UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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AM SESSION

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CONTINUED PUBLIC MEETING

on

PART 70 GUIDANCE DOCUMENTS

U.S. Nuclear Regulatory Commission
Two White Flint North
Room T3B43
11545 Rockville Pike
Rockville, Maryland

Wednesday, September 13, 2000

The above-entitled proceedings commenced at 9:09 o'clock a.m., pursuant to notice, Heather Astwood, NRC Staff, presiding.

PARTICIPANTS FROM THE SEPTEMBER 12, 2000 MEETING
(may or may not be present at today's meeting):

NRC STAFF:

Heather Astwood
Tom Cox
Drew Persinko
Ed Flack
David Ayres
Rex Wescott
Wilkins Smith.
Mike Weber, Director, Division of Fuel Cycle Safety and Safeguards
Ted Sherr, Chief, Safety and Safeguards Support Branch
Lydia Roche, Section Chief, Licensing Section

PARTICIPANTS:

John Connelly, Department of Energy
Jim Edgar, Siemens Power Corporation
Clifton Farrell, Nuclear Energy Institute
Bob Freeman, Framatome Kogema Fuels
Don Goldbach, Westinghouse

[Continued]

PARTICIPANTS (Continued)

Wilbur Goodwin, Westinghouse
Felix Killar, Nuclear Energy Institute
John Nagy, Nuclear Fuel Services
Steve Schilthelm, BWX Technologies
Bill Sharkey, CE Nuclear Power
Ruth Thomas (via telephone)
Charlie Vaughan, Global Nuclear Fuel

P R O C E E D I N G S

ASTWOOD: We are going to pick up from the meeting yesterday. We were unable to get a court reporter for this particular meeting because of the late notice, so we are having this recorded. Please try to identify yourselves before you speak because it will be even more difficult for the transcription if you don't identify yourself ahead of time.

I think what the plan is for today is to continue with our section by section discussion of Chapter 11. Because of the time constraints I wanted to ask would it be a good idea to start out with the areas that NEI has the most concern with or do you think with the time allotted going through the acceptance criteria at the speed we have been going we could get through most of what you guys want.

KILLAR: From my perspective, I think we do need to do something different than we were doing yesterday although I think yesterday was very good. I just don't think we have the time available to go through it line by line, as we did yesterday.

Maybe the way to do it is to identify the major issues that you have and changes you have made since the last version, and also the response to the issues that we have identified. That may end up being line for line, for all I know.

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

ASTWOOD: Well, since that is the case and maybe we will try to be a little more general instead of specifically saying we changed this word to that word, and your comment was to maybe take it section by section a little more generally and say whether we accepted it or not.

COX: Tom Cox here. Could somebody calibrate me as to where we left off yesterday, precisely?

PARTICIPANT: 11.10 on September 10, the issue --

COX: 11-10 on the NEI document.

PARTICIPANT: No, your document.

ROCHE: This one, 11-10 --

[Pause.]

COX: Tom Cox, Design Requirements.

I think that you can see in our document what we revised in that paragraph. We put in the red-lined material there, moved in from 11.5.2.1 review procedures because if you were to skip back to there momentarily I think you might find that you comment said something to the effect that this material back there didn't really belong there but belonged up here, or perhaps I decided that after reading your comment.

I will just say that the material you see redlined under Design Requirements has been moved forward from 11.5.2.1.

Let me see if I can make a comment on your comments and keep it general and quick. Okay, your comment in this area was following sentences too prescriptive and detailed, and it was referring to a sentence that started, "A design control function is established."

That includes design inputs, process analyses, and so on, on a number of things there, and that this attribute may be described as part of CM or as part of the Management Measures on QA.

It was my original plan to include that but I think what in fact was done was to move up that other material into this area and if I am correct in memory here that we did delete the material that you were suggesting be deleted. That is my summary of that.

Can comment on that?

SCHILTHELM: Tom, in what you proposed here, the shaded information -- excuse me, Steve Schilthelm, BWXT -- the shaded information talks about the applicant clearly defining in the ISA summary. It's not clear to me how that even relates to the design requirements and it doesn't really relate to the license application as far as Chapter 11 and Management Measures.

COX: You are wondering how it relates to Chapter 11 and Management Measures?

SCHILTHELM: More so I am wondering why it is in

Chapter 11 if it is something that is going to be found in the ISA summary.

COX: Well, the fact that it is going to be in the ISA summary doesn't mean in our mind that the reviewer should not be told to look for it in the ISA summary. We are telling the reviewer here to look for this to be defined in the summary and along with the assignment of graded QA levels and then we are allowing and telling the reviewer that nevertheless not all of the description of CM may be found or is necessarily found in the ISA summary itself but some of it may be found in there and then some may be referred back to the license application, where it would be in Chapter 11.

What is put in Chapter 11 for this description of grading could be generic such that it wouldn't be practical or useful or necessary to be writing it a number of times for a number of different IROFS. This is just telling the reviewer what to look for and where he might find it.

