1   UNITED STATES OF AMERICA

2   NUCLEAR REGULATORY COMMISSION

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5   AM SESSION

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8   CONTINUED PUBLIC MEETING

9   on

10   PART 70 GUIDANCE DOCUMENTS

11

12

13   U.S. Nuclear Regulatory Commission

14   Two White Flint North

15   Room T3B43

16   11545 Rockville Pike

17   Rockville, Maryland

18

19   Wednesday, September 13, 2000

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21   The above-entitled proceedings commenced at 9:09

22 o'clock a.m., pursuant to notice, Heather Astwood, NRC

23 Staff, presiding.

24

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1 PARTICIPANTS FROM THE SEPTEMBER 12, 2000 MEETING

2 (may or may not be present at today's meeting):

3

4 NRC STAFF:

5

6 Heather Astwood

7 Tom Cox

8 Drew Persinko

9 Ed Flack

10 David Ayres

11 Rex Wescott

12 Wilkins Smith.

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

14 Safeguards

15 Ted Sherr, Chief, Safety and Safeguards Support Branch

16 Lydia Roche, Section Chief, Licensing Section

17

18 PARTICIPANTS:

19

20 John Connelly, Department of Energy

21 Jim Edgar, Siemens Power Corporation

22 Clifton Farrell, Nuclear Energy Institute

23 Bob Freeman, Framatome Kogema Fuels

24 Don Goldbach, Westinghouse

25   [Continued]

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

2   ASTWOOD: We are going to pick up from the meeting

3 yesterday. We were unable to get a court reporter for this

4 particular meeting because of the late notice, so we are

5 having this recorded. Please try to identify yourselves

6 before you speak because it will be even more difficult for

7 the transcription if you don't identify yourself ahead of

8 time.

9   I think what the plan is for today is to continue

10 with our section by section discussion of Chapter 11.

11 Because of the time constraints I wanted to ask would it be

12 a good idea to start out with the areas that NEI has the

13 most concern with or do you think with the time allotted

14 going through the acceptance criteria at the speed we have

15 been going we could get through most of what you guys want.

16   KILLAR: From my perspective, I think we do need

17 to do something different than we were doing yesterday

18 although I think yesterday was very good. I just don't

19 think we have the time available to go through it line by

20 line, as we did yesterday.

21   Maybe the way to do it is to identify the major

22 issues that you have and changes you have made since the

23 last version, and also the response to the issues that we

24 have identified. That may end up being line for line, for

25 all I know.

1   COX: Sounds like it. The way you described it.

2   ASTWOOD: Well, since that is the case and maybe

3   we will try to be a little more general instead of

4   specifically saying we changed this word to that word, and

5   your comment was to maybe take it section by section a

6   little more generally and say whether we accepted it or not.

7   COX: Tom Cox here. Could somebody calibrate me

8   as to where we left off yesterday, precisely?

9   PARTICIPANT: 11.10 on September 10, the issue --

10   COX: 11-10 on the NEI document.

11   PARTICIPANT: No, your document.

12   ROCHE: This one, 11-10 --

13   [Pause.]

14   COX: Tom Cox, Design Requirements.

15   I think that you can see in our document what we

16 revised in that paragraph. We put in the red-lined material

17 there, moved in from 11.5.2.1 review procedures because if

18 you were to skip back to there momentarily I think you might

19 find that you comment said something to the effect that this

20 material back there didn't really belong there but belonged

21 up here, or perhaps I decided that after reading your

22 comment.

23   I will just say that the material you see redlined

24 under Design Requirements has been moved forward from

25 11.5.2.1.

1   Let me see if I can make a comment on your

2   comments and keep it general and quick. Okay, your comment

3   in this area was following sentences too prescriptive and

4   detailed, and it was referring to a sentence that started,

5   "A design control function is established."

6   That includes design inputs, process analyses, and

7   so on, on a number of things there, and that this attribute

8   may be described as part of CM or as part of the Management

9   Measures on QA.

10   It was my original plan to include that but I

11 think what in fact was done was to move up that other

12 material into this area and if I am correct in memory here

13 that we did delete the material that you were suggesting be

14 deleted. That is my summary of that.

15   Can comment on that?

16   SCHILTHELM: Tom, in what you proposed here, the

17 shaded information -- excuse me, Steve Schilthelm, BWXT --

18 the shaded information talks about the applicant clearly

19 defining in the ISA summary. It's not clear to me how that

20 even relates to the design requirements and it doesn't

21 really relate to the license application as far as Chapter

22 11 and Management Measures.

23   COX: You are wondering how it relates to Chapter

24 11 and Management Measures?

25   SCHILTHELM: More so I am wondering why it is in

1 Chapter 11 if it is something that is going to be found in

2 the ISA summary.

3   COX: Well, the fact that it is going to be in the

4 ISA summary doesn't mean in our mind that the reviewer

5 should not be told to look for it in the ISA summary. We

6 are telling the reviewer here to look for this to be defined

7 in the summary and along with the assignment of graded QA

8 levels and then we are allowing and telling the reviewer

9 that nevertheless not all of the description of CM may be

10 found or is necessarily found in the ISA summary itself but

11 some of it may be found in there and then some may be

12 referred back to the license application, where it would be

13 in Chapter 11.

14   What is put in Chapter 11 for this description of

15 grading could be generic such that it wouldn't be practical

16 or useful or necessary to be writing it a number of times

17 for a number of different IROFS. This is just telling the

18 reviewer what to look for and where he might find it.

19   ASTWOOD: This is Heather Astwood.

20   My assumption has been all along that they were

21 going to have to use the ISA summary in some cases to

22 identify the IROFS. They are going to have to look at the

23 ISA summary to know which IROFS were identified in the ISA

24 summary.

25   SCHILTHELM: Maybe I am misunderstanding. I

1 thought design requirements in this context were how you

2 through your administrative configuration management process

3 communicated the design requirements for the design of

4 processes and not necessarily how you defined IROFS to be in

5 the CM function.

6   COX: I think I see your point here. You're

7 right, the CM program or its function, as I have said I have

8 wanted to call it, under design requirements is supposed to

9 describe what that first sentence says, how the requirements

10 are established and maintained through control, which the CM

11 function provides -- this control.

12   I guess this is a statement of the things that the

13 control is supposed to be exercised over, probably the most

14 important thing that that control should be applied to.

15   SCHILTHELM: Wouldn't that more appropriately fit

16 in change control?

17   COX: In change control? Is that what you said,

18 change control?

19   SCHILTHELM: Yes. If you are describing your

20 Configuration Management program, you have a design phase

21 that has to implement the baseline design criteria and all

22 that sort of information and decide how you do do design.

23   COX: I agree, but change control starts with

24 knowing the baseline from which you are going to change and

25 the ISA summary will establish that.

1   Then of course once you have them you control

2   revisions to them.

3   SCHILTHELM: Okay. I thought the premise of this

4   SRP was that the ISA had been done and had been approved and

5   already existed and maybe that is coming from my viewpoint

6   of when this SRP will be applied at my license.

7   COX: The SRP, well, some of it will certainly be

8   applied to your license as the ISA is approved and the

9   summary is approved, but the SRP is not written strictly for

10 existing licensees.

11   SCHILTHELM: Okay.

12   FARRELL: This is Clifton Farrell speaking. I had

13 a couple of comments on the shaded text in Number 2.

14   COX: Okay.

15   FARRELL: The first one is the last sentence, "The

16 primary reviewer" -- et cetera -- that sounds more

17 appropriate to be included in the review method part of the

18 SRP chapter. In that section I think it is 11.5, you

19 clearly distinguish the primary reviewer will do this, the

20 secondary will do this, and so on, and I just wonder if that

21 sentence maybe was carried over back into this 11.4, where

22 it should have stayed in 11.5. Just a minor comment there.

23   The other comment -- it seems to me that what is

24 in the shaded text is very similar to the last paragraph

25 right above, I guess it's Number 1, entitle CM Policy, where

1 you talk about assigning grades or quality levels.

2   I wonder do we really need to repeat that in Item

3 Number 2, Design Requirements -- just a thought for

4 consideration. Maybe we have carried over some unnecessary

5 duplication. The sentences are very, very similar to one

6 another.

7   Anyway, those are my two comments on that shaded

8 text that maybe you could look at.

9   COX: Okay. I'll write that in here -- looks

10 duplicative.

11   PARTICIPANT: We talked yesterday a lot about

12 principles. What is the necessary information? Without

13 eliminating the redundancy at least within this section and

14 stating very clearly what is the expectation, what is

15 expected to be in the license application in the area of

16 configuration management.

17   I think if you look at this section, that can be

18 done in a much less verbose way than it has been done and it

19 can be much clearer than what's presented here.

20   COX: That's possible. Tom Cox. Why should I

21 deny that? But at this point we are not looking to reduce

22 verbosity that doesn't lend to lack of clarity.

23   If you can understand this, if we can understand

24 this, at this point repetition is not always bad.

25   PARTICIPANT: But I think the verbosity does in

1 this case lend to lack of clarity.

2   ROCHE: This is Lydia Roche. Steve, you are

3 talking about the whole section, the CM section?

4   SCHILTHELM: Yeah, but specifically when we are

5 debating whether this shaded part needs to be here. That's

6 an example of where we think it is redundant and it doesn't

7 add anything to what's been stated.

8   ROCHE: Okay.

9   COX: I do, though, that there is the same

10 sentence used twice here and that doesn't look too good to

11 me.

12   "However, in the ISA summary this indication may

13 consist of only an index or category designation." There is

14 something strange about that that should be fixed.

15   As to the last sentence there in Item 2 that

16 Clifton was remarking on, it starts off, "The primary

17 reviewer for CM is responsible" -- I could say there that

18 instead of "the primary reviewer is responsible to

19 determine" I could simply say, "The review should find

20 that" -- the reduced levels the Applicant would apply.

21   FARRELL: Yes, that's better. Yes.

22   COX: Anyway, that's about all I wanted to do with

23 that after fixing up the -- I don't approve of redundancy

24 such as the exact sentence twice in ten lines. I don't

25 think that is very good, but on the other hand I don't think

1 it confused anything. I think it's what we are looking for.

2 It's what the reviewer is looking for and I think he

3 understands that whether it is said once or twice or he will

4 understand it if it is said at least once.

5   Any other comment on that one?

6   [No comment.]

7   COX: Document Control. The comment was balance

8 of this sentence is unnecessarily prescriptive and I think

9 that is the balance of the first sentence.

10   We disagree with that. I think this describes

11 essential elements that we want the Applicant to include in

12 the application. It's a descriptive add-on to the topic

13 sentence.

14   The second comment there was what is a document

15 relied on for safety. I don't know how to answer that.

16 It's an IROFS. It seems to me it's -- or key to the support

17 or assurance of an IROFS. If I had to give an explanation

18 or example I might say the procedure that is the essence of

19 an administrative control. It supports a human action, that

20 is an IROFS. That would be a document relied on for safety.

21   The next comment is the following sentence is very

22 prescriptive and dictates how a licensee should operate.

23 Existing licensees frequently do not operate as is

24 prescribed in the following sentence. Licensees often do

25 not have a separately identified CM function but rather

1 integrate CM including all of the elements and attributes in

2 this sentence within several functions.

3   I can only point out there that the licensees must

4 now, according to 70.62(d) have a separately identified CM

5 function described as a Management Measure, so I don't know

6 where to go except to remind you of that.

7   I will change emergency operating procedures --

8 let's see -- I'm trying to correlate two documents here.

9   ASTWOOD: Could I make a comment? This is Heather

10 Astwood.

11   From what I can tell from this paragraph, part of

12 your concern was that we had listed all of the things in the

13 parenthetical and he seemed to have eliminated some of that.

14 Does that help your feeling that all of these things had to

15 be identified in each place is what you were getting at?

16   PARTICIPANT: Yes.

17   COX: As you can see, there are some modifications

18 here.

19   PARTICIPANT: But isn't the concern that the

20 performance that is expected is pretty clearly stated in

21 what NEI proposed and the difference between what NRC is

22 suggesting adds information that in our view doesn't help

23 the process. It's just a bunch more prescription down into

24 the nuts and bolts of how we do things versus what we do.

25   COX: I call it a bunch of detail, if you want to

1   say that, not prescription, that tells the reviewer what to

2   look for in the Applicant's description of a CM function.

3   PARTICIPANT: But I contend that that information

4   doesn't even need to be in the license description of the CM

5   function in order to make it adequate.

6   The point here is that you have a system to

7   control documents that are important, that have relevance to

8   items relied on for safety and that you describe that

9   system.

10   COX: Describe that system. That is what I am

11   telling the reviewer to look for in the description of the

12   system.

13   PARTICIPANT: Yes. NEI's version says the

14   Applicant describes an acceptable method to establish and

15   control documents within the CM system.

16   Isn't that enough information to give the

17   reviewer?

18   COX: No, because we need to tell him what is

19   acceptable in the depth of the description.

20   PARTICIPANT: I think that is our fundamental

21   disagreement.

22   COX: Yes.

23   PARTICIPANT: And this only illustrates a

24   disagreement that permeates this chapter, so we continue

25   through line by line and disagree line by line, or not.

1   COX: Well, yeah, we could --

2   PARTICIPANT: Or we could wear each other out and

3 sometimes we would agree and not agree just because we are

4 worn out but the bottom line is we don't agree on the level

5 of detail, if you want to call it detail, Tom, that is

6 necessary in a license application to adequately describe a

7 program.

8   ROCHE: We have agreed on some things. How would

9 you suggest we change this -- just to the first sentence and

10 that's it? -- and don't put the rest even in the acceptance

11 criteria?

12   PARTICIPANT: That is what NEI proposed.

13   COX: Here is what there suggestion is.

14   ROCHE: I know. It's just the first sentence.

15   ASTWOOD: First and second.

16   ROCHE: But for Tom's purpose the reviewer will

17 have to look at these things. Would it make it better if we

18 put in the acceptance criteria? Still to you that is

19 prescriptive.

20   PARTICIPANT: Yes.

21   ROCHE: It is.

22   PARTICIPANT: Or detailed, whichever you choose to

23 call it.

24   If the basic principles are to retain and retrieve

25 the document, the method of doing that can be as inefficient

1 as you want to have it as long as you can still satisfy the

2 retention and the retrieval of those documents.

3   A document retention program can simply be a pile

4 of papers that if you can produce it within the timeframe

5 you need to produce it in satisfies the intent. It doesn't

6 need to be described in how you catalog it, distribute it

7 and retrieve it.

8   The policy part of that is far beyond the

9 requirement and the basic principle that it is supposed to

10 serve. That is what I think we mean by prescriptive.

11   We want the ability to change our program. I mean

12 if it is distributed a certain way today, it can be

13 distributed a separate way later as long as it is

14 distributed, retained and controlled.

15   ASTWOOD: This is Heather Astwood.

16   I understand that and I don't think we want to

17 unnecessarily restrict you from changing your process.

18   However, we have to make the determination that it

19 is an adequate process and I think if you described in an

20 application that we just have this pile of paper on this

21 desk and I can retrieve it in five minutes, you know, I

22 think we would have difficulty in being able to make the

23 determination that that is an appropriate method.

24   I think we need to have some information on what

25 it is to make the determination that it is appropriate.

1   If there is some way we can, as we have said

2   before, put in some principles, or other words, but I think

3   we are at a stand-still of we can't simply go with we will

4   have a commitment to do it. I think we have to make that

5   determination through the license.

6   PARTICIPANT: We could add a few principles, but

7   they would be just that, basic principles of document

8   control.

9   ASTWOOD: Let's talk about it. For example?

10   PARTICIPANT: Documents will be readily

11   retrievable. Safety documents under the document control

12   system will be readily retrievable.

13   ASTWOOD: Okay.

14   PARTICIPANT: Why? How? Does that matter?

15   ASTWOOD: Well, let me just -- if we put this in

16   here I know NEI is going to come back and say what is the

17   definition of readily retrievable. How quick is that?

18   COX: Tom Cox. Let me suggest a rewording in the

19   front end of this first sentence.

20   Supposed it said, "The reviewer confirms that

21   Applicant has described a method to establish and control

22   documents" and then all the rest of that sentence stays the

23   same? "Describe the method to establish and control

24   documents within the function including those listed items."

25   PARTICIPANT: I guess I disagree with the listed

1 items. I mean you have the word in there, "the document

2 data base" and that right alone assumes there is some form

3 of data base on your documents, a file cabinet, the old

4 school way of doing it would not have a data base.

5   COX: Would you say you would not have a document

6 data base?

7   PARTICIPANT: You may not. You may have a

8 document control system that is not data base related.

9   COX: I don't think -- this data base -- these two

10 words, "data base," don't have to be interpreted as a

11 computerized data base. This is just a collection of data

12 that is organized.

13   Are you thinking that has to be a computer data

14 base the way you are reading it?

15   PARTICIPANT: I believe that is the way it came

16 across to me. In fact, in the last sentence it is one word,

17 database.

18   COX: Suppose it said all relevant documents,

19 cataloging all relevant documents?

20   PARTICIPANT: Retaining all relevant documents.

21 Controlling, retaining -- basic principles of a document

22 control system and not the cataloging --

23   COX: Okay, including retaining and controlling

24 all relevant documents? That would be the first item.

25   PARTICIPANT: I go back to what Steve said. The

1 first sentence in my opinion is adequate. If you needed to

2 add a few basic principles after that it would still look

3 like a very different paragraph than what you have today.

4   The second sentence in NEI's proposal is also very

5 powerful. It says the Applicant describes how CM will

6 capture the documents that are important to safety, so that

7 "captures" all those documents that are important to safety.

8   I don't think you need a list of all the documents

9 that are important to safety to say that you have captured

10 all those documents important to safety.

11   COX: That doesn't ask for the list. It says

12 that's a description of how you will do it. What is the

13 general plan of your function, of your system?

14   PARTICIPANT: Exactly. That is Steve's point.

15   SCHILTHELM: That is my point, and what you are

16 proposing asks for a list, whether that list be --

17   COX: No. I don't see the requirement there for a

18 list. The Applicant describes how CM will capture documents

19 that are relevant and relied on for safety.

20   Where does that require a list?

21   SCHILTHELM: This includes yadda yadda yadda

22 yadda. That is the list we are talking about.

23   COX: Well, yes, okay, but that is not a list of

24 specific documents. That is a statement by the Applicant

25 that our system will pick up design requirements, as-built

1   drawings, specifications.

2   SCHILTHELM: That is a list.

3   COX: The reviewer will be able to confirm that

4   you in fact are addressing those items, if you say that you

5   are. If you don't say that you are, he has no clue as to

6   what the system is capturing.

7   SCHILTHELM: Yes, he knows, he will assure himself

8   that we have described how we will capture documents

9   important to safety.

10   He should be able to assure himself of that

11 without us going through the list ad nauseam of exactly what

12 those documents are in a license application.

13   ASTWOOD: So it is only a question of whether the

14 things that we have listed here are what you would qualify

15 as important to safety?

16   SCHILTHELM: I don't know if that list is complete

17 or not. I would venture to say it is probably incomplete.

18   COX: Well, I guess we will have to disagree on

19 that point.

20   ROCHE: Wait a minute. How would you -- you

21 understand -- this is Lydia Roche -- how would you,

22 addressing what's Tom's and Heather's concerns are, address

23 this with that only one line? You have to think what we are

24 trying to do this for.

25   PARTICIPANT: Well, I think you are looking at

1 each individual section of this SRP far too narrowly and

2 writing it far too narrowly.

