notes on the side indicate two things -- one, that it didn't  
7 relate to the surveillance and failure records which I had  
8 listed earlier, and the second, that I didn't see that as a  
9 methodology. That was the component. You know, those are  
10 things that you considered but I looked at this to be more  
11 of a methodology. These things were looked at once a year  
12 and the frequencies are changed because of this and it is  
13 re-reviewed. That is what I was thinking is a methodology.

14 KILLAR: That's not the case. The case, the  
15 methodology determining your preventive maintenance is when  
16 you are going through and doing your ISA you look at what  
17 the preventive maintenance -- you know, manufacturer's  
18 recommendation is, the failure rate and what have you, and  
19 then the committee makes a determination of which one we are  
20 going to abide by. If we feel the manufacturer's  
21 recommendation is adequate, we don't go beyond that. If we  
22 feel that it is very important to safety, we want more  
23 maintenance, more going in and lubricating more often or  
24 whatever than what the manufacturer says, that we step up.  
25 That is all part of the determination when you go

1 through and do your initial ISA.

2           Now when you have your failures, your failures as  
3 part of your tracking program goes back and looks as to,  
4 okay, we expect it to fail once every 100 years and it's  
5 failed and it's only 10 years old, why did it fail? Is it  
6 something that we did or maybe a manufacturer's defect, what  
7 have you, to why did it not meet expectations and stuff, so  
8 we go through and do the replacement and repair. We make  
9 adjustments accordingly.

10           Now do you want all that down here? We don't  
11 think you need to have all that described down here.

12           COX: Actually I think this is pretty good.

13           ASTWOOD: Okay.

14           COX: Because the key words here for me are you  
15 are going to use the documented performance trends. That  
16 means you are going to take performance trending data and  
17 use it to modify perhaps what have been or were manufacturer  
18 recommendations.

19           WEBER: And it loops back up to what we discussed  
20 before in terms of surveillance and monitoring where you are  
21 reviewing failures and identifying root causes and making  
22 changes to your commitments, so it sounds like that would  
23 meet --

24           COX: Yes. I think maybe, Heather, we could  
25 take up the last one.

1 [Pause.]

2 ASTWOOD: In his revision to Chapter 11, he did  
3 remove the rationale for a deviation of industry standards  
4 based on your comments, so my point, the last point, would  
5 not apply either.

6 WEBER: So we drop the last two ticks?

7 ASTWOOD: Yes.

8 WEBER: On preventive maintenance?

9 ASTWOOD: Yes.

10 WEBER: Okay.

11 COX: We will get to that when we go over the  
12 paragraphing and revised Chapter 11 also.

13 ASTWOOD: Okay -- functional testing.

14 Applicant includes a general description of the  
15 methods used and commitment to perform functional testing as  
16 needed of IROFS after PM or corrective maintenance. Tests  
17 should be conducted using Applicant-approved procedures and  
18 should include compensatory measures while a test is being  
19 conducted. Applicant designs a functional test to include  
20 all operational aspects of the IROFS that are important to  
21 safety.

22 We provide actually in the SRP an example. In the  
23 thing that you were provided I stated that your description  
24 of the functional testing is at the appropriate level of  
25 detail. Again, there were a couple of points that weren't



1 addressed.

2 I felt that an explanation of the fact the  
3 Applicant designed the functional test to include all  
4 operational aspects of the IROFS that are important to  
5 safety wasn't specifically addressed.

6 You do talk about doing functional testing for an  
7 IROFS once it has been tested but I think a key point in  
8 this is all safety-related aspects of that IROFS.

9 THOMAS: Ruth Thomas. Is that where it's talking  
10 about providing a reasonable assurance?

11 ASTWOOD: Under functional testing?

12 THOMAS: Yes, or maybe that's further down.

13 ASTWOOD: Hold on. I don't see that on this part.  
14 No, that is not in this section.

15 COX: We are talking about functional testing.

16 ASTWOOD: Functional testing, under 11.4.3.2,  
17 Number 3, functional testing.

18 COX: It may be Number 4.

19 ASTWOOD: Yes, it might.

20 COX: In the document you are looking at. These  
21 have been reordered. They are the same four components.

22 SCHILTHELM: Actually I think Ruth's point is a  
23 good one though. If you read what NEI put together, it says  
24 that the IROFS will be field tested to assure that it is  
25 likely to perform its desired function when called upon to

1 do so.

2           Doesn't that say that you'll include the  
3 operational aspects that are important to safety?

4           GOODWIN: Why would you test it and not test it  
5 completely?

6           SCHILTHELM: Well, NEI presented this saying you  
7 will -- you'll assure it is likely to perform its desired  
8 function. It doesn't say desired safety function, I guess,  
9 but that is the purpose of an IROFS.

10          ASTWOOD: Yes.

11          COX: Are we addressing this here?

12          ASTWOOD: Yes. That is what we are addressing,  
13 and they said -- let me make sure -- that that is covered  
14 and they feel that that section is covered here. If the  
15 performance of a repaired, replaced IROFS component could be  
16 different from that of an original component the IROFS will  
17 be field tested to assure that it is likely to perform its  
18 desired safety function.

19          THOMAS: I don't know. Maybe it would be easier  
20 for me to -- I know it would be easier for me to point out  
21 some of the things, wherever they are, that raise questions  
22 in my mind, like talking about -- this is under 11.3.4,  
23 Procedures.

24          ASTWOOD: Yes.

25          THOMAS: Where you're talking about Procedures of

1 this type including required actions to provide reasonable  
2 assurance of nuclear criticality safety and it seems like  
3 you need more than reasonable assurance when you are talking  
4 about criticality and these other things, and I don't  
5 believe that wording has been questioned.

6 I know in some of the other meetings we were  
7 involved in criticality came up a number of times.

8 ASTWOOD: Yes, and I found where you are talking  
9 about under Procedures, Ruth. That is a different section.  
10 We definitely will address that when we come to the  
11 procedures.

12 WEBER: Just so you know -- this is Mike Weber  
13 from NRC -- reasonable assurance is the general finding that  
14 the Commission makes when it finds that an Applicant will be  
15 able to safely operate --

16 ASTWOOD: Right.

17 WEBER: -- their facility, and so that is a  
18 standard word that you will find in reactor regulation and  
19 fuel cycle facility regulation.

20 THOMAS: Is there something that just defines this  
21 other than a dictionary definition of "reasonable" --  
22 it's --

23 WEBER: Yes. Probably the best source or a  
24 definition of that term is in the case law that involves  
25 incidences where people have contested the Commission's

1 finding and the Board has had to make a decision or the  
2 judge has had to make a decision on whether "reasonable  
3 assurance" has been fulfilled.

4           You won't find a quantitative definition of  
5 "reasonable assurance".

6           THOMAS: I see. Thank you.

7           Where are we on this?

8           ASTWOOD: The number -- the first bullet, and Tom  
9 thinks he's found the appropriate wording.

10           COX: APP-56, the upper paragraph there, I think  
11 reads well enough to give reasonable assurance of that first  
12 dashed thing, the explanation of the fact that design and  
13 functional tests include all operational aspects of the  
14 IROFS.

15           Because --

16           EDGAR: What page are you on?

17           ASTWOOD: Page 56.

18           COX: Page 56 of the NEI document. It's the  
19 example at the back. It's called Appendix C, and it would  
20 really, if it were used, become Appendix B to the SRP.

21           But that first paragraph, from about halfway down  
22 on that paragraph, talks about various aspects of conducting  
23 functional testing.

24           And it even includes the fact that the component  
25 will be field-tested to assure that it's likely to perform

1 its function when called.

2 And if the field test is done correctly, it should  
3 cover -- the functional test should include all the IROFS.

4 WEBER: So the first test is at issue.

5 COX: Not with me, it's not.

6 WEBER: Okay, how about the second one on  
7 administrative controls? There's the how-word.

8 COX: Well, if NEI thinks that's covered  
9 somewhere?

10 WEBER: Well, actually, I think that for  
11 administrative controls, we were covering that in training,  
12 under the training measures, as opposed to maintenance.

13 COX: Yes, well, I -- right. Under maintenance, I  
14 think we have in the SRP, some reference to the fact that  
15 administrative controls ought to be covered, at least by  
16 referencing back over to the training area.

17 We have a hard time giving up the fact that an  
18 administrative control is a control, and somehow it needs to  
19 be maintained over time.

20 And that really is done through training.

21 KILLAR: In our perspective, when you're talking  
22 about maintenance, you're talking about maintenance  
23 facilities and equipment. When you start talking about  
24 maintenance of an administrative control, you're talking  
25 about personnel.

1           And so therefore it would not be in the  
2 maintenance section; it would be more in the training and  
3 qualifications sections, so it would be the maintenance of  
4 that training and qualification for that administrative  
5 control, rather than maintenance of a hard-wired physical  
6 system.

7           So that's why we're separating them out along  
8 those lines.

9           ASTWOOD: We include them in here because we were  
10 saying this is maintenance of IROFS, and administrative  
11 controls could be IROF. That's why we put it there.

12          THOMAS: Ruth Thomas. Under training, do they get  
13 into the emotional testing for people in their -- any ruling  
14 out people that have problems with families or using alcohol  
15 or anything like that, or is that too specific to be  
16 included?

17          COX: I think that's a little specific, but we do  
18 have in the Standard Review Plan, under Section 11.4.4.3.2  
19 maintenance, and at the end of that section, there is an  
20 address to the fact or the -- let's call it the acceptance  
21 criteria, that the applicant should include a discussion of  
22 or provide references to how the maintenance function uses  
23 or is linked with other management measures.

24          And it gives an example. Since maintenance  
25 workers are trained and qualified to perform their duties, a

1 description of the link between maintenance and training and  
2 qualifications programs or functions should be described.

3           That is where you would pick up the link between  
4 administrative controls and other kinds of controls, because  
5 --

6           THOMAS: What section is that again?

7           COX: 11.4.3.2.

8           KILLAR: Tom, to me, you're confusing the issue,  
9 because you've trained somebody to operate administrative  
10 control, and being an administrative control as to making  
11 sure that the right switch is turned on.

12          THOMAS: We haven't gone through that one yet.

13          COX: We've haven't gotten to it. We're still on  
14 a different document that was submitted by NEI for review.

15                We haven't really gotten back into the Chapter 11  
16 yet, but since this example document refers to the  
17 maintenance area, we are trying to include that in our  
18 discussion now.

19          THOMAS: Yes, I know you mentioned training a  
20 couple of times.

21          COX: I think Felix was about to make a point here  
22 that -- do you want to make that again?

23          KILLAR: Basically what I want to say is that you  
24 have training for administrative controls. A person, the  
25 operator on the floor, is actually doing administrative

1 control as proper training in order to carry out that  
2 administrative control.

3 But then you have training for the maintenance  
4 personnel on how to tear down an item relied on safety, to  
5 repair it and put it back to working order and do the  
6 functional testing before you put it back.

7 And those are two different and distinct training  
8 programs, and I'm a little concerned here that you're  
9 sounding like you're starting to get them confused together.

10 COX: You're right, and I'll back off on that for  
11 the moment. The paragraph I was quoting from deals with  
12 training for maintenance personnel.

13 THOMAS: Well, it wouldn't include anything having  
14 to do with contract workers?

15 COX: That's another paragraph in the Standard  
16 Review Plan, that it is covered, and we'll get to that.

17 ASTWOOD: Well, that's --

18 COX: That's one that, by the way, NEI has not  
19 called for any change in.

20 THOMAS: So that's not necessarily going to be  
21 discussed then?

22 ASTWOOD: Yes, we can.

23 COX: Yes, we'll go by it and I'll point out that  
24 the paragraph is staying the way it has been for some time.

25 THOMAS: Okay.



1           ASTWOOD: And that actually leads right into the  
2 next criteria in their example.

3           WEBER: Hold on. I'm not sure I'm clear on where  
4 we left the reference to training for the administrative  
5 controls.

6           COX: Right.

7           ASTWOOD: I think we left it as they could  
8 describe it here under this control, or have a pointer to  
9 where they've addressed this point in training.

10          WEBER: Administrative training.

11          ASTWOOD: Right, that's fine.

12          WEBER: Okay.

13          COX: I think there should be a pointer to the  
14 fact that somehow administrative controls are maintained.

15          WEBER: Can we have that same pointer in all the  
16 other review areas for the different management measures,  
17 like in nuclear criticality safety, radiation protection?

18          COX: Well, those aren't management measures.

19          WEBER: No.

20          COX: But under those chapters, I think, yes, we  
21 have links to the training function.

22          WEBER: Okay.

23          COX: Yes. But the other management measures,  
24 other than maintenance, are either training and  
25 qualifications itself, or things that don't really require

1 links to training in the same way that the maintenance  
2 function of administrative controls does.

3 WEBER: Okay.

4 COX: So, I think this last dash still stands.

5 ASTWOOD: All right, general acceptance criteria,  
6 the very last part of this section after we went through  
7 those four criteria, has a paragraph that starts, a general  
8 acceptance criterion applicable to all maintenance  
9 functions, so this particular paragraph is talking about the  
10 four previous requirements, CM, PM, and a statement that  
11 adequate description of work control methods has been  
12 described, and list how the methods and practices are  
13 applied to those other areas, and it gives a listing of what  
14 that should include.

15 WEBER: What would we expect in terms of an  
16 adequate work control description?

17 COX: Generally, what it says in the SRP. It says  
18 here -- let me find that.

19 Well, there's a fairly long paragraph in the SRP  
20 on this that says that general acceptance criteria  
21 applicable to all maintenance functions is an adequate  
22 description of work control methods.

23 And then it goes on to list that below are methods  
24 or practices that should be applied to the corrective,  
25 preventive, and functional test maintenance elements, and

1 for which the applicant should commit to prepare written  
2 procedures.

3           These include, as applicable, and then it lists  
4 seven or eight things like work instructions with detailed  
5 steps, a parts list, as-built or redline drawings,  
6 notification steps to the operation's function before  
7 conducting repairs and removing an IROFS from service.

8           Radiation work permits, replacement with like kind  
9 parts, compensatory measures while performing work on IROFS;  
10 procedural control of removal of IROFS from service for  
11 maintenance and for return to service.

12           Notification to operations personnel that repairs  
13 have been completed. We're just saying that these things  
14 ought to be applied to these elements, and the staff should  
15 know, the public should know that the applicant has  
16 committed to prepare written procedures dealing with those  
17 matters. That's it.

18           WEBER: Is there any reason you left that out of  
19 your example?

20           [No response.]

21           WEBER: So you don't have an objection to  
22 describing work control or committing to have a work control  
23 program?

24           COX: The NEI comment document did not disagree  
25 with this, the inclusion of this material. They modified it

1 just slightly.

2           ASTWOOD: It just wasn't in this one.

3           COX: Two items where they said combine these two  
4 items. But we'll get to that when we go through this.

5           So --

6           SCHILTHELM: Don't judge our silence as our  
7 acceptance of that statement.

8           COX: Which statement?

9           WEBER: Okay, we're here to talk about it, so if  
10 you've got -- we need to know.

11           COX: I plan to get to this and discuss it in  
12 whatever depth we want to.

13           WEBER: So it will come up.

14           COX: It's in Chapter 11, and we're still on this  
15 example document.

16           ASTWOOD: I basically, again, was trying to look  
17 at the example and say what I didn't see the content. The  
18 level of detail was absolutely appropriate in the example  
19 that you provided, and these are the pieces of content that  
20 weren't in there.

21           And the last item I didn't see that was  
22 specifically addressed was a commitment to require  
23 contractors that work on or near IROFS to follow the same  
24 maintenance guidelines as you describe in your example.

25           COX: And that was also a paragraph in the SRP

1 that says as applicable, contractors that work on or near  
2 IROFS identified in the ISI summary, should be required by  
3 the applicant to follow the same maintenance guidelines  
4 described for the corrective, preventive, functional --  
5 listed above for the maintenance function.

6           ASTWOOD: Right, that's a commitment-level  
7 commitment.

8           SCHILTHELM: That seems to be a commitment -- a  
9 program within a program, but, in fact, commitments to work  
10 -- contractors that work at a licensed facility are expected  
11 to follow the requirements of the license, and then that  
12 applies broadly wherever you look.

13           So, to reiterate that commitment program after  
14 program, might not have a lot of benefit. In fact, I'm not  
15 sure it even needs to be stated in a license application.  
16 You're expected to comply with your license and any  
17 regulations, whether you're a contractor or the licensee.

18           WEBER: Have there been events that have been  
19 associated to contractor work that hadn't adhered to --

20           COX: I can't name it right now, but I have a  
21 feeling there have.

22           [Laughter.]

23           COX: In any event, the NRC would like the  
24 applicant to whom we look to be responsible, to recognize in  
25 the license application that that needs to be done.

1           KILLAR: I think the point that Steve was making  
2 is that as the licensee, we have the responsibility, whoever  
3 is performing the work, whether it's our own personnel or  
4 contractors, to abide by the regulations and the commitment  
5 we made in our license.

6           And you don't need to say that we have the -- the  
7 contractor has to comply with that, because that's implied,  
8 it's implicit that they have to.

9           If the contractor is up there and screws something  
10 else, we're not exempt from that fine or shutdown because it  
11 was a contractor.

12          GOODWIN: It goes beyond the contractor and it  
13 applies to visitors as well, commensurate with the intent of  
14 their visit or the purpose of their visit. It applies to  
15 anyone that visits our site.

16          WEBER: But in the maintenance section, a visitor  
17 would probably not be doing maintenance.

18          GOODWIN: Hopefully, but a service rep might.

19          WEBER: Anything else on this example?

20          ASTWOOD: I don't think so.

21          WEBER: You're just hungry.

22          ASTWOOD: Unless there are any objections, I would  
23 say that we should take an hour for lunch and come back here  
24 at 1:20.

25          [Whereupon, at 12:21 p.m., the meeting was

1 recessed for luncheon, to be reconvened this same day at

2 1:20 p.m.]

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## AFTERNOON SESSION

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[1:28 p.m.]

ASTWOOD: With that small piece of business out of the way, I guess we can move on to the next agenda topic, which is Agenda Topic Number 4, SRP Chapter 11, section-by-section discussion.

We have -- I think Tom has spent some time, a good deal of time reviewing the document that you guys sent in, and redline/strikeout that you had, and has revised the copy that we have.

So what's in your packages is our most recently-revised Chapter 11. And we can go through and specifically talk about each section.

Maybe what I'd like to do is to divide it into -- how about pretty large sections? We'll say, talk about 11.1 and then 11.2, and walk through it section-by-section, and if there's an entire section nobody has any comments on, then we can skip that.

So I'll turn it over to Tom now, who will begin.

COX: I'd just like to tell you a little bit about what we have done and what we have not done here.

We started working with the NEI comment document dated August 30, a week ago, and the product, at this point, is what you have in front of you with this package, called -- I guess it's called nothing in particular, Chapter 11.



1           And you will see that it's got redlines and  
2    strikeouts in it. Those are revisions that I have  
3    incorporated, based on several people's comments.

4           But mostly here's what you'll find: In the  
5    sections dealing with configuration management and  
6    maintenance, there have been a number of changes made to --  
7    in addressing your comments.

8           In the other sections --

9           THOMAS: I have a question. This is Ruth Thomas.

10          Is there any time that I'm going to receive  
11 something that has the red markouts?

12          ASTWOOD: I can send you a hard copy of that. The  
13 document I sent you electronically should have had it in it,  
14 but that may not have come through on your e-mail, so I can  
15 definitely send you a hard copy.

16          THOMAS: Okay, thank you.

17          ASTWOOD: Yes.

18          COX: I guess you'll have to work without it  
19 today, Ruth.

20          THOMAS: Well, I have so -- that's some of the  
21 confusion.

22          COX: Well, I would recommend that you follow  
23 along in the document that is NEI's document, which contains  
24 a lot of underlining.

25          The underlined text is that which they suggest be

1 put in for its comments, and then the strike-through, that's  
2 self-explanatory.

3           As I was saying, there have been quite a few  
4 revision made in the configuration management and  
5 maintenance sections. There are fewer changes you will see  
6 in the sections called procedures, audits and assessments,  
7 and incident investigations.

8           And three more called -- what are the other three  
9 called? Training, qualifications, and records management.

10           We simply weren't able to get to all of that. But  
11 as it turns out, you will find much of the procedure in  
12 these other six sections, there's less that we want to  
13 change, except for editorial and grammatical, and cleanup  
14 kinds of things.

15           There is less that we are willing to change there  
16 than in the configuration management and maintenance  
17 sections.