ASTWOOD: This is Heather Astwood.

My assumption has been all along that they were going to have to use the ISA summary in some cases to identify the IROFS. They are going to have to look at the ISA summary to know which IROFS were identified in the ISA summary.

SCHILTHELM: Maybe I am misunderstanding. I

thought design requirements in this context were how you through your administrative configuration management process communicated the design requirements for the design of processes and not necessarily how you defined IROFS to be in the CM function.

COX: I think I see your point here. You're right, the CM program or its function, as I have said I have wanted to call it, under design requirements is supposed to describe what that first sentence says, how the requirements are established and maintained through control, which the CM function provides -- this control.

I guess this is a statement of the things that the control is supposed to be exercised over, probably the most important thing that that control should be applied to.

SCHILTHELM: Wouldn't that more appropriately fit in change control?

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

SCHILTHELM: Yes. If you are describing your Configuration Management program, you have a design phase that has to implement the baseline design criteria and all that sort of information and decide how you do do design.

COX: I agree, but change control starts with knowing the baseline from which you are going to change and the ISA summary will establish that.

Then of course once you have them you control revisions to them.

SCHILTHELM: Okay. I thought the premise of this SRP was that the ISA had been done and had been approved and already existed and maybe that is coming from my viewpoint of when this SRP will be applied at my license.

COX: The SRP, well, some of it will certainly be applied to your license as the ISA is approved and the summary is approved, but the SRP is not written strictly for existing licensees.

SCHILTHELM: Okay.

FARRELL: This is Clifton Farrell speaking. I had a couple of comments on the shaded text in Number 2.

COX: Okay.

FARRELL: The first one is the last sentence, "The primary reviewer" -- et cetera -- that sounds more appropriate to be included in the review method part of the SRP chapter. In that section I think it is 11.5, you clearly distinguish the primary reviewer will do this, the secondary will do this, and so on, and I just wonder if that sentence maybe was carried over back into this 11.4, where it should have stayed in 11.5. Just a minor comment there.

The other comment -- it seems to me that what is in the shaded text is very similar to the last paragraph right above, I guess it's Number 1, entitle CM Policy, where

you talk about assigning grades or quality levels.

I wonder do we really need to repeat that in Item Number 2, Design Requirements -- just a thought for consideration. Maybe we have carried over some unnecessary duplication. The sentences are very, very similar to one another.

Anyway, those are my two comments on that shaded text that maybe you could look at.

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

PARTICIPANT: We talked yesterday a lot about principles. What is the necessary information? Without eliminating the redundancy at least within this section and stating very clearly what is the expectation, what is expected to be in the license application in the area of configuration management.

I think if you look at this section, that can be done in a much less verbose way than it has been done and it can be much clearer than what's presented here.

COX: That's possible. Tom Cox. Why should I deny that? But at this point we are not looking to reduce verbosity that doesn't lend to lack of clarity.

If you can understand this, if we can understand this, at this point repetition is not always bad.

PARTICIPANT: But I think the verbosity does in

this case lend to lack of clarity.

ROCHE: This is Lydia Roche. Steve, you are talking about the whole section, the CM section?

SCHILTHELM: Yeah, but specifically when we are debating whether this shaded part needs to be here. That's an example of where we think it is redundant and it doesn't add anything to what's been stated.

ROCHE: Okay.

COX: I do, though, that there is the same sentence used twice here and that doesn't look too good to me.

"However, in the ISA summary this indication may consist of only an index or category designation." There is something strange about that that should be fixed.

As to the last sentence there in Item 2 that Clifton was remarking on, it starts off, "The primary reviewer for CM is responsible" -- I could say there that instead of "the primary reviewer is responsible to determine" I could simply say, "The review should find that" -- the reduced levels the Applicant would apply.

FARRELL: Yes, that's better. Yes.

COX: Anyway, that's about all I wanted to do with that after fixing up the -- I don't approve of redundancy such as the exact sentence twice in ten lines. I don't think that is very good, but on the other hand I don't think

it confused anything. I think it's what we are looking for. It's what the reviewer is looking for and I think he understands that whether it is said once or twice or he will understand it if it is said at least once.

Any other comment on that one?

[No comment.]

COX: Document Control. The comment was balance of this sentence is unnecessarily prescriptive and I think that is the balance of the first sentence.

We disagree with that. I think this describes essential elements that we want the Applicant to include in the application. It's a descriptive add-on to the topic sentence.

The second comment there was what is a document relied on for safety. I don't know how to answer that. It's an IROFS. It seems to me it's -- or key to the support or assurance of an IROFS. If I had to give an explanation or example I might say the procedure that is the essence of an administrative control. It supports a human action, that is an IROFS. That would be a document relied on for safety.

The next comment is the following sentence is very prescriptive and dictates how a licensee should operate. Existing licensees frequently do not operate as is prescribed in the following sentence. Licensees often do not have a separately identified CM function but rather

integrate CM including all of the elements and attributes in this sentence within several functions.