3   There's a whole section in the SRP on records,

4 okay? It is pretty comprehensive. Now if those records

5 apply to items relied on for safety, then you don't need to

6 list those records again under the Configuration Management

7 function to say, oh, by the way, capture this list of

8 records.

9   The mistake we are making is looking at each one

10 of these little sections snapshot by snapshot, and not

11 looking at Chapter 11 as a whole because there is a whole

12 section on records. There is a whole section on procedures.

13   That tells you and that should when looked at as a

14 whole should convince the license reviewer that you are

15 addressing what needs to be addressed.

16   The danger in this SRP and the redundancy built

17 into each one of these sections is going to be that the

18 license reviewer is going to narrowly focus on Configuration

19 Management, because he is the primary Configuration

20 Management reviewer. He is going to expect to see all this

21 information that has been prescribed or described, whatever

22 we want to call it, in this Configuration Management

23 section. He is going to expect to see that in his

24 Configuration Management section of the license application.

25 He is going to forget to look at the license application as

1 a whole and when I read the Standard Review Plan that is

2 what I see was done. It takes no account for the other

3 sections of the Standard Review Plan and the information

4 contained therein.

5   ASTWOOD: I think that is -- I have heard you say

6 those kinds of issues before. I think that is slightly a

7 different problem though than what we were just talking

8 about.

9   If this type of information is in the records

10 department, where you say, yes, our CM function does apply

11 to the records in the records management, you know, go look

12 at that section, and that information where we can see that,

13 these records we have identified whether this is right or

14 not is controlled, then that information is there.

15   So I think that is a slightly different issue than

16 saying this is too descriptive or prescriptive and would

17 limit our ability to function because we can't change it or

18 it would increase the paperwork, which is what I thought you

19 were saying the first time, that this is information that

20 you don't think needs to be submitted versus information

21 that is going to be found somewhere else.

22   Is that right? Did I misunderstand that?

23   PARTICIPANT: The issue of being able to change

24 your program is an issue, but it is not in my view a huge

25 issue.

1   The issue is to write a license that in its whole

2   clearly and concisely articulates the expectation in the

3   contract that we have with NRC.

4   That license can't be considered part by part. It

5   has to be considered as a whole. Our experience says, and I

6   know we have repeatedly heard how, well, our reviewers

7   wouldn't do that. They will look around in the license and

8   they will find this stuff, but that has not been our

9   experience.

10   Our experience has been that when you send a

11 Configuration Management reviewer to review pursuant to this

12 Staff he will generate a list of questions based on his

13 ignorance of information elsewhere in the license, not based

14 on the absence of that information, and then we will go into

15 a cycle of responding -- and when I say "ignorance" I don't

16 mean that badly -- I mean he just doesn't look at the

17 license as a whole, at the license application as a whole,

18 so by layering all the information in all the sections over

19 and over again you are going to lead to a list of questions

20 and it is going to turn into nothing more than creating a

21 roadmap to say, oh, this is here, versus in the

22 Configuration Management section.

23   That has been our experience.

24   COX: Okay. I would like to address your earlier

25 remarks that you feel somehow that the material now in the

1 document control section that we are now discussing should

2 be covered by Records Management and a list -- you called it

3 a list of records that are in the SRP are -- the Records

4 Management section is not in there to define what records

5 are kept in the records management system but rather the

6 policies and procedures and techniques for keeping a records

7 management system.

8   The types of records that are to be kept that have

9 to do with CM are not specified that way in the records

10 management descriptions and the list at the back is an

11 example, it is an appendix, is an example of the types of

12 records that ought to be kept under different sections of

13 the entire SRP.

14   When it gets to Chapter 11 it talks about

15 Configuration Management. It does list several of the kinds

16 of records, starting with safety analyses that ought to be

17 kept in the Configuration Management system. However, that

18 is still just an example listing.

19   It is only in this area that we are talking about,

20 document control, where that list there is really the

21 specification of the things that are important to CM for the

22 IROFS. That is why it is there.

23   PARTICIPANT: Well, then why wouldn't that list

24 and the list in the appendix be consistent, because this

25 whole Management Measures applies only to IROFS and it

1   applies to Subpart (h) of the rule, so why would those two

2   lists not be consistent?

3   COX: Well, I would agree they ought to be

4   consistent, although not mapping one-to-one, necessarily, in

5   each other, because the final list in the appendix is just

6   an example list.

7   PARTICIPANT: I would contend this is just an

8   example list because I can't imagine it's complete.

9   COX: Because what?

10   PARTICIPANT: I can't imagine it is complete,

11 knowing what I know about what exists at my facility.

12   COX: I would be glad to add to it.

13   SMITH: This is Wil Smith, NRC.

14   I don't think -- you know, if you look at the

15 words of that sentence it starts off, "This may include" and

16 it ends with "and others that the Applicant may deem part of

17 CM."

18   PARTICIPANT: Okay, so it is an example list,

19 contrary to what Tom just said -- it may include.

20   COX: Well, then we have two example lists --

21   PARTICIPANT: Why do we need two?

22   PARTICIPANT: We should be consistent.

23   SMITH: This includes --

24   COX: They are not tied to the description of how

25 you keep a records management system.

1   PARTICIPANT: On (3) Document Control, I don't see

2   the "may".

3   COX: You don't see what?

4   PARTICIPANT: The "may". I see this includes

5   design.

6   PARTICIPANT: This includes.

7   COX: Yes, it says "this includes".

8   PARTICIPANT: The minimum.

9   COX: In the past industry has not liked language

10 like "This includes, but is not limited to," -- which you

11 will find rife in the NRR's SRP, but we feel that it should

12 include these things.

13   PARTICIPANT: What about criticality safety

14 evaluations? That is not in the list.

15   COX: I would expect that might be subsumed under

16 design requirements.

17   PARTICIPANT: I wouldn't think so.

18   My point is your efforts to --

19   COX: And assessment reports.

20   PARTICIPANT: Your efforts to generate information

21 aren't complete and aren't necessary because you have

22 experienced license reviewers who presumably know what a

23 Configuration Management system is. If not, they shouldn't

24 be reviewing our licenses.

25   They should be able to make a judgment that we

1 have described an adequate Configuration Management system

2 in the area of document control. If they can't, they have

3 no business reviewing a license.

4   COX: But if they don't see what you say is within

5 that CM system, how are they going to have anything to

6 review?

7   PARTICIPANT: Going back to what we said, the

8 Applicant describes an acceptable method to establish and

9 control documents. They describe how the CM function will

10 capture documents that are important to safety.

11   I believe that with only those two sentences an

12 experienced Configuration Management license reviewer ought

13 to be able to review a license and determine that it is

14 acceptable.

15   If they can't, they have no business doing that

16 job.

17   COX: I understand your comment and I don't think

18 we are going to be putting totally inexperienced reviewers

19 on the job, but I won't guarantee that that won't happen, in

20 which case I would hope they would have good supervision or

21 mentors.

22   This document is to be written to help the

23 reviewers along and understand what it is they are supposed

24 to be looking for.

25   PARTICIPANT: But our experience, and the prior

1 EDO acknowledged our experience, is that this will become a

2 de facto requirement and that was acknowledged in a public

3 or in a meeting with the EDO, the prior EDO, that SRPs have

4 a way of becoming de facto requirement.

5   COX: Well, that is not supposed to happen.

6   PARTICIPANT: He acknowledged that it does.

7   COX: Well, then I assume he knew what was

8 happening and he didn't deny it's happening, I guess.

9   PARTICIPANT: That is why we don't believe the

10 overly detailed information that has found its way into this

11 SRP is necessary.

12   I think this is going to continue all day.

13   ASTWOOD: Yes.

14   COX: Yes. I think we may as well move on from

15 that.

16   PARTICIPANT: It is going to continue because we

17 can't let it continue just breezing over these sections and

18 nodding in silence because we are worn out. We are not

19 going to go past a section until it's right and we are not

20 going to get agreement on a section until it is right.

21   ROCHE: But I don't think that is what you have

22 been doing yesterday. In fact, you wanted to continue

23 because we had made some progress, so I wouldn't put it in

24 such a negative light.

25   PARTICIPANT: We made progress on the easy part of

1   the SRP. The easy part was the review, the purpose of the

2   review.

3   We made a lot of progress on that, because the

4   purpose of the review is pretty clear. It's the acceptance

5   criteria that have always been the issue and it will always

6   be where the major disconnect exists.

7   I think unanimously we agree it's prescriptive.

8   You have heard us use that term probably hundreds of times.

9   PARTICIPANT: I'll never use it again.

10   PARTICIPANT: Detailed.

11   PARTICIPANT: It's overly detailed. It's nothing

12   that seems to be going away from our side.

13   GOLDBACH: This is Don Goldbach. Just to make an

14   observation. I liken this to our procedures, our operating

15   procedures at our plant.

16   We have different tiers of information that we

17   like to consider. The first tier of information is what --

18   what to do. Then below that the tiers of information are

19   how you do it, why you do it, where you do it, the "how to"

20   being the most important.

21   Those lower tier things, how to, where to, that's

22   all in the training program that we have. It's not in our

23   procedures, and I am kind of drawing an analogy to this SRP,

24   that for us the "what to do" is okay, but what you are also

25   including in here is really the "how tos" so that your maybe

1 not so experienced reviewer can use the same document to

2 look at the whats and also at the lower level, how.

3   The problem is, and I understand that, you are

4 trying to give the reviewer enough guidance so that they can

5 make a decision on the appropriateness of the license

6 application.

7   The problem it generates for the licensee is we

8 call it prescriptive because it prescribes what or how we

9 have to do things, not just the what but hows, and those

10 details, and that is why I think we are at this impasse

11 right now.

12   ASTWOOD: We could solve that problem by saying

13 you have to have an appropriate CM function and then putting

14 all this detail in the next document for an appropriate --

15 you know, when you are doing this review based on this SRP,

16 an appropriate CM function contains this information.

17   I mean that is why we wanted to have it here so

18 that you would know what it was that the license reviewer is

19 going to see as acceptable and appropriate, so that we don't

20 have the battles at licensing time. That was the point.

21   COX: This paragraph we are talking about, and I

22 think in my paragraphs or it could be in most paragraphs, we

23 are talking here about what and not how. You see all these

24 lists of things that tells the reviewer to go and look for

25 it, look for these things having been addressed.

1   It doesn't say exactly how -- we don't describe

2   for you how the CM system must capture, in what way it

3   captures design requirements or the ISA. It simply says the

4   reviewer should look for your description of how this

5   happens.

6   We don't specify how it happens. We are saying

7   look for these topics, these articles, these kinds of

8   documents. I don't think it's how.

9   NAGY: John Nagy, NFS. It is de facto the same

10   thing.

11   When you tell someone to go and look for a list of

12   things and then that other party is beholden to having that

13   kind of list of things in their system, then their system

14   therefore by definition must be designed around capturing

15   that list of things and then it gets very, very important to

16   what Steve said earlier, is that list exactly correct?

17   If we are not willing to say that this is "the"

18   list, absolutely, and maybe you are but we are not, then I

19   don't think it serves us well. This is why on a number of

20   issues I have made the statement that I think we need to

21   stick with the principles behind -- what type of documents

22   are you, what is the reasoning behind the capturing of the

23   documents? That will tell the reviewer what kind of

24   documents would be appropriate so they would know when the

25   licensee comes forward and says, well, criticality safety

1 evaluations or whatever they call their engineering design

2 specification documents, what-not, would fit into the right

3 categories, so maybe your talking about whats and hows and

4 things is a little bit hard to do.

5   COX: But the principle stops with capture

6 documents that are relevant and relied on for safety.

7   NAGY: Right.

8   COX: That's it.

9   NAGY: Good, and if you stopped there, then we

10 wouldn't have a problem

11   COX: Are you saying that your CM system would not

12 capture as-built drawings, that you are afraid to have the

13 reviewer look for the fact that it was capturing as-built

14 drawings?

15   PARTICIPANT: They may not be relevant.

16   COX: Or are there any one of these things that

17 are wrong to capture in a CM system?

18   PARTICIPANT: No. It clearly says they are going

19 to capture the documents that are important to safety.

20   If an as-built drawing is not important to safety,

21 who cares?

22   COX: Well, you seem concerned about it, the

23 accuracy of the list. What I am saying is that if the list

24 is incomplete but is itself as far as it goes correct --

25   PARTICIPANT: I am concerned with the certitude of

1 the list, the fact that we de facto certifying that this is

2 in fact a correct and I would say in this context it would

3 have to be complete since we are not, really not qualifying

4 it very well, and I am not willing to do that.

5   COX: But it is not your list, it's the NRC's

6 list.

7   PARTICIPANT: It will be my list the minute you

8 put it out in the SRP and that is my concern.

9   When we go to write our license and when the

10 license reviewer comes back and requests additional

11 information or says we find that your submittal is lacking

12 because it doesn't contain -- I can just tell you the text

13 right now -- it will be a couple items straight off this

14 list, because if you really want --

15   COX: That is why I asked if there was anything on

16 that list that you would not want to capture in the CM?

17   PARTICIPANT: I don't know. I will tell you after

18 we go through the process. I can't know a priori what

19 exactly is going to be -- I can tell you the principles

20 behind it but until we try to apply the principles and come

21 back and capture it all I don't know the detail of it.

22   You can't know upfront.

23   COX: Well, what we are saying is we think we know

24 that these things ought to be in the CM system already.

25   PARTICIPANT: Clearly.

1   COX: And Steve is saying the list isn't even

2 complete, that he has got more.

3   PARTICIPANT: You may have alternatives also.

4   Our discussion is not about the content of the

5 list. It is about the existence of a list. That is the

6 point of our discussion. That's not get caught up in the

7 contents of the list.

8   It is the existence of a list that is the issue.

9   FREEMAN: This is Bob Freeman from Framatome.

10   As far as whether or not this will become de

11 facto, a recent letter came out on the streamlining process

12 and there is some text in there that says, "To ensure REIs

13 are appropriate focused, they will be guided to the maximum

14 extent possible by the use of the available Standard Review

15 Plan.

16   The acceptance review says the Staff will not

17 hesitate to decline to accept applications that do not

18 contain the appropriate scope of information to support a

19 technical review.

20   Those two are linked. If you don't have that list

21 complete when you put in a license we expect to get REIs

22 generated and that is not a good approach to licensing.

23   GOLDBACH: Don Goldbach, Westinghouse, again.

24   It gets back to the question that was raised

25 yesterday and was not answered with Mike Weber in

1 attendance, and the question was how does the new rule in

2 this SRP, what does it mean as far as our licensing efforts

3 down the road, compared to our current license.

4   PARTICIPANT: That is where again, you know, we

5 fully believe in the risk-informed, performance-based

6 approach. We want to spend our time improving our safety

7 margin where it needs to be improved and to me and to us I

8 think, looking at the way we are heading with this, this is

9 going to require an incredible amount of licensing effort

10 down the road that is going to add no value.

11   We raised the point yesterday and it was not

12 addressed, and I think that is also at the heart of the

13 impasse right now. It's going to become a defensive effort.

14 The question will be asked and you will defend it. Where is

15 your as-built drawing? I don't have one but I have field

16 measurements.

17   I mean it will be defensive every single point.

18 That is what it is going to turn into.

19   You may have it. It's just not going to conform

20 to this process. I agree exactly with what Don said.

21   COX: We can get into this deeper and deeper but I

22 don't think field measurements that are not on a drawing is

23 an as-built drawing, if it is not on something that can be

24 called an as-built drawing.

25   PARTICIPANT: Correct, but it may be -- one issue

1 important to safety is the spacing between two objects, and

2 you took a field measurement and that is your important

3 measurement. It's not the as-built drawing.

4   There's a number of ways, of alternatives. I

5 agree with Steve also. The list is incomplete. It is too

6 specific and alternatives exist in every facet of a design

7 or a process.

8   COX: Well, the fact that it says as-built

9 drawings here doesn't mean that the reviewer couldn't --

10   PARTICIPANT: I would have to defend the lack of

11 an as-built drawing, to use the example.

12   COX: Yes. That's right. That's the proper thing

13 to do.

14   PARTICIPANT: Well, then there is the reviewer

15 judging the information submitted as the information is

16 submitted.

17   COX: That would be the defense of the as-built

18 drawing or lack thereof would have to be considered by the

19 reviewer as an acceptable alternative. It says that in the

20 very front end of the SRP.

21   PARTICIPANT: And that is what the first sentence

22 covers, an acceptable method.

23   COX: But the reviewer -- well.

24   PARTICIPANT: Which is what I would present --

25   COX: We present what is an acceptable method. We

1 present what is one acceptable method. That is the whole

2 purpose of the SRP.

3   PARTICIPANT: That's fine, but it is pretty

4 prescriptive and the fact that it says "This will

5 include" -- a list.

6   ASTWOOD: I understand what you are saying with

7 that list. I don't think getting rid of the list would

8 prevent you from having to defend not having something in

9 it. I know what you are saying. I just want to throw that

10 out as an observation -- in having a CM expert review your

11 CM could result in him coming up with a huge list on his own

12 of things that the thinks are important.

13   PARTICIPANT: I agree with you 100 percent,

14 Heather. I agree with you.

15   The difference is his question wouldn't be

16 arbitrary and capricious. It would be based on an informed

17 review of the process that we described.

18   ASTWOOD: And he wouldn't be able to say it was in

19 here in the SRP.

20   COX: An informed review. Let me ask you a

21 question. Suppose that sentence just starts, "This includes

22 design requirements." Suppose it said, as it once said,

23 "This may include design requirements" and so on and so

24 forth? Does that make any difference to you?

25   PARTICIPANT: How about if we just said the

1 document should include those relevant to the engineering of

2 the plant from design phases through construction and

3 as-builts or something, I mean where you are generally

4 speaking -- maintenance functions or quality assurance

5 program documents that capture the end results of those

6 analyses, instead of trying to be so specific by saying

7 as-built drawings.

8   Yes, that is one engineering type of drawing that

9 all of us that aren't in the Engineering Department can

10 throw around. There's another 20 or 30 different types of

11 things that the engineers use throughout their entire

12 process and change controls they use and modification

13 documents they have and redlines they use and everything

14 else.

15   We are not here to be experts in engineering but

16 we are here to say what is it we need, what is it that you

17 want to know?

18   ASTWOOD: Go ahead.

19   COX: As-built drawings is a very generic,

20 industry-wide, industry-practices type term. It is not

21 specific. I mean it's not so narrow as to be unable to be

22 interpreted.

23   PARTICIPANT: That wasn't my point.

24   COX: I mean that has been around for --

25   PARTICIPANT: My point was that it was one

1 specific example that you pulled out of a myriad of things

2 that engineers use in the process of doing what engineers do

3 to maintain and run and build safe facilities.

4   I just think by getting into this list and any

5 list -- it's not this list. I could care less about this

6 list and as-built drawings. In any list we need to be

7 guided by what is it we are after in terms of what is the

8 reasoning here that we are trying to get in the license

9 reviewer.

10   The minute you introduce a standard list, you

11 might as well put a checklist together for the reviewer. I

12 think it takes away from the professional aspect of the

13 review. I think it takes away from the thoughtful aspect

14 the licensee goes through in preparing what they are going

15 to submit to you.

16   I mean the licensee may just turn around and

17 submit you exactly this list.

18   ASTWOOD: Right.

19   PARTICIPANT: And not have really thought of what

20 you asked for. That is a danger to everybody here.