18           So that sort of gives you an overall view of what  
19 we're going to run into here. However, for the procedures  
20 and incident investigations and audits and assessments, I  
21 will be going through each of your comments, nevertheless,  
22 and trying to synthesize here, what we have said, because I  
23 have a copy marked up right here with our comments on your  
24 comments.

25           Now, perhaps we can just start out with 11.1 then,

1 and I think you'll find that in this area, I believe we have  
2 incorporated quite a bit of what NEI recommended, and reduce  
3 this thing.

4           For instance, on your first page of the NEI  
5 document, 11.1, at the bottom, I will comment there that we  
6 recast this whole paragraph to emphasize purpose, rather  
7 than what will be reviewed.

8           And on your second page, 11.2, you have a bunch of  
9 strikeouts at the bottom of that page, and I believe all of  
10 that has been struck or essentially all of it.

11           Are there any more comments on 11.1 by anybody?

12           THOMAS: Was there any change in the listing where  
13 it lists training, qualifications, and that part where you  
14 have a number of listings? Is that pretty much the way it  
15 was in the original document?

16           ASTWOOD: Is this the first page of the document,  
17 first and second page of the document? Where is that?

18           COX: We're on 11.1 called Purpose of Review.

19           THOMAS: Okay.

20           ASTWOOD: Just read the sentence.

21           THOMAS: Well, also, the descriptions be in  
22 sufficient detail to enable the reviewer to understand, is  
23 that staying in the statement the way it is? Is that the  
24 way it's going to be?

25           COX: I don't know where we are here.

1           ASTWOOD: I don't know what section you're in.  
2 We're talking about 11.1, the very first two pages of that  
3 Chapter under Purpose of Review, 11.1, Purpose of Review.

4           THOMAS: And the first paragraph of 11.1 Purpose  
5 of Review?

6           ASTWOOD: Yes, where --

7           THOMAS: From the NEI document?

8           ASTWOOD: Yes.

9           THOMAS: Where are you?

10          ASTWOOD: I'm looking at that.

11          THOMAS: Well, since I don't have the NRC one, do  
12 I have to go back to 1520 to see what was in that?

13          ASTWOOD: I'm looking at the NEI document. You  
14 just need to point to me where you are. I see it. I'm in  
15 the first paragraph, which starts, management measures are  
16 functions performed by... right, at the beginning of that  
17 paragraph?

18          THOMAS: Well, that part, is that going to be  
19 quantified at all? Is there a definition of what likelihood  
20 --

21          ASTWOOD: Oh, I see here.

22          COX: You're talking about a line that's the  
23 second line up from the bottom of page 11-1.

24          ASTWOOD: She might not have the correct page  
25 numbers because the e-mail is different. Does it say

1 considering factors such as necessary maintenance, operating  
2 limits, common cause failures and the likelihood of  
3 consequence of failure; is that where you are?

4 THOMAS: Well --

5 ASTWOOD: And you want to know what the value of  
6 --

7 THOMAS: No, was the wording by the NRC used  
8 likelihood?

9 COX: I think the answer to that particular  
10 question, Ruth, is, no, that phrase is still there.

11 ASTWOOD: Yes, we didn't get rid of it.

12 THOMAS: That hasn't been changed, okay.

13 COX: Well, the sentence is a little bit changed  
14 now, but it essentially says that management measures,  
15 descriptions, will be reviewed, to determine reasonable  
16 assurance of compliance with Part 7 requirements,  
17 considering factors such as -- and then lists a bunch of  
18 factors, one of which is likelihood and consequences of  
19 failure.

20 ASTWOOD: Right, we didn't change that.

21 THOMAS: Okay.

22 ASTWOOD: All right, so any other questions on  
23 11.1?

24 [No response.]

25 COX: Okay.

1           ASTWOOD: I want to make sure.

2           [Pause.]

3           COX: I'm ready to go, if you are. We have no  
4 changes in 11.2.

5           ASTWOOD: Okay, 11.2 didn't change and there were  
6 no changes requested by NEI on that section.

7           COX: Now we're at 11.3, and, in particular,  
8 11.3.1.

9           ASTWOOD: Degradation management.

10          COX: The general point I could make here is we're  
11 staying with the word function instead of CM system. I  
12 don't think at this point the fact that a couple of places  
13 in either the rule or the Standard Review Plan, you may have  
14 seen system.

15                 We have consistently tried to use the word,  
16 function, for at least two years, maybe longer.

17                 When NEI wanted not to use the word, program,  
18 because that implied the use of a particular program manager  
19 to head up what we were calling the function, and that was  
20 not considered good, so we changed from program to function,  
21 and I don't see any real reason to change from that now.  
22 That's substantive.

23                 That's a general remark.

24           GOODWIN: Your definition of a function is that we  
25 shouldn't infer that that means that that is a stand-alone

1 organizational function; in other words, it involves  
2 different function or different organizations, I should say.

3 It goes beyond the organizational boundaries.

4 COX: It could, but the intent is not to force  
5 this into something that the licensee would have to call a  
6 program, but simply it's a management measure. It's an  
7 activity or collection of activities that take place as  
8 described in the SRP and your documents.

9 A number of things could be called performing the  
10 CM functions. We're just trying to keep it general.

11 THOMAS: So any place it says CM systems, you  
12 would say it should say CM function?

13 ASTWOOD: Right.

14 COX: We have left it as function.

15 THOMAS: And the heading would be configuration  
16 management function?

17 ASTWOOD: The heading just stays as configuration  
18 management.

19 THOMAS: Oh, okay, I see.

20 ASTWOOD: So if we go down -- I'd kind of like to  
21 go a little more systematically, just to make sure that  
22 we've addressed, because I don't want any comments left  
23 unaddressed.

24 So we took the confirmed there at the beginning.  
25 We just addressed whether or not we're going to change

1 system to function.

2 Is there a great deal of problem with keeping  
3 function?

4 [No response.]

5 COX: Okay, the next thing --

6 THOMAS: Excuse me, is this an appropriate place  
7 to ask about the use of training there, or was that resolved  
8 when I asked the question before about the training of  
9 workers and contract workers?

10 ASTWOOD: So you mean -- let's see.

11 COX: We don't have that in here, in this  
12 paragraph. We're not to the training yet.

13 THOMAS: Oh, okay.

14 COX: The next is -- I'm focusing now on the  
15 underlined material that is NEI comment, and the next thing  
16 is in the middle of the paragraph, that it says comment.  
17 This paragraph is superfluous, and I think that's referring  
18 to the following lines that are lined out.

19 And we didn't agree with that. We think to a new  
20 reviewer, in particular, these details are not necessarily  
21 obvious. We want to leave that in. We don't think that's a  
22 substantive comment.

23 THOMAS: What was that line? Excuse me.

24 COX: Well, it's right there where the line --

25 THOMAS: See, I don't have that line. I just have



1 what NEI has.

2 COX: Well, that's what -- do you have a line  
3 drawn through it?

4 THOMAS: How does it start?

5 COX: The review should also determine that...

6 ASTWOOD: The applicant's CM function captures --  
7 it's the middle of the first paragraph under configuration  
8 management.

9 THOMAS: I guess I'm going to have to give up on  
10 that kind of thing. I'll just save my comments for what  
11 I've looked up on mine, because I can't follow this without  
12 -- I don't have the strikeouts and I don't have the whole  
13 thing.

14 ASTWOOD: You know, Ruth, I can send you the hard  
15 copies and make sure that the redlines/strikeouts are  
16 clearly identified on both copies, and then I can call you  
17 and we can walk through and I can explain the changes that  
18 we've made.

19 THOMAS: Or I'll just write something in. Once I  
20 get the transcript, too, that will help.

21 COX: Okay, anyway, we left that material in.

22 ASTWOOD: Is there a huge problem with leaving  
23 that material in? I mean, I want to try and -- it's hard  
24 for us to tell from this, what are serious concerns from the  
25 NEI comments, and which ones are grammatical and if we don't

1 change them, that's not going to cause a lot of heartburn.

2           So, if I don't hear a lot of heartburn, we'll  
3 assume it was a small change.

4           COX: Our reading is that we want this detail to  
5 be here as being useful to a reviewer.

6           And -- well, let me just leave it at that for now.  
7 For some reason, I'm trying to correlate it now with my --  
8 okay, then in the next paragraph, the paragraph starts with  
9 the NRC staff should review the applicant's descriptions of  
10 and commitments to -- actually, I don't have a big problem  
11 with that, but we just didn't think that was a very  
12 substantive revision, and I haven't got it in there yet.

13           Three lines down from there, you talk about  
14 procedures and documentation required by the applicant for  
15 modifying the facility, and you struck the word, site,  
16 commenting that modifying the facility is the issue, rather  
17 than modification to the site.

18           I differ with that in that 70.72 explicitly refers  
19 to site, and I think that should stay in. 70.72  
20 specifically includes site, I should say.

21           And then toward the end of that paragraph, which  
22 is the last paragraph in this section, you had a comment  
23 about these three activities are usually included and need  
24 not be separately listed. I think I said, okay, we did  
25 that, or we took that out, and included your parenthetical,

1 or functional.

2           Now, we're at the NRC staff should review the  
3 following, and the comment is, policy should be replaced by  
4 process or system, and we disagree with that. This is, this  
5 whole section, paragraph 1, is intended to be a policy or  
6 program management element.

7           That's a description that NRC examines to confirm  
8 that the applicant is prepared or has developed an adequate  
9 overall approach to CM.

10           So we want to look at your statements about the  
11 overall approach or policy, as well as more detailed info.  
12 You say there are many references to CM systems elsewhere in  
13 Chapter 11. I counted exactly three with my  
14 search-and-replace deal.

15           Recommend -- okay, we talked about that.

16           And then the next sentence is: The reviewer  
17 should cover the applicant's description of the overall CM  
18 functions, and I believe I changed that to reviewer should  
19 examine the applicant's establishment -- I'm sorry, I'm  
20 sorry, that's the next paragraph.

21           It looks like that paragraph was actually taken  
22 right out of there, and this paragraph.

23           Oh, yes, I'm sorry, yes, that paragraph is there,  
24 modified slightly, as you can see by our redline/strikeout  
25 thing. We simply disagree that there is no need to include

1 the preceding comment and be descriptions and objectives.

2 We included A, B, and C, there, however, revised  
3 it some to take out staffing interfaces, which I think was a  
4 concern of yours, and just replaced it with key staff  
5 responsibilities.

6 I think that is less detailed, if you will. I  
7 don't think anything in here is prescriptive, but you know  
8 about that. We call things detailed, not prescriptive.

9 Reviewer is told here to review the A, the scope,  
10 and because the rule requires a certain scope, so we want  
11 the reviewer to be concerned about looking at what the scope  
12 is.

13 And, you know, I recognize that you say 70.72  
14 states that CM must apply to all IROFS, but I don't think  
15 that totally says you cannot put it in a statement like this  
16 for the reviewer to confirm it.

17 Okay, let's see, the next line is -- well, we  
18 essentially did that, we took care of that one by  
19 eliminating in accordance with 10CFR 70.72, so that takes  
20 care of Item Number 1, I believe.

21 Any comment?

22 [No response.]

23 COX: Can we go ahead? Hearing none --

24 KILLAR: Don't necessarily assume that's 100  
25 percent approval, because part of it is rethinking how we go

1 in and look at it. I'm not sure that we fully -- I feel  
2 this is -- I'm looking at the page.

3 COX: That's right, this is the first time you've  
4 really looked at this.

5 ASTWOOD: But I think part of the point here was  
6 to talk about you wanted this word, and we put this word, is  
7 so that you feel comfortable with that.

8 I want to try to, if this is going too fast and  
9 you need some more time, I'd like to rather get through part  
10 of this document and have some agreement on some of these  
11 changes, rather than go through it all, for you to go away,  
12 and say, oh, well, we'll think about it again, and have  
13 another meeting.

14 If we can get through some of these and have some  
15 agreement, I think that's a better way to go.

16 COX: This is about the third or the fourth time  
17 we've done this, had this exercise, and we kind of think  
18 we're right about where we think we ought to be on this.

19 ASTWOOD: I think I'd like to hear some of that  
20 from that side of the room.

21 SCHILTHELM: This is probably not the section of  
22 the SRP that gives us much heartburn.

23 ASTWOOD: Great.

24 SCHILTHELM: It's based on principles.

25 ASTWOOD: Okay, let's move on.

1 COX: Okay, yes, this is -- 11.3 is essentially  
2 the areas of review.

3 SCHILTHELM: I'm not sure we have much agreement.

4 ASTWOOD: We can skim over this part and  
5 concentrate more on the other parts.

6 COX: You had no comments on Item 2, design  
7 requirements, although we did take out the last sentence  
8 there.

9 Document control, again, that was just the word,  
10 system.

11 Item 4, change control, the word, system, again,  
12 and then we called for deletion of in accordance with 70.72.  
13 We did that.

14 And facility changes and change process, well, I  
15 guess that in this case, the comment applied to the material  
16 above the comment.

17 Okay.

18 SCHILTHELM: This is just a general statement, but  
19 it probably backs up to Level 1. The way you phrase the  
20 beginning of each with the reviewer should examine the  
21 applicant's commitments to provide, it is, in my view, a  
22 nice way to lead each of these things.

23 And number one kind of says the reviewer should  
24 cover the applicant's description. I think, in general, we  
25 would agree that the reviewer should review the applicant's

1 commitments.

2           And if that were consistent through these things,  
3 I think it would be reasonable.

4           COX: All right, I have no problem with that.

5           THOMAS: Excuse me, when you get to 11.3.3, would  
6 you let me know?

7           COX: Will do.

8           Okay, I think we are at 5, assessments.

9           ASTWOOD: Right.

10          COX: I think we agreed to delete initial or  
11 initial and, and I think you can see that there.

12          ASTWOOD: Yes, and function.

13          COX: Okay?

14          ASTWOOD: Yes.

15          COX: And the other thing, its, rather than the  
16 functions.

17          Now, here's a major one, I think. It's -- you  
18 should like this one where we have eliminated the design  
19 reconstitution paragraph here and in other sections.

20          KILLAR: I fully agree with that.

21          ASTWOOD: Thank you.

22          COX: Now, we are at maintenance, 11.3.2,  
23 maintenance.

24          NAGY: Opening sentence modification again, that  
25 Steve mentioned.

1 COX: I'm sorry, what?

2 NAGY: The opening sentence that this is another  
3 one that needs to be restated, the reviewer should evaluate  
4 the applicant's commitment.

5 COX: And you want commitment rather than  
6 description?

7 NAGY: Right.

8 SHARKEY: It's the same thing; isn't it?

9 NAGY: Not necessarily.

10 SHARKEY: If you describe it as a commitment and  
11 it's in your license.

12 CONNELLY: Second sentence is, reviewer will  
13 examine the applicant's commitments.

14 COX: I'll take that and think about it and talk  
15 to other people, because I'm not sure we want to change that  
16 from description to commitment.

17 ASTWOOD: It's in the second line, too.

18 NAGY: Strike the first sentence.

19 COX: Is that the considered -- what the group  
20 thinks here, strike the first sentence?

21 That looks like it's doable.

22 ASTWOOD: All right.

23 NAGY: The sentence that says the staff will  
24 review the applicant's description of how each of the  
25 following elements are implemented within a site



1 organization, I think that can be struck as well.

2 COX: Staff will review the applicant's  
3 description?

4 NAGY: Yes.

5 COX: Of how each of the following elements are  
6 implemented within the site organization?

7 NAGY: Right, because you've got the reviewer  
8 looking at the applicant's commitments to inspect,  
9 calibrate, test, maintain, the IROFS, you know, commensurate  
10 to the level they're being used to reduce risk.

11 I'm not sure you need that.

12 COX: I don't think so, John. I think we want to  
13 say to look over the description of how each of these things  
14 are implemented within the organization.

15 NAGY: Okay.

16 COX: Note that not every aspect is necessarily  
17 required, and it goes on there, and, in fact, then we  
18 included language recommended by NEI, review maintenance,  
19 review how elements will be applied.

20 And I added, and whether that level of maintenance  
21 will reasonably support applicant's claimed reliability for  
22 that IROF.

23 NAGY: As I take it as a whole, that paragraph,  
24 that middle sentence is a throw-away. It doesn't change the  
25 meaning of the paragraph.

1           You're asking the examiner to do all of the above,  
2 and giving them some qualifiers, and this is just a  
3 suggestion.

4           ASTWOOD: We can -- I have it in my notes, so  
5 we'll think about that one.

6           COX: I'll mark this and we'll work on it.

7           GOLDBACH: This may be a stupid question, but  
8 again I'm looking at this for the first time.

9           NRC staff and reviewer, is that the same person?

10          COX: Well, we eliminated that sentence; didn't  
11 we?

12          GOLDBACH: Staff down below again?

13          COX: Okay, so that takes us to Item 1 under  
14 11.3.2. And now these have been reordered, and my Chapter  
15 11 resulting from an earlier NEI comment, that some things  
16 weren't in consistent order from section to section, and I  
17 think they are now.

18                 That is these elements of maintenance, and that's  
19 why they're reordered to go along in generally the sequence  
20 that they might be thought of in a maintenance program.

21                 So, corrective maintenance is really now Item 4  
22 under the new chapter, so looking at that, there was no  
23 comment on the first item, A, and then under B, it said that  
24 it's recommended lining all of that out as being far too  
25 prescriptive, and foregoing commitment, I guess that means

1 A. I wasn't sure what foregoing commitment was.

2 Well, it would be A, I think. We don't think so.  
3 Simple commitment is not adequate for the NRC to determine  
4 reasonable assurance of implementation in the right way. We  
5 want a description.

6 A description would be those principles that John  
7 was talking about earlier, and we follow your approach and  
8 methods.

9 ASTWOOD: We took out the methods, so --

10 COX: That's right, in the final version, we got  
11 approach to implementing repairs.

12 ASTWOOD: That at least states the details of  
13 methods.

14 FREEMAN: I haven't got the rule language here,  
15 but in 1(a), the reason I changed correct from remediate  
16 was, I think one part of the rule says that the licensee  
17 will have four years within which time to correct any  
18 unacceptable performance deficiencies. That was my only  
19 reason there. I don't think remediate is perhaps the best  
20 choice, but I think that's a minor point.

21 COX: I think that's fine; we'll do that. I have  
22 it marked here as okay, and I didn't quite do it in the  
23 final version.

24 ASTWOOD: So you're you will take that out?

25 COX: Will change remediate to correct. I believe

1 now we're at preventive maintenance, which is Number 2. I  
2 revised that a little bit.

3 And it says the commitment to conduct preplanned  
4 and scheduled refurbishing or replacement. I think  
5 refurbishing or replacement is a clear enough statement of  
6 what might be directed or resulting from preventive  
7 maintenance.

8 SHARKEY: I don't think I understand. Why?

9 There may be items that don't need refurbishing or  
10 replacement, ever.

11 COX: Well, then, the preplanned would say this  
12 item doesn't get ever replaced. I mean, preplanning could  
13 include zero.

14 And the object is, it's been thought out and  
15 addressed for every IROFS. Then we're at B on that one, and  
16 again, there is a problem here that a simple commitment to  
17 do it is not adequate.

18 Because then we have no knowledge of what is being  
19 even planned to be done. So we can't evaluate whether it's  
20 a credibly adequate program.

21 SHARKEY: But do you really have the knowledge --  
22 I mean, the ability from Washington to make that  
23 determination anyway? That's the kind of thing that's done  
24 at the plant level.

25 And you're going down into detail again,

1 prescription that doesn't need to be in the rule.

2 COX: We want a description of your PM activities,  
3 and you will see that under acceptance criteria, which I  
4 think we actually got to this morning.

5 ASTWOOD: Right.

6 COX: We can evaluate from Washington, what your  
7 plans are to do PM, and the one thing I remember talking  
8 about this morning is that balance between frequency and  
9 safety.

10 GOODWIN: Can you repeat how you have it written  
11 right now, that Item B.

12 COX: Repeat it?

13 GOODWIN: Yes, how you have it written out. I  
14 think it's different that what we've got.

15 COX: No.

16 GOODWIN: I don't see.

17 COX: A description of the components -- I'm  
18 sorry, I'm under preventative.

19 A description of PM activities, including, for  
20 example, instrumentation, calibration and testing, and the  
21 methods used to establish frequency of PM activities.

22 Now, I do have a little note to myself here.

23 Suppose we said a description of the design and  
24 implementation of PM activities; is that any better? Does  
25 that take the sting off of describing specific or explicit

1 or exact PM activities to say that, describe the design and  
2 implementation of PM activities?

3 ASTWOOD: Is that --

4 COX: No, I'm just talking about inserting, after  
5 description and before, of, the design and implementation,  
6 just trying to generalize it a little bit.

7 [Pause.]