I can only point out there that the licensees must now, according to 70.62(d) have a separately identified CM function described as a Management Measure, so I don't know where to go except to remind you of that.

I will change emergency operating procedures -- let's see -- I'm trying to correlate two documents here.

ASTWOOD: Could I make a comment? This is Heather Astwood.

From what I can tell from this paragraph, part of your concern was that we had listed all of the things in the parenthetical and he seemed to have eliminated some of that. Does that help your feeling that all of these things had to be identified in each place is what you were getting at?

PARTICIPANT: Yes.

COX: As you can see, there are some modifications here.

PARTICIPANT: But isn't the concern that the performance that is expected is pretty clearly stated in what NEI proposed and the difference between what NRC is suggesting adds information that in our view doesn't help the process. It's just a bunch more prescription down into the nuts and bolts of how we do things versus what we do.

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

say that, not prescription, that tells the reviewer what to look for in the Applicant's description of a CM function.

PARTICIPANT: But I contend that that information doesn't even need to be in the license description of the CM function in order to make it adequate.

The point here is that you have a system to control documents that are important, that have relevance to items relied on for safety and that you describe that system.

COX: Describe that system. That is what I am telling the reviewer to look for in the description of the system.

PARTICIPANT: Yes. NEI's version says the Applicant describes an acceptable method to establish and control documents within the CM system.

Isn't that enough information to give the reviewer?

COX: No, because we need to tell him what is acceptable in the depth of the description.

PARTICIPANT: I think that is our fundamental disagreement.

COX: Yes.

PARTICIPANT: And this only illustrates a disagreement that permeates this chapter, so we continue through line by line and disagree line by line, or not.

COX: Well, yeah, we could --

PARTICIPANT: Or we could wear each other out and sometimes we would agree and not agree just because we are worn out but the bottom line is we don't agree on the level of detail, if you want to call it detail, Tom, that is necessary in a license application to adequately describe a program.

ROCHE: We have agreed on some things. How would you suggest we change this -- just to the first sentence and that's it? -- and don't put the rest even in the acceptance criteria?

PARTICIPANT: That is what NEI proposed.

COX: Here is what there suggestion is.

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

ASTWOOD: First and second.

ROCHE: But for Tom's purpose the reviewer will have to look at these things. Would it make it better if we put in the acceptance criteria? Still to you that is prescriptive.

PARTICIPANT: Yes.

ROCHE: It is.

PARTICIPANT: Or detailed, whichever you choose to call it.

If the basic principles are to retain and retrieve the document, the method of doing that can be as inefficient

as you want to have it as long as you can still satisfy the retention and the retrieval of those documents.

A document retention program can simply be a pile of papers that if you can produce it within the timeframe you need to produce it in satisfies the intent. It doesn't need to be described in how you catalog it, distribute it and retrieve it.

The policy part of that is far beyond the requirement and the basic principle that it is supposed to serve. That is what I think we mean by prescriptive.

We want the ability to change our program. I mean if it is distributed a certain way today, it can be distributed a separate way later as long as it is distributed, retained and controlled.

ASTWOOD: This is Heather Astwood.

I understand that and I don't think we want to unnecessarily restrict you from changing your process.

However, we have to make the determination that it is an adequate process and I think if you described in an application that we just have this pile of paper on this desk and I can retrieve it in five minutes, you know, I think we would have difficulty in being able to make the determination that that is an appropriate method.

I think we need to have some information on what it is to make the determination that it is appropriate.

If there is some way we can, as we have said before, put in some principles, or other words, but I think we are at a stand-still of we can't simply go with we will have a commitment to do it. I think we have to make that determination through the license.

PARTICIPANT: We could add a few principles, but they would be just that, basic principles of document control.

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

PARTICIPANT: Documents will be readily retrievable. Safety documents under the document control system will be readily retrievable.

ASTWOOD: Okay.

PARTICIPANT: Why? How? Does that matter?

ASTWOOD: Well, let me just -- if we put this in here I know NEI is going to come back and say what is the definition of readily retrievable. How quick is that?

COX: Tom Cox. Let me suggest a rewording in the front end of this first sentence.

Supposed it said, "The reviewer confirms that Applicant has described a method to establish and control documents" and then all the rest of that sentence stays the same? "Describe the method to establish and control documents within the function including those listed items."

PARTICIPANT: I guess I disagree with the listed

items. I mean you have the word in there, "the document data base" and that right alone assumes there is some form of data base on your documents, a file cabinet, the old school way of doing it would not have a data base.

COX: Would you say you would not have a document data base?

PARTICIPANT: You may not. You may have a document control system that is not data base related.

COX: I don't think -- this data base -- these two words, "data base," don't have to be interpreted as a computerized data base. This is just a collection of data that is organized.

Are you thinking that has to be a computer data base the way you are reading it?