21   ASTWOOD: Okay. Following that line of thought,

22 again not committing that we are actually going to change

23 this because there are other people we have to check with,

24 but can we try to come up with some wording like he had just

25 mentioned that gets across our point and doesn't limit you

1 to a specific list?

2   Can we try to say this includes --

3   PARTICIPANT: The words that NEI proposed are

4 perfectly adequate.

5   ASTWOOD: I understand --

6   PARTICIPANT: It captures the documents that are

7 important to safety.

8   ROCHE: I understand that. We feel that the words

9 we proposed are perfectly adequate and I am trying to come

10 to a compromise between the two.

11   Remember, Steve, yesterday you were saying don't

12 put this here, put it in the acceptance criteria. Well,

13 that is where we are now and we have to offer some guidance.

14   SCHILTHELM: I never said that we agreed with the

15 acceptance criteria.

16   [Laughter.]

17   ROCHE: I know, but you were saying don't put it

18 here. We are putting things in the acceptance criteria, and

19 now you are saying no, still I don't want that.

20   Also, I sense a little bit of fear and speculation

21 as to this is going to become prescriptive, this is going to

22 become the requirement, this is going to become that.

23   You mentioned the streamlining letter. Well, I am

24 very familiar with that letter and what we meant, precisely,

25 is to diminish the number of REIs which takes your time,

1 takes our time, or filling in gaps when we don't know

2 something with a license condition, which we want to get

3 away from too.

4   SCHILTHELM: I agree.

5   ROCHE: And that's all we need -- it is in good

6 faith.

7   Now we will look for alternative language that may

8 satisfy you better. We are not going to come out with a

9 complete list. You might have a better and secret list and

10 so forth, but we have to give some guidance to our reviewer

11 for consistency and to accomplish what we said in our

12 streamlining letter, and that is really where we are coming

13 from.

14   I mean this is not something to make your life

15 impossible and you said you have all this data, so we are

16 going to have consistency or everybody being treated the

17 same way, and fairness. That is our goal.

18   When you speak, you sense oh, I am afraid this, I

19 am afraid of that. Let's try it, because you even mentioned

20 that you don't even know what this list would be or how you

21 would come about it.

22   Well, bring me a rock. We are giving you a rock.

23 It's a guidance rock, granted, but we have to satisfy our

24 needs too.

25   SCHILTHELM: I agree with what you said, Lydia --

1 but our experience doesn't support that and we had that

2 discussion with the entire Staff up to the EDO about a year

3 ago as to precisely why we are so concerned about the

4 language in the SRP.

5   Our experience supports the fact that if you don't

6 do what the SRP says, you are branded as a rebel and you

7 have to explain your life away. That is a fact and that is

8 our experience.

9   ROCHE: This isn't your first SRP?

10   SCHILTHELM: We have worked other SRPs. There are

11 transportation SRPs. We have worked SRPs before. We know

12 how the system works, so you have to at least acknowledge

13 and understand our sensitivity about what is in an SRP.

14   ROCHE: I do. I understand what you are saying.

15   SCHILTHELM: Now we don't have to agree that that

16 will come to pass but that is our experience.

17   ROCHE: Well, let's try. Let's move on.

18   What don't we try and let's move on. Heather and

19 Tom will think about some alternative language that may be

20 more compatible, but believe me, our purpose is just to link

21 this SRP as guidance with our streamlining, making it easier

22 on you, put the onus on you as to how you manage your

23 facilities, but at the same time satisfying our regulatory

24 needs

25   SCHILTHELM: I understand and in fact when I read

1 this letter I thought it was an excellent letter until I got

2 to that part and I am sure it is pertinent to my view, being

3 on the Part 70 at this point.

4   If I was an outsider I would have thought this was

5 an excellent statement.

6   ROCHE: Let me tell about that part. It is not

7 complete. We don't mean it is not complete in one of these

8 or three or ten of these items in this particular section.

9 The intent there was it's not complete and somebody said I

10 want to do this new process and I am going to follow every

11 one of your requirements. Very short, one letter or one

12 phone conversation or something like that or a two page

13 letter -- that is what we are thinking of, and we have

14 gotten those too, so you have your experience and we have

15 our experience and this is what we are trying to do, come up

16 to some grounds we both --

17   PARTICIPANT: The problem with moving on though,

18 that I want to make it very clear, is that as we sit here

19 and we go through this section by section, and we sit

20 silent, it is not because we are in agreement. We are not

21 in agreement over the acceptance criteria that exist in

22 Chapter 11 of the SRP. We are not even close.

23   ASTWOOD: Well, let's work on it and get it close.

24 I mean don't just sit there and say --

25   ROCHE: That is exactly what we want to do.

1   PARTICIPANT: But as we go through section by

2   section we don't reach agreement.

3   ROCHE: That is not what you said yesterday. You

4   said we made a lot of progress.

5   PARTICIPANT: I said on the acceptance criteria.

6   We made progress on the purpose of the review and we agree

7   with the purpose of the review. We are in acceptance

8   criteria now, two different things.

9   COX: We went through purpose and areas of review.

10   PARTICIPANT: Right. Two different things,

11 acceptance criteria --

12   COX: Did we get agreement that far until we go to

13 this acceptance criteria?

14   PARTICIPANT: I think we are in pretty good shape

15 there.

16   COX: Okay. I would like to just ask, because I

17 think, and I'll tell you in a minute, I think we are just

18 going to get bogged down here, but could we just take five

19 or ten minutes, since things seem not to be going too

20 smoothly here. I would like to get a statement written

21 down, which I think John Nagy has almost articulated

22 reasonably well for all of you, I guess -- something about

23 the guiding principles.

24   I would like to start a sentence that says,

25 "Acceptance criteria should be limited to a --" -- can we

1 make a statement that describes what your feelings are about

2 this.

3   PARTICIPANT: Oh, gosh.

4   COX: And I know it involves the -- you want to

5 limit it to the statement of general principles describing

6 an activity or something.

7   PARTICIPANT: How about a set of guiding -- should

8 be limited to a set of guiding principles that ensure the

9 effectiveness of the licensee's program to meet the

10 performance requirements of the regulations.

11   COX: Well, think about it awhile. I can't write

12 that fast -- that ensure the effectiveness of --

13   ASTWOOD: -- the licensee's program --

14   COX: -- the Applicant's program --

15   PARTICIPANT: -- to meet the performance

16 requirements of the regulations.

17   It would be more specific but it's something like

18 that, which sets sort of the tone of what you are laying out

19 for both the reviewer and -- but of course the flip side is

20 that we look at it, what the licensee is trying to do in

21 their license language.

22   COX: -- limited to a set of guiding principles

23 that ensure that Applicant's function meets the performance

24 requirements, but --

25   PARTICIPANT: I wouldn't say limited to. I think

1 that is the idea. It should be a set of guiding principles,

2 so that the reviewer has a clear picture in their mind of

3 what it is that is needed here, what they are looking for

4 the licensee to be committing to, and that the licensee

5 does.

6   COX: And I think without writing some more I

7 think it's probably fair to say that your view of what those

8 guiding principles are would fit this markup that you have

9 given us of this? In other words, essentially the first

10 sentence of a lot of these paragraphs, because you have

11 deleted usually after the first sentence.

12   PARTICIPANT: I can no longer speak for the

13 industry group because I wasn't as involved in that,

14 unfortunately.

15   COX: You weren't involved in writing this?

16   PARTICIPANT: From what I have seen so far, it

17 does. Yes, I am a fill-in here, frankly, today, but yeah, I

18 think what NEI has presented with the industry comments kind

19 of goes along with the lines of thinking that I just

20 espoused.

21   COX: Can I get a nod from the rest of you that

22 that you feel what is produced here and given to us on

23 August, dated August 30, that that shows guiding principles?

24 Is that what John and you all are talking about?

25   PARTICIPANT: We didn't set out specifically to do

1 that, I don't believe, so it probably in a lot of cases

2 doesn't do that.

3 We set out to work on the straw man and I think

4 those guiding principle ideas filtered into a lot of our

5 thinking but it wasn't an overriding consideration as we

6 worked on this chapter.

7 PARTICIPANT: Yes, it wasn't our principal

8 mission, but I think it colored out thinking. It was

9 probably a second tier effect in our thinking as opposed to

10 the primary focus.

11 PARTICIPANT: And I think it would look different,

12 probably substantially in some areas, different if we set

13 out with that as the mission.

14 COX: Okay.

15 PARTICIPANT: There was an edit or an attempt by

16 industry and ourselves to rewrite Chapter 11 -- it must have

17 been a year ago -- and we really just focused on commitments

18 and what are the core elements that you should describe

19 under each of these acceptance criteria, but that was

20 radical surgery, and more recently we have just tried to

21 work more superficially on the version that you gave out

22 most recently.

23 COX: Well, in some cases then -- there are some

24 paragraphs here that you haven't changed a tremendous amount

25 and there are some of these areas where we have modified to

1 address, I think to address your concerns, and we have some

2 plain disagreements.

3   I might suggest that we try to at least get

4 through or keep working on this one and the maintenance one

5 and then maybe we'll have to stop, because among other

6 things I don't have with me my comment document -- it's been

7 misplaced or lost -- that I had on procedures and audits and

8 assessments and incident investigations. I was working with

9 it yesterday and we got through what we got through. Now I

10 don't have it to go through for acceptance criteria, but I

11 can tell you, I know ahead of time that there was very

12 little of your comment in those three items that we picked

13 up and agreed with, so perhaps it wouldn't be worth pursuing

14 that anyway given your current -- what you have said so far

15 today.

16   However, I do think that I could, that we could

17 continue to work through this, CM and maintenance, and also

18 perhaps you would want to try QA and Records Management and

19 the one other one that we have --

20   PARTICIPANT: Training and Qual.

21   COX: Training and Qualifications. But I think we

22 are going to have problems with procedures and incident

23 investigations and audits and assessments.

24   Why don't we try to determine what is our, what we

25 think is a good way to use the next couple of hours?

1   [Pause.]

2   COX: I have made some changes in here but as I

3 say, I think I could work through with you on CM and

4 maintenance and what we could do at least is establish where

5 we disagree -- where we still disagree, I guess.

6   Do you want to do that or do you want to just say

7 that you don't think this is going to happen?

8   You have had, I guess, overnight to look at our

9 Chapter 11 that we gave you yesterday.

10   [Laughter.]

11   COX: I don't hear anybody --

12   PARTICIPANT: I didn't rush home and read it last

13 night. I'm sorry.

14   PARTICIPANT: I would like to ask that maybe the

15 last 15 minutes of this afternoon, if Heather or you could

16 present a little summary of how you are changing Chapter 3

17 in the ISA. That is of great interest to us.

18   COX: We have those on the agenda. I am prepared

19 to deal with that. As you can see, we are moving very

20 slowly on this, so that is why I am asking -- we have so

21 many ideas here of what you want to do.

22   Do you want to just move to the other things

23 because they are important to you? They were lower on the

24 priority list than Chapter 11 -- but I think if we work

25 solidly on Chapter 11 we probably won't get done with it

1 before 4:30.

2   If those other items are important enough to deal

3 with today, maybe we ought to do that.

4   PARTICIPANT: Maybe we ought to take 10 minutes to

5 decide what we are going to do with Chapter 11.

6   COX: Yes. We now know if nothing else the

7 difference -- you know the difference between the Chapter 11

8 that is in front of you that I gave you yesterday and your

9 comment, August 30 comments, and what I am saying is in the

10 areas of CM and maintenance the changes that we think are

11 worthy of making have been made.

12   Do you want to just caucus for 10 minutes or what?

13   PARTICIPANT: I don't see any value to continuing

14 the line by line discussion that we have had. I just think

15 we are too far apart on some fundamental philosophies. It

16 is personally frustrating to me to go through this line by

17 line knowing that there's other higher level issues hanging

18 out there not addressed.

19   ROCHE: Why don't you go through the things you

20 have agreed with on this one and then we are going to have

21 to --

22   COX: Well, that is a pretty good approach. Let's

23 look for something we agree on.

24   ROCHE: The ones we have agreed with you on, maybe

25 we can work on these.

1   COX: Is that okay with everybody?

2   PARTICIPANT: Yes, we can try that.

3   COX: Maybe it won't take that much time.

4   PARTICIPANT: My memory is not always that great,

5 but didn't we come close with was it audits and assessments?

6 We went over one of them yesterday, I believe and they

7 tended to be the guiding principle type things.

8   I think -- if I remember, we came fairly close.

9   COX: We did on the areas of review and we

10 progressed --

11   PARTICIPANT: Not the acceptance criteria.

12   COX: We didn't deal with acceptance criteria, I

13 don't believe.

14   PARTICIPANT: We did work through examples of

15 license application though that kind of focused us in on

16 audits and assessments.

17   ROCHE: Let's go through the one we agree with and

18 then maybe --

19   COX: Well, document control I guess you can see

20 that we haven't had a meeting of the minds on.

21   ROCHE: Okay.

22   COX: Looking at change control, I made some

23 modifications here but in fact the NEI document does not

24 call for deleting much in the change control paragraph at

25 all except it refers to some text in parentheses, which was

1 called for to be deleted, which was like two lines' worth.

2   ROCHE: Which we did.

3   COX: And we deleted them. There are some other

4 modifications to the paragraph, I believe.

5   That is perhaps an area where at least relative to

6 this document, the NEI document, we have --

7   ROCHE: Agreement.

8   COX: -- pretty much agreement.

9   Do we have disagreement with that statement?

10   PARTICIPANT: One issue that several of the

11 industry folks brought to the attention deals with the last

12 sentence of Item 4 --

13   COX: Oh, yes.

14   PARTICIPANT: When the change is made according to

15 70.72 the affected onsite documentation must be made within

16 five working days.

17   COX: Right.

18   PARTICIPANT: That seemed to be unnecessarily

19 short.

20   COX: I simply could not resolve that one in the

21 week or so we were working on it so I left that the way it

22 was. As a matter of fact, Drew Persinko might want to say

23 something about that. Is he here?

24   ROCHE: He just stepped out.

25   COX: This was an area that was worked on during

1 the rulemaking. Do you remember anything about that? There

2 was a need to define what "promptly" meant.

3   Well, promptly came up to be a few working days,

4 if I remember correctly. That is why this shows up.

5   This is an artifact of the rulemaking, so that is

6 why I had to go back somewhere else to get this resolved.

7   PARTICIPANT: This is a tough issue, and I can

8 speak from experience in updating ISA summary documentation

9 as you make changes in the facility, and generally you can

10 get it done in 30 days. You can't get it done in five days.

11 There's too much administrivia associated with it to get it

12 done in five days.

13   As hard as we have tried to work at efficiency it

14 still has its administrative burden associated with it.

15   ASTWOOD: Yes. There was a lot of discussion

16 about what that time period should be and again I was only

17 on the sidelines but I remember it connected to something,

18 some other policy that was already in place, so we will have

19 to find out about that and whether or not it applies here --

20 a definition of promptly from somewhere else.

21   PARTICIPANT: To think this through a little bit,

22 the important thing is that you update those documents that

23 are going to be used.

24   ASTWOOD: Right.

25   PARTICIPANT: Procedures, training, extremely

1 important.

2   In fact, they have to be updated and implemented

3 before you effect the change so those are preoperational

4 things that have to occur.

5   When you update the ISA summary it's more a

6 function of how long you can tolerate it not being updated.

7 That change is based on the circumstance. If you have got

8 three or four sequential changes going to occur within a

9 month in a particular operation, then there is no real value

10 added to update the ISA summary four times when you can wait

11 until all four are done and updated once, so if you could

12 factor that thinking into that definition, there are really

13 two kinds of documents to be updated, those that are

14 important to the operation, to make sure the operation stays

15 safe, and those that are important from an administrative

16 standpoint.

17   PARTICIPANT: The important thing there is that

18 you never use information that is not current, accurate or

19 up to date in your operations and decisionmaking, so if you

20 have made some changes, and if there is lag time in the

21 system, as long as that lag time doesn't impact your

22 operations or decisionmaking then you should be okay.

23   COX: We are talking here about documents that are

24 in the CM system, which is supposed to carefully assure that

25 things, inordinate or inadvertent items, don't happen in

1 actual safety operations because of bad documentation.

2 PARTICIPANT: Right.

3 COX: So it could be in some cases if you can't do

4 it in some "x" amount of time, maybe some process would have

5 to stop for some "x" amount of time.

6 PARTICIPANT: I think that's what is being said is

7 the norm is that we don't operate things until we get

8 changes made that we know we have to change, so the word

9 "promptly" is kind of irrelevant if you are not running it

10 until you get a change effected.

11 What you don't want to have is an administrative

12 thing that says, well, all documentation, even that that

13 isn't relevant to this, as far as the safety of the

14 operation, like maybe updating the ISA summary itself.

15 PARTICIPANT: The ISA summary is a good example.

16 PARTICIPANT: Would fall into the same definition,

17 so it gets back to what are you really trying to effect

18 here? You don't want to operate with the wrong information.

19 That needs to be the standard.

20 ROCHE: Okay, we'll take a note and get back to

21 you. Let's move on to the others.

22 COX: Under Number 5, assessments, there were no

23 changes recommended by NEI that were not incorporated in

24 this paragraph you are looking at. I think that is a

25 correct statement.

1   We should be on the same wavelength there.

2   You can see that design reconstitution has been

3   eliminated, as you wanted.

4   We are now on maintenance. We made the change

5   that you called for in the first sentence, except that I

6   didn't put the Number 4 in there.

7   Under surveillance monitoring, I have a note in my

8   margin here from yesterday that John Nagy will provide a

9   list of principles.

10   ASTWOOD: Yes, and he did.

11   COX: We have it already, eh? Okay.

12   NAGY: This is John Nagy, NFS.

13   I should point out that that was sort of done on

14 the back of the envelope yesterday during lunch and what I

15 wanted to get my hands back on yesterday and thanks to Walt

16 Schwink I did, was the INPO, and I understand NEI had a lot

17 of involvement with this, document on principles for

18 self-assessment and corrective action programs and the

19 reason being that there were a couple of items in here that

20 basically say, okay, if we find a problem what are we going

21 to do about it?

22   That really means, well, when we identify it are

23 we going to in a timely fashion communicate that to all the

24 right parties including, as Part 70 requires, for certain

25 items to the NRC? What is our process for going through and

1 looking at investigations, setting up investigations, doing

2 that in a standard way?

3   This document in a very nice way goes through and

4 talks about a lot of what is involved in that, and I think

5 might be something we want to at least look at, and I have a

6 number of copies here, and I think some of the industry

7 people already have this. I don't know if I have enough for

8 everybody. If you have one, don't take it.

9   If you go to page 15 of that document, there is a

10 summary list, summary of principles for effective corrective

11 action programs, and I would submit to you that a subset of

12 that list might be those vital elements that are worthwhile

13 to actually list in a Standard Review Plan either in the

14 context of a corrective action program in general or in

15 following it up with any corrective action you mind find,

16 like is the case with surveillance and monitoring here where

17 you -- how did we respond to an IROFS failure or an adverse

18 trend.

19   COX: We will look at this, but I would submit

20 that this we do -- we use this information under audits and

21 assessments and incident investigations program, which

22 together are a corrective action program.

23   NAGY: If you want to though, because one of the

24 specific things I was trying to deal with was the fact that

25 there is a commitment to respond to failures or adverse

1   trends of the IROFS. It is written in here.