8 SCHILTHELM: Leave it.

9 COX: Leave it the way it is?

10 SCHILTHELM: Yes.

11 COX: Anybody else want to weigh in on that?

12 We're leaving it.

13 Okay, functional testing, well, this really is the  
14 same thing here. You didn't comment on A for functional  
15 testing, and on B, you just wanted it taken out.

16 So, but we didn't want to take out B. Let's see,  
17 the last item is corrected.

18 Okay, can we go to corrective? I guess we already  
19 did that one.

20 ASTWOOD: Yes, surveillance and monitoring is one  
21 you haven't, but it's the same.

22 COX: Let's get to the one -- it's the same thing.

23 Okay, now we're at 11.3.3. Ruth, are you there?

24 THOMAS: Yes.

25 COX: Training and qualifications.

1           THOMAS: Okay, well, I think this was the original  
2 document, and I see that there has been a change in the case  
3 of -- part left out that reads: Therefore, the training,  
4 testing, and qualification of the personnel should be  
5 described in the application, and should be reviewed by the  
6 staff.

7           And that is shortened in what I have. And then  
8 there was another thing that this should include the  
9 training, testing, and qualifications of all personnel who  
10 perform activities relied on for safety.

11           The review should examine the applicant's training  
12 and qualifications based on the adequacy to fulfill the  
13 objectives for the training identified by the licensees,  
14 especially when human factors are relied on for safety.

15           And this was brought up, too, on the NUREG 1718,  
16 as I remember.

17           COX: What is 1718?

18           WEBER: SRP.

19           THOMAS: And as it reads now, as mine reads now,  
20 it says, therefore, the training, testing, and  
21 qualifications of these personnel should be described in the  
22 application.

23           COX: Well, Ruth, what you're looking at there is  
24 the NEI comment document.

25           ASTWOOD: Right.

1 COX: I can tell you that -- what?

2 THOMAS: Well, what I want to know is, what is in  
3 there now? Was that left in?

4 ASTWOOD: Yes.

5 COX: Yes.

6 THOMAS: It was left in the NRC document?

7 ASTWOOD: Yes. It reads the same: Therefore, the  
8 training, testing, and qualification of the personnel should  
9 be described in the application and should be reviewed by  
10 staff.

11 This should include training, testing. That's all  
12 still in there.

13 COX: Is there anything you need to say about  
14 that? That's Will's area.

15 SMITH: Yes, there's one change from what it read  
16 before: Human performance, human factors are relied on;  
17 that's been changed to human performance is relied on. That  
18 was an NEI comment.

19 And we're still going through the -- there were  
20 several NEI comments regarding the list of training areas.

21 THOMAS: Yes, that was another place that I wanted  
22 to -- now, what was the word that was suggested by NEI  
23 instead of factors, human factors? What was the other word?

24 WEBER: Performance.

25 COX: Yes, the last -- NEI is just scrubbing it



1 all out. This was our word.

2 SMITH: The review should examine the applicant's  
3 training and qualifications, based on the adequacy to  
4 fulfill the objectives for the training identified by the  
5 licensee, especially when human factors are relied on, which  
6 would now read when human performance is relied on for  
7 safety.

8 THOMAS: The NRC has agreed to that change?

9 SMITH: We are planning to incorporate that  
10 change.

11 COX: The change, Ruth, is not to change it except  
12 for the word "factors" changing to "performance".

13 THOMAS: Okay, and what about the listing because  
14 there are seven on what I have and the original document has  
15 10.

16 SMITH: Wil Smith, NRC. There were some proposed  
17 changes to the listing regarding a training function and we  
18 had earlier discussion about the use of function and plan on  
19 leaving that the same.

20 They also proposed Number 5, striking that out as  
21 being redundant and covered in Item 1. We are not planning  
22 to incorporate that. That Item 1 is Organization and  
23 Management Training Function; 5 is Organization of the  
24 Instruction Activities using lesson plans and training  
25 guides. They are two different items really.

1           Evaluation of trainee learning was also proposed  
2 as being redundant with Item 8. Item 8 was the evaluation  
3 of training effectiveness. Still looking at that, we would  
4 either pull those into evaluation of trainee learning and  
5 continuing assurance or leave them separate, but those are  
6 two separate activities, one where you are evaluating the  
7 actual training activities, the trainee learning, the  
8 effectiveness of that particular training or that trainee,  
9 that person, and Number 8 is the evaluation and continuing  
10 assurance of the overall training effectiveness of the  
11 program.

12           THOMAS: So there are a few changes but not as  
13 many as they proposed?

14           SMITH: In this section you have basically got  
15 the -- all the requirements are still in there. This is in  
16 the area --

17           THOMAS: Oh, just combined in a different way.

18           SMITH: They may be combined if --

19           WEBER: The guidance is in here.

20           THOMAS: Thank you.

21           ASTWOOD: Any other comments?

22           WEBER: Do you want to elaborate on why you felt  
23 you wanted to take out some of things? Something you think  
24 we are missing in the comments?

25           KILLAR: I think Wil pretty well articulated it.

1 If we thought that there were duplications, we didn't see  
2 them as separate entities but I could understand how you  
3 would view them as separate entities.

4 WEBER: Between 1 and 5?

5 KILLAR: 1 and 5 and what is the other one, 4 and  
6 7 or 8, training effectiveness and evaluation of trainee  
7 learning. It is effective if they learned it. If they  
8 didn't learn it, it is not effective.

9 THOMAS: I am not hearing this discussion. Is it  
10 being discussed what NEI wanted to do with this? I can't  
11 hear the discussion. I don't know who is talking either.

12 KILLAR: Ruth, this is Felix Killar with NEI.

13 I was just elaborating on our rationale behind the  
14 combining of the different topics.

15 As I mentioned, combining 8, which is the  
16 evaluation of training effectiveness, and 6, evaluation of  
17 trainee learning, we felt very much were one and the same.  
18 If the trainees are learning, the program is effective. If  
19 they are not learning, it's not effective and so you don't  
20 need two different categories to do that.

21 Wil says they are still taking that into  
22 consideration but the impression is they are inclined to  
23 leave it as two separate ones at this time.

24 THOMAS: But you weren't addressing that other  
25 suggestion of leaving out some of the earlier paragraphs?

1           KILLAR: No, we are just talking about the list of  
2 the 10 items.

3           THOMAS: Okay. Thank you.

4           GOODWIN: As far as the consolidation goes, the  
5 same would apply for Items 1 and 5 too.

6           WEBER: Right.

7           SMITH: And Number 8, that evaluation, continuing  
8 assurance of training effectiveness is a case where you  
9 might refer to your license assessments program, back to  
10 that cross reference, a good case where you can tie that in  
11 and not have a prescriptive detailed discussion of it under  
12 your Training.

13          WEBER: So that would satisfy the expectations?

14          SMITH: Yes, if it had enough specifics in the  
15 referenced section.

16          FREEMAN: Wil, this is Bob Freeman from Framatone.

17          Could you clarify what the differences between 6  
18 and 8 are, evaluation of training, trainee learning and  
19 evaluation of training.

20          SMITH: The evaluation of training learning would  
21 be the actual individual, your methods that you assure  
22 the --

23          FREEMAN: Testing?

24          SMITH: Could be testing. It's your combination  
25 of classroom, formal and on-the-job training, whatever

1 applies to that particular activity.

2           WEBER: Could be a demonstration of operator's  
3 effectiveness.

4           SMITH: I don't believe we are prescriptive on  
5 that. We may refer to training or evaluation or testing.

6           FREEMAN: And 8 is more --

7           SMITH: 8 is more evaluation and continuing  
8 assurance of training effectiveness. You are still training  
9 the right people, the right functions, the right activities.

10          WEBER: Refresher training.

11          SMITH: Yes. You commented 18 years later  
12 somebody hasn't been retrained on that particular activity.

13          GOODWIN: In our document we did insert --

14          SCHILTHELM: Wil, I'm sorry, I don't mean to jump  
15 ahead, but your descriptions of the list of 10 in my reading  
16 of the acceptance criteria later on in the document, I'm not  
17 following that they are consistent.

18          COX: What section is that, Steve?

19          SCHILTHELM: 11.4.3.3. The descriptions of the 10  
20 sound quite simple as you described them just now, but as I  
21 read them later in the document, they sound much less simple  
22 and straightforward. I apologize for jumping ahead. I am  
23 trying not to do that, but --

24          COX: That's okay. We want tracking and  
25 consistency.

1           SMITH: Yes. That order was changed considerably  
2 back in I think the Spring, early Summer, the order of the  
3 10, the first section. The narrative may not have caught up  
4 with that.

5           SCHILTHELM: What you just described, Number 8,  
6 evaluation of training effectiveness, is still Number 8,  
7 evaluation of training effectiveness. This goes well beyond  
8 that one sentence that you just said.

9           COX: I think it tracks though in that the third  
10 line down is the key thing. In other words, you are basing  
11 training effectiveness on the performance of trained  
12 personnel on the job setting. This occurs after the trainee  
13 learning that would happen under Item 6.

14           The evaluation of training effectiveness is based  
15 on later performance of the trainees as opposed to  
16 evaluation of trainee learning, which is done by tests at  
17 the end of the class or perhaps during an on-the-job  
18 training session, how well he does it.

19           SCHILTHELM: But we talked about a comprehensive  
20 evaluation. Individual training should be conducted  
21 periodically by qualified individuals. This is a little  
22 beyond just evaluating whether the employee --

23           COX: Wouldn't the supervisor do that?

24           SCHILTHELM: Pardon?

25           COX: Wouldn't the supervisor do that almost daily

1 or weekly or monthly?

2 SCHILTHELM: I don't know if the supervisor would  
3 be a qualified individual to perform the comprehensive  
4 evaluation.

5 COX: Well, I kind of assume he is qualified to  
6 identify strengths and weaknesses of the employee's  
7 performance on the job that he is supervising.

8 SCHILTHELM: Qualified generally implies that he  
9 has been trained -- he's been trained to do training  
10 assessment? I mean that is kind of where I am going.

11 WEBER: Is the hangup there the words  
12 "comprehensive evaluation" -- do you think that connotes  
13 something above and beyond what Wil earlier described.

14 SCHILTHELM: Yes. I think a reader would believe  
15 that. I don't believe the words are matching the written  
16 test.

17 WEBER: Okay, so how do we change that?

18 SCHILTHELM: Well, I don't know. I am listening  
19 and reading and I don't think these mean the same things. I  
20 don't know how we change that.

21 WEBER: What if you deleted "comprehensive" --

22 SCHILTHELM: It just goes back to John's point  
23 about stating what is necessary.

24 COX: Suppose the sentence that started out, "A  
25 comprehensive evaluation" was struck?

1           SMITH: The NEI version has no comment on that  
2 section, that first half of that section. The second half  
3 it proposed deleting, but it had no comment on comprehensive  
4 evaluation.

5           SCHILTHELM: All I know is what I heard you say  
6 about Number 8 isn't what I read in this written -- in the  
7 acceptance criteria about Number 8. That's troubling.

8           ROCHE: Maybe it wasn't comprehensive.

9           SCHILTHELM: Apparently not.

10          COX: I don't see that we have a problem here, do  
11 you?

12          WEBER: Do you want to go back to the areas of  
13 review now and then by the time we get here, Steve, you will  
14 have thought about what you would change to this part.

15          COX: Okay. Are we into procedures yet?

16          WEBER: Ruth, did you have any comments on  
17 training before we go on to procedures?

18          THOMAS: No, I think they were covered in the  
19 other discussion.

20          WEBER: Did we address your question about human  
21 reliability in terms of fitness for duty testing and things  
22 like that?

23          THOMAS: Liability questions?

24          WEBER: No, human reliability. You were asking  
25 about emotional stability.



1           THOMAS: As I understand it, that was left in  
2 Human Performance instead of Human Factors, right? But that  
3 was left in.

4           WEBER: I was actually going back to the comment  
5 you made this morning. You asked a question about how do we  
6 address emotional stability and alcohol abuse.

7           THOMAS: Yes. Is this the place to discuss that?

8           WEBER: This is about as good as any, I think, in  
9 the SRP.

10          THOMAS: Well, that is something that is of  
11 concern since people are working with such dangerous  
12 materials and such difficult assignments and so forth.

13           It reminded me of something that was written, one  
14 of the people called attention to the fact that these were  
15 difficult tasks that the people working there had and I  
16 would think there would be, even if people started out  
17 working there and not having any emotional problems they  
18 might after they have been working there awhile.

19           Are they routinely counselled or checked to see  
20 how they are doing with the rest of their lives?

21          WEBER: I am not aware of any information that  
22 suggests that the employes at these facilities -- this is  
23 Mike Weber -- have any greater propensity for personal  
24 conflicts like that than in other occupations.

25           I know that some of facilities have reliability

1 programs because they involve access to strategic special  
2 nuclear material, and that would include drug testing and  
3 supervisory observation, and security clearances --

4 THOMAS: Like they'd have it for Savannah River  
5 Plant.

6 WEBER: Right. But that doesn't apply to all the  
7 employees. I would imagine, and the licensees could speak  
8 for themselves, but I would imagine that all of the  
9 companies have some sort of employee program that provides  
10 assistance and counsels them when there's alcohol abuse or  
11 drug abuse, because that just makes good employment sense,  
12 but that is not a requirement of the NRC.

13 Do you want to address that, Felix?

14 KILLAR: Well, the one thing I would address is  
15 that the facilities -- I think you have a little bit of a  
16 misperception of the work environment and the working  
17 situation for the employees. Our facilities operate very  
18 much like any industrial facility. They are not under any  
19 very strenuous physical or mental challenges in their work  
20 that would give them undo pressure or cause them to have any  
21 type of mental or physical problems that they would in any  
22 other industrial type facility.

23 It is not like, say, you hear about the air  
24 traffic controllers because they have to be monitoring the  
25 screens and the number of lives they have under their

1 control and stuff. We don't have situations like that.

2           Certainly we have situations about the safe  
3 handling of radioactive material, but through their basic  
4 indoctrination and training it is just part of their  
5 routine.

6           It is set up so that they do not have a situation  
7 where they have to be very mindful or cautious or careful  
8 about how they handle this material because we have that  
9 built into the programs to minimize those types of strains  
10 or pressures on the employees so I think you may have a  
11 little bit of a misperception about what the working  
12 atmosphere is at these facilities.

13           THOMAS: Well, I was thinking about those workers  
14 that need to wear protective clothing and wear respirators.  
15 I would think that would bother some people.

16           KILLAR: Yes, it does. We have programs. We have  
17 limited times that when somebody has to wear a respirator  
18 they are limited about the time they are in the facility  
19 when they have to wear the respirator so they are not in  
20 there for an eight-hour shift wearing a respirator. I am  
21 not sure what it is typically for the different facilities,  
22 but most facilities it's only like a half-hour, an hour  
23 before they are allowed to take a break or what have you  
24 from wearing that respirator, so they don't have those type  
25 of long-term constraints.

1           The protective clothing, we have minimum  
2 requirements for that because as you have identified here,  
3 the respirators, because of the internal hazard. Protective  
4 clothing is just to make sure we don't tramp the material  
5 from one facility to the other. It is not for major  
6 radiation protection or anything along that line, so it's  
7 really just like hot clothing. It's nothing heavy or  
8 burdensome on them to wear.

9           THOMAS: Incidentally, who am I talking who and  
10 what facility are you from?

11           KILLAR: This is Felix Killar with the Nuclear  
12 Energy Institute.

13           THOMAS: What's your last name?

14           KILLAR: Killar.

15           THOMAS: And who are you with?

16           KILLAR: Nuclear Energy Institute, NEI.

17           THOMAS: NEI, okay. Well, I know at one of the  
18 meetings Mr. Goodwin mentioned about how if you had  
19 operating procedures that were too long and covered too many  
20 elements that they would actually, he said, be worthless to  
21 the operator because he wouldn't bother to -- if anything  
22 was too long, he wasn't going to read it all.

23           Is that --

24           KILLAR: That is certainly when you get into the  
25 Procedures section, which we are fixing to get into,

1 appropriate because like anything if people pick up  
2 something that is an inch thick they are not going to read  
3 it. If it's a couple pages they are more likely going to  
4 read it.

5 GOODWIN: Ruth, Wilbur Goodwin here from  
6 Westinghouse.

7 My comments was that if you have one procedures  
8 that covers that many elements, it makes it long and  
9 extremely difficult to follow, especially when most of your  
10 procedures are being read from a computer screen.

11 My point was that we shouldn't have the 17  
12 elements in the one single procedures, an operating  
13 procedure, for the people that actually conduct  
14 manufacturing operations on the floor, but that we have a  
15 system of procedures that cover all of those elements, which  
16 is more appropriate in my opinion.

17 THOMAS: I see, because -- and is this true with  
18 most of the instructions, that they are on a computer  
19 screen?

20 GOODWIN: Well, most n our plant, but they have  
21 access to the hard copies as well. We try to control the  
22 revisions by having them displayed on the computer terminal.

23 THOMAS: I see, thank you.

24 ASTWOOD: Great. I guess we are on to 11.3.4 on  
25 Procedures.

1           COX: The first paragraph, NEI comment was that we  
2 should strike the word "management" and "management control  
3 of written procedures."

4           I think we can do that, although it doesn't show  
5 on the NRC copy here. I have crossed that out now, and will  
6 do that.

7           Second comment was, "The following sentence is too  
8 detailed and prescriptive. Matters are already covered by  
9 the first sentence. Delete."

10          We disagree with that in that we think it's okay  
11 for a paragraph to have a topic sentence and then another  
12 sentence or more that expands on the topic sentence and that  
13 is what this does.

14          We don't propose to delete that second and third  
15 sentence.

16          The third sentence there defines the following two  
17 paragraphs, which is Items 1 and 2, that are essentially  
18 dividing up the procedures in a facility or plant into two  
19 groups, and the first group is those procedures used to  
20 directly control process operations commonly called  
21 operating procedures.

22          Towards the end of that NEI suggests deleting or  
23 at least says that emergency planning and environmental  
24 protection, the last two items in the list, are generally  
25 covered in other site plans and procedures.

1           I am not sure what "other site plans and  
2 procedures" and we don't propose to delete that because we  
3 think they are covered in these procedures.

4           NAGY: John Nagy, NFS.

5           COX: Yes.

6           NAGY: Can you give me an example of that? You  
7 are saying in my operating procedures I am going to provide  
8 for the Environmental Protection Program in my plant?

9           COX: I'd say an example might be the spill  
10 control plan.

11          NAGY: That is not my operating procedure. That  
12 is another plan.

13          COX: Well, are there no procedures associated  
14 with the spill control plan?

15          NAGY: Are there what?

16          COX: No procedures associated with that, or you  
17 have no procedures written?

18          NAGY: It is in and of itself an action plan like  
19 an emergency program.

20          COX: Are there no procedures in the plant for  
21 dealing with spills?

22          NAGY: Yeah, but they are not operating  
23 procedures. I am not sure -- my point is that I simply  
24 don't understand why we are distinctly pulling those out,  
25 not the agent safety principles. We have got that

1 separate -- chemical safety -- we have chemical safety in  
2 operating procedures.

3           If this was implemented today at NFS we would have  
4 to have a major reorganization of all of our hundreds of  
5 procedures because we don't do it this way.

6           Now is it because we are doing it wrong or is it  
7 because you are being too prescriptive?

8           COX: When you say you don't do it this way, what  
9 do you mean?

10          NAGY: Okay, I mean for instance we have operating  
11 procedures. They are the procedures that dictate exactly  
12 how to conduct a given operation.

13          COX: Okay.

14          NAGY: Now obviously we don't write into our  
15 procedures things that are inherently dangerous, but our  
16 general safety programs, whether it be nuclear criticality  
17 safety, radiation safety, environmental protection,  
18 industrial safety, and chemical safety and some of those  
19 facets, have separate procedures, and those very operators  
20 are trained on the criticality procedures and other types of  
21 procedures, spill reporting, emergency actions.

22          We don't try to make all of the operating  
23 procedures comprehensive in dealing with all the other  
24 safety program elements. We find that too hard to manage so  
25 we separate it.



1           WEBER: What do you call those other procedures?

2           NAGY: Well, at our plant we have the operating  
3 procedures, what we call operating procedures or standard  
4 operating procedures.

5           Then we have what we call general health and  
6 safety procedures. They might be, let's say, ladder safety,  
7 and protective clothing and effective eyewear, your general  
8 stuff that applies to everybody who works at the plant.

9           Then we have and A and B series of procedures that  
10 apply to safety, whether it is the technicians implementing  
11 a safety program or whether it is the salaried  
12 professionals.