PARTICIPANT: I believe that is the way it came across to me. In fact, in the last sentence it is one word, database.

COX: Suppose it said all relevant documents, cataloging all relevant documents?

PARTICIPANT: Retaining all relevant documents. Controlling, retaining -- basic principles of a document control system and not the cataloging --

COX: Okay, including retaining and controlling all relevant documents? That would be the first item.

PARTICIPANT: I go back to what Steve said. The

first sentence in my opinion is adequate. If you needed to add a few basic principles after that it would still look like a very different paragraph than what you have today.

The second sentence in NEI's proposal is also very powerful. It says the Applicant describes how CM will capture the documents that are important to safety, so that "captures" all those documents that are important to safety.

I don't think you need a list of all the documents that are important to safety to say that you have captured all those documents important to safety.

COX: That doesn't ask for the list. It says that's a description of how you will do it. What is the general plan of your function, of your system?

PARTICIPANT: Exactly. That is Steve's point.

SCHILTHELM: That is my point, and what you are proposing asks for a list, whether that list be --

COX: No. I don't see the requirement there for a list. The Applicant describes how CM will capture documents that are relevant and relied on for safety.

Where does that require a list?

SCHILTHELM: This includes yadda yadda yadda yadda. That is the list we are talking about.

COX: Well, yes, okay, but that is not a list of specific documents. That is a statement by the Applicant that our system will pick up design requirements, as-built

drawings, specifications.

SCHILTHELM: That is a list.

COX: The reviewer will be able to confirm that you in fact are addressing those items, if you say that you are. If you don't say that you are, he has no clue as to what the system is capturing.

SCHILTHELM: Yes, he knows, he will assure himself that we have described how we will capture documents important to safety.

He should be able to assure himself of that without us going through the list ad nauseam of exactly what those documents are in a license application.

ASTWOOD: So it is only a question of whether the things that we have listed here are what you would qualify as important to safety?

SCHILTHELM: I don't know if that list is complete or not. I would venture to say it is probably incomplete.

COX: Well, I guess we will have to disagree on that point.

ROCHE: Wait a minute. How would you -- you understand -- this is Lydia Roche -- how would you, addressing what's Tom's and Heather's concerns are, address this with that only one line? You have to think what we are trying to do this for.

PARTICIPANT: Well, I think you are looking at

each individual section of this SRP far too narrowly and writing it far too narrowly.

There's a whole section in the SRP on records, okay? It is pretty comprehensive. Now if those records apply to items relied on for safety, then you don't need to list those records again under the Configuration Management function to say, oh, by the way, capture this list of records.

The mistake we are making is looking at each one of these little sections snapshot by snapshot, and not looking at Chapter 11 as a whole because there is a whole section on records. There is a whole section on procedures.

That tells you and that should when looked at as a whole should convince the license reviewer that you are addressing what needs to be addressed.

The danger in this SRP and the redundancy built into each one of these sections is going to be that the license reviewer is going to narrowly focus on Configuration Management, because he is the primary Configuration Management reviewer. He is going to expect to see all this information that has been prescribed or described, whatever we want to call it, in this Configuration Management section. He is going to expect to see that in his Configuration Management section of the license application. He is going to forget to look at the license application as

a whole and when I read the Standard Review Plan that is what I see was done. It takes no account for the other sections of the Standard Review Plan and the information contained therein.

ASTWOOD: I think that is -- I have heard you say those kinds of issues before. I think that is slightly a different problem though than what we were just talking about.

If this type of information is in the records department, where you say, yes, our CM function does apply to the records in the records management, you know, go look at that section, and that information where we can see that, these records we have identified whether this is right or not is controlled, then that information is there.

So I think that is a slightly different issue than saying this is too descriptive or prescriptive and would limit our ability to function because we can't change it or it would increase the paperwork, which is what I thought you were saying the first time, that this is information that you don't think needs to be submitted versus information that is going to be found somewhere else.

Is that right? Did I misunderstand that?

PARTICIPANT: The issue of being able to change your program is an issue, but it is not in my view a huge issue.

The issue is to write a license that in its whole clearly and concisely articulates the expectation in the contract that we have with NRC.

That license can't be considered part by part. It has to be considered as a whole. Our experience says, and I know we have repeatedly heard how, well, our reviewers wouldn't do that. They will look around in the license and they will find this stuff, but that has not been our experience.

Our experience has been that when you send a Configuration Management reviewer to review pursuant to this Staff he will generate a list of questions based on his ignorance of information elsewhere in the license, not based on the absence of that information, and then we will go into a cycle of responding -- and when I say "ignorance" I don't mean that badly -- I mean he just doesn't look at the license as a whole, at the license application as a whole, so by layering all the information in all the sections over and over again you are going to lead to a list of questions and it is going to turn into nothing more than creating a roadmap to say, oh, this is here, versus in the Configuration Management section.

That has been our experience.