2   So what would a license reviewer need to see?

3   ROCHE: What page are you in?

4   NAGY: Well, I am on page 11 of mine. Maybe --

5   COX: That's right.

6   NAGY: 11-11.

7   COX: At the bottom, surveillance and monitoring.

8   NAGY: Right. It says the Applicant describes how

9   results from incident investigations, review of failure

10 records and identified root causes are used to modify the

11 affected maintenance function or eliminate and minimize root

12 causes from re-occurring.

13   What I would hope most people would do there would

14 be refer to their corrective action program because that is

15 how you deal with all these types of issues, and so with

16 that line of thinking I put together the straw man that I

17 gave out, saying how you would respond.

18   COX: We'll do that. I see something here that is

19 a little bit -- I can see something you ought to change here

20 in that this paragraph is about surveillance and monitoring,

21 that function of maintenance.

22   It doesn't have to deal with corrective actions

23 and that sentence that you just read, I think you just read

24 that about results from incident investigations and

25 identified root causes are used to modify the corrective

1 maintenance function -- I would end that sentence right

2 there now.

3   Eliminate the part that says "and eliminate or

4 minimize the root cause from occurring. That is not really

5 what is intended to be dealt with here. We are trying to

6 make sure that the Applicant has a good surveillance and

7 monitoring program in the maintenance function.

8   NAGY: Okay, but I would submit to you that that

9 entire sentence really must go because how results from an

10 investigation or the review of records are treated by your

11 program is part of your corrective action program too.

12   I think that entire sentence then would go and

13 then we would be okay, because you would have your incident

14 investigation and hopefully your corrective action program

15 described somewhere else, and here you could just simply say

16 that we are committed to conduct documented surveillances at

17 minimum specified frequencies IROFS, preventive maintenance,

18 et cetera.

19   COX: We would have to here refer to the

20 corrective action program or to incident investigations --

21   NAGY: Right.

22   COX: -- or to audits and assessments and back in

23 that other section we would refer to the fact that that

24 information might be used to modify the surveillance program

25 under maintenance so you are talking about cross referencing

1   in both directions.

2   NAGY: Exactly. Perhaps it makes a lot more sense

3   to describe that program elsewhere, not here.

4   COX: I'll consider that.

5   PARTICIPANT: Are we going to talk about

6   corrective action program stuff?

7   COX: Wait a second. We may.

8   [Pause.]

9   COX: Now we are going through maintenance.

10   PARTICIPANT: I understand.

11   COX: We may get to --

12   PARTICIPANT: It got a little bit of the high

13 priority relative to -- from this morning's conversation.

14 There is an expectation that we will try to at some point

15 come up with a few key attributes of a corrective action

16 program today, at this meeting, and --

17   COX: Well, I think what I said was --

18   PARTICIPANT: -- we were trying to do that.

19   COX: What was said was the discussion of what

20 elements should be in a corrective action program, which we

21 define here in two different functions, should be discussed

22 this afternoon, because that is what we're doing. I didn't

23 think it was -- well, I guess I did sort of facetiously say

24 we'll resolve that this afternoon.

25   I now know that we may not resolve it this

1 afternoon.

2   PARTICIPANT: We missed the sarcasm.

3   [Laughter.]

4   NAGY: If I could --

5   COX: We will certainly address it.

6   NAGY: Could I point one thing out then?

7   COX: Sure.

8   NAGY: Because we may not get back to it.

9   COX: Okay.

10   NAGY: My guess is we won't. On page 15 of what I

11 handed out, the INPO document, it has that list of 12 items.

12   My looking at this -- now these are all good

13 things, believe me, and I think most of us have tried to do

14 all these things but what are the fundamental, vital ones?

15   I put 2, 3, 4, 5 and 7, okay?

16   COX: On your single sheet?

17   NAGY: On this page as being the vital elements of

18 this program, the minimum stuff, the stuff your license

19 reviewer ought to be looking for, and I modified the Number

20 2 one where it says, "Management formally defines problem

21 reporting criteria, the problem reporting system to be

22 used" -- I struck the rest of that sentence and then added

23 "and must include failure of items relied on for safety."

24   In other words, that is a minimum requirement of

25 this system is when you have an item relied on for safety

1 failure that it is going to be kicked directly in to the

2 corrective actions program.

3   That is just my recommendation. This is not

4 something that the whole team has looked at.

5   COX: How does what you just told us about, this

6 page 15, how does that relate to this single sheet that

7 you -- or does it?

8   NAGY: See the bullets?

9   COX: Yes.

10   NAGY: Just strike my bullets basically on my

11 sheet.

12   COX: Strike your bullets?

13   NAGY: Yes. Those bullets were the ones up the

14 top of my head that I was trying to say what ought to be in

15 a good corrective actions program but I think this describes

16 it better in the INPO document.

17   COX: Okay. So you are saying now this is your

18 suggestion rather than this single sheet?

19   NAGY: Yes, sir, that's right. I just didn't have

20 it in hand at the time.

21   COX: I understand that the SRP deals with

22 corrective action in two separate functions called audits

23 and assessments and incident investigations.

24   We don't have a Management Measures called

25 Corrective Actions?

1   NAGY: Yes.

2   COX: So these four or five items, however they

3 are used, might be split up between the two or they might

4 end up all under one.

5   NAGY: I haven't thought through it. I just

6 submit that for your use, however we can be consistent with

7 it throughout this process in the Walt Schwink's area.

8   COX: We will certainly look at that.

9   Are we still back on maintenance now?

10   NAGY: In that Item Number 1, surveillance,

11 monitoring, the next sentence after the one that you are

12 going to consider for putting in Corrective Action, says

13 "Records showing the current surveillance schedule" -- that

14 sentence -- you know, I am just wondering now is that

15 something that really needs to be under Maintenance or

16 should that be dumped into the Records Management Measures

17 just for clarity?

18   COX: Establishing PM requires looking at the

19 results of failure records and designing the PM function to

20 take account of what might be more frequent failures than

21 you thought, so you may increase the frequency of PM.

22   NAGY: Unless you are starting anew, yes, so a

23 priori it does not necessarily. If you have that

24 information you can use it and may use it as a function of

25 importance but that doesn't mean that you always going to

1 have failure records to guide you when you go into

2 establishing a PM program.

3   COX: I agree. If you don't have results, you

4 can't use them. This address the time when you have

5 results.

6   NAGY: I think, you know, your surveillance and

7 monitoring, in the straw man I put out there and maybe it's

8 a little bit too simplistic, but you are looking here for a

9 commitment to conduct documented surveillances.

10   You want a minimum frequency specified for your

11 items relied on for safety in the preventive maintenance

12 testing and failure records area. I don't think it helps to

13 get a lot more specific.

14   COX: Okay. Let's --

15   PARTICIPANT: Would you pass down a copy --

16   NAGY: Oh, of the straw man thing?

17   PARTICIPANT: Yes, please.

18   NAGY: Oh, I'm sorry, it's this thing. Not much

19 use but it's just a sentence or two.

20   VAUGHAN: I think the corrective action is stuck

21 over in the other QA elements piece.

22   COX: I am not sure I understand what you are

23 saying there, Charlie.

24   VAUGHAN: Well, I heard a comment awhile ago that

25 said that the corrective action program wasn't specifically

1 addressed in the Management Measures.

2   COX: Oh, and you see something under Other QA

3 Elements that deals with it?

4   VAUGHAN: In the QA Elements down about Number 16

5 is where it is really the corrective action statements. I

6 think it ought to be and it is really a Management Measure

7 action and not a QA action necessarily, because it is such a

8 cross-cutting function.

9   I just introduce that because it really is in

10 here.

11   COX: Yes, well, we haven't discussed QA yet.

12   VAUGHAN: That was a marker. That's a flag as to

13 where.

14   COX: Yes. I see the word "corrective" -- no, I

15 don't see the words "corrective action" under Item 16.

16   VAUGHAN: It doesn't say "corrective action."

17   PARTICIPANT: -- part of the Corrective Action

18 Program is the very last sentence on the bottom of 11 --

19   COX: Oh, yes, yes, I've got it -- "or as part of

20 a Corrective Action Plan."

21   See, you can have a Corrective Action Plan and you

22 can call it that. We will look for the proper elements to

23 be in it that we have listed under A&A and Incident

24 Investigations.

25   Okay. On PM, we made some modifications there.

1   I think we did not delete the last sentence

2   because we don't have a problem here with stating here and

3   under Functional Testing the same kind of statement.

4   We feel like saying under PM that if necessary you

5   have to do a functional test after PM to provide the

6   assurance that the device is still there. That is a

7   simple --

8   PARTICIPANT: Why not put that under Functional

9   Testing and just -- it just seems to be kind of a black

10   sheep. In fact, maybe it is already there.

11   COX: Well, yes, but this is a reminder that under

12   the PM function that you may have to end up or at the end do

13   a functional test, following PM.

14   It in no way detracts from what it says under

15   Functional Testing, which describes what functional testing

16   is required for.

17   If you found the same thing under Functional

18   Testing, and I don't see it --

19   PARTICIPANT: You repeated the sentences in both

20   PM and Functional Testing. The same sentence occurs in the

21   top of page 11-13, sixth line down.

22   COX: Yes -- if necessary, a functional test is

23   conducted after conducting corrective maintenance and

24   before --

25   PARTICIPANT: Excuse me --

1   COX: -- before returning an IROFS, so we just

2   mention it in two places. I don't think that is confusing.

3   I think it makes certain that the reviewer doesn't miss it

4   because it is important to both the definition of PM and to

5   a description under Functional Testing of when you use

6   functional testing.

7   ASTWOOD: Again, I think some of these changes, at

8   least from my understanding, some are editorial and some are

9   important to you, as we have been talking about.

10   I know you feel frustration in going line by line

11   and you said you don't want to sit there in silence with

12   these other issues, but it is beneficial for me and Tom to

13   hear you say no, this is really important, we don't agree,

14   we need principles here -- whatever you were saying before.

15   I don't want you to be frustrated with the process

16   because it does help us. Some of this stuff I believe may

17   not be as important to you and we need to focus on the areas

18   that are, so I just want to throw that out there.

19   COX: So far we are taking the statements of

20   redundancy or repetition as not as important. I consider

21   them not as important as "The following sentence is

22   unnecessarily prescriptive." That kind of a comment is a

23   little more weighty.

24   ASTWOOD: I agree. I just wanted to make sure

25   that we are not --

1   COX: And in regard to that, under Item 3-PM, the

2 first comment I considered was, well -- the first couple of

3 comments are essentially editorial and the last comment was

4 one about unnecessary prescription -- "License Applicant

5 will be" -- so on and so on -- and I believe I agreed with

6 you on that one.

7   Let's see here -- PM. Took out the sentence that

8 starts, "A rationale" and decided we do not need the

9 rationale.

10   Functional Testing --

11   ROCHE: Also, we will look at the NEI document for

12 what Steve also mentioned --

13   COX: Let me back up for a second.

14   Here is an important point perhaps. Steve made

15 the general observation that all of this is too prescriptive

16 and I think I heard several of you back this up.

17   Here's an example of a paragraph we just went

18 through where two of the comments had to do with, first of

19 all, a comment about a log, which we took care of. The next

20 comment was about redundancy. The final comment was about

21 too much detail and we took care of that. Now that is all

22 that that NEI document said about that paragraph, and it has

23 essentially been taken care of.

24   Now are you saying still you don't agree with the

25 paragraph on PM?

1   All you have to look at is the NEI document, and

2   if you agree that we have corrected those things, why are we

3   changing our mind to say that, well, it's still too

4   prescriptive or what?

5   FARRELL: But I go back to the rewrite of Chapter

6   11 I wrote about a year ago or 15 months ago, I don't

7   remember.

8   I think at that time that rewrite was a major

9   surgery on this and we pulled all this -- the

10   descriptiveness out and went with the -- tried to emulate

11   the guiding principle concept.

12   We realized that that was too radical an approach

13   and we have backed off. You came out with the version -- I

14   think it was July, I can't remember the date -- and said

15   okay, well, let's be realistic. They are not going to go

16   with the say we think we should be going. Let's try to do

17   the best we can.

18   You get the bandage box out and let's try to fix

19   up what we think are the glaring errors but basically try to

20   go along with you, so I won't accept the fact that, the

21   statement that we are not standing behind our principles.

22   We tried that once and just now we are trying to make the

23   best job we can because time is running out.

24   We have got to try to get this thing in order, so

25   I don't want you to put Steve on the hot seat here, so to

1 speak, and say do you no longer agree with what NEI has

2 done?

3   We tried that but now we are just trying to do the

4 best we can in a very short time.

5   COX: Okay. Well, maybe I asked that incorrectly.

6   I guess the point is where do we go from here?

7   Are you going to say, well, now -- I mean what

8 would you do with this if this comes out in this paragraph

9 on PM is in here, the way you see it today, dated September

10 10th?

11   SCHILTHELM: From BWXT's standpoint, if this were

12 my product, I would start over.

13   It is disturbing, and I will give you an example

14 of why it is disturbing.

15   You look at the example in Appendix C on

16 maintenance as a Management Measure and the example of what

17 would be acceptable in a license application. It takes less

18 than two pages to present what would be in the license

19 application but it takes nearly four pages to say what

20 should be in the application in the SRP. Something is

21 dramatically wrong with that picture, okay, as a manager.

22   We are getting all the technical detail.

23 Something is dramatically wrong with that picture.

24   We went through this Appendix C yesterday and come

25 to some general agreement that it was acceptable, but why

1 does it take four pages to write about what you are going to

2 produce in two pages?

3   That doesn't make any sense. How can that be a

4 clear articulation of the expectation?

5   So if we had the time and the wherewithal I would

6 propose that we throw it away and start over. I don't know

7 that we have the time or the wherewithal or the energy to do

8 that.

9   COX: Yes.

10   SCHILTHELM: And that I think is what we are

11 struggling with today. I am being perfectly blunt and I am

12 not blaming anybody for where we are today. We have all

13 participated in getting where we are.

14   PARTICIPANT: I'm sitting here and I don't know

15 what to do at this point.

16   PARTICIPANT: Let's move on.

17   PARTICIPANT: Okay.

18   PARTICIPANT: Let's see the parts where we agree;

19 shall we?

20   PARTICIPANT: Maybe we -- okay, we won't call it

21 agreement then; we'll just say we're going to go over it.

22   Functional testing: I think we essentially

23 [inaudible] down through their first -- through the comments

24 on 11-16 of the NEI document. I believe we did that.

25   [Pause.]

1   Let's see --

2   PARTICIPANT: So we took out schedule.

3   [Pause.]

4   PARTICIPANT: Now, that's just through the bottom

5   of 11-16, and -- but that's really the end of functional

6   testing.

7   The next material on page 11-17 of the NEI

8   document, is not functional testing anymore, but that's a

9   general acceptance criterion, which in the NRC document,

10 occurs after corrective maintenance, which has been

11 reordered and placed after functional testing.

12   So we need to go -- if we follow the NRC document,

13 we now need to go back to corrective maintenance, but we've

14 already been over that one.

15   So we are at the paragraph that starts --

16   [Pause.]

17   Well, the next paragraph in the NRC document is a

18 paragraph that wasn't there before.

19   PARTICIPANT: I've lost you.

20   PARTICIPANT: I'm sorry, what?

21   PARTICIPANT: Where are you at now?

22   PARTICIPANT: We're at the NRC document, page

23 11-13, the first full paragraph.

24   PARTICIPANT: Administrative Controls.

25   PARTICIPANT: Administrative Controls. That's an

1 address within the maintenance acceptance criteria, an

2 address to administrative controls, and it simply refers to

3 the recognition that the training and qualification

4 management measure is going to be used to assure that

5 administrative controls are there.

6   That's -- the reviewer will then have to go to the

7 training and qualification management measure.

8   Then we come to the paragraph that's headed A

9 General Acceptance Criterion, which is -- you know where it

10 is in the NRC document. It's page 11-17 of the NEI

11 document.

12   And we think this is useful to reviewers who will

13 assure that -- just so that they can assure the appropriate

14 commitments are made. It tells them what to look for, the

15 methods or practices that should be applied, and for which

16 the applicant should commit to prepare procedures.

17   It deals with work control methods; the whole

18 paragraph deals with work control methods.

19   PARTICIPANT: [Inaudible.]

20   PARTICIPANT: And, no, we didn't combine H and I,

21 because H, I believe that H is not necessarily IROFS.

22 Where's the H here?

23   H is procedural control over removal of components

24 for service for maintenance and for return to service. We

25 would expect them to have procedures there to deal with some

1 components that might not be IROFS, whereas I concerns

2 removal of IROFS from service.

3   There may be components which need controls for

4 removal, because their removal could affect or adversely

5 affect the performance of IROFS, some power supply that may

6 not be considered and IROFS, but just take it out and the

7 IROFS doesn't work.

8   So we just didn't combine H and I, but that seems

9 -- it was a request to do it for simplicity. I don't

10 consider that a really weighty thing.

11   The next comment was: Add the suggested words to

12 balance the sentence contents with those of the third

13 sentence above.

14   I think we did that, and we put in the words, as

15 applicable. We deleted a sentence at the end, all as

16 requested.

17   That's it for that paragraph.

18   The next paragraph is --

19   PARTICIPANT: Not changed.

20   PARTICIPANT: Well, we put in the word, test. We

21 put in the word test.

22   The next paragraph starts the four maintenance

23 elements. That --

24   PARTICIPANT: I might note that [inaudible] took

25 exception to that in that the -- you didn't have to call out

1 contractors specifically, any time there is any work done on

2 an IROFS, [inaudible].

3   The company personnel or contract personnel, you

4 know, the same thing applies.

5   And we don't distinguish between contract

6 personnel and company personnel. Our perspective --

7   PARTICIPANT: We know that company personnel are

8 already covered. This is particular to address --

9   PARTICIPANT: The licensee is responsible.

10   PARTICIPANT: Yes, the contractor people are

11 covered under our license. I mean, anything that we do

12 under our license is under our license, and therefore it

13 doesn't matter who does it.

14   PARTICIPANT: I have a note that says that we

15 would think about that.

16   PARTICIPANT: We did agree.

17   PARTICIPANT: We agreed?

18   PARTICIPANT: Yes, we did. We changed the words

19 somehow to reflect what they are saying, so we'll get back

20 to that.

21   PARTICIPANT: What is it that you would like said?

22   PARTICIPANT: That there is no reason to call out

23 contractors.

24   PARTICIPANT: You want that whole paragraph

25 deleted?

1   PARTICIPANT: That would be fine.

2   PARTICIPANT: Yes.

3   PARTICIPANT: Now, if you're trying to

4 particularly bring up functional testing, you have

5 functional testing, you know, covered under 3, so I'm not

6 sure what you're trying to do, other -- and you were trying,

7 I think, to portray the perspective of a contract personnel,

8 and we see no difference between contract personnel and

9 company employees when it comes to operations and repairs

10 and what have you to IROFS.

11   PARTICIPANT: All right, we'll consider deletion

12 of that paragraph.

13   On the next paragraph that starts with the four

14 maintenance elements, now, I'd be willing to delete that

15 first sentence, even though I have an Okay marked here, but

16 it didn't get into the final copy.

17   [Pause.]

18   Now, we get down now to some material on QA that

19 has been added in here. Is Drew back yet?

20   PARTICIPANT: No. We called him.

21   PARTICIPANT: He's not here yet.

22   PARTICIPANT: And I think Will can better explain,

23 or perhaps at least more quickly than I could, how we added

24 material in two places to make it completely flexible. Is

25 that right?