13          WEBER: It sounds like all that would be  
14 sufficient to address this element at the plant.

15          NAGY: But we didn't separate it this way.

16          COX: Wait a minute --

17          NAGY: Why are we defining it this way?

18          KILLAR: By definitions you are causing havoc.

19          COX: We don't want to do that.

20          NAGY: If they looked at my license, they would  
21 come back with an RAI or some kind of response saying, well,  
22 what you have is wonderful but it doesn't line up with our  
23 Standard Review Plan so --

24          WEBER: But the objective here is to ensure that  
25 there are procedures that address the elements that you are

1 addressing.

2           NAGY: Yes, and I wish it would just say that,  
3 because what it says is there should be two general types of  
4 procedures, operating procedures, and those are going to  
5 include chemical, fire, emergency planning, environmental  
6 protection, and management control procedures, and those are  
7 going to include -- and it goes down the list.

8           I'm just saying that's great. I think the  
9 elements are good but that is not how we do it.

10          COX: It says procedures of this type include  
11 required actions to provide reasonable assurance of these  
12 other safety concerns or safety considerations.

13          Are you saying that none of the operating  
14 procedures include any admonishments in them regarding crit  
15 safety or regarding chem safety or --

16          NAGY: I am not saying that. I am not saying they  
17 don't, none of them include anything, but if you asked me, I  
18 mean if I am looking at this procedurally -- okay. I am an  
19 NRC reviewer. I am looking for NFS's emergency program  
20 procedures, and we have a whole series of emergency program  
21 procedures, I would say, well, I guess they are not really  
22 there because that is all built into the operating  
23 procedures by this plant, and that is not how we did it at  
24 NFS.

25          We have a series of emergency program procedures

1 that don't fit this model.

2           WEBER: Your concern is that we are distinguishing  
3 between different types of procedures.

4           NAGY: Yes, you have made your own call as to how  
5 you will distinguish them -- is there a way to distinguish  
6 between these procedures or would it suffice just to say you  
7 don't have procedures to cover these things.

8           VAUGHAN: Yes, I think that is what we are asking  
9 for because I mean our system of procedures and instructions  
10 in no way fall in this model whatsoever, yet if I look  
11 through there I really don't see anything that is probably  
12 not covered in some way.

13           WEBER: Right. That is what I am hearing.

14           ROCHE: Didn't you have available sort of like the  
15 operational procedures like he was describing and then you  
16 have job-related procedures for that specific process.  
17 Can't you have something like that?

18           VAUGHAN: Yes.

19           ROCHE: Hazard-related procedures. Didn't you  
20 have something like that at some point?

21           VAUGHAN: Yes.

22           ROCHE: And that would cover these things that he  
23 is mentioning, these items he is mentioning?

24           VAUGHAN: Cover some of them. What I said is our  
25 structure is not as defined here, yet when I look at the

1 things that are embraced in these two sections, I think most  
2 everything is covered in some way in our procedural or  
3 instructional system, but I think the problem that we are  
4 trying to eliminate here is this seems to be forcing some  
5 segregation and organization of things that doesn't match  
6 probably the way people are doing it.

7 COX: Okay. Let me just ask this question. Now  
8 you do have operating procedures that cover or direct the  
9 operating processes, is that right?

10 NAGY: We do, at least.

11 COX: And others do too. You have things called  
12 operating procedures?

13 NAGY: Yes.

14 VAUGHAN: But they don't necessarily -- operating  
15 procedures at our plant that we call them don't necessarily  
16 cover what you have got written here, but we do have  
17 instructions that cover what you have written here.

18 COX: So you do have procedures --

19 WEBER: Can we abandon the distinction between  
20 these procedures?

21 COX: Yes, I think we can if we decide -- in other  
22 words, the procedures of this type is what bothers you. You  
23 do have procedures that include required actions to provide  
24 reasonable assurance of crit safety and all the other things  
25 and they just aren't of the operating type, so that is the

1 offending phrase there.

2           VAUGHAN: But in fact some of the procedures for  
3 criticality -- some of the activities for criticality safety  
4 are integrated directly in the operating procedures. Some  
5 of them are in another place.

6           It depends on what is the right place to put them  
7 to get the job done.

8           GOODWIN: Why don't you just combine (1) and (2)  
9 and say a system of procedures and then list all the bullets  
10 that you have in (1) and (2) here under that one big thing,  
11 and we can call them whatever we want to call them, and you  
12 can call them whatever you want to call them, as long as we  
13 have something that addresses all eight or 10 of those  
14 different --

15           WEBER: Yes, I am not sure that we are gaining any  
16 safety benefit by putting them in two different categories.  
17 If I am wrong, tell me.

18           ROCHE: I couldn't remember what you exactly told  
19 them but --

20           COX: I see that.

21           ROCHE: -- I remember that the safety part was  
22 job-related, hazard or something, and it was kind of  
23 separate for that specific process is what I recall.

24           THOMAS: Hello?

25           ASTWOOD: Yes?

1           THOMAS: If you are talking about criticality,  
2 emergency planning and the problems related to there being a  
3 criticality, is that going to come under Procedures or is  
4 that going to be separate?

5           WEBER: There are chapters in the SRP on critical  
6 safety and there is a chapter on emergency response.

7           THOMAS: Well, I found that in communities such as  
8 ours that there aren't very many people that know about any  
9 emergency planning and I don't think the emergency planning  
10 people have -- I am not sure how they are kept informed like  
11 in relation to the Westinghouse plant.

12           NAGY: Ruth, this is John Nagy from Nuclear Fuel  
13 Services.

14           If you don't mind, I will answer your question  
15 because one of my jobs at Nuclear Fuel Services is emergency  
16 planning.

17           We maintain an emergency plan and we maintain that  
18 in conjunction with our local fire department, our local  
19 emergency management agency as well as the Tennessee  
20 Emergency Management agencies, and we actually drill with  
21 those agencies on a regular basis to make sure that we all  
22 can work together, know who each other is and what our  
23 capabilities are.

24           We maintain routine contact with each other so  
25 that in the event of an emergency we can actually

1 comprehensively respond as a community.

2           Just taking my example, at NFS, and I am sure it  
3 is exactly the same at these other plants because they all  
4 work the same way we do, we maintain comprehensive emergency  
5 plans and we test the effectiveness of those things on a  
6 regular basis with the members of the community and that  
7 means we literally have the local fire fighters, we have the  
8 Sheriff's department, we have the police.

9           Tennessee Emergency Management in our case is  
10 involved, even local officials. We do our best to make sure  
11 that everybody is involved so I don't think -- I think most  
12 of that is covered under the emergency program and emergency  
13 plan, which may be the document you are interested in really  
14 looking at.

15           THOMAS: Well, maybe I haven't talked to the right  
16 people.

17           I know they had drills here related to the nuclear  
18 power plant, but some of the people that I have talked to in  
19 the fire department and other places were not very familiar  
20 with the situation at Westinghouse.

21           GOLDBACH: Ruth, this is Don Goldbach from  
22 Westinghouse.

23           THOMAS: Yes.

24           GOLDBACH: What John described for NFS is very  
25 similar to what we do at Columbia. We do have an emergency

1 plan, which we drill and exercise internally, among our  
2 trained emergency response team.

3 We also involve on a routine basis outside  
4 responders which includes the local fire department. In  
5 fact, if you were a volunteer fireman in Richland County you  
6 would probably end up at our plant sometime during the year  
7 getting acquainted with the plant itself and we also have  
8 some offsite meetings with the local emergency planning  
9 division.

10 THOMAS: That is what I was wondering about, if  
11 the area that it's in there would be volunteer fire  
12 department rather than Richland County or some of the people  
13 in the other towns or Columbia. What about contacts with  
14 the Columbia fire people in emergency preparedness?

15 GOLDBACH: Well, we obviously deal with those  
16 stations that are closest to the facility, and I believe the  
17 one right across from Lower Richland High School is the one  
18 specific one we deal with.

19 We also deal with the HAZMAT trained firefighters  
20 and those folks come from the city of Columbia. I am not  
21 sure exactly which station, but again if you are talking to  
22 people at Northeast Columbia or in the Irmo area or  
23 Lexington, you are probably not going to find folks that  
24 deal with us specifically because of their proximity of lack  
25 thereof to the plant.



1           We also deal on a routine basis with Richland-  
2 Palmetto Hospital -- I am sure you know where that is.

3           THOMAS: Oh, yes.

4           GOLDBACH: And they are staffed and trained to  
5 deal with both contaminated patients and things that might  
6 come from highly irradiated patients.

7           WEBER: One of the things -- this is Mike Weber,  
8 Ruth -- to keep in mind is that the requirements for reactor  
9 emergency preparedness are more demanding and require the  
10 emergency plans to cover a much broader area so you get more  
11 offsite emergency responder participation in the drills and  
12 exercises and the planning.

13           You would find, I think, in most cases for the  
14 fuel facilities that it is relatively unlikely that you  
15 would have an emergency that would even have an offsite  
16 effect and that is why you see less involvement of those  
17 offsite authorities in the planning and preparation for  
18 emergencies.

19           GOLDBACH: Even though there is a very, very, very  
20 unlikely chance of having a criticality accident in one of  
21 our facilities, we do train for the possibility of having  
22 one.

23           THOMAS: Do you mean like having a fire which  
24 would release uranium to the air?

25           GOLDBACH: Right. We train for that. We train

1 for chemical releases. We train for criticalities.

2 THOMAS: Where are copies of the plans on file for  
3 the public?

4 GOODWIN: I believe -- are you familiar with  
5 anyone at the local Emergency Planning Division, Stan  
6 McKinney?

7 THOMAS: Well, I have talked to several of them.  
8 I have got their names in a book, a notebook someplace, but  
9 I can't think of their names right offhand.

10 Who are the ones that you contacted?

11 GOODWIN: DEHEC has a copy of it. I suppose that  
12 they have a copy in the public document room, and I know the  
13 local Emergency Planning Division, the fellows down there  
14 have one. I believe his name is Stan McKinney, but I would  
15 check the DEHEC first.

16 THOMAS: It's Stanley Keene?

17 GOODWIN: McKinney.

18 THOMAS: Oh, yes, McKinney. I know him. He is  
19 with the Emergency Preparedness at DEHEC.

20 GOODWIN: Right. He can certainly get you a copy  
21 and make it available to you.

22 ASTWOOD: Ruth, they also submit some emergency  
23 plans to NRC and I can talk to you about that later, about  
24 what we have available and can send you a copy.

25 THOMAS: Well, one thing that concerns citizens

1 and organizations such as ours is the apparent lack of  
2 involvement of state authorities and state agencies in  
3 Nuclear Regulatory Commission -- and maybe I haven't talked  
4 to the right people but --

5           ASTWOOD: I hear your concern. That is probably a  
6 little bit of a different subject than what this meeting is  
7 covering, but I will be more than happy to talk to you about  
8 that and we'll address that.

9           THOMAS: Okay, because you know some people that I  
10 don't know. I could be calling the wrong people.

11           ASTWOOD: I can talk to you about that tomorrow,  
12 if you would like.

13           THOMAS: Okay. Well, not tomorrow but later in  
14 the week.

15           ASTWOOD: Okay.

16           THOMAS: Thank you.

17           ASTWOOD: Yes -- so I guess --

18           COX: I just wanted to ask a question regarding  
19 Item 1 that we have found a flaw in here.

20           I have heard from NFS and GE, I guess. How about  
21 CE, Framatome, Westinghouse -- all are saying that there are  
22 procedures outside of operating procedures that cover things  
23 like crit safety, rad safety, all those?

24           GOLDBACH: Yes. There are some crit safety steps  
25 in operating procedures but not all of them, all the

1 requirements for crit safety, rad safety, or some of them  
2 might be in operating procedures but not all of them. There  
3 are other procedures which complement those.

4           If you just list what things -- you know, rad  
5 protection, environmental protection, and so forth --

6           COX: Yes.

7           GOLDBACH: -- we need to cover in a system of  
8 procedures, that would be a good way to state it.

9           COX: Let me get to the next paragraph then, Item  
10 2 here.

11           Don't you all have procedures that deal with these  
12 management measures, configuration management, training  
13 qualifications --

14           GOLDBACH: Yes.

15           GOODWIN: Things like administrative procedures --  
16 you call them all different kinds of procedures.

17           COX: You may call them different kinds of names,  
18 but isn't it -- don't they fall under this description of  
19 used for activities that support the process operations? In  
20 other words, management measures, commonly referred to as  
21 management measures?

22           GOLDBACH: Commonly by somebody.

23           ASTWOOD: Maybe it's just the commonly called  
24 part.

25           NAGY: Just the distinction between your (1) and

1 (2) -- I don't see why.

2 ASTWOOD: We'll have to talk specifically to that  
3 procedural person but --

4 COX: I am saying that if we straighten out (1)  
5 maybe (2) is all right.

6 KILLAR: Actually, what we were suggesting is that  
7 you don't differentiate between operating and management  
8 measures. What you indicate is that the licensee would have  
9 a series of procedures. These procedures would cover the  
10 following things and don't differentiate between operating  
11 procedures, management measure procedures, things along that  
12 line, because we have all sorts of different procedures he  
13 is saying.

14 COX: Okay. We will try to make that as general  
15 as possible.

16 SCHILTHELM: You could even go one step further --  
17 the rest of the licensees might kill me, but it shouldn't be  
18 a great expectation for us to describe our procedural system  
19 for the license.

20 NAGY: Ours is described.

21 SCHILTHELM: Ours is as well.

22 NAGY: It just doesn't have this.

23 SCHILTHELM: So you understand it and can review  
24 it.

25 COX: Okay. We will straighten out the

1 organization of Items (1) and (2) and we will delete the  
2 reference to Human Systems interfaces when we are talking  
3 about all this.

4 I think now we are at the next paragraph, which  
5 starts out, "The actual operating procedures are not part of  
6 the license" and would not normally be reviewed for  
7 technical adequacy for low risk processes.

8 Then you have a comment, "In accordance with NRC  
9 direction references to the risk of the process should be  
10 deleted and expressed in terms consistent with 70.61."

11 We disagree with that. We had this discussion  
12 before. The fact that -- well, it came up, we were  
13 concerned about a reference that deleted any concern for  
14 consequences as opposed to risk. That doesn't mean -- we  
15 have never meant that you cannot use the word "risk." We  
16 don't delete all references to the risk of a process.

17 In fact, we think there is risk in a process.  
18 It's just defined by both consequences and likelihood and it  
19 happens that 70.61 addresses those terms separately, but  
20 that doesn't mean it doesn't consider risk.

21 So basically we are disagreeing with that and the  
22 other notion I would like to dispel is that the fact that we  
23 don't review all procedures doesn't mean that we don't  
24 review any procedures.

25 We don't as a practice or as a practice we try to

1 avoid getting into the review of detailed procedures in the  
2 licensing function. That doesn't mean that we won't from  
3 time to time be wanting to check something at the site in a  
4 licensing action as opposed to an inspection.

5 In fact, I think several times you have mentioned  
6 you want us to come down to the site and do this. We  
7 actually have tried to minimize that, but some procedures  
8 will be examined and in this case some of the operating  
9 procedures are going to be looked at in various aspects of  
10 determining how well you met the acceptance criteria in the  
11 SRP.

12 I have a note here that this same NEI comment was  
13 back in an April letter and it was discussed then and we  
14 thought our position was clear but we think this paragraph  
15 describes good guidance -- just guidance -- for the  
16 technical reviewer who has to go through this. Yes?

17 NAGY: Tom, did you mean to differentiate between  
18 operating procedures and others here? Maybe this paragraph  
19 should just say the actual procedures are not part of the  
20 license.

21 COX: Let's see.

22 FARRELL: Paragraph 2 -- just the word "operating"  
23 there.

24 Management measure procedures are all of a sudden  
25 forgotten, so what is it?

1 COX: Actual procedures -- I don't think we have a  
2 problem with maybe deleting the word "operating" -- I don't  
3 have a problem with that. It is the next comment, something  
4 about risk there.

5 FARRELL: What is a low risk process?

6 COX: What is a low risk process?

7 FARRELL: Yes.

8 COX: Well, you will define that for us, I hope, a  
9 little more quantitatively than we have seen so far, but it  
10 would be one that had, say, intermediate consequences and a  
11 very low likelihood of occurrence. That would be pretty low  
12 risk. That depends on how it pops up in your risk matrix  
13 but an intermediate consequence accident that is unlikely as  
14 controlled is an acceptable risk.

15 FARRELL: So it is not low risk, it's acceptable?

16 COX: Well, that's an acceptable risk. So is a  
17 high consequence accident that is controlled to an unlikely  
18 likelihood.

19 FARRELL: You see, what I am being facetious about  
20 is we went through this before, and I think I understand how  
21 you want things expressed in terms of 70.61, so I was trying  
22 to purge this document of those low-risk or high-risk  
23 consequences. That is what we have been wanting all along  
24 but the rule does not go with that language, so that is why  
25 I think we should cut it out.



1 COX: I think the industry would be doing itself a  
2 disservice to purge consideration of risk because you are  
3 within your purview and your privilege to define low risk  
4 sequences and appropriately assign lesser quality Management  
5 Measures and IROFS to that and we could very well find that  
6 acceptable, you know, assuming that -- well, I would say the  
7 bottom of the range would be intermediate consequences and  
8 unlikely.

9 You will probably have accident sequences that  
10 don't even come up to that threshold that we may not hear  
11 about.

12 SCHILTHELM: But the fact of the matter is that  
13 every critical accident sequence is a high consequence.

14 COX: High consequence.

15 SCHILTHELM: As defined by the rule.

16 COX: Must be highly unlikely.

17 SCHILTHELM: So it has to be highly unlikely.

18 COX: Well, that probably wouldn't be a low risk  
19 sequence unless you had, really had a highly unlikely,  
20 better than, I don't know, better than what the requirements  
21 are.

22 SCHILTHELM: The concern is that if it is not a  
23 low risk then it is a high risk, and maybe --

24 COX: Or intermediate. Could be something in  
25 between high and low.

1           SCHILTHELM: I am not sure how I would define  
2 that.

3           COX: Well, the risk matrices I have seen in your  
4 ISA guidance document would do a pretty good job with it, if  
5 it were quantitatively pegged to something, which it doesn't  
6 seem to be. I mean we really can't correlate it with  
7 anything in real space.

8           KILLAR: The other concern we have in this  
9 paragraph and part of the reason we are looking to delete as  
10 much of it as we could is it goes to the point that Heather  
11 made earlier is that they could come out and review anything  
12 and everything we have as part of preparing the SER, and if  
13 they reference it in the SER then it becomes part of the  
14 license, and so what we would rather do is minimize any of  
15 this stuff that may end up becoming part of the license, and  
16 procedures historically have not been part of the license  
17 other than to do the procedure -- you know, a commitment to  
18 do a procedure.

19           Particularly when you start talking about a new  
20 operation and looking at a procedure we don't want you to  
21 prove it saying, okay, you have approved this new operation.  
22 It's a high risk operation and therefore you can't change  
23 your procedure unless you come in and ask us for approval to  
24 change that procedure.

25           That is the heart of what we are saying.

1           COX: I don't deny that somebody might try to do  
2 something like that, but it would have to be limited -- I  
3 certainly hope our supervisors around here would assure that  
4 the finding, and it's perhaps recorded in a Safety  
5 Evaluation Report, would deal with only the elements of a  
6 procedure and not the detailed steps in a procedure.

7           You know, here is a high risk accident sequence.  
8 It's got two administrative controls in it, which I think  
9 would be pretty horrible, and here is how those controls are  
10 assured, and they are assured only by procedures. Well, we  
11 would be looking for some pretty solid assurance that the  
12 elements in that procedure are in fact going to maintain a  
13 high reliability of that control or those controls.

14           You know, I can't say that somebody wouldn't try  
15 to pin down to some degree what is it that the Applicant is  
16 relying for that assured high reliability, and if there is  
17 nothing doing it but a procedure I would expect that we  
18 would somehow tie up some elements of that procedure in a  
19 Safety Evaluation Report, but I still agree that it should  
20 not be a procedure that you couldn't modify in some way and  
21 meet 70.72 in that modification -- 70.72 I think has a lot  
22 of room for you folks to make modifications without coming  
23 to the NRC.

24           Anyway, where are we on this thing? What we had  
25 proposed here was some modification where we would knock out

1 the site visit to make an adequate safety determination, but  
2 just saying that the licensing review may include a higher  
3 than usual number of procedure reviews.

4           Some procedures will be looked at. I don't see  
5 any way around that.

6           KILLAR: And we don't have a problem with that.  
7 We would expect to do that. That is part of your  
8 responsibility to assure that we are carrying out what we  
9 say we are going to do as far as developing procedures.