COX: Okay. I would like to address your earlier remarks that you feel somehow that the material now in the

document control section that we are now discussing should be covered by Records Management and a list -- you called it a list of records that are in the SRP are -- the Records Management section is not in there to define what records are kept in the records management system but rather the policies and procedures and techniques for keeping a records management system.

The types of records that are to be kept that have to do with CM are not specified that way in the records management descriptions and the list at the back is an example, it is an appendix, is an example of the types of records that ought to be kept under different sections of the entire SRP.

When it gets to Chapter 11 it talks about Configuration Management. It does list several of the kinds of records, starting with safety analyses that ought to be kept in the Configuration Management system. However, that is still just an example listing.

It is only in this area that we are talking about, document control, where that list there is really the specification of the things that are important to CM for the IROFS. That is why it is there.

PARTICIPANT: Well, then why wouldn't that list and the list in the appendix be consistent, because this whole Management Measures applies only to IROFS and it

applies to Subpart (h) of the rule, so why would those two lists not be consistent?

COX: Well, I would agree they ought to be consistent, although not mapping one-to-one, necessarily, in each other, because the final list in the appendix is just an example list.

PARTICIPANT: I would contend this is just an example list because I can't imagine it's complete.

COX: Because what?

PARTICIPANT: I can't imagine it is complete, knowing what I know about what exists at my facility.

COX: I would be glad to add to it.

SMITH: This is Wil Smith, NRC.

I don't think -- you know, if you look at the words of that sentence it starts off, "This may include" and it ends with "and others that the Applicant may deem part of CM."

PARTICIPANT: Okay, so it is an example list, contrary to what Tom just said -- it may include.

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

PARTICIPANT: Why do we need two?

PARTICIPANT: We should be consistent.

SMITH: This includes --

COX: They are not tied to the description of how you keep a records management system.

PARTICIPANT: On (3) Document Control, I don't see the "may".

COX: You don't see what?

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

PARTICIPANT: This includes.

COX: Yes, it says "this includes".

PARTICIPANT: The minimum.

COX: In the past industry has not liked language like "This includes, but is not limited to," -- which you will find rife in the NRR's SRP, but we feel that it should include these things.

PARTICIPANT: What about criticality safety evaluations? That is not in the list.

COX: I would expect that might be subsumed under design requirements.

PARTICIPANT: I wouldn't think so.

My point is your efforts to --

COX: And assessment reports.

PARTICIPANT: Your efforts to generate information aren't complete and aren't necessary because you have experienced license reviewers who presumably know what a Configuration Management system is. If not, they shouldn't be reviewing our licenses.

They should be able to make a judgment that we

have described an adequate Configuration Management system in the area of document control. If they can't, they have no business reviewing a license.

COX: But if they don't see what you say is within that CM system, how are they going to have anything to review?

PARTICIPANT: Going back to what we said, the Applicant describes an acceptable method to establish and control documents. They describe how the CM function will capture documents that are important to safety.

I believe that with only those two sentences an experienced Configuration Management license reviewer ought to be able to review a license and determine that it is acceptable.

If they can't, they have no business doing that job.

COX: I understand your comment and I don't think we are going to be putting totally inexperienced reviewers on the job, but I won't guarantee that that won't happen, in which case I would hope they would have good supervision or mentors.

This document is to be written to help the reviewers along and understand what it is they are supposed to be looking for.

PARTICIPANT: But our experience, and the prior

EDO acknowledged our experience, is that this will become a de facto requirement and that was acknowledged in a public or in a meeting with the EDO, the prior EDO, that SRPs have a way of becoming de facto requirement.

COX: Well, that is not supposed to happen.

PARTICIPANT: He acknowledged that it does.

COX: Well, then I assume he knew what was happening and he didn't deny it's happening, I guess.

PARTICIPANT: That is why we don't believe the overly detailed information that has found its way into this SRP is necessary.

I think this is going to continue all day.

ASTWOOD: Yes.

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

PARTICIPANT: It is going to continue because we can't let it continue just breezing over these sections and nodding in silence because we are worn out. We are not going to go past a section until it's right and we are not going to get agreement on a section until it is right.

ROCHE: But I don't think that is what you have been doing yesterday. In fact, you wanted to continue because we had made some progress, so I wouldn't put it in such a negative light.

PARTICIPANT: We made progress on the easy part of

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

We made a lot of progress on that, because the purpose of the review is pretty clear. It's the acceptance criteria that have always been the issue and it will always be where the major disconnect exists.

I think unanimously we agree it's prescriptive. You have heard us use that term probably hundreds of times.

PARTICIPANT: I'll never use it again.

PARTICIPANT: Detailed.

PARTICIPANT: It's overly detailed. It's nothing that seems to be going away from our side.

GOLDBACH: This is Don Goldbach. Just to make an observation. I liken this to our procedures, our operating procedures at our plant.

We have different tiers of information that we like to consider. The first tier of information is what -- what to do. Then below that the tiers of information are how you do it, why you do it, where you do it, the "how to" being the most important.