1   PARTICIPANT: Let me catch up over here.

2   PARTICIPANT: To make the utilization of QA

3 completely flexible as far as the SRP is concerned. We

4 don't care whether you address this in a management measure

5 or in a separate QA section.

6   PARTICIPANT: What if -- they suggested all these

7 paragraphs.

8   PARTICIPANT: There are some required QA elements

9 that did not map into other management measures.

10   PARTICIPANT: Well, actually --

11   PARTICIPANT: To be required -- I mean, parts of

12 the classical 18 criteria.

13   PARTICIPANT: I have an issue with including the

14 first two of those, and maybe actually all three of them in

15 the maintenance section, because if you're trying to pick

16 them up as your quality assurance program, as part of your

17 quality assurance program, particularly when you're starting

18 up a new system and you're doing inspection and functional

19 testing of that new system, you know, maintenance isn't

20 involved at that time period.

21   Maintenance comes out after you've had the system

22 running and you're doing your preventive maintenance or

23 you're doing your repair and corrective maintenance and so

24 forth.

25   And so by calling this section out, almost implies

1 that the -- you know, you don't care about it when you're

2 starting up, but it's only when you're doing maintenance on

3 it.

4   And you already have functional testing in your

5 maintenance section, so I'm not sure that by putting this in

6 here, what it does for you.

7   To me, it adds confusion as to what your intent

8 is.

9   PARTICIPANT: I don't see how -- and, by the way,

10 I took the suggestion of incorporating 1 and 2 into 1.

11   It starts out saying that inspections and tests

12 are conducted to verify that IROFS conform to specified

13 requirements. How can that confuse anybody?

14   PARTICIPANT: Because you've got it under

15 maintenance. When you buy and install and IROFS, you have

16 to do inspection and testing to assure that it meets the

17 function.

18   That is not necessarily a maintenance function.

19   PARTICIPANT: Well, it's a procurement function, I

20 guess.

21   PARTICIPANT: It may be under procurement, it may

22 be under construction, you know. I think that by putting in

23 here when you already have functional testing in another

24 part of maintenance, you're confusing what you're looking

25 for.

1   PARTICIPANT: Let me make a note of that and talk

2   about that with a couple of people. The point is made that

3   it's already covered under functional testing. That's Item

4   1 in the new NRC document, correct?

5   PARTICIPANT: Yes.

6   PARTICIPANT: While there had been -- and Items 2

7   and 3 of the -- that are 3 and 4 in the NEI document, Item

8   -- the second to the last item, I think has been modified as

9   requested, and the last item we did not want to delete,

10 needs to know it so they'll check it, check it in the CM

11 function, too.

12   Are we okay on that one?

13   PARTICIPANT: Just a minor point. On Number 2,

14 the last couple of words, you've got an extra preposition in

15 there. You should take out the word, on.

16   PARTICIPANT: Prepositions are cheap.

17   PARTICIPANT: Item 2 in the NRC document?

18   PARTICIPANT: In the NRC document. Part of

19 maintenance, or as part of QA.

20   PARTICIPANT: Oh, yes. I want to leave the, of,

21 and take out the, on. All right.

22   Now, we're into training and qualification. And,

23 well, Will, do you want to deal with this and look for parts

24 that we agree on?

25   PARTICIPANT: Right. Will Smith, NRC. Pretty

1 much similar to what we discussed yesterday in the area

2 section.

3   Section 1 or Paragraph 1 on organization

4 management of training, there was the comment that the

5 following words are too detailed and prescriptive regarding

6 design, operation, maintenance, and so forth.

7   And that sentence is proposed to be reworded to

8 accommodate at least the first part of your comments. The

9 organization -- the effect of the organization and

10 management of training -- of the training program are

11 acceptable if it is organized -- if the -- if it's

12 organized, staffed, and managed to facilitate planning,

13 directing, evaluating, controlling a training process that

14 fulfills the objectives, especially where human actions are

15 relied on for safety.

16   PARTICIPANT: I should point out here that you

17 won't see any changes in the NRC document in this area,

18 because we didn't get to put those changes in, even where we

19 think we will put those changes in, as recommended by NEI.

20   So this document hasn't been revised. Will may be

21 covering wit you, areas where it will be revised.

22   PARTICIPANT: Where it's intended to be revised or

23 is proposed right now.

24   There is also comment regarding the following at

25 the bottom of page 11-14 -- let's see --

1   PARTICIPANT: In the NRC document, right?

2   PARTICIPANT: Yes. I'm working off three copies

3 here.

4   PARTICIPANT: I have it here.

5   PARTICIPANT: At the bottom of 11-14. The first

6 one did read or currently reads: Line management is

7 responsible for the content and effective conduct of the

8 training.

9   There was a comment regarding line management, and

10 that's been modified, and also a comment to delete the

11 second item there and fold that in.

12   Basically 1 would now read: Responsibility for

13 the content and effective conduct of the training and

14 management of the training program is clearly defined.

15   PARTICIPANT: That's NEI.

16   PARTICIPANT: That incorporates basically what the

17 NEI comments are in that area.

18   PARTICIPANT: Can you help me? John Nagy, NFS.

19   The last sentence of the paragraph preceding that

20 section we just got into there, how did that end up?

21   PARTICIPANT: That's regarding the application?

22   PARTICIPANT: Yes, the application should state --

23   PARTICIPANT: They changed it to what you

24 proposed.

25   PARTICIPANT: Not me. That's why I'm asking.

1   PARTICIPANT: NEI proposed application should

2 state that training will be conducted, and the planned

3 [inaudible] for which training will be provided.

4   PARTICIPANT: Okay. Is there -- could I assume

5 that that sentence is directly linked to the one prior to

6 it, so that when it says training may be either or both

7 classroom or on-the-job training, the application should

8 state what type of training will be? Is that what we're

9 getting at there?

10   You're not looking for a list of the different

11 training? You're looking for whether we're going to use

12 classroom or on-the-job or a combination of the two? Is

13 that a correct statement?

14   PARTICIPANT: Yes.

15   PARTICIPANT: Okay. I just wasn't quite sure. I

16 think I would recommend you put in something like state what

17 type of training will be conducted, would be clearer to me,

18 but --

19   PARTICIPANT: Well, since the plant positions are

20 being named for which training will be provided -- is that

21 right; is that the intent, Will?

22   PARTICIPANT: Yes. It's tied together in that

23 statement.

24   PARTICIPANT: Okay. Then all we want is for each

25 plant position that the kind of training that would be

1 provided.

2   PARTICIPANT: Sure.

3   PARTICIPANT: Is that what you're saying? What

4 John is saying is type or kind.

5   PARTICIPANT: Yes, that was the only -- maybe it's

6 only a clarification of me because of my lack of grammatical

7 skill or something, but right there, I could interpret it a

8 little differently, and I didn't want to.

9   I want to make sure it's linked.

10   PARTICIPANT: That's fine, we'll do it.

11   PARTICIPANT: Okay, and the same listing, Number

12 3. There was a comment regarding deleting

13 performance-based, and just leaving it training.

14   I would read right now, according to NEI, training

15 is used as the primary management tool for analyzing,

16 conducting, evaluating training.

17   I don't see that that improves the clarity of

18 that. Was there a reason for deleting the

19 performance-based, or is there some other?

20   I wasn't quite sure how to proceed with that.

21   PARTICIPANT: You're on Number 3.

22   PARTICIPANT: For clarity, combine 1 and 2?

23   PARTICIPANT: 1 and 2 have been combined, but

24 Number 3 --

25   PARTICIPANT: I think I have missed a few words

1 there. It doesn't read quite right.

2   PARTICIPANT: What's the question, Will? I'm

3 sorry.

4   PARTICIPANT: Number 3, which reads

5 performance-based training --

6   PARTICIPANT: Yes.

7   PARTICIPANT: They propose deleting

8 performance-based, and leaving it as training is used to

9 evaluate training.

10   PARTICIPANT: Whether it's performance-based

11 training, evaluating training or simply training evaluating

12 training, that sentence needs a little editing.

13   PARTICIPANT: I think what we were shooting at was

14 the prescriptiveness of the phrase, performance-based, as

15 opposed to training, in general, because there are several.

16   PARTICIPANT: Maybe we just want to say that

17 performance is used as the primary management tool for

18 analyzing, designing...

19   PARTICIPANT: What is it we want?

20   PARTICIPANT: We use the term, proficiency,

21 elsewhere.

22   PARTICIPANT: What is being desired here; that

23 somebody say they're going to evaluate the effectiveness of

24 their training?

25   PARTICIPANT: Maybe, Will, explain to us what you

1 were trying to say with Number 3, and maybe we can figure

2 out why we said it was wrong.

3   PARTICIPANT: What did it say in the first place,

4 Will? It looks like it just said training is used.

5   PARTICIPANT: Originally, the latest version:

6 Performance-based training is used as the primary management

7 tool for evaluating it.

8   PARTICIPANT: That was our --

9   PARTICIPANT: Does that make sense to you, Will?

10   PARTICIPANT: It doesn't.

11   PARTICIPANT: What is performance-based training,

12 and how can that be evaluation of training?

13   Do you mean that a performance-based evaluation is

14 used to evaluate the effectiveness of training?

15   PARTICIPANT: Using the tool. Training is a

16 method or a tool.

17   PARTICIPANT: I just don't know what you were

18 trying to get to.

19   PARTICIPANT: I think that needs a little work,

20 even as we had it. Performance-based training is used as a

21 tool for analyzing.

22   PARTICIPANT: I thought you would have objected to

23 the primary management tool.

24   PARTICIPANT: It's the only --

25   PARTICIPANT: Well, one of the areas of review is

1 how do you evaluate the effectiveness of the training? And

2 I think we made the point, well, how -- how does the

3 employee perform? His performance is a measure of the

4 effectiveness of the training, and maybe that's what we're

5 trying to express here in the old Number 3?

6   PARTICIPANT: Could it be performance is used as

7 the primary tool?

8   PARTICIPANT: Maybe --

9   PARTICIPANT: Delete the base training, and just

10 say performance is used as the primary management tool for

11 analyzing, designing, developing, conducting and evaluating

12 training.

13   PARTICIPANT: That doesn't --

14   PARTICIPANT: Or training effectiveness or

15 whatever.

16   PARTICIPANT: What, exactly -- John Nagy, NFS --

17 maybe being new to this process is helpful in this respect.

18 I have no idea what you're talking about.

19   Are we talking about we learn from our experience,

20 and we know how effective our training is because we keep

21 putting the stuff in the wrong bucket, or are we talking

22 about we now have part of our program where we formally go

23 out and -- say, kind of like an on-the-job training

24 evaluation, and that's our primary assessment of whether or

25 not we train somebody correctly?

1   I think we're wordsmithing something here, but we

2   don't know what it is -- the endpoint. At least I'm not

3   understanding it.

4   PARTICIPANT: We will revise that item to clearly

5   state what the intent was.

6   PARTICIPANT: Well, what is the intent?

7   PARTICIPANT: Could you explain what you are

8   trying to do, Will?

9   PARTICIPANT: This list of --

10   PARTICIPANT: Because at this point, my

11   recommendation would be to strike the item.

12   PARTICIPANT: Well, back in Section 11.3.3, one of

13   the areas of review was to -- Number 8 -- this is on the NRC

14   page 11-5, Item Number 8 was that you have to propose how

15   are you going to evaluate the effectiveness of the training

16   program.

17   And we made the argument, well, don't forget about

18   doing all the in-classroom testing and so on. Can the guy

19   perform his job?

20   I think that's -- if we map over from the area of

21   review into the acceptance criteria, maybe that's the

22   connection? That's my thinking on it.

23   PARTICIPANT: So, on-the-job performance --

24   PARTICIPANT: Precisely.

25   PARTICIPANT: -- is used as the primary management

1 tool for analyzing, designing, developing, conducting, and

2 evaluating training. Is that it --

3   PARTICIPANT: The effectiveness of the training

4 program, or the training effectiveness, something like that.

5 That's my guess.

6   PARTICIPANT: Don Goldbach. To me, I think the

7 key words -- and, again, I'm new to this process like John

8 -- but to me, I guess the key words were performance-based

9 training, because that means a certain thing.

10   That means you pull your people to find out what

11 they need training on, you give them training, and then you

12 measure the effectiveness of the training afterwards.

13   I think those were -- just looking at it for the

14 first time, that's probably what was meant there, is my

15 guess; that the key words were performance-based training is

16 used...

17   PARTICIPANT: But then it can't be used in

18 evaluating training.

19   PARTICIPANT: So it must be performance-based

20 proficiency evaluation, you know, is used.

21   PARTICIPANT: In a way, part of performance-based

22 training is evaluating the training itself, the way I

23 understand performance-based training.

24   PARTICIPANT: Why not just say job performance is

25 used as a tool for analyzing, designing...

1   PARTICIPANT: Yes.

2   PARTICIPANT: It's not necessarily the primary

3 one. I mean, you sit down and you design a job, and then

4 you design some training before a man ever performs that

5 job.

6   But having the training done and having a person

7 performing in accordance with the training, you could

8 certainly use that performance as a tool in evaluating.

9   PARTICIPANT: Oh, yes.

10   PARTICIPANT: So, why not just say job performance

11 instead of performance-based training?

12   PARTICIPANT: Good. And you took out primary

13 management?

14   PARTICIPANT: Took out primary management.

15   PARTICIPANT: Good.

16   PARTICIPANT: Put in a tool.

17   [Pause.]

18   PARTICIPANT: And the other items on that list,

19 right now, on the other items, 4-7, which would be

20 renumbered 3-6, we're not proposing any changes to those.

21   PARTICIPANT: Which four? Oh, the 4-7 that are

22 part of Item 1, organization?

23   PARTICIPANT: Right, there were no NEI comments on

24 those.

25   PARTICIPANT: Okay. I changed the word, system,

1 to function, after CM. Now we're into that Item 2, analysis

2 and the ID of activities requiring training?

3   PARTICIPANT: Right. And the comment was

4 regarding the wording of that regarding activities do not

5 require training, rather than personnel do, and that section

6 has been reworded to appropriately address that, or is

7 proposed to be reworded.

8   And it would read to the effect: Analysis and

9 identification of activities for which training is required,

10 analysis and identification of activities for which training

11 is acceptable or activities required for competent and safe

12 job performance are identified, documented, and addressed by

13 the training.

14   Your comments will be incorporated. Is acceptable

15 if the activities required for competent and safe job

16 performance are identified, documented, and addressed by the

17 training.

18   PARTICIPANT: All right. Now we're on the second

19 paragraph of that item.

20   PARTICIPANT: Okay, there is a comment regarding

21 deleting the balance of the sentence. And right now, those

22 words are being left as is on the first part of that.

23   And in the middle, each activity, that section is

24 being reworded to clarify it that, again, similar to the

25 paragraph above, each activity for which training, initial

1 or continuing, is required, the specific activities -- okay,

2 before it read, should be matrixed, and there was an

3 objection to that.

4   And we're proposing, rather than matrix, something

5 relatable or traceable to supporting procedures and training

6 materials.

7   And you'd have the option of specifying the method

8 or the approach by which you could relate those two.

9   And then the last sentence of that would be the

10 facility-specific activities for which training is required

11 and the applicable training materials should be reviewed on

12 an established schedule.

13   PARTICIPANT: The period after schedule?

14   PARTICIPANT: I think that continues to the end of

15 that original sentence, ending with job scope.

16   [Pause.]

17   PARTICIPANT: Did that clear up the thrust of your

18 comment, or is it still considered to be too prescriptive?

19   PARTICIPANT: Too detailed.

20   PARTICIPANT: Is this in the same line of the

21 how-to's that we've discussed before?

22   PARTICIPANT: Yes.

23   PARTICIPANT: I thought we were going to go

24 through the positives. You're not going to delete that.

25   PARTICIPANT: What are we trying to accomplish

1 here? We're trying to teach people how to do their job in

2 relation to the items relied for safety and what's important

3 to them, okay?

4   That is pretty simple. And then you're trying to

5 evaluate the effectiveness of that, and make sure that it's

6 working.

7   PARTICIPANT: But this acceptance criterion

8 specifically refers to the identification of which

9 activities require training.

10   PARTICIPANT: Yes, that's teaching people how to

11 do their job in relation to items relied for safety.

12   PARTICIPANT: Well, that's the training.

13   PARTICIPANT: Those items -- you tie it in

14 relation to, so if you've got items relied for safety

15 dependent on people, you have to train them.

16   The statement goes backwards, as well as forwards

17 in that respect.

18   PARTICIPANT: There's a lot of words here about

19 what the program has to be, but nowhere is the mission clear

20 in all these words. The mission is lost in the words.

21   PARTICIPANT: I would think the mission is

22 described in the topic sentence of that item, analysis and

23 ID of activities for which training is required.

24   PARTICIPANT: Okay. So why don't we just say

25 where human actions are necessary to ensure the integrity of

1 an item relied on for safety, the licensee will commit to

2 have training commensurate with that activity?

3   Doesn't that address the whole topic? Isn't that

4 the identification of what you train people in? That's one

5 sentence.

6   PARTICIPANT: We want to tell the reviewer some

7 items to look for to get reasonable assurance that those

8 things are properly identified.

9   PARTICIPANT: So if the licensee were to say in

10 the application, for all aspects of items relied on for

11 safety, where human intervention or activities are

12 necessary, training shall be commensurate -- shall be

13 developed, implemented and evaluated, commensurate with

14 those items relied on for safety.

15   If that statement were in a license, doesn't that

16 say how you've identified the activities requiring training

17 in relation to items relied on for safety, which management

18 measures cover because of Subpart H, yada, yada.

19   It seems like one sentence --

20   PARTICIPANT: I don't think so. We think we've

21 given you some words here which are direct to the topics we

22 think are important, and, in fact, it serves as an example,

23 if you will, as to how to write -- what to write toward in

24 an application, so that the reviewer will find it

25 acceptable.

1   PARTICIPANT: So, the sentence I just quoted would

2   be unacceptable in an application, would be insufficient in

3   an application?

4   What I just said, that for items relied on for

5   safety where human action is necessary, training shall be

6   designed, implemented, and evaluated to assure that the

7   individual is competent to carry out the safety feature of

8   that item relied on for safety.

9   If the license said that, that would be inadequate

10 in relation to analysis and identification of activities

11 requiring training?

12   PARTICIPANT: That's what we're saying here by

13 adding this other material in that we think you should point

14 out as being done, other activities.

15   PARTICIPANT: Frankly, as a licensee, I think

16 that's unreasonable.

17   PARTICIPANT: It's not clear to me what we get out

18 of the additional text.

19   PARTICIPANT: What you've done here with that

20 second paragraph of Item 2 is basically set up a process.

21 What you've done is that you've set a committee up, and the

22 committee is going to be representatives of design,

23 representatives of construction, representatives of

24 operations, representatives of training, as well as other

25 subject experts, as appropriate, which could probably be

1   your criticality, radiation protection, what have you.

2   And this committee is going to identify the

3   activities that require training. And that is what the

4   licensee is going to ask and what the reviewer is going to

5   look for.

6   He says, what kind of committee do you have to

7   review your training to make sure you've got all the bases

8   covered? Is that what you intend?

9   PARTICIPANT: I don't think we call for a

10 committee. We say that the design engineering supervisor

11 and the operations supervisor, other subject matter experts,

12 as appropriate, should think about what training is going to

13 be necessary.

14   PARTICIPANT: But by listing design, construction,

15 operations, training, and other subject matter experts, as

16 appropriate, should conduct analysis, to me, it sounds like

17 they're supposed to all get together and do that.