10           We just don't want the procedures to end up in the  
11 SER.

12           COX: Well, now you have seen what we are  
13 proposing here in this paragraph after (1) and (2). Is that  
14 okay?

15           VAUGHAN: You were going to fix "operating" --

16           COX: Yes. We'll cross that out. As I said,  
17 would not all normally be reviewed. Okay.

18           Following that paragraph, we go into another short  
19 list, items (1) through (6) and what I have here is we  
20 included -- we left part of what you would have deleted and  
21 still have deleted some.

22           In Item (2) we have disagreed with deleting  
23 that -- I guess we don't see the comment there as a strong  
24 reason for deleting it.

25           GOODWIN: This gets back to the fact that it

1 sounds like you have one procedure that would have all these  
2 elements and that is just not true, Tom.

3 COX: Oh, okay.

4 GOODWIN: You may have criticality spread through  
5 a half a dozen procedures. You may have criticality in the  
6 single procedure. It may be in an operating procedure.  
7 Different people do it different ways. It's not true for  
8 Westinghouse and I suspect it is not true for the others.

9 SCHILTHELM: I think it's an overstatement to say  
10 that this list of essential elements are generic to all  
11 procedures. That is simply not the case.

12 GOODWIN: Right, it is not true.

13 COX: I think if we somewhere arrange to have all  
14 of these elements addressed somewhere it should be enough.

15 ROCHE: Yes, that's better.

16 GOODWIN: I think that is why we were saying to  
17 delete that because that's covered in the first combination  
18 of (1) and (2) under 11.3.4 procedures.

19 COX: Okay.

20 GOODWIN: If there is anything missing from (1)  
21 and (2), that was a combination, that's in (2) down here and  
22 a logical element and probably just put it up here and just  
23 delete that whole number item (2) there.

24 COX: Okay, we will take a look at that one.

25 KILLAR: Can I ask a question what do you mean by

1 "material safety data sheet" -- I am not sure that is a term  
2 that is uniformly used across the industry.

3 ROCHE: It is well understood by the industry.

4 COX: Standard item.

5 KILLAR: Okay. I stand corrected.

6 [Laughter.]

7 NAGY: Why is it here?

8 ROCHE: Because it provides another piece of  
9 information that should be here.

10 VAUGHAN: In fact, you will understand.

11 [Laughter.]

12 [Discussion off the record.]

13 COX: These things need to be available.

14 NAGY: That wasn't my comment but I was just  
15 wondering why we are saying at this particular document  
16 relative to licensing and procedures and we are looking for  
17 MSDS sheets.

18 ROCHE: It's as guidance to the reviewer --  
19 anything that will help you.

20 COX: You think certain procedures should refer to  
21 MSDS availability?

22 ROCHE: Sure.

23 COX: Okay. We are going to rework that one  
24 anyway for other reasons than MSDS. Maybe we will deal with  
25 that at the same time.

1           Item Number 3. We will delete that second  
2 sentence.

3           Item Number 4 is -- your comment was "Delete the  
4 second sentence as it is more along the lines of how to do  
5 something, too prescriptive. The matter addressed is not  
6 part of a license application review."

7           "During procedure development workers and  
8 operators review procedures to provide assurance that they  
9 are usable and accurate."

10           This is an interest on the NRC's part that  
11 Operations staff be involved in updating procedures when  
12 they are revised before these things are used.

13           COX: The licensees have got to commit to  
14 involving procedure validation processes, involving workers  
15 in a procedure validation process to assure that they can be  
16 used as-is.

17           NAGY: I think this would apply to just those  
18 procedure that are for operating equipment, not just  
19 procedures.

20           Procedures that are used by people should be  
21 reviewed by the people who are going to use them. They're  
22 usually written, when you're not talking about the labor  
23 group.

24           I mean, when you get a plant like ours, our  
25 engineers and whatnot get together and write procedures to

1 run equipment.

2           If I'm writing a procedure on how I'm doing dose  
3 assessment, well, guess what? It's the health physicist  
4 that does the dose assessment that writes the procedure.

5           You certainly don't want to require me to have an  
6 operator walk that procedure down. I don't think that's  
7 what you mean.

8           So we need to qualify this to some -- not include  
9 just anything we have proceduralized, but those procedures  
10 that run the equipment.

11           COX: Well, I think you're right about it if the  
12 worker who is going to use the procedure is the person who  
13 writes the procedure -- that's the case you're dealing with;  
14 isn't it?

15           We're saying that the workers ought to review a  
16 procedure to make sure that it can be done as far as they  
17 are concerned.

18           You're saying that if the health physicist is  
19 going to use the procedure, actually writes it himself, then  
20 it's sort of silly to have him reviewing it to see if it can  
21 be done, right? Is that what your point is?

22           NAGY: I'm just trying to make a distinction  
23 between the scenario where you have people over here writing  
24 procedures to be worked in a system over here, versus the --  
25 which is actually the more common.



1           If you looked at the totality of the procedures  
2 that run NFS, more are of the nature of professional staff,  
3 whether they be QA, engineers, safety professionals, others,  
4 that are writing procedures for implementation within their  
5 organization on how they're going to do their business.

6           And there is a subset that would be those that are  
7 written to be imposed on operations, how you're going to run  
8 this piece of equipment.

9           I think you're trying to target that particular  
10 situation, I believe.

11           COX: It's true that we're trying to target the  
12 procedure that's written by somebody other than the person  
13 who's going to use it, that's what we're trying to target;  
14 that that procedure is written completely without the input  
15 of the person who is going to use it.

16           NAGY: How would you deal with union contracts and  
17 things that we have to -- with our labor, you know, we don't  
18 necessarily have the advantage of having the actual people,  
19 if you will, by name, who are going to use it.

20           Do you mean a representative of the people?

21           COX: Yes, a representative, a person trained in  
22 that process, who had done that process.

23           SHARKEY: I think that's a great idea, and that's  
24 typically our practice. But it shouldn't be prescribed, nor  
25 should we have to describe it in the license. It's a good

1 practice, but I foresee procedures that are relatively  
2 simple that you write, you put out on the floor, and the  
3 training may consist of just handing it to the guy and  
4 saying, read this and do it, as simple as that.

5 I don't know that we ought to go there with that  
6 level of detail. It's just a good practice, but it  
7 shouldn't be in your license that you're going to do that.

8 ROCHE: Well, I guess what we're trying to address  
9 is to have something that the operator, the person that is  
10 going to be doing that work, can understand, and  
11 particularly when they're updated.

12 Sometimes in the past, you could see procedures  
13 that did not read well, that were practically not well  
14 understood.

15 COX: Right.

16 ROCHE: And I think we're trying to cover those  
17 cases. It's not something that he has to stick his keycard  
18 in a door that you have to discriminate those procedures.

19 I think we're looking at some kind of common  
20 sense.

21 SHARKEY: I can think of examples of procedures  
22 where we've had teams of operators review them and go  
23 through them, and at the end of it, I think you've got a  
24 product that works well, and still not follow it or do  
25 something stupid after several iterations.

1           ROCHE: Well, that's why you have management to  
2 supervise.

3           SHARKEY: You work hard to get good procedures and  
4 get your operations people involved in their production of  
5 the procedure.

6           But, you know, your procedures cover a spectrum of  
7 requirements and operations, and to put it generically,  
8 we're trying to make the distinction, a priori, and I think  
9 it's a level of detail that doesn't belong in the license.  
10 It's part of the --

11          COX: Having been on an operating floor and having  
12 seen what you have actually described, a procedure where the  
13 operator says, can't do it that way; you've got to do it  
14 this way; it doesn't work that way, that's why we're  
15 interested in the applicants committing to a method for  
16 verifying and validating procedures.

17          NAGY: If you just said that, that would be fine.

18          SHARKEY: Yes.

19          COX: This says, during procedure development,  
20 workers and operators review procedures. You don't want to  
21 -- do you want to commit to that or not?

22          SHARKEY: No.

23          SCHILTHELM: I want, as a licensee, to be able to  
24 tell you how I verify and validate procedures.

25          COX: That's fine.

1 SCHILTHELM: Let me give you an example --

2 COX: You want the licensee to be able to tell us

3 --

4 SCHILTHELM: Yes, without this additional sentence  
5 to tell me how I have to do that.

6 GOODWIN: In our case, we have a system of  
7 procedures -- I'll just give you the explanation of three  
8 parts of that system. And, don't get me wrong, it's not the  
9 -- I mean, we do, in most cases, put the regular operating  
10 procedures -- we have the operators and the -- maybe the  
11 technician or the trainer, or the engineer to work with them  
12 to develop those.

13 But we also have something we call PIFs, Process  
14 Instruction Forms. Now, they can be considered procedures,  
15 but basically what they are, are forms or instructions  
16 provided by the engineer, the process engineer, that  
17 establishes, for example, parameters on process or a piece  
18 of equipment.

19 The operator has not choice in that; that is set  
20 by the person who is technically qualified to do so. You  
21 also have another level that's a little more involved, and  
22 that's a supplementary operating instruction.

23 Maybe the engineer determines that he needs  
24 another test or he needs to deviate from the standard  
25 production routine for some finite period of time.

1           But the operator, he can solicit feedback from  
2 him, but the engineer really has to make that call. The  
3 operator may not agree with him, he may not want to do it,  
4 but he may have to do it, you know, for whatever the reason  
5 may be.

6           So there's a case of two things you could call  
7 procedures or that our license reviewer could interpret as  
8 procedures, or the inspector.

9           So, it's -- the system of procedures gets a little  
10 complicated in how we all apply that. Personally, I'd like  
11 to see that that's part of -- that second sentence,  
12 basically.

13           COX: You don't want the licensees to have to  
14 commit to involving workers or operators in procedure  
15 validation?

16           VOICES: Correct.

17           COX: Well, I don't think that -- I'm not sure  
18 that's going to fly here.

19           SHARKEY: It hasn't been a license commitment for  
20 45 years, and I think there are procedures on how to write  
21 them, how to implement them. That's the level of detail  
22 that I don't think is necessary in a license.

23           And that's one more "I've-gotcha," and you miss  
24 the minor administrative thing, and it's  
25 performance-oriented.

1           NAGY:  If you wanted to document that process,  
2 Tom, for instance, at our plant, you would want to probably  
3 get that operator to sign and say, yes, I've gone through,  
4 I've checked all the various things.

5           But remember, he's not just an operator.  He's  
6 representing, in my case, a union, and they often have an  
7 agenda there, which is to do -- was not always, not  
8 necessarily just to get the job done that they are presented  
9 with.

10           Okay?  I've got 35 union rad techs at my plant,  
11 and I have trouble sleeping at night because of that,  
12 because of the hidden agendas that they're trying to get  
13 through.

14           First of all, it's not in our contract that they  
15 can do this.  They can't sign off on something like this and  
16 go through and approve in any way, a procedure.

17           So it would have to be something where the  
18 supervisor basically says, yes, I, the supervisor, walked  
19 this down with a rad tech, for instance.

20           Even at that level, once we commit to it, and if  
21 we put it in our license, it could become part of the union  
22 contract negotiations next year.  It will be a major -- I'm  
23 just saying that there are implications that go beyond.

24           Once you make it this formal -- I'm not  
25 necessarily saying it's a bad idea to get them involved.  We

1 have them involved.

2 But to make it formal in here, becomes both a  
3 compliance trap and also for me, becomes a union issue and  
4 brings in some things that I don't think you're considering  
5 here.

6 SCHILTHELM: There may be a better way to do it,  
7 Tom. There may be a better way to verify and validate  
8 procedures before use.

9 ROCHE: What do you suggest?

10 NAGY: All our hardware stuff is done by V&V  
11 teams.

12 ROCHE: Specifically, is that what you're saying?

13 SCHILTHELM: Yes.

14 NAGY: So verification and validation teams or  
15 multidisciplinary teams or outside experts that come in and  
16 look at the entire procedure and process we're trying to do?

17 SCHILTHELM: This isn't the only way, and in some  
18 cases it's not the best way, so why prescribe it?

19 COX: Well, I think you better suggest something  
20 then, because I think we're dealing with historical records  
21 here that show that some incidents have been investigated  
22 because workers did not do the procedure, because they later  
23 say they didn't understand it, or they thought it was  
24 written wrong, that it couldn't be done that way. So we did  
25 it the way we could do it.

1 SCHILTHELM: You've implemented a corrective  
2 action to that without knowing the root cause.

3 COX: Without knowing what?

4 SCHILTHELM: Without necessarily knowing the root  
5 cause. This may not be the appropriate action for those  
6 things that have occurred. You're --

7 COX: Well, our experts on procedures think that  
8 it is. You know, that's how that's got here and has been  
9 here, so we'll have to go over it with them.

10 ROCHE: We're open to suggestions as to how you  
11 propose to do this. We're listening.

12 We hear what you're saying, and I hear John, but  
13 the fact is that our inspectors and our people go and see  
14 these things, and that's why we have to somehow make sure.

15 SCHILTHELM: We're not suggesting that you don't  
16 review, that we don't tell you what our method for V&V on  
17 procedures is, and that you don't review and approve it as  
18 part of a licensing action.

19 We're just saying, eliminate the second sentence.

20 COX: You want to commit to any worker  
21 involvement.

22 SCHILTHELM: No more than the vice president being  
23 involved.

24 COX: I'm sorry.

25 SCHILTHELM: No more than I want to commit to the



1 vice president being involved.

2           GOODWIN: We've got another reason for that. I'm  
3 sure you've heard of walk-arounds and shortcuts, and  
4 sometimes operators will look for those to make their job  
5 easier, to do it faster or whatever.

6           But they may not understand the technical  
7 consequences of taking that shortcut or that walk-around. I  
8 mean, it may look great to them, but it may affect quality,  
9 it may affect safety, may affect production.

10           They may not understand that. There are just too  
11 many reasons, I think legitimate reasons, not to commit to  
12 have -- even though I think we all do involve our operators.

13           And I'm sure if you go to the plant, they'll tell  
14 you that. But it's a good practice, but it should not be a  
15 license requirement.

16           FREEMAN: You want to add value, and some  
17 operators will not add value; they will look at it, go back  
18 in five minutes like they never read it.

19           VAUGHN: I can tell you that we have had  
20 experiences where we have stopped operations and had the  
21 whole operations team, the operators, work on a procedure  
22 that they said was not right and they couldn't follow, and  
23 they produced something that could, and it still didn't  
24 solve the problem, because what they produced didn't work,  
25 either.

1           Now, you know that it's -- philosophically it  
2 sounds great to say get the operator that does the job, and  
3 get that person to tell you how to do it, but that is not  
4 necessarily a fail-safe way to get to the right answer.

5           COX: I don't think we're looking for a commitment  
6 to get them to tell you how to do it. That's not what this  
7 says. It says --

8           VAUGHN: Verify that the way you told them how to  
9 do it is the right way, whatever you want to say.

10          What I'm saying is that that commitment doesn't  
11 have enough value to be a forced requirement. It's just one  
12 tool that you have to use, but it's not the godsend that  
13 solves all of your procedural problems of that nature.

14          ASTWOOD: Can I ask something here? I think we  
15 understand where you're coming from, and, again, we're going  
16 to go back and think about it. I just want, when we talk to  
17 the person who specifically put this together, and our  
18 management, I want to make sure I have the bounds of what's  
19 here.

20          For you, acceptable is delete the second sentence.  
21 Is another possible alternative, which I'm not committing us  
22 to, taking out the words, worker and operators, and simply  
23 to have a commitment that during procedure development, the  
24 procedures will be reviewed to provide assurance that  
25 they're usable and accurate? Is that just as another

1 option?

2 SCHILTHELM: I think --

3 ASTWOOD: I agree. I'm just trying to --

4 SCHILTHELM: I don't think we need to add  
5 sentences just for the sake of adding sentences.

6 ASTWOOD: I'm trying to know, when they ask me  
7 that question -- they're going to ask me that question and I  
8 have the answer. So, okay.

9 GOODWIN: Let me just make one other point. I  
10 don't want to leave you with the impression that we don't  
11 listen to our operators because we do. Oftentimes they do  
12 find shortcuts or better ways of doing things.

13 And the engineers listen to them, and they go back  
14 and they change the procedures, but they do it in accordance  
15 with the procedural system and with the proper approvals  
16 through training, et cetera, et cetera. So we do listen to  
17 them.

18 SHARKEY: I don't think there's a facility around  
19 me where management hasn't made it real clear that if you  
20 can't follow your instructions very clearly, stop what  
21 you're doing immediately and get your management involved.

22 NAGY: I would submit as some evidence in this  
23 whole matter, since the 1996 event at NFS, we've been doing  
24 this.

25 Okay? And I think if you ask NRC reviewers what

1 the current bone that they'd like to pick with NFS is, its  
2 failure to follow procedures.

3           It's the same thing, and we've got four years of  
4 doing it. We've redone most every plant procedure we have  
5 using this process.

6           It isn't a magic bullet. It did not solve the  
7 problem, fundamentally. So it may not be all that it's  
8 chalked up to be by those that are telling you that it is.

9           ASTWOOD: Okay, so I think we should move on.

10          FREEMAN: Before we move on, in number 3, can you  
11 clarify the method of creating procedures? I understand the  
12 controlling portion, but what's the benefit of learning the  
13 method of creating the procedure?

14          And what would you be looking at for that  
15 requirement?

16          COX: What are we looking at here, number 3?

17          ASTWOOD: Creating -- within the plant management.

18          FREEMAN: I understand the method of controlling  
19 procedures clearly.

20          COX: Well, creating means identifying the need  
21 for. How do you go about identifying the need for, and then  
22 controlling the production and implementation of these  
23 procedures?

24          Are you asking why we would want to know that?

25          KILLAR: No, that's not the way you explained it

1 because that's not the way I read it.

2 COX: Oh.

3 KILLAR: I thought that when you talked about the  
4 method of creating procedures, you were talking about what  
5 type of team do you bring together to put that procedure  
6 together, who reviews that procedure, signs off on it before  
7 it goes into action, things along that line.

8 To me, that's the method for creating the  
9 procedure.

10 NAGY: Specifically, it feels like that because  
11 the first element is the method for identification of  
12 procedures.

13 COX: Right.

14 NAGY: So that makes me think that the creating  
15 must not be that.

16 COX: Within plant management control systems, you  
17 have some control systems that probably are a procedure for  
18 making procedures; isn't it?

19 NAGY: Yes.

20 COX: That's the method we're interested in. How  
21 do you go about identifying, developing, putting in place,  
22 controlling, again, just from the general principle  
23 standpoint, not the --

24 FREEMAN: Does that need to be in the license?

25 COX: Detail.

1           FREEMAN: That's not concurrent with anything we  
2 outlined today.

3           COX: Not currently what?

4           FREEMAN: We currently don't outline, today, in  
5 our license, our procedure for writing procedures.

6           COX: That may well be. Our people here have said  
7 that we ought to hear from the applicants on how this is  
8 done.

9           FREEMAN: I think your definition, Tom,  
10 identification you covered in Number 1. You said the method  
11 for identification of procedures that are needed, and in  
12 Number 3, it sounds like you really just need to say as a  
13 followon to that, the method for controlling procedures.

14           And then it would be clearer. It's using the  
15 word, created, there all of a sudden, and you've already  
16 said identified previously. And that makes us think, well,  
17 what additional information could you need?

18           COX: All right, how about if we combine 1 and 3  
19 under 1, and say something like identifying, developing, and  
20 controlling, and make one out of it. That would take it to  
21 IROFS also.

22           No, that's a little different thing. Let's say  
23 we'll combine 1 with 3.

24           SCHILTHELM: At the risk of jumping back in the  
25 document again, if you look at the acceptance criteria

1 versus these six things that the staff is supposed to review  
2 --

3 COX: Going back to acceptance criteria?

4 SCHILTHELM: There are 12 items in the acceptance  
5 criteria, versus six items here under the Purpose of the  
6 Review.

7 And there is no synergy between the six or the 12.  
8 You can't draw any kind of one-for-one correlation between  
9 the two, so it's pretty difficult to figure out what's  
10 trying to be -- what's being looked for.

11 For example, we're talking about Number 3, method  
12 for creating procedures, and there is really no one-for-one  
13 synergy when you go back to the acceptance criteria. I can  
14 find scattered throughout the acceptance criteria, something  
15 that might specifically address Number 3, but it seems to be  
16 a formatting issue that your acceptance criteria doesn't  
17 line up with your review procedures.

18 COX: I agree.

19 SCHILTHELM: And that might help us understand  
20 what's trying to be said here.

21 COX: How about if we go to that and we'll align,  
22 make that alignment that you're talking about?

23 SCHILTHELM: I think that would help a lot.

24 COX: We'll make six acceptance criteria, I hope,  
25 that will amplify the six areas of review.

1 SCHILTHELM: Whether we'll agree with what it says  
2 after it's done, I don't know, but I think that will help a  
3 lot.