Those lower tier things, how to, where to, that's all in the training program that we have. It's not in our procedures, and I am kind of drawing an analogy to this SRP, that for us the "what to do" is okay, but what you are also including in here is really the "how tos" so that your maybe

not so experienced reviewer can use the same document to look at the whats and also at the lower level, how.

The problem is, and I understand that, you are trying to give the reviewer enough guidance so that they can make a decision on the appropriateness of the license application.

The problem it generates for the licensee is we call it prescriptive because it prescribes what or how we have to do things, not just the what but hows, and those details, and that is why I think we are at this impasse right now.

ASTWOOD: We could solve that problem by saying you have to have an appropriate CM function and then putting all this detail in the next document for an appropriate -- you know, when you are doing this review based on this SRP, an appropriate CM function contains this information.

I mean that is why we wanted to have it here so that you would know what it was that the license reviewer is going to see as acceptable and appropriate, so that we don't have the battles at licensing time. That was the point.

COX: This paragraph we are talking about, and I think in my paragraphs or it could be in most paragraphs, we are talking here about what and not how. You see all these lists of things that tells the reviewer to go and look for it, look for these things having been addressed.

It doesn't say exactly how -- we don't describe for you how the CM system must capture, in what way it captures design requirements or the ISA. It simply says the reviewer should look for your description of how this happens.

We don't specify how it happens. We are saying look for these topics, these articles, these kinds of documents. I don't think it's how.

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

When you tell someone to go and look for a list of things and then that other party is beholden to having that kind of list of things in their system, then their system therefore by definition must be designed around capturing that list of things and then it gets very, very important to what Steve said earlier, is that list exactly correct?

If we are not willing to say that this is "the" list, absolutely, and maybe you are but we are not, then I don't think it serves us well. This is why on a number of issues I have made the statement that I think we need to stick with the principles behind -- what type of documents are you, what is the reasoning behind the capturing of the documents? That will tell the reviewer what kind of documents would be appropriate so they would know when the licensee comes forward and says, well, criticality safety

evaluations or whatever they call their engineering design specification documents, what-not, would fit into the right categories, so maybe your talking about whats and hows and things is a little bit hard to do.

COX: But the principle stops with capture documents that are relevant and relied on for safety.

NAGY: Right.

COX: That's it.

NAGY: Good, and if you stopped there, then we wouldn't have a problem

COX: Are you saying that your CM system would not capture as-built drawings, that you are afraid to have the reviewer look for the fact that it was capturing as-built drawings?

PARTICIPANT: They may not be relevant.

COX: Or are there any one of these things that are wrong to capture in a CM system?

PARTICIPANT: No. It clearly says they are going to capture the documents that are important to safety.

If an as-built drawing is not important to safety, who cares?

COX: Well, you seem concerned about it, the accuracy of the list. What I am saying is that if the list is incomplete but is itself as far as it goes correct --

PARTICIPANT: I am concerned with the certitude of

the list, the fact that we de facto certifying that this is in fact a correct and I would say in this context it would have to be complete since we are not, really not qualifying it very well, and I am not willing to do that.

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

PARTICIPANT: It will be my list the minute you put it out in the SRP and that is my concern.

When we go to write our license and when the license reviewer comes back and requests additional information or says we find that your submittal is lacking because it doesn't contain -- I can just tell you the text right now -- it will be a couple items straight off this list, because if you really want --

COX: That is why I asked if there was anything on that list that you would not want to capture in the CM?

PARTICIPANT: I don't know. I will tell you after we go through the process. I can't know a priori what exactly is going to be -- I can tell you the principles behind it but until we try to apply the principles and come back and capture it all I don't know the detail of it.

You can't know upfront.

COX: Well, what we are saying is we think we know that these things ought to be in the CM system already.

PARTICIPANT: Clearly.

COX: And Steve is saying the list isn't even complete, that he has got more.

PARTICIPANT: You may have alternatives also.

Our discussion is not about the content of the list. It is about the existence of a list. That is the point of our discussion. That's not get caught up in the contents of the list.

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

FREEMAN: This is Bob Freeman from Framatome.

As far as whether or not this will become de facto, a recent letter came out on the streamlining process and there is some text in there that says, "To ensure REIs are appropriate focused, they will be guided to the maximum extent possible by the use of the available Standard Review Plan.

The acceptance review says the Staff will not hesitate to decline to accept applications that do not contain the appropriate scope of information to support a technical review.

Those two are linked. If you don't have that list complete when you put in a license we expect to get REIs generated and that is not a good approach to licensing.

GOLDBACH: Don Goldbach, Westinghouse, again.

It gets back to the question that was raised yesterday and was not answered with Mike Weber in

attendance, and the question was how does the new rule in this SRP, what does it mean as far as our licensing efforts down the road, compared to our current license.