18   PARTICIPANT: Well, it doesn't say anything about

19 getting together and forming a committee. No, it doesn't

20 say that.

21   PARTICIPANT: Then you go on to say that the

22 training has to take into consideration, minimum -- those

23 managers, supervisors, performing, verifying activities

24 subject -- relied on for safety.

25   You don't need to get into that kind of detail.

1 As Steve pointed out, it says the training has to be

2 appropriate to the item relied on for safety.

3   By using these types of words and this much text,

4 you're setting up expectations that the reviewer is going to

5 be looking for that are beyond what is necessary.

6   PARTICIPANT: And we're describing how it's to be

7 done, not what's to be done, right?

8   PARTICIPANT: Exactly.

9   PARTICIPANT: So this is consistent with our

10 discussions yesterday that set up the performance

11 expectations and leave it to the licensees to figure out how

12 they're going to do it.

13   PARTICIPANT: Again, it's consistent with the

14 pretty long discussion we had before you came in this

15 afternoon, Mike, about where we are and where we seem to be

16 having this chasm between us that we just can't bridge.

17   [Pause.]

18   PARTICIPANT: Well, for now, let's offer to look

19 at reducing the text there to make it clear, what's

20 expected, with an idea about eliminating the how, and

21 focusing on the what.

22   PARTICIPANT: Well, for instance, this says that

23 what is expected is managing, supervising, performing, and

24 verifying. It doesn't say how to do each of those things.

25   It says what.

1   PARTICIPANT: Yes, what is expected here, I

2 believe is the analysis and identification of activities

3 requiring training, right? That's the header on the

4 acceptance criterion.

5   PARTICIPANT: Yes.

6   PARTICIPANT: But then we need to instruct the

7 reviewer a little bit on what to look for to obtain that

8 reasonable assurance that that's going to be done well.

9   PARTICIPANT: But again, what that converts to for

10 the licensee is how to do it. And, again, that's where

11 we're running into a problem.

12   The guidance for the reviewer, de facto, becomes

13 the way we have to do it, the how-to, because you're

14 concerned that it would be viewed as a requirement, not as

15 guidance.

16   PARTICIPANT: Right.

17   PARTICIPANT: Yes.

18   PARTICIPANT: I think we need to look at what

19 they're proposing, and see what we can do.

20   Should we go on?

21   PARTICIPANT: Number 3 on 11-15, beginning with

22 position training requirements, the NEI comment, the balance

23 of sentence is repetitive after the first two lines.

24   And we're proposing deleting the next line, or the

25 rest of that sentence, deleting, or who perform activities

1 that prevent, mitigate sequences described in the ISA

2 summary, and leaving the last sentence, which that's

3 integrating NEI's suggestion.

4   PARTICIPANT: So we're taking their comment,

5 right?

6   PARTICIPANT: That's right.

7   PARTICIPANT: On the previous paragraph, I'm not

8 sure there was a comment to be taken that satisfies what

9 we're going for here. Was there? I don't believe there

10 was.

11   Are you back on 2?

12   PARTICIPANT: Yes, it just took me awhile to

13 register that we hadn't made a comment that was good on this

14 topic.

15   I mean, there was a comment, I guess, but it

16 didn't -- nobody could convert this paragraph over into what

17 we were trying to get to, which is what are the key concepts

18 or principles or whatever. That's just not been done.

19   PARTICIPANT: By simply accepting the comment, I

20 think is your point, does not covert the paragraph into what

21 you think is acceptable?

22   PARTICIPANT: Right, the comment doesn't go far

23 enough. We didn't do a good job commenting on that.

24   PARTICIPANT: Right.

25   PARTICIPANT: There are other interpretations.

1   PARTICIPANT: Less than adequate comment.

2   PARTICIPANT: Yes, comment LTA.

3   PARTICIPANT: Well, for Mike's benefit, it might

4 help to back up just a bit to what Clifton said earlier.

5 We've come down this road of massaging this thing, without

6 ever really stepping back and saying what's necessary and

7 agreeing on what's necessary to be in this document.

8   And John had some -- probably some good words an

9 outside observer looking in on this process when he stepped

10 into it yesterday, that you're not stating the principles

11 here.

12   You're talking a lot and saying a lot of words,

13 but you're not focusing on the principles that make an

14 acceptable program.

15   So, to simply say that -- I think what you're

16 hearing is that even if you just simply took all NEI's

17 comments, and the proposed Chapter 11 we sent in, we're not

18 particularly happy with that, given the thinking we've done

19 in the last day or so.

20   PARTICIPANT: Do you want to take another crack at

21 it?

22   PARTICIPANT: I don't know. We're far down the

23 road.

24   PARTICIPANT: Where do we go --

25   PARTICIPANT: I don't know, but we're trying to

1 fix something.

2   PARTICIPANT: Actually, Mike, we made a suggestion

3 earlier that maybe what we ought to do is just start over

4 with this chapter from scratch.

5   PARTICIPANT: I might back on start over. I think

6 we agreed yesterday that the review areas are probably

7 pretty decent.

8   PARTICIPANT: Right.

9   PARTICIPANT: That's what we came through

10 yesterday. It's the acceptance criteria, if we could

11 somehow keep that guiding principle in mind that we're going

12 to write down the principles.

13   PARTICIPANT: If you stated the guiding principles

14 in the areas of review section, they effectively would

15 become the acceptance criteria, I would imagine.

16   And then that gets back to one of your earlier

17 comments about why is there overlap between areas of review

18 and acceptance criteria?

19   PARTICIPANT: Exactly.

20   PARTICIPANT: We tried to, I guess, explain that

21 previously, to say really the areas of review have been

22 expanded somewhat, because it takes the place of the

23 standard format and content guide.

24   And then the acceptance criteria are really the

25 meat for the staff, because that's where the reviewer is

1 told, okay, if it measures up to this set of criteria, then

2 it's acceptable.

3   But I think I understand your comment.

4   PARTICIPANT: I'm willing to agree that there is

5 probably more meat that can go in the acceptance criteria

6 than is in the areas of review as we left them yesterday.

7   PARTICIPANT: But not a lot more, and I think this

8 is a lot more. It's dramatically more, you know, 10:1 sort

9 of more. Maybe were it 2: or 3:1 --

10   PARTICIPANT: That's an beneficial exchange, you

11 know. You're providing comments, and we'll have to go back

12 and take a look at it and figure out what makes sense.

13   Instead of looking word-for-word, look at it more

14 from what are we trying to accomplish and what are the

15 guidelines that need to be here?

16   I think there's a way of looking at it without

17 looking at it as throwing it out, because I think you don't

18 want to do that for a couple of reasons:

19   Psychologically, you don't want to say you threw

20 out what you did, because you learned a lot, and this whole

21 process has been very valuable, I'm sure, to everybody

22 involved, in trying to understand better, what it is you're

23 trying to do.

24   But I think that if you are honest with yourself,

25 and this is something Steve said earlier, that if it was his

1 to do, if this was something he was doing in his

2 organization -- and I would agree with this -- at this

3 point, what I would do is, I would put this aside,

4 essentially, and I would use it as a resource, but I would

5 go through it again.

6   I would go through and pull those things that were

7 useful out of it, and reconstitute what I really needed.

8   The best example I can give is that one of the

9 biggest mistakes that my staff routinely makes it that they

10 use the current procedure to get to where they want to go.

11 In other words, they will just make edits to it.

12   And I have to routinely almost take that procedure

13 away and say don't, no. What I want is a better procedure.

14 Stop, throw it away if necessary, get out the pen and go to

15 the blackboard and get some people in the room and make a

16 new procedure.

17   But simply editing what you have is not always a

18 very good process. But the process of coming up with what

19 was here helped everybody understand better, what we're up

20 against.

21   And so perhaps there is a way to use some of

22 what's here, but not -- when we get to a section, don't ask,

23 well, here we have three pages, what do you think of the way

24 this is worded? What should be in this action?

25   We'd probably move faster if we were doing that,

1 than analyzing the detail of what is currently in these

2 sections, when we get to these later sections, okay?

3   PARTICIPANT: I agree. This is Bob Freeman from

4 Framatome. I think the probability of agreement would be

5 substantially higher if we began with -- I mean, our current

6 licenses, some of them maybe inadequate with a single

7 statement that says thou wilt have a program.

8   That doesn't remove the fact that each of our

9 programs, inhouse, do have those guiding principles. They

10 we currently operate those programs, they have been

11 inspected over and over again; they hold up to guiding

12 principles.

13   If we get back to that point that says you will

14 have a program and it will have the following guiding

15 principles, we may not all agree exactly between even

16 ourselves, that each of our programs has every piece of

17 that, but we'll be a lot closer, I think.

18   Fundamentally, we'll agree that that's the

19 function of that program. And I see agreement a lot quicker

20 than breaking down the novel that we have in front of us.

21   PARTICIPANT: Could the industry identify those

22 guiding principles or guidelines or work among yourselves to

23 frame them out in an expeditious way?

24   PARTICIPANT: I certainly would be willing to try.

25   PARTICIPANT: Cliff, how --

1   PARTICIPANT: I think we have to, if we're going

2   to take that --

3   PARTICIPANT: We have to commit to doing it and

4   doing it expeditiously.

5   PARTICIPANT: Well, it needs to be revised.

6   PARTICIPANT: But substantially?

7   PARTICIPANT: I don't think so.

8   PARTICIPANT: Well, even I have a much better

9   understanding after these dozen or so meetings we've had as

10 to what the NRC's requirements are and where we're coming

11 from.

12   I think there certainly is a -- it would probably

13 warrant the effort to try it again.

14   PARTICIPANT: We apparently developed something a

15 year or two ago.

16   PARTICIPANT: Define expectations. What type of

17 timing are you looking at?

18   PARTICIPANT: Well, my understanding is that the

19 rule gets published in the FR next week now, Monday?

20   PARTICIPANT: Monday.

21   PARTICIPANT: We expect -- so --

22   PARTICIPANT: It's effective 30 days from Monday.

23   PARTICIPANT: I think that in a month we would be

24 able to turn around and get back this principle, what I call

25 our quantifier from discussion, principles document. And we

1 can sit down and talk about the principles document.

2   PARTICIPANT: That's expeditious.

3   PARTICIPANT: The rule is not really tied to the

4 SRP too much anymore, is it? So there's not -- other than

5 we've all expended a lot of energy and we'd like --

6   PARTICIPANT: Yes, we want to bring this to

7 closure, but ultimately, the product that's developed has to

8 be one that's going to stand the test of time, and it's

9 going to do what it needs to do.

10   It should not impose any more burden on the

11 licensees than is necessary to satisfy ourselves that there

12 is adequate protection, and that it's consistent with the

13 requirements of the rule.

14   PARTICIPANT: What did you say, Mike, that it

15 shouldn't put any more burden on the licensee than what?

16   PARTICIPANT: Than what's necessary to have us

17 have confidence that there is adequate protection, and

18 that's what we've been struggling on.

19   And, you know, we're approaching it from this way,

20 and you're approaching it from that way, so somewhere in the

21 middle lies the answer.

22   PARTICIPANT: Do you currently have that

23 confidence?

24   PARTICIPANT: With the current licenses out there

25 today? Yes, we think that there is adequate protection.

1   But that confidence was gained through a very

2   arduous, inefficient, sometimes ineffective process, and we

3   don't want to have to go back through that process.

4   In the future, I would hope that in most cases

5   when you submit amendment requests, if they are submitted in

6   accordance with the guidelines and the acceptance criteria

7   and what have you, that that will expedite our review

8   process, and would cut back on the number of requests for

9   additional information and meetings, and all that sort of

10   stuff.

11   PARTICIPANT: Yes.

12   PARTICIPANT: So I think that's -- all the

13   stakeholders, I believe, would agree to that basic

14   objective. The question is, how do you get there from here?

15   PARTICIPANT: Bob Freeman brought up the

16   streamlining later, and we discussed that, and I think we

17   are in agreement as to that, and I think they understand a

18   little better, what we want.

19   PARTICIPANT: My comment was, Mike, that the

20   principle basis of the letter sounded great to me until I

21   got down to a few paragraphs that stated there would be, you

22   know, strict adherence to the SRP and I wasn't liking the

23   SRP, and I didn't see agreement existing at that point.

24   So until we got agreement here, you know, that

25   phrase didn't sit well.

1   PARTICIPANT: It says there's strict adherence to

2   the SRP?

3   PARTICIPANT: It says principle --

4   PARTICIPANT: Incomplete applications, that's one

5   that -- [Tape side ends mid-sentence.]

6   [End Tape Side A.

7

8

9   TAPE SIDE B

10   PARTICIPANT: -- as much as possible, will be used

11 by reviewers.

12   PARTICIPANT: But it would be --

13   PARTICIPANT: It sets a high standard for this

14 document, as it should.

15   PARTICIPANT: It does.

16   PARTICIPANT: And what we need to do is to meet

17 that expectation with an excellent document that we can all

18 agree to.

19   We all have the same heart to do that here; it's

20 just that it's a little bit difficult.

21   PARTICIPANT: And an answer to your question

22 yesterday: Now is the time to do it.

23   PARTICIPANT: Oh, absolutely, we agree. We don't

24 want to put out an SRP and then a week later say, oh, gosh,

25 what does this acceptance criterion mean? That won't

1 benefit anybody.

2   PARTICIPANT: And I don't think we want to fight

3 it on a one-on-one basis. That just duplicates resources

4 over and over again.

5   PARTICIPANT: Just from the earlier conversation,

6 I agree with that, but we also have to not leave most of the

7 licensing basis to the inspectors, you know, for

8 performance.

9   I think the guiding principles need to be specific

10 enough that --

11   PARTICIPANT: I agree.

12   PARTICIPANT: -- that we can judge that it's an

13 adequate program.

14   PARTICIPANT: It takes a lot of thought to get

15 those to be that, and so it's easier for us to simplify it,

16 oversimplify it, which is what's happening here as we do it

17 on the fly.

18   And maybe it's easier when you guys write out your

19 thoughts, like you're doing here, which then worries us. So

20 it will take a lot of thoughtfulness on our part to make

21 sure.

22   And this is one of the reasons like when I pull up

23 the INPO document, this is thoughtful stuff.

24   PARTICIPANT: Right.

25   PARTICIPANT: I don't know who did this, but they

1 did a very good job. We need to be able to have that kind

2 of level of detail.

3   PARTICIPANT: Right.

4   PARTICIPANT: And content, in what we provide for

5 all these things. And your document gives us a lot of good

6 starting points to understand what the NRC is considering

7 and what's in your mind relative to these sections.

8   So I think we can do that and at least come up

9 with a really good first cut at it, as an industry, one that

10 you will be pleased with, I think.

11   And we can all get to rapid resolution from that

12 point on. That would be my expectation.

13   PARTICIPANT: And where you find that there is

14 industry consensus standards there that you are all using

15 that address these same elements, you know, by all means

16 raise those, because I think that benefits us.

17   PARTICIPANT: Actually, we're required by law to

18 adopt consensus standards with some exceptions. So there's

19 a strong onus on the Agency to try to apply those consensus

20 standards.

21   PARTICIPANT: Clearly, the appeal to guiding

22 principles removes the "how," and it allows a large

23 flexibility on how to accomplish that principle, and I think

24 that's what we're looking for.

25   PARTICIPANT: And from our discussions, I also

1 appreciate that you understand that it's not just a very

2 high-level commitment of, yes, we'll have a training

3 program.

4   PARTICIPANT: Correct.

5   PARTICIPANT: I mean, that ain't going to cut it.

6   PARTICIPANT: Correct.

7   PARTICIPANT: Because, as Tom and Heather and

8 Lydia and Will have mentioned, there needs to be enough meat

9 there to have confidence, but not so much meat that it's

10 imposing an unnecessary burden, both on you and on us, and

11 on all the other stakeholders that choose to read and

12 understand what's going on.

13   PARTICIPANT: In fact, yesterday when we were

14 discussing the previous sections, you know, Steve many times

15 pointed out that that should be in the acceptance criteria.

16   But I guess the objection when we get to the nitty

17 gritty of the acceptance criteria is too much detail, too

18 much prescriptiveness and the problems that that may bring

19 to them, or perceived problems.

20   PARTICIPANT: Don't confuse the fact that we don't

21 want the how, some of the how information in the SRP to mean

22 that we don't intend to put some of the how information in

23 the license application.

24   They are two different things. We don't want the

25 how information in the SRP because that leads the reviewer

1 to think that's how it should be done, the only way it

2 should be done.

3   PARTICIPANT: The only way it should be done.

4   PARTICIPANT: So --

5   PARTICIPANT: And a good example of that was

6 yesterday when we were talking about procedures, and we had

7 said, okay, there are two types of procedures.

8   And if you don't have two types, well, then you're

9 wrong. Well, that wasn't our intent; that was just laying

10 out --

11   PARTICIPANT: We have six types that are three

12 times better.

13   [Laughter.]

14   PARTICIPANT: Right.

15   PARTICIPANT: Right.

16   PARTICIPANT: Then it's three times better.

17   PARTICIPANT: I've been in and out of these

18 discussions this afternoon, obviously, and yesterday some.

19   Did you ever discuss the general comments that

20 were in the front of the Chapter 11 strike-in/strike-out

21 text?

22   PARTICIPANT: No, we did not.

23   PARTICIPANT: Given the hour, 20 of 4:00, and

24 given the fact that we've kind of migrated to a different

25 place than we were headed, would it be productive at this

1   point to discuss those?

2   PARTICIPANT: There are a couple of items on the

3   agenda that we haven't gotten to yet.

4   PARTICIPANT: Right.

5   PARTICIPANT: They wanted to -- I think they

6   wanted to get to, that will probably take at least a half

7   hour.

8   PARTICIPANT: What's your pleasure? Do you think

9   we got the gist of the general comments?

10   I mean, correcting technical, grammatical,

11 editorial areas, okay, no problem there.

12   PARTICIPANT: What were the other ones there?

13   PARTICIPANT: Reducing prescriptiveness, we've

14 been talking about that extensively. Ensuring consistency

15 in industry practice and what's stated in the SRP, I think

16 we understand where industry is coming from on that, and you

17 understand our need to have confidence that it's going to be

18 an acceptable program.

19   Then reducing redundancy among the individual

20 sections, we just talked about that a little bit in terms of

21 comparing the areas of review and the acceptance criteria

22 review procedures. Those are all, I think, generally good

23 objectives that are useful to NRC.

24   Do you want to elaborate on any of those, or do

25 you think we got the message?

1   PARTICIPANT: I don't think there's much more to

2 cover there.

3   PARTICIPANT: Okay.

4   [Pause.]

5   PARTICIPANT: Well, the other things that are left

6 on the agenda are the ISA summary guidance documents and

7 NRC's revision of Chapter 3. Those are the two things that

8 are left over.

9   You had mentioned specifically our Chapter 3.

10   PARTICIPANT: Oh, yes, yes.

11   PARTICIPANT: Is that --

12   PARTICIPANT: What would you like to do first?

13   PARTICIPANT: Yes, which would you like to do?

14   PARTICIPANT: Chapter 3, please.

15   PARTICIPANT: Chapter 3, yes.

16   PARTICIPANT: Okay.

17   PARTICIPANT: I think that's in your packets also;

18 isn't it?

19   PARTICIPANT: Heather, John Nagy. Could you

20 remind some of us that may not be as attuned to this

21 process, what is the status of Chapter 3? I think that's

22 what we're going to discuss.