4 [Pause.]

5 COX: Okay, now, can we move to Item 4 under Areas  
6 of Review?

7 ASTWOOD: We did that.

8 COX: All right, 5, no comment on 5. On 6, well,  
9 that's somewhat related to 4, except for the availability  
10 part of it. And your comment was that this is covered under  
11 T&Q management measure -- training and qualification, delete  
12 here for clarity.

13 Well, I have a disagreement here. Again, this has  
14 to do with making sure that the using personnel are -- know  
15 about the latest revision, and that they are qualified to  
16 use it.

17 That's what was being sought here, was applicant's  
18 recognition of this. And that we would look at this as an  
19 area of review. What was your method for ensuring that?

20 So, we would like to leave that one in.

21 SCHILTHELM: It probably belongs somewhere, Tom,  
22 and it's not in the training and qualification. There's  
23 nothing about procedures in the training and qualification  
24 or revised procedures.

25 COX: All right.



1           ASTWOOD: But that doesn't prevent you from  
2 addressing this point.

3           SCHILTHELM: No.

4           ASTWOOD: In training and qualifications.

5           COX: We didn't think we should delete that.

6           ASTWOOD: Okay, all right, next.

7           COX: Now we're under audits and assessments,  
8 11.3.5. Still in the same group of things here.

9           This was a fairly short area. And let's see, you  
10 had two suggested changes in the first paragraph, and I  
11 don't know what that first bar -- oh, yes, just eliminating  
12 an S on the correction, and, okay, we did that.

13           And I think we did this.

14           ASTWOOD: No, we didn't.

15           COX: Okay. And the second bar called for putting  
16 in a "the," in the applicant's -- okay, now, we're down to  
17 the next comment that was under Item 2 of the list of seven  
18 things regarding areas that the reviewer should examine.

19           Item 2 said the use of qualified an independent  
20 audit and assessment personnel. The comment was that  
21 personnel don't always have to be independent. In fact,  
22 many root cause analysis procedures require participation of  
23 the operations and facility staff that may have committed  
24 the error.

25           Well, our feeling here is that independence is

1 important and key to any valid audit or assessment, and I  
2 think what we're talking about though here is that it  
3 doesn't mean you can't involve the experts who may have been  
4 actually involved in an incident.

5           But this is not an incident investigation; this is  
6 like program audits and assessments. This is not an  
7 incident investigation. I have to say that this is  
8 separate; that's a separate section here.

9           These are things that occur periodically, and you  
10 need an independent analysis of what's going on in this  
11 function, whatever function is being evaluated.

12           ASTWOOD: Right, then I think we talked about that  
13 a little bit in the example this morning, what independent  
14 means.

15           SCHILTHELM: What you're saying is absolutely  
16 correct, we need an independent audit function, but you also  
17 would like to be doing more audits with people who aren't  
18 necessarily independent, and you wouldn't want to preclude  
19 that.

20           COX: No, we don't want to preclude that, we just  
21 want to make sure that there are some audits and assessments  
22 that are independent.

23           SCHILTHELM: Right, but this statement could  
24 actually conclude that if the use of qualified independent  
25 audit assessment personnel --

1           SMITH: I don't believe that precludes your use of  
2 technical specialists or other people in mutual activities.

3           SCHILTHELM: It requires the use of qualified  
4 independent audit personnel, and that precludes the use of  
5 non-independent --

6           SMITH: It depends on how you write up your  
7 program for audits and assessments.

8           SCHILTHELM: But this is telling me how I have to  
9 write up my program.

10          NAGY: If it's that slippery a thing, who are we  
11 serving by putting it here. Can we define it so that we can  
12 understand it so that we can actually have a program that  
13 lines up with that.

14          SCHILTHELM: If you said the use of qualified  
15 audit and assessment personnel, that implies some level of  
16 independence in the program.

17          NAGY: Consideration of the independence.

18          GOODWIN: You could say the periodic use, meaning  
19 that you could have some that were independent and some that  
20 were not.

21          THOMAS: This is Ruth Thomas, and I have a  
22 question of what is meant by independent in this case that  
23 you're discussing.

24          SCHILTHELM: Tom explained that earlier, and I  
25 think he said either organizationally or outside of the

1 company would suffice for independence. They're two  
2 different organizations or somebody outside the company.

3 THOMAS: Like a contract firm?

4 ASTWOOD: Right, that would work.

5 COX: How about if Item 1 said the commitment to  
6 independent audit and assessment activities, while not  
7 excluding the other kind that you want to have? Would that  
8 solve the problem?

9 Do you know what I'm saying? I would change Item  
10 1 to be clear that these other kinds -- what do we call  
11 these other kinds, internal?

12 NAGY: Looking at internal an external audits, and  
13 you're looking for a program that uses all the tools  
14 available to it, whether they are internal to the  
15 organization, internal to the company, or external to either  
16 the organization or the company.

17 And you're looking for a balanced program. How do  
18 you say that is not so important that you say that you're  
19 looking for a balanced program of independence -- an  
20 independent and internal audit and assessment.

21 COX: Well, I could make two sentences out of Item  
22 1. Reviewers looking for -- okay, the commitment -- Item 1:  
23 The commitment to independent audit and assessment  
24 activities, period.

25 Another sentence: This is not to exclude conduct

1 by applicant of internal audit and assessment activities.

2 Or is there another word for internal?

3 I don't mean to imply that the independent one  
4 always has to be external, either.

5 SMITH: Since this is the area when reviewed, just  
6 something simple, the use of appropriately qualified and  
7 independent audit and assessment personnel. And then when  
8 you get over to the criterion in the other section,  
9 11.4.3.5, then that's where you get into the detailed  
10 interpretation.

11 COX: Yes. This is the first place you run into  
12 it, and the first place the question came up, well, gee,  
13 you're excluding our own kind of internal audit and  
14 assessment by the way this is phrased.

15 SCHILTHELM: But Will makes a good point. If you  
16 have a whole other section devoted to clarifying and  
17 explaining what these five items mean, then maybe it's not  
18 so important to get it right here.

19 SMITH: Just put in the word, appropriate.

20 COX: Okay, then in Item 2, for now, until we get  
21 to acceptance criteria, on Item 2, after the three words,  
22 the use of, we would put the word, appropriate. So it will  
23 read: The use of appropriate, qualified, and independent  
24 audit and assessment personnel.

25 And then later on in acceptance criteria, we'll

1 clear up that this does not exclude --

2 ROCHE: I thought Will also wanted to add periodic  
3 independent audit.

4 COX: Well, I think we'll cover that in acceptance  
5 criteria, too, that it should be periodic.

6 ROCHE: Okay.

7 COX: I think it does cover that.

8 Okay, now we're -- have we gotten past Items 1 and  
9 2?

10 [No response.]

11 COX: Okay, I don't think we wanted to -- for many  
12 of these same reasons we've been talking about, we didn't  
13 want to delete these other things.

14 NAGY: How about the next one, the one after that?

15 ASTWOOD: The numbering is incorrect.

16 COX: Where do they start over again?

17 ASTWOOD: See, it's 1, 2, 1, 2.

18 NAGY: The facility procedures to be used in  
19 directing control, the audit and assessment activities.

20 COX: Yes, you're right, that should be 2, 3,  
21 okay.

22 ASTWOOD: Now he's talking about renumbering 4.

23 COX: Renumbered 4 to planned -- I thought we were  
24 looking at the general structure of typical audits.

25 NAGY: That's where I'd like it to stop, but it

1 goes on to say the facility procedures to be used to direct  
2 and control the audit and assessment activities.

3 COX: Oh.

4 NAGY: I think if we talked about the general  
5 structure of audits and assessments, the planned use --  
6 everything else that's there, to me, is very good. It's  
7 comprehensive and it gets at the guiding principles and all  
8 those basic elements that we want.

9 Why did we throw in the facilities and procedures  
10 to be used to direct and control the audit and assessment  
11 activities?

12 COX: When you say that everything is there, do  
13 you mean under the words, general structure?

14 NAGY: No. I mean in this list you've got the  
15 commitments up front to do it. It's the idea about  
16 personnel. The structure, what our audit structure looks  
17 like or our assessment structure looks like, how are we  
18 going to use the results of it?

19 That we're going to document that, and distribute  
20 that, and we're going to plan and implement corrective  
21 actions based on that.

22 I think the sentence in the middle there, which is  
23 Number 4, I guess, on the list, doesn't add any value.

24 COX: I think I could buy that. What do you  
25 think?

1           ASTWOOD: I think that makes sense.

2           NAGY: Thank you.

3           COX: Delete Number 3 --

4           NAGY: Number 4.

5           KILLAR: The second number 2, depending on how you  
6 look at it.

7           [Laughter.]

8           COX: Okay, now we have renumbered Number 4, which  
9 is the planned use of the results and those other things,  
10 and we'll leave them there.

11           NAGY: This whole section reads to me like this is  
12 a template for how all sections should be. It's very clear;  
13 it gives out what's being looked for, but it doesn't get to  
14 too deep a level of detail or anything.

15           COX: Okay. Now, let's hit incident  
16 investigations, 11.3.6. NRC staff should review the  
17 applicant's policy and procedures, and your comment would  
18 delete procedures because detailed procedures are not part  
19 of the license review.

20           It's true that not all procedures are, but some  
21 may be, and the statement here is that this is -- the NRC  
22 reviewer here has to judge the licensee's graded approach  
23 for evaluating events for reporting to the NRC.

24           And the determining the depth of the investigation  
25 that's going to be done, if this could be done without



1 looking at procedures, it probably would be done, but -- The  
2 only thing I can see doing there is maybe changing it to  
3 something like and possibly procedures.

4 GOLDBACH: When those procedures are reviewed, do  
5 they end up in the SER, and, therefore --

6 COX: The procedure wouldn't, but the conclusions  
7 that the guy draws from reviewing the procedure would. And  
8 -- well, if I were running the SER, I wouldn't have them  
9 quote the number of the procedure, but rather there's a  
10 procedure there that covers this topic, and it has this  
11 element in it and it's all right.

12 Then the inspector could go out and look for that.  
13 He could go out and he'd say, okay, I see this in the SER,  
14 show me that procedure.

15 SCHILTHELM: How does this jibe with the  
16 initiative that's ongoing now about licensees developing a  
17 corrective action program? Is there a synergy there?

18 COX: The corrective action program that would be  
19 generated by licensees -- and we tried to make that possible  
20 in the words in here -- involves both audits and assessments  
21 and incident investigations.

22 The question was or the one that came to us is  
23 that typical licensees' corrective action programs include  
24 both A&A and incident investigations. So that's why we  
25 wrote in here in that first paragraph on audits and

1 assessments, the applicant may describe a corrective actions  
2 program, in quotes, which includes the functions of both of  
3 these things, A&A and incident investigations.

4 That's acceptable. But the reviewer should in  
5 that case review the applicant's description and commitments  
6 with regard to the acceptance criteria for both A&A and  
7 incident investigations to make sure it's all there.

8 We look at it as these two separate functions or  
9 management measures, if you want to call them that. And  
10 we're looking for elements of each of those.

11 They might be packaged in a licensee's documents  
12 as corrective action programs. We've tried to leave the  
13 flexibility here.

14 The same kind of language is at the bottom end of  
15 the incident investigations paragraph, may describe a  
16 corrective action program.

17 But still, the elements need to be there.

18 NAGY: Tom, is there a reason that the section  
19 couldn't just be corrective action program and do what you  
20 said, explicitly, since that is sort of something we all  
21 have been working on anyway?

22 SCHILTHELM: I'm not sure this is in the rule  
23 language.

24 COX: I'm not sure I caught the question.

25 NAGY: It may have been answered over here, but I

1 was asking if why not this section, maybe be more generic  
2 and be corrective action programs to include incident  
3 investigations and other things, but it sounds like Steve  
4 said that it's part of the rule language.

5 COX: It's sort of that events have taken over us  
6 and we've got these separate sections.

7 Okay, now, in the -- I don't want to just totally  
8 delete the word, procedures, and leave nothing there,  
9 because this is an area where some procedures may be looked  
10 at. We might want to look at a procedure there.

11 SCHILTHELM: It's going to sound like taking the  
12 NRC's position here, but isn't this one of those --

13 [Laughter.]

14 SCHILTHELM: It seems like we've all turned 180  
15 degrees by saying, okay, we're not going to add incident  
16 investigations to licenses; we're just going to go look at  
17 procedures and whatnot.

18 Or, we're going to add this stuff to a license  
19 without a corrective action program. Am I missing  
20 something? Did I misread this?

21 COX: I don't see where it says we're not going to  
22 add incident investigations to the license application.

23 SCHILTHELM: So then it should be no problem to  
24 drop procedures because the license application is going to  
25 contain the commitments.

1 COX: The license application should contain all  
2 of these. It won't necessarily contain the procedures.

3 SCHILTHELM: But it will contain the policies  
4 sufficient for you to make an adequate evaluation of safety,  
5 I would think.

6 COX: If it does, then we won't have to look at  
7 the procedure.

8 SCHILTHELM: Okay.

9 ASTWOOD: Can we say procedures, as appropriate,  
10 or as needed, or whatever, the word? You had a good word.

11 COX: I think I just said procedures, as  
12 appropriate, or as needed or some buzzword.

13 SCHILTHELM: The only other -- talked about  
14 looking at procedures was back in the procedure section, I  
15 guess.

16 COX: Well, that covers a lot of ground, though.  
17 That covers all procedures.

18 SCHILTHELM: Yes, and I don't think -- does  
19 anybody understand what I've just tried to say? I'm not  
20 sure I even do.

21 [Laughter.]

22 SCHILTHELM: Throughout these seven sections,  
23 we've tried to not have to look at -- the SRP has been  
24 written so that the staff didn't have to look at procedures  
25 at the facility; they looked at commitments in the

1 application to make the finding of safety.

2 The only one exception to that is over in that  
3 procedures section for high risk activities.

4 So it would seem that this section should also --  
5 we should also try to accomplish not looking at procedures,  
6 but looking at commitments in the license.

7 ASTWOOD: I might have an answer for you. I  
8 looked back in our acceptance criteria section under  
9 incident investigations, and in it -- and we can, again,  
10 talk about the detail of this -- but it actually has a  
11 statement that says that the applicant has a formal policy  
12 or procedure in place for conducting an incident  
13 investigation that contains the following elements, and then  
14 it actually lists the elements.

15 So I think that's how procedure, policy or  
16 procedure got in this first section of reviewing a  
17 procedure.

18 So if you, in your license application, make a  
19 commitment, but your procedure would include these elements,  
20 that's essentially our view of your procedure.

21 GOODWIN: And that part would be in the acceptance  
22 criteria.

23 ASTWOOD: Yes, it's on 11-27, page 11-27.

24 COX: Of your document.

25 SCHILTHELM: So, dropping procedures out of this

1 section doesn't seem to be such a stretch, if I can take a  
2 leap of faith.

3 COX: I'm sorry, it doesn't seem to be a stretch?

4 ASTWOOD: Seems to be a stretch.

5 SCHILTHELM: I said it doesn't seem to be a  
6 stretch.

7 ASTWOOD: We could drop it because we've already  
8 covered it in that acceptance criteria, is what you're  
9 saying.

10 COX: Well, except that then somebody will say,  
11 gee, you got this stuff back in the acceptance criteria, but  
12 you don't say it's an area of review you should look at, so  
13 you should take it out of acceptance criteria. I don't want  
14 to hear that argument.

15 [Laughter.]

16 ROCHE: It's alignment, yes.

17 ASTWOOD: Yes, it's consistent if we leave it in.  
18 But we will put in -- I think putting in appropriate might  
19 help.

20 COX: How about if we, in the first line, under  
21 incident investigations, we say the NRC staff should review  
22 the applicant's policy, comma, procedures as needed to  
23 understand applicant plans, comma, and management structure  
24 and so on? That's just to take the onus off looking at all  
25 procedures.

1           SCHILTHELM: I still go back to incident  
2 investigations is pretty darn straightforward. It doesn't  
3 seem like you should have to look at any procedures to  
4 understand the commitments we've made, and that it ensures  
5 safety.

6           COX: Well, when we get back to acceptance  
7 criteria, you'll see we're looking at a lot of procedures.

8           SCHILTHELM: Incident investigations are not that  
9 hard. There's an INPO document on it that's darn  
10 straightforward. There's -- if we can't describe it  
11 acceptably in our license application, something is wrong,  
12 now that you had me look at our internal procedures.

13          ASTWOOD: I agree. I mean, if you hit the points  
14 in the acceptance criteria, we would not. I don't think  
15 that said we would go and look at your internal procedures.

16          SCHILTHELM: But Tom says we have to look at a lot  
17 of procedures.

18          COX: Well, maybe a lot is the wrong word. Maybe  
19 at least one or two of these acceptance criteria.

20          THOMAS: Excuse me, Tom. I wanted to ask, on this  
21 corrective action program and plans, are there certain  
22 limitations in what this covers as far as the incident?  
23 Would it be incidents that include effects outside the  
24 facility as well as within the facility?

25          COX: Yes, in that it deals with offsite impacts

1 of events. It could.

2 ASTWOOD: Does that answer your question, Ruth?

3 THOMAS: What?

4 ASTWOOD: Does that answer your question, yes it  
5 could?

6 THOMAS: I didn't know whether -- I mean, that's a  
7 lot of different things. It could deal with something very  
8 small and something that affected a large area.

9 And I didn't know whether that section addressed  
10 different approaches to -- depending on what was involved.

11 GOLDBACH: Ruth, this is Don Goldbach from  
12 Westinghouse. I think, just speaking for us, we -- you  
13 know, it involves any incident, starting from the very minor  
14 up to the major.

15 And within our procedures at the plant, we  
16 describe what elevated actions you need to take, based on  
17 the incident. And I don't know how that's structured  
18 anywhere else, but that's the way we've -- basically we've  
19 got one or two procedures that handle any incident.

20 THOMAS: What was his name again?

21 GOLDBACH: Dong Goldbach with Westinghouse.

22 THOMAS: I don't have the -- my list of names  
23 seems to be different from the people that are there. Thank  
24 you.

25 ASTWOOD: All right.



1           KILLAR: Back to that question on procedures,  
2 maybe the way we could do it is as model it as back in the  
3 acceptance criteria by saying the NRC staff should review  
4 the applicant's policy or procedures, and that way they  
5 could have a policy or a procedure.

6           That's what it says back in the acceptance  
7 criteria, and that way it leaves it open for either one.

8           COX: We'd say the staff should review the  
9 applicant's policy or procedures?

10          KILLAR: Yes.

11          COX: I don't think this is something that --  
12 okay, I think we kind of beat on that one awhile, and maybe  
13 we could move on to --

14          ASTWOOD: Are we done with 3.6? Or?

15          COX: Well, I think we should be. We believe that  
16 you've got to -- we want to hear about tracking and  
17 completing corrective actions.

18          The major comment here in the NEI document is that  
19 review of detailed procedures is not part of the license  
20 review, and I think we've pretty well beat on that one,  
21 dealt with it at some length here, and we've had several  
22 suggestions on how to change it.

23          Right now, I've got should review the applicant's  
24 policy or procedures. And with that, I'd like to move on.

25          Okay, can we go to record management, or do we

1 have a great cry that we should not move to there yet?

2 KILLAR: Go there.

3 COX: Let's go. This is 11.3.7, records  
4 management.

5 And we have the first comment that comes with Item  
6 1 about the process whereby records are managed, and then a  
7 lot of other verbs, prominent overly-prescriptive, delete.  
8 Well, I'm not sure why we -- what do we think about that?  
9 I'm not sure why that's overly-prescriptive.

10 SMITH: Those are just the various aspects of  
11 records management process. Are they specific objections to  
12 specific words?

13 COX: Well, yes.

14 KILLAR: Part of it is the things that's not  
15 necessarily all required by everybody. For instance, the  
16 records of classified information, a lot of facilities have  
17 no classified information. You know, the classified  
18 information applies to GDPs and the HEU facilities, but it  
19 doesn't apply to the LAU facilities.

20 COX: Yes, but clearly where you don't have  
21 classified records, then that wouldn't apply. I mean, we  
22 don't need to --

23 KILLAR: But if doesn't apply to everybody, why  
24 put it in there, because then it intuitively applies to  
25 everybody?

1 COX: Because it applies to somebody.

2 NAGY: When we go down that list, depending on the  
3 record type, I mean, I'm not sure that that's absolutely  
4 applicable to all of the records you mentioned.