PARTICIPANT: That is where again, you know, we fully believe in the risk-informed, performance-based approach. We want to spend our time improving our safety margin where it needs to be improved and to me and to us I think, looking at the way we are heading with this, this is going to require an incredible amount of licensing effort down the road that is going to add no value.

We raised the point yesterday and it was not addressed, and I think that is also at the heart of the impasse right now. It's going to become a defensive effort. The question will be asked and you will defend it. Where is your as-built drawing? I don't have one but I have field measurements.

I mean it will be defensive every single point. That is what it is going to turn into.

You may have it. It's just not going to conform to this process. I agree exactly with what Don said.

COX: We can get into this deeper and deeper but I don't think field measurements that are not on a drawing is an as-built drawing, if it is not on something that can be called an as-built drawing.

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

important to safety is the spacing between two objects, and you took a field measurement and that is your important measurement. It's not the as-built drawing.

There's a number of ways, of alternatives. I agree with Steve also. The list is incomplete. It is too specific and alternatives exist in every facet of a design or a process.

COX: Well, the fact that it says as-built drawings here doesn't mean that the reviewer couldn't --

PARTICIPANT: I would have to defend the lack of an as-built drawing, to use the example.

COX: Yes. That's right. That's the proper thing to do.

PARTICIPANT: Well, then there is the reviewer judging the information submitted as the information is submitted.

COX: That would be the defense of the as-built drawing or lack thereof would have to be considered by the reviewer as an acceptable alternative. It says that in the very front end of the SRP.

PARTICIPANT: And that is what the first sentence covers, an acceptable method.

COX: But the reviewer -- well.

PARTICIPANT: Which is what I would present --

COX: We present what is an acceptable method. We

present what is one acceptable method. That is the whole purpose of the SRP.

PARTICIPANT: That's fine, but it is pretty prescriptive and the fact that it says "This will include" -- a list.

ASTWOOD: I understand what you are saying with that list. I don't think getting rid of the list would prevent you from having to defend not having something in it. I know what you are saying. I just want to throw that out as an observation -- in having a CM expert review your CM could result in him coming up with a huge list on his own of things that the thinks are important.

PARTICIPANT: I agree with you 100 percent, Heather. I agree with you.

The difference is his question wouldn't be arbitrary and capricious. It would be based on an informed review of the process that we described.

ASTWOOD: And he wouldn't be able to say it was in here in the SRP.

COX: An informed review. Let me ask you a question. Suppose that sentence just starts, "This includes design requirements." Suppose it said, as it once said, "This may include design requirements" and so on and so forth? Does that make any difference to you?

PARTICIPANT: How about if we just said the

document should include those relevant to the engineering of the plant from design phases through construction and as-builts or something, I mean where you are generally speaking -- maintenance functions or quality assurance program documents that capture the end results of those analyses, instead of trying to be so specific by saying as-built drawings.

Yes, that is one engineering type of drawing that all of us that aren't in the Engineering Department can throw around. There's another 20 or 30 different types of things that the engineers use throughout their entire process and change controls they use and modification documents they have and redlines they use and everything else.

We are not here to be experts in engineering but we are here to say what is it we need, what is it that you want to know?

ASTWOOD: Go ahead.

COX: As-built drawings is a very generic, industry-wide, industry-practices type term. It is not specific. I mean it's not so narrow as to be unable to be interpreted.

PARTICIPANT: That wasn't my point.

COX: I mean that has been around for --

PARTICIPANT: My point was that it was one

specific example that you pulled out of a myriad of things that engineers use in the process of doing what engineers do to maintain and run and build safe facilities.

I just think by getting into this list and any list -- it's not this list. I could care less about this list and as-built drawings. In any list we need to be guided by what is it we are after in terms of what is the reasoning here that we are trying to get in the license reviewer.

The minute you introduce a standard list, you might as well put a checklist together for the reviewer. I think it takes away from the professional aspect of the review. I think it takes away from the thoughtful aspect the licensee goes through in preparing what they are going to submit to you.

I mean the licensee may just turn around and submit you exactly this list.

ASTWOOD: Right.

PARTICIPANT: And not have really thought of what you asked for. That is a danger to everybody here.

ASTWOOD: Okay. Following that line of thought, again not committing that we are actually going to change this because there are other people we have to check with, but can we try to come up with some wording like he had just mentioned that gets across our point and doesn't limit you

to a specific list?

Can we try to say this includes --

PARTICIPANT: The words that NEI proposed are perfectly adequate.

ASTWOOD: I understand --

PARTICIPANT: It captures the documents that are important to safety.

ROCHE: I understand that. We feel that the words we proposed are perfectly adequate and I am trying to come to a compromise between the two.

Remember, Steve, yesterday you were saying don't put this here, put it in the acceptance criteria. Well, that is where we are now and we have to offer some guidance.

SCHILTHELM: I never said that we agreed with the acceptance criteria.

[Laughter.]

ROCHE: I know, but you were saying don't put it here. We are putting things in the acceptance criteria, and now you are saying no, still I don't want that.