23   PARTICIPANT: Yes, I --

24   PARTICIPANT: Okay, is it like Chapter 11? It's

25 still being edited?

1   PARTICIPANT: Yes, it's still being edited, and we

2   have in your packets -- I believe it's in your packets --

3   PARTICIPANT: Where is it?

4   PARTICIPANT: Comments? No. That's the ISA

5   Summary.

6   PARTICIPANT: I didn't see anything in Chapter 3.

7   PARTICIPANT: It continues to be worked on, you

8   have sent in comments recently, and we continue to look at

9   that.

10   However, based on the ranking of what was

11   important at this meeting, that was lower on the list than

12   these things, so that's what we worked on for the last week

13   in preparation for this meeting.

14   But Tom is going to address where Chapter 3 stands

15   at this point.

16   PARTICIPANT: Yes, I have some summary here.

17   Essentially, Chapter 3 has been changed so far in four

18   substantive ways, and there is yet editorial work to be done

19   on it.

20   But the four substantive ways were in response to

21   comments that were made by NEI, but were received too late

22   for inclusion in the May draft and in the July 20 -- no, on

23   July 20 you received only a draft of Chapter 11.

24   There are essentially four changes areas that I'm

25   going to review here. The first one had to do with the use

1   of N-sub-h and N-sub-i, and the likelihood definitions

2   section, if you remember that.

3   We're talking now about Section 3.4.3.2, Item 7.

4   PARTICIPANT: What's N-sub-h, N-sub-i?

5   PARTICIPANT: I'm going to get to that in a

6   minute.

7   PARTICIPANT: Okay. Item 7 in that section was

8   approximately page 3-15 in that copy.

9   And these are the number of -- N-sub-h are the

10 number of high-consequence accidents expected in the

11 industry, and sub-i is the number of intermediate

12 consequence accidents expected in the industry.

13   And as we studied that and kicked this around, I

14 think probably perhaps with some of your people, but

15 certainly within our own house, we've been trying to deal

16 with the difficulty of being in a situation where we must

17 deal with the number of accidents in the industry.

18   Well, we've got six or seven industry

19 participants, and we don't know what the sum of those kinds

20 of accidents is until we see the results from the ISAs. So

21 we had initially made an estimate of a thousand for N-sub-h

22 and N-sub-i was thrown in as about ten.

23   That section --

24   PARTICIPANT: Ten thousand?

25   PARTICIPANT: That second was written based on

1   those numbers --

2   PARTICIPANT: Could you just clarify this point?

3   The number of the intermediate is less than the number of

4   high events?

5   PARTICIPANT: Yes, yes. The intermediate range is

6   about a factor of four in likelihood, and the highly

7   unlikely range goes over a much larger range.

8   So those were the numbers chosen. And my point to

9   you today is, we've softened up in the written part in Item

10 7, which is called Quantitative Guidelines.

11   We've essentially softened up the language there

12 that would box anybody into particular numbers of accidents

13 in that arena.

14   And it just, you know, points out that you will

15 have to select something for your own work. We want you to

16 select quantitative guidelines, but we understand that the

17 numbers may have to change with time.

18   PARTICIPANT: That's right, Tom. You want us to

19 select quantitative guidelines for what?

20   PARTICIPANT: For -- well, at the very bottom of

21 the tier of quantitative selections starts, you have these

22 index numbers and the matrix tables I have seen. You've got

23 like -1s, -2s, -3s, or 1s, 2s, 3s, 4s in various places.

24   We want as Table 2 or 3 says in Appendix A of

25 Chapter 3, we want you to make qualitative assessments

1 associated with numerical values. We want you to be able to

2 say, we think this IROFS will fail in about perhaps as often

3 as ten years, perhaps as often as 100 years.

4   Make a judgment like that, and that number

5 eventually cascades down into a meaningful relationship,

6 only because we have had to peg those numbers that we're

7 looking for on an estimated number of those kinds of

8 accidents that would occur in the industry.

9   In other words, an estimated total number of

10 accident -- high-consequence accident sequence that might be

11 reported by all participants, taken together.

12   PARTICIPANT: Okay, so when you get -- when, as an

13 industry, we identify 10,000 sequences that could result in

14 a high-consequence event?

15   PARTICIPANT: That would make the requirement for

16 even more reliable IROFS.

17   PARTICIPANT: So that means an evolving definition

18 of highly unlikely?

19   PARTICIPANT: If the total number of accident

20 sequences changes markedly over time.

21   PARTICIPANT: What happens if we build a MOX

22 plant? What happens when we build a MOX plant; do each of

23 us have to --

24   PARTICIPANT: Maybe by that time there will be

25 better estimates.

1   PARTICIPANT: I'm serious. Do each of us have to

2   therefore make all our controls that much more robust

3   because of the presence of a MOX plant? That's what you

4   just described.

5   PARTICIPANT: Well, you mean because we're adding

6   on a MOX plant with another set of --

7   PARTICIPANT: Because we're adding accident

8   sequences that could -- that in each of our highly unlikely

9   --

10   PARTICIPANT: I don't think that's the way it will

11 go. I think that -- I mean, I can't say with certainty at

12 this point, obviously, but you have a risk group working on

13 that right now to figure out how things might work out in

14 that area.

15   Maybe it will have safety goals of its own. I

16 don't know.

17   PARTICIPANT: What's the Agency's position on

18 that, Mike?

19   PARTICIPANT: Well, I think Tom has described it.

20 It's something that's under consideration by the Risk Group.

21 Clearly, you can't impose a requirement that as the number

22 of facilities changes, you can change the rigor of the

23 controls.

24   That doesn't make sense, but yet I think that from

25 a risk perspective, which is that we're trying to

1 risk-inform this rule, there has got to be some envelope,

2 some overall objective that drives what's required.

3   PARTICIPANT: The objective we selected was that

4 there wouldn't be a criticality or there shouldn't be a

5 criticality within 100 years.

6   PARTICIPANT: But how does that relate to making

7 accident sequences --

8   PARTICIPANT: When you work back through the

9 numbers as they are presented in Chapter 3, by the way, you

10 will see that that's how we come up with the 10 to the minus

11 5 for highly unlikely, given a thousand high-consequence

12 sequences in the industry.

13   PARTICIPANT: That seems to be rulemaking and

14 policy, rather than SRP issues.

15   PARTICIPANT:The SRP has to interpret what is set

16 out for --

17   PARTICIPANT: The rule hasn't set a policy to

18 interpret, nor --

19   PARTICIPANT: We have Commission documents that

20 say --

21   PARTICIPANT: It says highly unlikely.

22   PARTICIPANT: That's right.

23   PARTICIPANT: Each accident sequence will be

24 highly unlikely, and the standard for highly unlikely has

25 always been double contingency. And 99 percent of the

1 accident sequences that result in a high-consequence event

2 are criticality accidents that are for double contingency,

3 you're saying might not remain the standard?

4 　　　　　PARTICIPANT: I don't know how you say that the

5 standard has always been double contingency for highly

6 unlikely. I don't think those words are in the double

7 contingency principle.

8 　　　　　PARTICIPANT: So are you saying that highly

9 unlikely and double contingency aren't mutually consistent?

10 　　　　　PARTICIPANT: Yes, we think they are, because the

11 definition of the double contingency principle in A&S 8.1 or

12 something says that each of the two occurrences shall be

13 unlikely.

14 　　　　　But we had to say what is unlikely and then what

15 is multiplying two unlikelies together?

16 　　　　　And then the Commission said these

17 high-consequence events shall be highly unlikely. We had to

18 take what we could, and we took the Commission's written

19 declaration that there shouldn't be any deaths from

20 criticalities and realizing that you can't have zero risk,

21 we said that's -- we're interpreting that as no deaths in a

22 hundred years within the industry or no criticalities within

23 the industry within a hundred years for the licensees we

24 have.

25 　　　　　PARTICIPANT: The rules should say that if that's

1   the rule; shouldn't it? I mean, I'm not trying to back up

2   here, but the SRP --

3   PARTICIPANT: Well, it sounds like you are.

4   PARTICIPANT: But the SRP seems an odd place to

5   deal with such a profound issue.

6   PARTICIPANT: And I don't think you've thought

7   this through completely, because as the criteria you've

8   established and the way you're interpreting it, gives some

9   real problems.

10   As Steve already pointed out, with the creation of

11   the MOX facility, if you include it in this as a Part 70

12   facility, now what you've done is that the other facilities

13   have to be better in order to account for the additional

14   risk by the MOX facility.

15   On the other account, if we have additional

16   consolidation in the industry, we [inaudible] down ABB, the

17   [inaudible] engineering facility, then Westinghouse has the

18   ability to be not as risky as they used to be, because now

19   they have more freedom.

20   PARTICIPANT: And that's why our Risk Group is

21   looking at this whole issue.

22   PARTICIPANT: I don't think it's necessarily a

23   given that the MOX facility add-on of, say, high-consequence

24   sequences is a significant add-on to the ones that we may

25   define in six or so ISA summaries of other facilities.

1   PARTICIPANT: The rationale you're portraying

2 right now leads us to that analogy.

3   PARTICIPANT: That's where we are right now. In

4 other words, you keep bringing the MOX facility up, but it's

5 quite possible that criticalities aren't the problem in a

6 MOX facility that we have in the sum of the other

7 facilities. I mean, that's all done in big hot cells.

8   PARTICIPANT: The criticalities are acceptable if

9 they're in a hot cell?

10   PARTICIPANT: Criticality is what? No, no, I

11 didn't say they were acceptable, but it would be a lot safer

12 than the ones in a vessel sitting out on the floor.

13   PARTICIPANT: I'll make sure that the Risk people

14 are working on this, get a copy of this transcript and point

15 out your statements and your concerns.

16   PARTICIPANT: Well, let me just summarize by

17 saying you're going to see this in a chapter put on the Web,

18 but you're just going to see a softening in this particular

19 area dealing with the quantitative guidelines.

20   The second area that has been changed is a

21 clarification of conservatism used in consequence

22 calculations. That appears in Section 3.4.3.2, same section

23 as before, Item 8, called Consequences, and it's Roman

24 Numeral iii in that item called Consequences.

25   And it's simply a rewording of that paragraph,

1 which is only about five lines. And it deals with what

2 we're really trying to say about how to deal with a total

3 range of accident consequences.

4   I don't think it's going to be very substantive in

5 your minds. It's an issue that we wanted to deal with.

6   The third change, again, in the same section,

7 3.4.3.2, this one is Item 6, Quantitative Standards for

8 Chemical Consequences.

9   And it's dealing with the language, again, that

10 talks about what could endanger life or produce injuries.

11 We wanted to make sure that the exposure standards were

12 understood to be conservative in the same sense as AEGLs and

13 ERPGs are conservative.

14   We wanted to include exposures that would result

15 in death for average and susceptible persons, but not for

16 hypersusceptible persons, which is consistent with the way

17 the AEGLs or the APA -- yes, the AEGLs are defined that deal

18 with average and susceptible people but not

19 hypersusceptible, not the last one percent of people or not

20 the first one percent that would die.

21   So that's the third change where the language has

22 been changed. The last change that was made was an

23 editorial change that accepted and has embedded in the SRP,

24 identical language proposed by NEI for the paragraph 3.3,

25 Areas of Review, within Chapter 3.

1   And it provides a better statement of what the

2   reviewer is to review. And, frankly, I'm not sure what NEI

3   document this came out of, at the moment, but we took it

4   word-for-word. It's about four paragraphs.

5   So I think you will find that okay. Those are the

6   only substantive changes we made to Chapter 3, and as I say,

7   we're working on editorial cleanup of that chapter also.

8   That's all I want to say about that.

9   PARTICIPANT: Did you -- did I miss the statement

10 that we're going to put this on the Web when we were done?

11   PARTICIPANT: I thought I said that, yes. We're

12 going to put this on.

13   PARTICIPANT: Do you have an idea about when, what

14 the expectations are?

15   PARTICIPANT: Well, I've asked for about the end

16 of this month, which is only a couple of weeks away, right?

17 I think we can do that.

18   PARTICIPANT: So we're going to post a revised

19 draft of Chapter 3 of the Standard Review Plan by the end of

20 September?

21   PARTICIPANT: Right.

22   PARTICIPANT: And that rationale that Tom was

23 referring to in terms of the total number of accident

24 sequences, that's laid out in Appendix A, right?

25   PARTICIPANT: The rationale is laid out in Chapter

1 3 in that section 3.4.3.2 under Quantitative Guidelines.

2   PARTICIPANT: Okay.

3   PARTICIPANT: Let's see, okay, that was Chapter 3.

4 Now, if you want, we can go to the summary guidance

5 document, ISA summary guidance document, and you do have a

6 handout on that.

7   PARTICIPANT: Yes, there is one.

8   PARTICIPANT: So do I.

9   PARTICIPANT: Comments on September Draft of NEI

10 Industry Guidance Document.

11   PARTICIPANT: Yes.

12   [Pause.]

13   The first paragraph of Attachment 1, Comments on

14 the September Draft, is sort of an introductory paragraph to

15 the remaining five.

16   But in that paragraph, it does say that where we

17 need specific items to draw a conclusion of compliance,

18 we'll probably just have to stop the review until we get

19 that information.

20   And the text of the document, your current draft,

21 which I guess is September 12th, says that certain

22 information required may not be presented in the ISA

23 Summary, but may instead be found elsewhere.

24   Well, I guess maybe right now we're not certain

25 where that elsewhere will be.

1   PARTICIPANT: The intent was that some of that

2   material will be in the license application itself, so maybe

3   what we need to do is clarify what we're trying to say

4   there.

5   PARTICIPANT: So I guess we'll assume that the

6   license application changed material or added material will

7   be available at the time that the ISA summary is.

8   PARTICIPANT: Right.

9   PARTICIPANT: Now, going to Item 2, it refers to

10 the discussions of measures that you have on page 13-29,

11 that certain methods and frequencies may not be presented in

12 the Summary, but may be in the application of ISA

13 documentation at the site.

14   And in order for us to evaluate whether high

15 availability is reasonably achievable, we've got to have

16 information about the surveillance.

17   Now, you mentioned -- somebody mentioned in a

18 recent meeting -- oh, no, I know where that was. It was

19 Steve's folks.

20   This information may or may not be obvious or

21 available to the reviewer. But the reviewer is going to

22 need it to evaluate the adequacy of the reliability and

23 availability of an IROFS.

24   And when I say surveillance, what I'm talking

25 about is the time that a particular piece of needed

1 equipment is out of service, undetected, is important to the

2 overall -- is important to the reliability of that piece of

3 equipment.

4   Now, we realize that if it's undetected, it's

5 undetected, but when something occurs as a result of a

6 failure of a piece of equipment, you will, of course,

7 probably in some incident investigation, find out that this

8 particular piece of equipment was out of service -- was

9 failed, and perhaps had been failed for some time.

10   And we expect that you will probably have some

11 idea of how long it was out of -- you know, failed -- simply

12 because you know how frequently it was inspected, if nothing

13 else.

14   And that kind of information we need to have fed

15 back into your licensing material over time, and initially

16 you may have to guess at what's the -- what are we -- in

17 other words, you would have to come up with an estimate of

18 how long something could fail without being detected.

19   Of course, that has something to do with your

20 surveillance schedule.

21   We will need that information in order for the

22 staff reviewer to evaluate the adequacy of the IROFS.

23   PARTICIPANT: And we have a real problem with

24 that.

25   PARTICIPANT: I'm sorry?

1   PARTICIPANT: I said we have a real problem with

2   that. If you have an inspection frequency of six months,

3   and five and a half months later you have an upset condition

4   that this system was supposed to have mitigated, but it

5   didn't, do we have to say, well, gee, it must have been out

6   of service for five and a half months, because that's the

7   last time we inspected it?

8   PARTICIPANT: If you have no better information

9   than that, then that's all you know at the time.

10   PARTICIPANT: Right, and that's not acceptable.

11   PARTICIPANT: Well, we don't think it's

12   acceptable, either. If it's --

13   PARTICIPANT: You have to --

14   PARTICIPANT: What?

15   PARTICIPANT: You have to give us a reasonable

16   standard, and that's not a reasonable standard.

17   PARTICIPANT: Well, what --

18   PARTICIPANT: If we're going to guesstimate when

19   this thing went out of service, we have to have a reasonable

20   standard.

21   PARTICIPANT: If you don't inspect the thing but

22   every six months, then it could be that it would be failed

23   for six months. That's one of the numbers that goes into a

24   reliability determination.

25   The beginning number would be, in the first place,

1 how often do you expect the thing to fail? That's one

2 that's a failure frequency.

3   But then, given a failure frequency, what's the

4 likelihood of not determining that failure?

5   PARTICIPANT: But if you've been inspecting

6 something for six months for the last eight years and you've

7 never had -- every time you inspected it, it was always

8 functional, always met its criteria and stuff, but then

9 three months later, you had a failure, you mean we have to

10 say, well, gee, since it's been three months since we

11 inspected it, we have to assume it's been failed for three

12 months?

13   We've got eight years of experience that says it's

14 been highly reliable. That's what I'm saying, that you've

15 got to have some reasonable man --

16   PARTICIPANT: But the reliability is a function of

17 two numbers, the expected failure frequency to begin with,

18 and then the time that it remains failed without being

19 detected.

20   If the first number, which I think you're saying

21 is very good at a very low failure rate to begin with in the

22 last eight years, then you could -- it might be all right to

23 have a relatively infrequent inspection frequency. You

24 would still come up with a good number for reliability.

25   But if you have a long-term inspection frequency

1 -- and now I'm talking about equipment that needs to be

2 inspected to determine that it's failed.

3   Because if you have an automatic failure

4 enunciation of some type on it, or it's known when this

5 device fails without inspecting it, that's another matter.

6

7   But I'm talking about equipment that needs to be

8 inspected to determine that it is failed. You could have a

9 very low inspection frequency, long inspection frequency,

10 long time between inspections, if the equipment is very good

11 to begin with.

12   If the equipment is not very good to begin with,

13 that is, it might be expected to fail inside of a year,

14 probably, then you may need a fairly high inspection

15 frequency on it to cut down the time that it could be failed

16 and undetected.

17   These things -- and I'm not a reliability

18 engineer, but the two numbers I'm telling you about are like

19 A and B to people who understand reliability engineering,

20 and what we're saying here is that it's a different world

21 where if you were going to talk about risk-informing things,

22 we're going to have to put in the effort to do some risk

23 informing and understand risk and reliability.

24   And I'm just pointing out -- this particular

25 comment here is pointing out that given this situation, it

1 will be necessary to know information about the surveillance

2 on this IROFS that's depended on, that it will be necessary

3 to know something about its inspection frequency.

4   We already assume we're going to know something

5 about its failure frequency, but now we're pointing out that

6 we also need to know how long could it be failed without

7 being detected? That's a key component of the reliability

8 assessment.

9   And that's really all this Item 2 is about. And

10 there is more information there, another paragraph and a

11 table showing, in fact, approximate surveillance periods or

12 frequencies for IROFS that have a particular failure rate

13 goal.

14   The third item is -- well, it's simply a comment

15 that reviewing two tables, A-1 and A-3, they seem -- there's

16 an index method, there's an index lacking for this outage

17 duration, again, which is typically controlled by

18 surveillance measures, as it says here.

19   So, we don't know what the answer is because it

20 wasn't there, that that aspect is going to have to be

21 assured by some information provided elsewhere.