5 COX: What is applicable to all of the records?

6 NAGY: Verified, categorized, indexed,  
7 inventory-protected, stored, maintained, distributed,  
8 deleted, or preserved.

9 COX: Oh, well, would somebody suggest some  
10 qualifying words? I mean, I think all of those are valid  
11 activities for some records.

12 NAGY: I would agree, but not for all records, so  
13 what is the reviewer to use as their criteria here when they  
14 don't know our plant and they're just trying to look at the  
15 license?

16 COX: Well, the reviewers would see some of these  
17 things, perhaps absent, and they would either decide on  
18 their own that that's okay, or they would ask a question  
19 about why that's okay.

20 NAGY: I think they won't decide it's not okay  
21 unless you put, as appropriate, or some qualifier to let  
22 them know that this is a comprehensive list that may not  
23 apply in all cases.

24 KILLAR: The issue here is that you've gone into a  
25 bunch of different types of records, where what we're

1 looking at is the overall records management program.

2           The records management program should include  
3 things such as identification of what records have to be  
4 maintained, the length that those records have to be  
5 maintained, the storage of those records, and then  
6 retrievability of those records after the facility is shut  
7 down.

8           That, to me, would be the records management  
9 system, rather than go through all of these facility IROFS,  
10 failure --

11           COX: Well, I think that we can probably sharpen  
12 that up a little bit, and I will start that by moving the  
13 last two lines up into the front line and say: The process  
14 whereby the records management function is adequately  
15 coordinated and integrated with other management measures,  
16 and then after having said that, we might want to say  
17 something about what kinds of records and what kinds of  
18 activities on those records.

19           I think we'll just have to defer the change.

20           THOMAS: Ruth Thomas here. Would these records  
21 include records of -- that were not just with the company,  
22 but within the particular community where the facility was  
23 located, records related to operations or incidents, or  
24 people in the community?

25           COX: If I'm not mistaken, Ruth, the local public

1 document rooms are being phased out or have been phased out.  
2 And the material is available from the NRC, primarily right  
3 here in headquarters and on the Internet.

4 THOMAS: Well, that is a big problem, because  
5 there are some people, including I'm one of them, that do  
6 not have access to computers, and trying to track down  
7 information about incidents at Westinghouse.

8 In fact, I left numerous messages and didn't get  
9 called back. And it seems like the stakeholders should have  
10 something available to them to find out and also the  
11 newspapers.

12 Well, of course, maybe the newspapers have the --  
13 but, you know, this answer is in the Internet, it's in the  
14 computer and all of this, and people have had difficulty  
15 locating things on the NRC, they're -- I mean, we're not all  
16 converted over to this, and I just want to know what can be  
17 done for them to be records available --

18 ASTWOOD: I understand what you're saying, Ruth,  
19 and one of NRC's directives is to make sure that information  
20 is available to the public for their review, and if the  
21 Internet services aren't working for you, then we may need  
22 to do something else to make sure that you have that  
23 information.

24 THOMAS: And there is something to be said for  
25 hard copies of things. If you're doing research and if

1 you're a person that has difficulties with your eyes or  
2 health problems --

3           ASTWOOD: I understand what you're saying, and I  
4 will work with you to see what we can do to get that  
5 information available to you.

6           From the NRC standpoint, we used to have hard  
7 copies in the local libraries, and have started phasing that  
8 out because of the availability of computers for most  
9 people, but we certainly do not want you not to have the  
10 information that you're looking for.

11           So we'll work with you on that, but the licensees,  
12 however, are not required to keep the records offsite; that  
13 is, you know, something that NRC has taken on.

14           And this SRP isn't necessarily requiring them to  
15 do that. These are -- this particular section is talking  
16 about records that they keep onsite.

17           THOMAS: And when was that changed? When was that  
18 -- I know the EPA has the right to know, and they have it  
19 going on the other way, where they're increasing the  
20 availability.

21           When did it change? What rule changed that in the  
22 Nuclear Regulatory Commission?

23           ASTWOOD: I don't know which rule it is. I can  
24 certainly look that up and give that to you, but from what I  
25 remember, it was a couple of years ago that they started to

1 not keep the current -- the hard copies current at local  
2 public document rooms.

3 THOMAS: Okay.

4 GOODWIN: Right, I believe you can gain access to  
5 computers, even with minimal instruction as needed, at the  
6 Richmond County Library there in Columbia, so you should  
7 have access to the Internet and they will make copies for  
8 you, as I understand.

9 THOMAS: Yes, I realize that, but there are also  
10 people who have physical and handicap difficulties where  
11 they can't be traveling around and doing a lot of this work.

12 ASTWOOD: We understand that, Ruth, and we also  
13 have a policy where you can write to NRC and ask for  
14 whatever publicly-available documents that you wish, and I  
15 can send you that policy and I can talk to you about it.

16 THOMAS: Okay.

17 ASTWOOD: So we'll get your concern answered.

18 THOMAS: Okay, thank you.

19 ASTWOOD: Great. Okay, so.

20 COX: We're going to revise Item 1.

21 ASTWOOD: Okay.

22 COX: Items 2 and 3, we had no comments on.

23 Oh, wait a second -- oh, yes, that's correct.

24 Now we are into 11.3.8, Other QA Elements. And  
25 I'm going to let Drew Persinko and Will Smith handle these.

1           Do you have a copy of the comments? Okay.

2           SMITH: Yes, the 13.8 are the QA elements. There  
3 are a couple of general comments regarding that.

4           One was that the term, QA Elements, be dropped,  
5 and the term, QA be utilized.

6           That was in the long history of this, and on this  
7 particular SRP, it was generally that entire sections on QA  
8 were revised early this year, late last year and early this  
9 year to remove any reference to a formal QA program.

10          And the term, QA Elements was implemented in the  
11 later revisions to reflect the actual words in the rule.

12          Could you give us more of your thoughts on how you  
13 prefer that to be? The two are basically interchangeable,  
14 but the QA Elements is strictly the strict words out of the  
15 --

16          FARRELL: This is just common usage that we're  
17 making the reference throughout the acceptance criteria.

18          For example, at the bottom of our page 11-10, you  
19 refer to the QA function. Well, that is, I think,  
20 consistent with terminology you'd be using elsewhere, not  
21 only in the SRP, but now, I guess it should be a QA Elements  
22 function, if --

23          I'm just trying to simplify the terminology, but  
24 it's a minor point. It's really of little concern.

25          If we're going to be consistent, then QA function



1 better be changed to QA elements function or whatever.

2           GOODWIN: He's trying to make the distinction  
3 between your classification -- product assurance and quality  
4 assurance functions, as opposed to the management measures  
5 QA.

6           SMITH: Okay. And on the current revision, we  
7 have the 19 criteria, and in those sections, there are  
8 previous industry comments where there were other sections,  
9 configuration management and procedures, audit assessment,  
10 where the activity could be addressed under the regular  
11 management measures.

12           We took a look at that on the last general  
13 revision, found that by putting in -- leaving the criteria  
14 there, the 19 elements, let's say, and referring back to the  
15 other sections, that left a maximum flexibility on the  
16 variety of applicants' options for how they would write up  
17 their application.

18           It gives more clarification, and as of now, we  
19 feel that that is the best way to approach it. It gives you  
20 the right options of putting them into the management  
21 measures, as appropriate, addressing them separately, if the  
22 applicant wishes to, to come up with the QA program, and  
23 that option is in there.

24           PERSINKO: In fact, we went back to one of your  
25 earlier submittals and we mapped -- you had a mapping in

1 your earlier table where you took the management measures  
2 and tried to map QA Elements and map them into different  
3 management measures.

4 Now, some of them fit, fit fairly well; some of  
5 them didn't fit quite as well, but you force-fit them in  
6 there.

7 And some of them didn't map at all, in fact, in  
8 your table. So, what we did was, we adopted the mapping and  
9 put it into the other sections.

10 The words that were in the QA elements section  
11 were literally copied into the acceptance section for the  
12 other management measures.

13 By doing it that way, you have the flexibility now  
14 of doing it however you want. Now, there are certain  
15 applicants who have in the past -- there's one applicant  
16 that comes to mind, who chose to go submit a QA plan ahead  
17 of time.

18 So they essentially were choosing to separate out  
19 QA from their other management measures, and submit it ahead  
20 of time for approval.

21 So they had that flexibility. If you all don't  
22 want to do that, you have the flexibility to do the other  
23 way, if you want.

24 SCHILTHELM: So you said you did that exercise and  
25 we probably don't recognize it, but in these other

1 management measure functions --

2 PERSINKO: Yes. You see acceptance criteria from  
3 the QA elements section and it's repeated in some of the  
4 other sections, and it will say -- it will even say this may  
5 be described as part of the procedure section, as part of  
6 the management measures on QA, and if you go back to the QA  
7 section it will say that this can be described in the QA  
8 section or on the section on procedures, or whatever the  
9 measure may be.

10 COX: But we're talking about the acceptance  
11 criteria section of the SRP here, not the other sections.

12 PERSINKO: Correct, that's correct. But this was  
13 an overall comment, I think. Even though we're not, I  
14 guess, in the acceptance section at this point, but it's  
15 still an overriding comment, I think, that Will and I have  
16 seen on QA.

17 [Pause.]

18 SMITH: Is this a thoughtful silence?

19 COX: Are we still at the top of page 11-10?

20 ASTWOOD: Yes, you just addressed their two  
21 comments at the top.

22 SMITH: Let's see, there was another general  
23 comment. Yes, there were a number of sections that the --  
24 or phrases that NEI wanted to take out regarding graded and  
25 application of specific IROFS.

1           A lot of those words were put in over the last two  
2 revisions, based on earlier specific comments. We want to  
3 be very careful in reviewing those and deleting any of  
4 those, because they were put in for earlier comments to give  
5 you, in a lot of case, the potential applicant the option of  
6 coming in and clearly stating that they've got the option of  
7 grading the application of the QA elements or eliminating  
8 them for a particular activity or IROF.

9           FARRELL: There is one comment that may not be too  
10 clear in here, but that addresses the grading of QA  
11 elements. And really there are two components to the  
12 grading, based on my understanding.

13           The first is the choice of which of the 19 QA,  
14 NQA-1 requirements can be applied or should be applied to a  
15 management measure.

16           Depending upon the grading, you may only need  
17 three or four of them; you may need the whole suite.

18           That's one type of grading, and the other type of  
19 grading is, I think, within any of one of those 19, you  
20 could grade it, you know, at various levels of  
21 comprehensiveness or robustness.

22           I think maybe that's -- in discussing grading,  
23 maybe we should make that a little clearer.

24           I don't know and I can't remember right now, but I  
25 think I made some comment about that.

1           SMITH: There is one in there, yes, to make it  
2 clear that both --

3           FARRELL: Grading --

4           SMITH: Those 19 elements may apply to a  
5 particular --

6           FARRELL: -- those --

7           SMITH: Exactly, and then within. I think we'll  
8 make that clear in the wording, how much will be in the area  
9 of reviews, versus the criteria.

10          FARRELL: Yes, think that's back in the acceptance  
11 criteria.

12          SCHILTHELM: Can we talk just a minute about your  
13 expectations, just in general terms?

14                When it comes to QA or other QA elements or  
15 whatever you want to call them, and the application of  
16 whether it be 19 or 21 or whatever system you're using of  
17 elements to a particular item relied on for safety, is the  
18 expectation -- is your expectation that all 19 would be  
19 applied unless a grading concept were described in the  
20 license that said how you would not apply those 19?

21                Or, is it the expectation that those 19 are  
22 available to be used, based on the need to use them? And  
23 that's the decision that the licensee will be able to make?

24                Did you understand the difference?

25          GOODWIN: It might be preferred, too, that you use

1 all 19 of them, unless you supply the justification for not  
2 using them.

3 SCHILTHELM: Well, that was the first.

4 GOODWIN: Was that the first?

5 SCHILTHELM: That was the first.

6 COX: Well, I'd like to address that for a minute.  
7 Tom Cox, NRC.

8 I don't -- it's not clear to me how many of the 19  
9 could be avoided for IROFS in some degree.

10 But I think we are at that position, that you  
11 don't have to justify, a priori, not using a particular one  
12 of the 19. But you may get a question from a reviewer, you  
13 know, why isn't configuration management, which I think is  
14 one of the 19 -- or some other very clearly pretty critical  
15 thing, in my mind, why isn't it applied?

16 SCHILTHELM: Procurement to administrative  
17 control.

18 COX: Well, that's a good example.

19 SCHILTHELM: In a sense we do --

20 SMITH: Or measuring test.

21 SCHILTHELM: Yes. So there are some clear areas  
22 where you simply don't apply a particular criterion.

23 COX: And you probably would not get a question on  
24 why didn't you apply a procurement to an administrative  
25 control, for the same reason, pretty obvious.

1           But others -- if you don't address it, you'll  
2 probably get questioned on it.

3           SCHILTHELM: In the strictest sense of QA, you  
4 would address all 19, and say why, and that's not, I think,  
5 what the licensees envision, and I'm hoping that's not what  
6 you envision.

7           SMITH: We have no preset thing that says we're  
8 going to see 19 and then the detail.

9           We're open and feel that we've left the option in  
10 there for you to be efficient and effective and innovative  
11 in your approach to it. Whatever you come in with should be  
12 technically justifiable, just as anything we request  
13 additional information or clarification on.

14          SCHILTHELM: Okay.

15          COX: I think the key is for any IROFS listed in  
16 the ISA summary, we need to know what is applied to it,  
17 because that way, we'll make some judgment on do we think  
18 that's sufficient to guarantee the reliability of this being  
19 claimed for that IRFOFS.

20          SMITH: When you're applying grading in whatever  
21 category, the methodology that's going to be applied in  
22 should be very clear in there, so it doesn't come up like a  
23 pea and shell game.

24          SCHILTHELM: But if you don't apply grading and  
25 say I'm going to apply procurement, that -- do my

1 procurement QA function on this IROF, which is okay.

2 COX: Yes.

3 PERSINKO: The latter one is the way I understood  
4 it, as well. You know, you have a lot of flexibility here.

5 You can group your IROFS. I mean, not all IROFS  
6 have to be straight or equal. I mean, you can have, you  
7 know, your 1-A IROFS, your 1-B IROFS, and then have this  
8 preset grouping of QA elements that you want to apply to  
9 them. That's one way of doing it.

10 SCHILTHELM: No one has figured that out, as nice  
11 as that sounds. Nobody has figured out how to do that.

12 ASTWOOD: I just quickly read the acceptance  
13 criteria, and when we get to that, eventually, we can talk  
14 about it. But I didn't see anywhere that said specifically  
15 you had to address things that you didn't use.

16 SCHILTHELM: I just wanted to bring that up,  
17 generally.

18 ASTWOOD: No, it's a good question.

19 SCHILTHELM: That's been kind of our sticking  
20 point in this QA thing for a long time.

21 ASTWOOD: That's a good question.

22 SMITH: Okay, let's see, looking specifically at  
23 11.3.8, we are looking at the various NEI comments, and  
24 where appropriate, for editorial or clarification, we're  
25 trying to work them in.



1           And specifically, we're considering under 11.3.8,  
2 the elimination of that first paragraph dealing with the  
3 application must stress the Part 70 requirements, which I  
4 believe you said were redundant or did not add anything.

5           Our initial review concurred with that, so we  
6 would move them out.

7           And then taking certain of your phrases and seeing  
8 if they can fit in with our phrases and make it an approved  
9 document, then you had made this statement about it should  
10 evaluate how the applicant proposes to apply QA elements and  
11 the proposed wording would be: the review -- after  
12 elimination of that first paragraph, the second, which  
13 begins, the review should evaluate the applicant's -- how  
14 the applicant proposes to apply QA elements to IROFS and  
15 their supporting management measures.

16           The review should determine that it currently is a  
17 complete description of the applicant's application of QA,  
18 and proposed wording is that an appropriate description of  
19 the applicant's methodology for an application of QA  
20 elements to IROFS included in the application.

21           That's the sort of direction to address your  
22 comments, whether they can make it more explicit and more  
23 clarified.

24           THOMAS: Do you mean you're going to eliminate  
25 that whole introduction to 11.3.8, and that was the change?

1 SMITH: Yes, that's what is being considered right  
2 now. That doesn't eliminate any requirement.

3 COX: What would that be, the first three  
4 paragraphs under 11.3.8?

5 SMITH: Yes, just that first section there.

6 COX: Well, what is the first section, the first  
7 paragraph or two paragraphs?

8 SMITH: No, the first paragraph, the same section,  
9 that first paragraph.

10 THOMAS: But you would still be starting in with  
11 the review should determine that a complete description...

12 SMITH: Correct.

13 THOMAS: Okay.

14 COX: Starts with the second paragraph.

15 SMITH: Second paragraph now becomes the first.

16 [Pause.]

17 SMITH: And the current third paragraph,  
18 modification to that would be something on the order of the  
19 application defines the QA elements, including any grading  
20 of the levels to be applied to IROFS identified in the ISA,  
21 and that actually should be the ISA summary at that point.

22 Delete that second sentence, which says, further,  
23 the relationship between QA and other management measures  
24 should be described as being redundant.

25 And then the next sentence would stay basically

1 the same, the applicant determines the relative risk or  
2 relative importance of an IROF, and then the last part will  
3 be modified, and determines the application and grading of  
4 the elements.

5 THOMAS: So this is determined by the applicant  
6 and not by the NRC?

7 SMITH: It's determined by the applicant and would  
8 be reviewed and verified by the NRC.

9 KILLAR: Of course, if the NRC didn't agree with  
10 the applicant, there would be a resolution somewhere along  
11 the line.

12 THOMAS: Where does it say "and verified by the  
13 NRC"?

14 ASTWOOD: That's what this entire process is  
15 doing, Ruth. This SRP contains the information that NRC  
16 would want to see in a license application, so what we're  
17 going through is what we would be verifying in a license  
18 application.

19 It doesn't have to specifically state it in this  
20 document.

21 THOMAS: Because it will be taken up in the  
22 license. It will be taken up at the time of the licensing  
23 application?

24 ASTWOOD: Because it's part of our process. The  
25 licensee submits a license application to us, which

1 describes their facility, and should meet the points  
2 contained in this SRP.

3           We would review that license application and  
4 determine if that's true. That's just our process.

5           THOMAS: Well, what about the facilities that  
6 already have their license? They're going to be going  
7 through a review under the new regulations.

8           ASTWOOD: Right.

9           ROCHE: When is that going to start, or -- well,  
10 of course it depends on when this gets through, right?

11           ASTWOOD: Right, it depends on when this gets  
12 through, and it depends on the current status of their  
13 license and when their next license renewal is.

14           The licenses are periodically re-reviewed,  
15 resubmitted by the licensees, and re-reviewed by the NRC,  
16 depending on usually five to ten years, depending on the  
17 licensee.

18           THOMAS: But they're not going to have to be  
19 required to do that prior to the usual time to accommodate  
20 --

21           ASTWOOD: I can explain -- it's a little  
22 complicated, how that will work, Ruth. Can I talk to you  
23 about that during our phone call tomorrow?

24           THOMAS: Or send me something.

25           ASTWOOD: Sure, I can do that.

1 THOMAS: Okay, thank you.

2 SMITH: Okay, the fourth paragraph of 11.38, there  
3 was NEI comment on this section, and it has been commented  
4 on before. Let me go over why this particular wording is  
5 here.

6 We currently have it that the review should  
7 recognize that facility's safety may not be the only area  
8 requiring QA elements at a fuel cycle facility.

9 Applicants, customers, and the NRC, under Part 50,  
10 may impose product-related QA. Those who are in there as a  
11 caution to our reviewer, rookie or experienced, that's an --  
12 most of the facilities, in fact, at all of them, you'll see  
13 QA programs that have nothing to do with Part 70, and have  
14 nothing to do with what we're talking about.

15 And be alert to keep those separate from our  
16 safety review, and to only look at the QA in that aspect.

17 We have no trouble taking them out, but I think  
18 it's useful to have that sort of caution in there.

19 As of right now, we propose leaving those  
20 essentially the same. That first sentence would change the  
21 review to the reviewer should recognize the facility's  
22 safety may not be...

23 The second sentence would stay the same. And the  
24 third sentence, I think we simply that and take out the  
25 parentheses in relation to the performance requirements of

1 10CFR 70.61, and just leave it as a clear statement.

2           The focus of the review of QA measures per this  
3 SRP is limited to ensuring the safety of workers and the  
4 public, and protecting the environment.

5           And then the last sentence of that paragraph: The  
6 review should provide reasonable assurance that the  
7 application of QA elements is appropriately coordinated and  
8 integrated with other management measures.