22   Item 4 deals with the guidance in Section 6.1,

23 page 10 on definition of likelihood terms. It says that

24 that section may give the impression that these definitions

25 may not need to be in the ISA Summary, but 70.65 explicitly

1 requires that information. It says define these terms.

2 But we do see the required definitions in the

3 example method given in Appendix A. But the particular

4 example definition given for credible, one of the three

5 terms, is in your document, quote, listed as, quote,

6 "expected to occur in the life of the facility."

7 Now, we don't exactly know what that means. I

8 don't know what that means.

9 PARTICIPANT: We'll take that definition out of

10 there.

11 PARTICIPANT: It depends on what the life of the

12 facility is. And, again, this is all discussed in the SRP

13 chapter.

14 Okay, Item 5, now, goes to your -- I think your

15 examples in Table UD-2, and that column labeled there,

16 Control Parameter Limits.

17 The comment is that in general such limits as that

18 column labels Control Parameter Limits, really are -- we

19 need them to show safety margins. It appears that your

20 column there doesn't show safety margins, but it shows the

21 distance to a setpoint that is something above normal, but

22 not at the failure limit.

23 And for certain situations such as reliance on

24 prohibited operations, operator actions, we need to see a

25 large margin between normal operating conditions and the

1   actual failure limit because that's part of the rational for

2   why the accident is highly unlikely. We're assuming here

3   that you need to show highly unlikely.

4   So, it would be useful in cases like this where

5   it's included in the safety rationale, that we need to know

6   the failure limit as well as the normal operating limit and

7   some setpoint above that that sort of is arbitrarily chosen

8   for operating convenience.

9   PARTICIPANT: Tom?

10   PARTICIPANT: Yes.

11   PARTICIPANT: That's a little bit tough, because

12   it's not just the failure limit; it's the fact that you know

13   the value of the failure limit and the fact that you know

14   the value of the normal operating condition.

15   It doesn't necessarily tell you the margin. It's

16   how fast you can move along the curve that tells you the

17   margin of safety and what sequences move you along the

18   curve.

19   So knowing the failure limit, a perfect example is

20   reactor components. One is a reactor assembly, for example.

21   One is always safe, either water or air, two are never safe.

22   So is it one or two? So, you move very quickly,

23   so the difference between one and two doesn't seem very

24   great, where you could have a system that's operating at a

25   KG that it takes 20 KGs to make it a problem, but it can

1 move from one to 20 very rapidly by some scenario.

2   PARTICIPANT: But we would expect that we would

3 know how you get from one to 20 in the description of the

4 limit, how you got there.

5   PARTICIPANT: I think the sequences give you that

6 information, even in the absence of the actual parameter

7 value failure limit.

8   PARTICIPANT: If they give you that information,

9 then it's probably okay.

10   PARTICIPANT: Okay.

11   PARTICIPANT: I'll give you an example of where we

12 didn't have information: The very typical limit is this

13 double batching limit, you know? Well, if it's easy for a

14 guy to pick up one bottle, it's pretty easy to pick up two

15 bottles, you know?

16   If we know that the failure limit is like eight

17 bottles, obviously the guy can't even carry eight,

18 five-pound bottles, or he can't hold them in his arms.

19 That's a very comfortable margin of safety.

20   But if we don't know that, then -- and you say

21 that double batching is -- that's it, we have a rule that

22 doesn't allow that guy to more than double-batch.

23   Well, if two and a half batches and you're at

24 criticality, or .98 or something, we aren't going to feel

25 comfortable about that being called highly unlikely. That's

1 the kind of thing I'm driving at, is that we need to know

2 the margins of safety in those cases where you're going for

3 highly unlikely in, say, a criticality sequence. That's the

4 only point we're making.

5   PARTICIPANT: Again, you're going to have trouble,

6 because a lot of times the licensee doesn't know the

7 parameter margin. They know that this is safe --

8   PARTICIPANT: We think you ought to know whether

9 it's going to go critical at two and a half or six.

10   PARTICIPANT: I think there are few licensees who

11 actually parameterize that all the way out to failure. So,

12 I think that's just a fact or are actually required to.

13   PARTICIPANT: See, up till now, we haven't been

14 stressing what does unlikely really mean in the double

15 contingency definition?

16   PARTICIPANT: I'm not debating, I'm just --

17   PARTICIPANT: Now, it's a new world.

18   PARTICIPANT: That's just a fact.

19   PARTICIPANT: We're looking for what does robust

20 mean? What does unlikely mean? That's because the

21 double-contingency principle has never challenged that, and

22 there is a tendency to say we've got two of them; what more

23 do you want?

24   Well, the definition has always included the

25 terms, unlikely and the fact that unlikely has never ben

1   probed or may not have been in some cases --

2   PARTICIPANT: It's been probed ad nauseam.

3   PARTICIPANT: Well, I know in some cases it has

4   been looked into. Anyway, that's what Item 5 is all about.

5   It's to indicate the failure limit as well as the safety or

6   normal operating limit in a table like UD-2.

7   Okay, Item 6: There appears to be an

8   inconsistency between the definition of high-consequence

9   event in Section 70.61, and the treatment of intermediate

10 offsite in Table A-4.

11   I think if you read this, you could probably

12 understand what we're driving at here. It seemed to be an

13 inconsistency in that whereas high-consequence events have

14 to be highly unlikely, it didn't seem that that was coming

15 out of Table -- I believe it was A-4.

16   Table A-4 treats intermediate events as needing to

17 be only unlikely, but it the table on page 28, these events

18 exceed AEGL-2 for offsite individuals.

19   Well, offsite -- exceeding AEG-2 drives you into

20 high-consequence events which require highly unlikely. And

21 do you get what we're driving at by that comment? We think

22 you have classified something as needing only to be unlikely

23 when, in fact, it ought to be highly unlikely?

24   PARTICIPANT: Okay, we'll look at it.

25   PARTICIPANT: This is only an example.

1   PARTICIPANT: Yes, but we don't look at Table A-4

2   as only an example, but rather your sort of saying here's

3   our risk assessment table, and here's the way we would

4   construct it.

5   If you look at your page 22 on the September 12th

6   issue, I think we're talking about the two center boxes

7   there where the consequence level is intermediate, offsite.

8   And I think it refers to those two center boxes.

9   Table A-4 treats intermediate offsite as needing to be only

10 unlikely, but in the table on page 28, if you go over to 28

11 -- oh, I think that here I had a problem.

12   Okay, at the top of page 28, you see intermediate

13 offsite in a little table up there that says greater than

14 AEGL-2, less than three but greater that two.

15   And the comment here is that this shows that that

16 offsite intermediate thing then should be required to be

17 highly unlikely.

18   PARTICIPANT: I think that's a disconnect that we

19 had identified in our example anyway. That was one of the

20 things that --

21   PARTICIPANT: I guess the question is, these are

22 complete comments, or is Dennis going to --

23   PARTICIPANT: This is all of our comments that I

24 believe we had on this.

25   As was said in the beginning here, Item 1, it's,

1 you know, the structure of the document is pretty good and

2 it contains some useful information on what should be in an

3 ISA Summary. I don't think it tells a lot about how to

4 prepare, but rather what should be in it.

5   And, you know, you can see it there, that it

6 follows the content requirements of the rule. I look on it

7 as a pretty good outline of what ought to be in there, but

8 then we have these other comments.

9   I have a feeling we probably could have more

10 dialogue on this. But these are our comments on your latest

11 draft.

12   PARTICIPANT: I didn't want them to think that we

13 were going to continue to work on it and give them something

14 else later. These are our comments to go back and think

15 about and revise your document as you see necessary.

16   The other document that you gave us was the change

17 control document. We simply didn't have time to review that

18 in the time that we had available. We are working on a

19 change control guidance document, and we will consider that

20 when we do this.

21   So hopefully we can talk to you at a later date

22 about that particular document.

23   The last thing on the agenda, and I believe Tom is

24 prepared to talk about it, is the status of the ISA

25 documents that are current inhouse from licensee -- ISA

1 summary information that's currently inhouse from the

2 licensees.

3   PARTICIPANT: Yes, I tried to -- well, I did get a

4 summary review here, not a detailed review, or our status of

5 looking at documents that have been submitted to the NRC in

6 the general term, ISA material.

7   The NRC has reported to two licensee, NFS and GE,

8 or Global Nuclear Fuels, on materials submitted to them. Of

9 course, there is more to come.

10   With the publication of Subpart H, we will now

11 have to review material, as you know, on a schedule that's

12 somewhat established by the rule and will be fleshed out by

13 further guidance documents to come.

14   But as far as the submittals that we have done

15 some reporting on, neither of these were reviewed with

16 respect to Subpart H, and both need considerable work to

17 deal with Subpart H.

18   One has no address to likelihoods at all. Only

19 one other licensee has submitted something that we would

20 call the ISA Summary or the ISA, and that's BWXT, and we

21 have not reported to them.

22   That's being scheduled, being worked on, as we

23 speak, and until we get a program established there, I don't

24 want to make a prediction. There is more material to come,

25 as you know. In the license, it talks about April 2001 for

1   that.

2   PARTICIPANT: Tom, I think the licensees are

3   looking for feedback from the NRC on where -- how do they

4   measure up against the rule, and get an estimate of what, if

5   any, changes would be needed against the new rule.

6   PARTICIPANT: Yes, I know.

7   PARTICIPANT: I think we need to provide the

8   licensees with our schedule for how we're going to provide

9   that, you know, what [Tape side ends mid-sentence.]

10   PARTICIPANT: By the end of September, will we be

11   in a position to get back and provide at least a schedule

12   for either sitting down with licensees individually and

13   meetings open to the public, or all together to discuss

14   their ISAs?

15   PARTICIPANT: Well, it will depend on our ability

16   to work out the resource commitments, I am sure.

17   Have you got any guesstimates on that?

18   PARTICIPANT: I knew it would come here. No, I

19   will get back to you.

20   PARTICIPANT: Okay. Can we get back to them by

21   the end of September with, if we don't have a schedule by

22   then, when we will have a schedule?

23   PARTICIPANT: We will have some preliminary

24   planning probably.

25   PARTICIPANT: Okay. Because now the clock starts

1 ticking, or at least soon.

2   PARTICIPANT: I know.

3   PARTICIPANT: Yeah. Well, we have quite a number

4 of priority items to deal with.

5   PARTICIPANT: I know. I know.

6   PARTICIPANT: I guess that is a question I have

7 for the facilities. Two of the things that I know have been

8 important in the past are the comments on the ISA summaries,

9 but also the ISA plan document, because that is a six month

10 turnaround.

11   Which do you think would help you the most?

12   PARTICIPANT: Of which two things?

13   PARTICIPANT: Those two, developing, you know, the

14 ISA plan information or reviewing the ISA summaries

15 in-house, because both -- I mean that is different

16 information that could help you.

17   PARTICIPANT: Probably it depends on who you are

18 talking to, because I mean this year we are finishing. I

19 said it probably depends on which one of us you are talking

20 to us, because Global Nuclear Fuel this year is finishing

21 the first round of ISAs for all of the processes. And we

22 will -- we have submitted summaries for everything that we

23 have done up until the work this year. So, obviously, to

24 plan forward with a rule, we are more interested in what do

25 we do to get the documentation squared away than we are, you

1 know, doing more work. Everybody, I think, has to answer

2 that.

3   PARTICIPANT: That is why we will get to you as

4 soon as possible on the schedule for a team to go through

5 each of you and discuss that.

6   PARTICIPANT: Yeah, we can discuss it. I don't

7 know whether you want me to run over that now. It just be

8 better to discuss it with you individually. But my

9 information is a little bit different than what you just

10 said.

11   PARTICIPANT: How so?

12   PARTICIPANT: Well, I think maybe what you discuss

13 individually, don't you think?

14   PARTICIPANT: If nobody else minds, we can talk

15 about it here. I mean --

16   PARTICIPANT: I just as soon discuss it

17 individually.

18   PARTICIPANT: Okay. I thought you would prefer

19 that. Okay. That is basically all I have on the licensing

20 status without going into more individual, information on

21 individual licensees.

22   PARTICIPANT: And that is all we had on the

23 agenda. I will go over our, what I think are the

24 commitments. Does anybody have any other closing remarks or

25 anything else?

1   PARTICIPANT: I had another item. The folder

2   includes a list of guidance documents.

3   PARTICIPANT: Yeah, I passed that out yesterday.

4   PARTICIPANT: Right. And did you discuss it at

5   all?

6   PARTICIPANT: No. We never got there.

7   PARTICIPANT: Let's just take a couple of minutes

8   and raise that to your attention. We have for a number of

9   years been working on updating Regulatory Guides, combing

10 Regulatory Guides, modifying them, coming up with new ones.

11 We don't have the resources to simultaneously process all

12 these things. And so this was an attempt to rack out for

13 you what is in the queue.

14   If you have strong views that we really need to go

15 forward on some of those documents because you are anxiously

16 awaiting receipt of that information, it would be helpful to

17 know that. On the other hand, if you are looking at those

18 guidance documents and you are saying, whoa, you know, from

19 my perspective, if you come out with this document, it is

20 really not going to help me because I think I already have

21 everything in place in this area, that would also be helpful

22 to know.

23   We will be looking at our own internal resources

24 to accomplish the work. We have been doing that, we will

25 continue to do that. But my guess is at some point some of

1 these documents will slide over to the hold status until --

2 if and when we have the resources to work on them.

3   So we would appreciate your response, not today,

4 obviously, but down the road.

5   PARTICIPANT: Yeah, I had mentioned that they can

6 send it to Chuck Amy, and he had been looking in the next

7 couple of weeks to get this information and see.

8   PARTICIPANT: I think a lot of the documents on

9 the front page are actually in Lydia's group.

10   PARTICIPANT: They are actually in my shop.

11   PARTICIPANT: Yeah.

12   PARTICIPANT: So why don't you send it to me, and

13 then I will compile it.

14   PARTICIPANT: And then the safeguards items fall

15 under Chuck's shop.

16   PARTICIPANT: Yeah.

17   PARTICIPANT: Okay.

18   PARTICIPANT: And I set up the table with -- for

19 you to have comments, but if you have more, that is okay,

20 you can expand.

21   PARTICIPANT: Is there a timeframe you are looking

22 for that feedback?

23   PARTICIPANT: Well, they have so many things to

24 do, they are going to be working on the SRP. So let's say

25 between now and November, December, is that okay? November.

1   PARTICIPANT: We can do better.

2   PARTICIPANT: You can do better.

3   PARTICIPANT: We will try to do better.

4   PARTICIPANT: I know. I am setting the

5   expectations low so that the events are better.

6   PARTICIPANT: I would just offer, in the way of

7   closing comments, that we really appreciate your commitment

8   of time and energy to review these documents, to come in and

9   discuss them with us. I think, like has been said earlier

10 this afternoon, we benefit from your review.

11   I think it is often like the saying goes, it is

12 the process where the predominant value is derived, not the

13 actual product. But having said that, there is recognition,

14 as we were talking about yesterday, that, you know, our

15 staff is turning over, your staff is turning over. If we

16 can come to closure on an SRP that will work for the NRC,

17 that you all are reasonably comfortable with, I think it

18 will be a benefit and certainly responsive to our

19 performance goals under a strategic plan.

20   Our hope and aim is to come up with a document

21 that is practical, that makes sense, that is risk-informed,

22 performance-based, that is responsive to the rule, doesn't

23 impose unnecessary burden and that is -- those are our

24 objectives. So any time you see us going in the opposite

25 direction, please speak up. I am sure you will. But I just

1 want to say we thank you for your involvement.

2   Heather, back to you.

3   PARTICIPANT: All I was going to do is go over the

4 commitments I think that we have made in the meeting. From

5 NRC's standpoint, we committed to, by the end of September,

6 getting you some idea of when we might be able to get you a

7 date on the ISA reviews. So by the end of September, you

8 will have a better idea of our status on that and when we

9 can get together and talk to you about that.

10   PARTICIPANT: If not the actual dates, then the

11 schedule for getting you the dates.

12   PARTICIPANT: Yeah. Where we are getting. We are

13 going to continue to work on the change of control and

14 review your change of control document. We did not set a

15 specific date for that. We do have, you know, the Gantt

16 charts that we are working on, and we can talk to you about

17 that, what our plan is for that change of control process,

18 but I don't have that with me right now.

19   We are going to work on Chapter 3, and get it on

20 the web by the end of September. And I believe we owe you a

21 response on how this new Part 70 rule and this SRP are going

22 to affect your current license. As you brought up

23 yesterday, I believe we owe you a response on that.

24   From NEI's point of view, Chapter 11 with the

25 principles by mid-October sometime. And you will continue,

1 I assume continue to work on the ISA summary guidance

2 document.

3   PARTICIPANT: And we will also provide you

4 feedback by the first of November on the Reg. Guides.

5   PARTICIPANT: I'm sorry, feedback on what?

6   PARTICIPANT: On the guidance.

7   PARTICIPANT: The guidance documents, Lydia's.

8   PARTICIPANT: I see. Oh, the list of stuff.

9   PARTICIPANT: Yeah. We want to thank Walt Schrenk

10 for letting us use his afternoon.

11   PARTICIPANT: Any other closing comments?

12   PARTICIPANT: Can I just ask a question

13 [inaudible]?

14   PARTICIPANT: You are not recording. Come to a

15 microphone. Identify yourself because you will be a new

16 voice on the tape.

17   PARTICIPANT: [Inaudible] use the microphone.

18   PARTICIPANT: Hell, no.

19   PARTICIPANT: Okay.

20   PARTICIPANT: Excuse me. I hope that wasn't

21 recorded.

22   PARTICIPANT: My recollection is there is 155 Reg.

23 Guides that apply to fuel cycle facilities. 75 percent of

24 them are older than 15 years old. I thought, and I am going

25 back in memory, which I have more senior moments as I get

1 older, I thought there was a conscious decision

2 NMSS-office-wide to move away from Reg. Guides, and given we

3 have an excellent SRP evolving, that that would take care of

4 it and we wouldn't need to mother 155 Reg. Guides. Is that

5 still the concept?

6   PARTICIPANT: That is the concept. With resource

7 constraints as they are, it is difficult to make the

8 commitment to convert some of those, all of those Reg.

9 Guides into NUREGs. In some cases what we are looking at is

10 minor updates to the Reg. Guides to reflect new regulatory

11 citations, new technologies which have emerged. The Reg.

12 Guide might be 85 percent sound, but we want to update with

13 that extra 15 percent. In other cases, these actions

14 involve consolidation of the Reg. Guides.

15   A lot of the Reg. Guides you will see in that list

16 are safeguards related, so they are not even covered by our

17 Standard Review Plan that we have been focused on for Part

18 70. So for all those reasons, I think what you see here is

19 a continuation of some of the Reg. Guides that are in the

20 queue.

21   One other thing I should mention is that back when

22 we came up with the master plan for how we were going to

23 update and withdraw, issue new Reg. Guides, we picked up

24 some the responsibility within NMSS for updating the

25 regulatory guidance that applies more broadly than the fuel

1 cycle facilities, and those include like the ALARA Reg.

2 Guide. Was it Reg. Guide 8.10 or something like that?

3   PARTICIPANT: Yes.

4   PARTICIPANT: And so there, there is an agency

5 need for that Regulatory Guide, not just in the fuel cycle

6 area.

7   PARTICIPANT: Okay. Thanks.

8   PARTICIPANT: Anything else?

9   PARTICIPANT: Unless there is nothing else, I

10 think we are finished. Thank you very much for all your

11 effort.

12   [Whereupon, the morning session concluded.]

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