9           THOMAS: Let me see if I've got this clear now.  
10 The sentence that you're taking out is which sentence?

11           SMITH: Just the part of that paragraph that says  
12 in parentheses, i.e., in relation to the performance  
13 requirements of 10 CFR 70.61.

14           THOMAS: Oh.

15           SMITH: I think it doesn't add anything. It maybe  
16 just detracts from what we're trying to say.

17           THOMAS: But everything else in that paragraph is  
18 left in?

19           SMITH: Left in. We're just slightly modifying.  
20 QA function would be application of QA elements.

21           THOMAS: Oh, okay.

22           SMITH: And the last sentence, and adequately is  
23 changed to appropriately.

24           GOODWIN: You could really reduce the whole thing  
25 to one sentence. That's just for your consideration, so it

1 reads subject to the fact that this review does not pertain  
2 to the -- related QA criteria as prescribed in the Part 50,  
3 Appendix B regulations.

4 THOMAS: Why is that -- I mean, adequately seems  
5 to convey something different than appropriate, to me.  
6 Adequate -- I mean -- something could be appropriate but not  
7 be adequate, couldn't it? I don't know.

8 Technically, whether it's different --

9 SMITH: We'll leave that adequately.

10 THOMAS: Okay, thank you.

11 SMITH: Okay, and then the last paragraph in that  
12 section, there are some minor modifications.

13 The first sentence, since many QA elements is  
14 changed to certain QA elements may be described another  
15 section of the application, and then the rest of the  
16 sentence stays the same.

17 The second and third sentences were proposed to be  
18 merged to read: The applicant may reference other areas of  
19 the application that present information relevant to QA, and  
20 specifically management measures applies to criticality  
21 containment of licensed material, personnel protection and  
22 environmental safety.

23 And the last sentence, delete with the at the  
24 start, and just leave it application of grater QA and  
25 quality levels commensurate with the risk, should parallel

1 the same risk levels established for other management  
2 measure application and the ISA.

3 There was an objection previously, and we had a --  
4 regarding it. In the early versions, it was tied into the  
5 maintenance risk levels.

6 THOMAS: This is Ruth again. Can I change my  
7 mind? I looked up appropriate.

8 SMITH: Why? Do you want both of them in there?

9 THOMAS: According to the dictionary, I guess  
10 appropriate is more suitable. Okay, appropriate is.

11 [Laughter.]

12 THOMAS: I can change my mind, can't I?

13 ASTWOOD: Yes. We've all done the same thing,  
14 Ruth.

15 All right --

16 SCHILTHELM: Can I make one comment before we  
17 close this QA?

18 ASTWOOD: Yes.

19 SCHILTHELM: In the last paragraph, you say the  
20 reviewer should focus on management measures applied to  
21 criticality, containment of the licensed materials. The  
22 management measures are applied to IROFS because they're  
23 invoked by Subpart H, et cetera, et cetera.

24 Shouldn't we just say that here, rather than the  
25 ISA doesn't have anything to do with, you know -- it doesn't



1 -- the ISA is for the four disciplines, criticality, fire  
2 protection, chemical safety, and radiation safety.

3           So, we're deviating from those four disciplines,  
4 and we're getting inconsistent, so why don't we just say  
5 that the QA review is focused on the application of items  
6 relied on for safety.

7           PERSINKO: That is the construct of Management  
8 Measures --

9           COX: We'll do that.

10          ASTWOOD: We are now to acceptance criteria, a  
11 third of the way through this document.

12          The meeting was supposed to adjourn at 4:30. I  
13 have extended the conference call bridge line for another  
14 hour but I wanted to ask do you want to continue until 5:00,  
15 another half hour? There is also the option that tomorrow  
16 Walt has told us that his meeting probably will only take up  
17 the morning time. We could meet again after Walt's meeting  
18 tomorrow afternoon to continue through this.

19          THOMAS: Do you mean after the meeting that they  
20 are having from 9:00 to 2:30?

21          ASTWOOD: Yes. Exactly -- Walt's meeting  
22 tomorrow.

23          THOMAS: Well, I am going to involved in that.

24          ASTWOOD: So when that would be over, all of these  
25 people here in this room would also be involved in that

1 meeting so --

2 THOMAS: Well, I'll meet you people again then.

3 [Laughter.]

4 ASTWOOD: So that would be okay, Ruth? You  
5 could -- it would start whenever Walt's ended, whether it  
6 ended at 11:00 or 3:00 or whatever.

7 SCHILTHELM: Since we are thinking out of the box  
8 here, Heather, would Walt be willing to convene his meeting  
9 in the afternoon and we could continue this meeting first  
10 thing in the morning?

11 ASTWOOD: Maybe. We can ask him.

12 GOLDBACH: That would be much less confusing.

13 KILLAR: The issue you run into though is the  
14 Federal Register notice Walt's meeting is scheduled and  
15 posted to start at 8:30.

16 PERSINKO: But if there is nobody else  
17 attending -- nobody else wanted to attend, I guess it would  
18 have no effect.

19 KILLAR: And you don't know that until tomorrow  
20 morning.

21 COX: He won't know until --

22 ASTWOOD: It is a matter of other members of the  
23 public who want to come to Walt's meeting tomorrow morning.

24 Do you want to try that?

25 SCHILTHELM: I think we are making excellent

1 progress.

2           ASTWOOD: I do too.

3           SCHILTHELM: And I hate to break it. In the  
4 afternoon many people have flights and what-not.

5           ASTWOOD: Do you want to at least continue for  
6 another half-hour?

7           [Laughter.]

8           THOMAS: What's the consensus?

9           ASTWOOD: We definitely want to try to meet  
10 tomorrow. The consensus is either if there are other  
11 members of the public who came specifically for Walt's  
12 meeting and can't stay in the afternoon for Walt's and want  
13 to hear what he has to say, Walt's meeting will come first  
14 and we will meet in the afternoon but if nobody else comes  
15 and it is okay with you, we would continue this meeting in  
16 the morning and have Walt's meeting in the afternoon.

17           I think that is the consensus --

18           THOMAS: Well --

19           ASTWOOD: -- that we will make that decision in  
20 the morning and it is going to be in this room with --

21           THOMAS: If you want to know as far as I am  
22 concerned, the woman that's going to be coming tomorrow has  
23 already asked for time off tomorrow morning because I  
24 thought that was when it was going to be.

25           ASTWOOD: But she got it off specifically because

1 she was interested in what the meeting tomorrow was going to  
2 say?

3 THOMAS: Yes, the one with oversight.

4 ASTWOOD: Okay. Then I think that means we should  
5 have that in the morning if she has already taken time off,  
6 so I would recommend that --

7 THOMAS: She had to do it a day ahead of time.

8 ASTWOOD: Right.

9 THOMAS: And so, you know, she can't change that.

10 ASTWOOD: Okay, that's fine. That is why we put  
11 out meeting notices, so people know what time our meetings  
12 will be.

13 We will adjourn at 5 o'clock today. Do you want  
14 to try a few more minutes here since we are thinking about  
15 it? We will adjourn at 5:00 and then we will pick up after  
16 Walt's meeting tomorrow.

17 KILLAR: Heather, did you say that the meeting  
18 tomorrow will be here as well?

19 ASTWOOD: Yes. Walt's meeting is in here also.  
20 It's the same place.

21 GOLDBACH: 8:30?

22 ASTWOOD: Yes, 8:30 tomorrow.

23 Let's try 11.4.1 under Acceptance Criteria.

24 COX: 11.4.3 -- no, you are right. I'm sorry. Go  
25 ahead.

1           There aren't any changes in there.

2           ASTWOOD: Yes -- there was only one there.

3           COX: One. We will do that and we will do the  
4 next one, facility change processes required to inform with  
5 or to.

6           Now we are into the next page of the NEI document.

7           Comment: "NRC has enough regulations and reg  
8 documents on QA that there should be no compelling need to  
9 cite non-NRC documents. References NQA-1 should be  
10 deleted."

11           I think we disagree with this one and we would  
12 just like to keep those in there. We don't see that that is  
13 a big deal.

14           KILLAR: That is the one in particular that we do  
15 have a concern with is the Item Number 4, U.S. Department of  
16 Energy draft, implementation guidance for 10 CFR, Part  
17 803.120 and DOE Order.

18           We are not sure of the applicability of using it.  
19 Granted if you were the Hanford tanks this might have some  
20 relevance, but for our facilities we have questions about  
21 the applicability of the reference, particularly if it is a  
22 draft.

23           COX: If it is inapplicable it wouldn't be used.  
24 I mean these things are only listed for guidance which is  
25 really for -- what it amounts to is the training or

1 elucidation or intelligence gathering of the reviewers.

2           It doesn't mean they apply everything that they  
3 find in there.

4           KILLAR: It does by having it in here as a  
5 reference or at least from my perspective what it does is I  
6 have to go out there and find them and read them and see  
7 what they say, even if they are only there for reference.

8           I am somewhat familiar with this stuff but for  
9 things dealing with DOE, implementation guide for 10 CFR,  
10 Part 803.120 that is not something I would normally keep in  
11 my reference shelf.

12           COX: I think Richard Stark -- who appears to have  
13 gone here -- Mr. Connelly will get it.

14           KILLAR: Don't do me any favors.

15           COX: That's only a draft but I think we can make  
16 it easy for you to get.

17           CONNELLY: Basically we'll reference NQA-1

18           COX: That is what that document does in NQA-1,  
19 right?

20           KILLAR: Well, if that is all it is, you already  
21 have that covered in Item Number 1.

22           COX: What do you say about that, Wil?

23           SMITH: For this application, I don't see the  
24 point. Wil Smith, NRC -- I don't think that this is needed  
25 for this particular application.

1 COX: Okay.

2 SMITH: If it comes in, it will be something of a  
3 major departure.

4 GOODWIN: IAEA -- does that relate to Part QA, Wil  
5 or --

6 SMITH: I haven't checked back on that one.

7 CONNELLY: Isn't the ISO-9000 the QA of your  
8 process, how you run your facilities? It could apply to any  
9 plant, not only nuclear?

10 SMITH: Yes. Generic.

11 [Discussion off the record.]

12 SMITH: It's a little more management issues,  
13 tracking customer feedback, that kind of thing.

14 KILLAR: A little more stringent accreditation  
15 process in the 9000 series.

16 SMITH: A lot of international -- and some nuclear  
17 facilities are outside the ISO-9000.

18 COX: We've agreed to delete the (1). Can we move  
19 on from there?

20 KILLAR: I do also have an issue with the Number  
21 5, that we took issue when that was drafted back in 1989.  
22 It's never been officially adopted because we took issue  
23 with it and they included it as a reference at this point in  
24 time. It implies or indicates that you are accepting it.

25 COX: We are what?

1           ASTWOOD:  Accepting it.

2           KILLAR:  Dictating something that we need to file  
3 as a reference.

4           SMITH:  It is information for that rookie reviewer  
5 we're talking about.

6           KILLAR:  That is information that we don't agree  
7 with.

8           COX:  Our intent has been to incorporate into this  
9 SRP those elements that were important from that Federal  
10 Register notice.

11           I am comfortable with the fact that it's been done  
12 for operations, chem safety and fire protection.

13           What about QA?  No, meaning?

14           SMITH:  I'm not sure on that.

15           COX:  Not sure.  Well, we'll have to check it out.  
16 That should have been incorporated.

17           ROCHE:  Don't we have another NUREG on chem safety  
18 review --

19           COX:  We are not talking about the chem safety  
20 aspect of it but rather the QA.

21           ROCHE:  QA aspect, okay.

22           COX:  We will check it.  Okay.  We'll take another  
23 look at that, and make sure that whatever you wanted out of  
24 that is in here and then we can look forward to deleting  
25 that one.



1           ASTWOOD: Okay, so we are on to 11.4.3.1, which  
2 contains the acceptance criteria for configuration  
3 management.

4           COX: The first comment was again that thing about  
5 changing policy to system and we covered that already, that  
6 we didn't want to do that.

7           The next suggestion down here was some word  
8 changes in the first few lines, first three and a half  
9 lines, that we adopted some of that and not some remaining  
10 material in there.

11           You just have to look at the current chapter, the  
12 current offering by NRC for the first three lines and see  
13 what you think of that.

14           We did delete Item A, as recommended by NEI.

15           The next comment is 70.72 allows no flexibility as  
16 suggested in A. Well, we deleted A.

17           The CM systems will apply to all IROFS. Item A  
18 should be revised. Revised accordingly. Delete the two  
19 additional references to grading elsewhere in this 11.4.3.1.  
20 I believe we have done that.

21           Now to (b). That has been revised such that (b)  
22 now starts with the organizational structure, and staffing  
23 interfaces was changed to "key staff responsibilities".

24           The sentence "The functional interfaces with  
25 maintenance and training" was kept and we agreed with

1 deletion of the last sentence, "IROFS under CM should  
2 include all these IROFS as identified by the summary."

3 That is it for paragraph 1.

4 THOMAS: Let's see. Could you give me that number  
5 again --

6 COX: This is the first paragraph under Item 1 of  
7 11.4.3.1 and I know it is tough without seeing the NRC  
8 document, Ruth, but a summary would be we have adopted  
9 probably half of what NEI recommended and modified some  
10 sentences for the remaining material in that paragraph.

11 THOMAS: Well, now I have pages from Chapter 11  
12 but let's see. The date on this is May 11th.

13 COX: May 11th?

14 THOMAS: So you are deleting some sentences that  
15 refer to what?

16 COX: Where does the May 11th show up, Ruth?

17 THOMAS: Well, I mean that's the date on the draft  
18 for NUREG 1520. I am looking under, oh, gosh -- what page  
19 is that? -- Acceptance Criteria -- 11.3.8. I looked under  
20 11.3.

21 ASTWOOD: Yes. We are on to 11.4.3.1.

22 THOMAS: Oh, Configuration?

23 COX: Yes.

24 ASTWOOD: Yes.

25 THOMAS: Okay.

1 COX: But the May 11th version is too old, Ruth.  
2 I think, as you said earlier, you haven't received the  
3 material we just sent you, so the May 11th version won't  
4 match what the NEI document --

5 THOMAS: It does on some things but it doesn't on  
6 this.

7 ASTWOOD: Right.

8 THOMAS: If you would read to me what you are  
9 leaving out, it seems like we're leaving out something that  
10 sounded kind of important, at least the end of it did.

11 COX: Let's see.

12 [Discussion off the record.]

13 COX: I'll read you what we propose. Here is the  
14 NRC's version: "The Applicant's description of CM policy  
15 describes at least the following topics -- each CM activity  
16 including its objectives, (b) the organizational structure,  
17 and key staff responsibilities."

18 Another sentence now: "The functional interfaces  
19 with maintenance and training and qualification are of  
20 particular importance and should be addressed individually."  
21 End of paragraph.

22 THOMAS: And it was interfacing that you are  
23 leaving out?

24 COX: Well, I think we left in --

25 ASTWOOD: No, he is leaving that in. He just read

1 you the way that we are proposing to keep it.

2 THOMAS: -- NEI's, whatever the initials are, NEI,  
3 isn't it?

4 ASTWOOD: Right.

5 COX: Yes.

6 THOMAS: Wasn't it stronger before?

7 COX: I believe that we have captured everything  
8 of importance to the NRC in this proposed version.

9 I would say that we have been able to restructure  
10 this to make it a little cleaner without losing those  
11 elements that we felt were needed.

12 THOMAS: Will I be able to see that when I get the  
13 copy with the corrections?

14 COX: I think so.

15 THOMAS: Well, I can't visualize it now.

16 COX: I know it is difficult.

17 We are on the second paragraph. Any comment?

18 [No response.]

19 COX: Then we are on the second paragraph of this  
20 policy item and proceeding to the second line or so. The  
21 next significant comment or the next comment by NEI is four  
22 or five lines down in the second paragraph -- in accordance  
23 with NRC preferences to not address risk, the terminology  
24 applicable to accidents should be changed as noted."

25 We dealt with this one earlier. Same comment in

1 another position.

2           We disagree. CM may be graded commensurate with  
3 risk so I didn't want to change from what our current  
4 statement is to say after an ISA is completed and IROFS are  
5 identified that may not be associated with high risk  
6 accident sequences, the Applicant may choose to reduce or  
7 eliminate certain features of the CM function as applied to  
8 those lesser risk design or operational features.

9           We think that is okay.

10          THOMAS: What you read was NEI's?

11          COX: What I read was what NRC wants to see in  
12 this Standard Review Plan.

13          You will be able to see this very cleanly as soon  
14 as you get that copy.

15          THOMAS: Yes.

16          COX: Clearly. Okay. That was the only comment  
17 in that paragraph.

18          The next paragraph starts with the phrase, "The  
19 design process" --

20          GOLDBACH: Tom, I'm sorry, could you give me an  
21 example of a certain feature that we might eliminate for a  
22 lesser risk.

23          COX: Certain features of CM. What would you  
24 eliminate?

25          SCHILTHELM: I can give you one.

1 COX: Shoot.

2 SCHILTHELM: I make a change in -- based on the  
3 significance of the change it may or may not need to go to  
4 the Change Review Board.

5 COX: Okay. That's a good one, but here is  
6 another one. You might not insist on a like kind  
7 replacement for something that is really low risk. You  
8 might go out to the Target or Home Depot and buy it..

9 GOLDBACH: Okay, thank you.

10 COX: On the paragraph starting with "The design  
11 process leading to drawings" -- comment -- "Sentence not  
12 needed. Content already expressed in first sentence of  
13 11.4.3.1."

14 I believe again you are referring to the material  
15 that follows that one in this case, which is all deleted.

16 I am saying we disagree with this deletion --  
17 11.4.3.1 is a definition of the CM scope -- policy, which  
18 includes scope.

19 This is specifying what must be in the ISA  
20 summary, and what can be in the license application.

21 That is what these lines are that are now in this  
22 paragraph. We think this material is important to the  
23 reviewer and to the Applicant to understand this about the  
24 level of CM attributes that is applied.

25 So it is essentially -- I don't know if you would

1 call it a tutorial. I hope not, but it is information that  
2 is useful to everybody who is associated with having to do  
3 this. That is why it is there. We don't think it is -- the  
4 content is already expressed in the first sentence of  
5 11.4.3.1.

6 FARRELL: Well, I think the correction that you  
7 made to the 11.4.3.1 addresses some of the concerns that we  
8 had here.

9 Going back to the earlier version of this section  
10 you said you had to define which IROFS are going to be  
11 covered by CM. Well, if you go to the rule that was obvious  
12 which ones had to be covered and you corrected that, so I  
13 think that addresses the first, one of the first concerns  
14 there.

15 COX: All right.

16 FARRELL: I think we have addressed that. You  
17 have corrected it appropriately.

18 COX: Okay. Then we can proceed to Item 2, design  
19 requirements.

20 ASTWOOD: It is almost 5 o'clock.

21 COX: Oh, it is almost 5 o'clock. Is this a good  
22 place to break?

23 ASTWOOD: I think it should be.

24 I think, Ruth and others, I think we will stop at  
25 this point since it is at the beginning of a section, part

1 of a section and --

2 THOMAS: Okay with me.

3 [Laughter.]

4 COX: A long day.

5 ASTWOOD: We will pick up tomorrow after Walt's  
6 meeting and exactly how to do that, Ruth, we'll tell you  
7 tomorrow during Walt's meeting.

8 THOMAS: During what?

9 ASTWOOD: During Walt's meeting tomorrow we will  
10 tell you how to stay on for this meeting, okay?

11 THOMAS: It won't be the same number?

12 ASTWOOD: I am not sure. I have to find out, but  
13 I will make sure tomorrow when you call him that I will let  
14 you know. Okay? We have to tell everybody in this room  
15 also.

16 THOMAS: You mean you will do it through Walt's  
17 meeting?

18 ASTWOOD: Yes.

19 THOMAS: Okay.

20 COX: And we have her phone number too, don't we?

21 ASTWOOD: Yes -- and you have the phone number for  
22 Walt's meeting, right?

23 THOMAS: No, I don't because he said he would call  
24 me.

25 ASTWOOD: Okay, well, I will call you tonight and



1 make sure that you have it.

2 THOMAS: And -- because I had such trouble getting  
3 through and that is why I thought I must have it wrong, that  
4 you were going to call me because I couldn't get through.

5 ASTWOOD: You will be home in the next hour,  
6 right?

7 THOMAS: Yes.

8 ASTWOOD: Okay. I will call you then.

9 THOMAS: Okay, great.

10 ASTWOOD: Thanks.

11 THOMAS: Thanks a lot.

12 ASTWOOD: All right. Bye.

13 [Whereupon, at 4:58 p.m., the meeting was  
14 recessed, to reconvene on Wednesday, September 13, 2000.]

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