Also, I sense a little bit of fear and speculation as to this is going to become prescriptive, this is going to become the requirement, this is going to become that.

You mentioned the streamlining letter. Well, I am very familiar with that letter and what we meant, precisely, is to diminish the number of REIs which takes your time,

takes our time, or filling in gaps when we don't know something with a license condition, which we want to get away from too.

SCHILTHELM: I agree.

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

Now we will look for alternative language that may satisfy you better. We are not going to come out with a complete list. You might have a better and secret list and so forth, but we have to give some guidance to our reviewer for consistency and to accomplish what we said in our streamlining letter, and that is really where we are coming from.

I mean this is not something to make your life impossible and you said you have all this data, so we are going to have consistency or everybody being treated the same way, and fairness. That is our goal.

When you speak, you sense oh, I am afraid this, I am afraid of that. Let's try it, because you even mentioned that you don't even know what this list would be or how you would come about it.

Well, bring me a rock. We are giving you a rock. It's a guidance rock, granted, but we have to satisfy our needs too.

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

but our experience doesn't support that and we had that discussion with the entire Staff up to the EDO about a year ago as to precisely why we are so concerned about the language in the SRP.

Our experience supports the fact that if you don't do what the SRP says, you are branded as a rebel and you have to explain your life away. That is a fact and that is our experience.

ROCHE: This isn't your first SRP?

SCHILTHELM: We have worked other SRPs. There are transportation SRPs. We have worked SRPs before. We know how the system works, so you have to at least acknowledge and understand our sensitivity about what is in an SRP.

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

SCHILTHELM: Now we don't have to agree that that will come to pass but that is our experience.

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

What don't we try and let's move on. Heather and Tom will think about some alternative language that may be more compatible, but believe me, our purpose is just to link this SRP as guidance with our streamlining, making it easier on you, put the onus on you as to how you manage your facilities, but at the same time satisfying our regulatory needs

SCHILTHELM: I understand and in fact when I read

this letter I thought it was an excellent letter until I got to that part and I am sure it is pertinent to my view, being on the Part 70 at this point.

If I was an outsider I would have thought this was an excellent statement.

ROCHE: Let me tell about that part. It is not complete. We don't mean it is not complete in one of these or three or ten of these items in this particular section. The intent there was it's not complete and somebody said I want to do this new process and I am going to follow every one of your requirements. Very short, one letter or one phone conversation or something like that or a two page letter -- that is what we are thinking of, and we have gotten those too, so you have your experience and we have our experience and this is what we are trying to do, come up to some grounds we both --

PARTICIPANT: The problem with moving on though, that I want to make it very clear, is that as we sit here and we go through this section by section, and we sit silent, it is not because we are in agreement. We are not in agreement over the acceptance criteria that exist in Chapter 11 of the SRP. We are not even close.

ASTWOOD: Well, let's work on it and get it close. I mean don't just sit there and say --

ROCHE: That is exactly what we want to do.

PARTICIPANT: But as we go through section by section we don't reach agreement.

ROCHE: That is not what you said yesterday. You said we made a lot of progress.

PARTICIPANT: I said on the acceptance criteria. We made progress on the purpose of the review and we agree with the purpose of the review. We are in acceptance criteria now, two different things.

COX: We went through purpose and areas of review.

PARTICIPANT: Right. Two different things, acceptance criteria --

COX: Did we get agreement that far until we go to this acceptance criteria?

PARTICIPANT: I think we are in pretty good shape there.

COX: Okay. I would like to just ask, because I think, and I'll tell you in a minute, I think we are just going to get bogged down here, but could we just take five or ten minutes, since things seem not to be going too smoothly here. I would like to get a statement written down, which I think John Nagy has almost articulated reasonably well for all of you, I guess -- something about the guiding principles.

I would like to start a sentence that says, "Acceptance criteria should be limited to a --" -- can we

make a statement that describes what your feelings are about this.

PARTICIPANT: Oh, gosh.

COX: And I know it involves the -- you want to limit it to the statement of general principles describing an activity or something.

PARTICIPANT: How about a set of guiding -- should be limited to a set of guiding principles that ensure the effectiveness of the licensee's program to meet the performance requirements of the regulations.

COX: Well, think about it awhile. I can't write that fast -- that ensure the effectiveness of --

ASTWOOD: -- the licensee's program --

COX: -- the Applicant's program --

PARTICIPANT: -- to meet the performance requirements of the regulations.

It would be more specific but it's something like that, which sets sort of the tone of what you are laying out for both the reviewer and -- but of course the flip side is that we look at it, what the licensee is trying to do in their license language.

COX: -- limited to a set of guiding principles that ensure that Applicant's function meets the performance requirements, but --

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

that is the idea. It should be a set of guiding principles, so that the reviewer has a clear picture in their mind of what it is that is needed here, what they are looking for the licensee to be committing to, and that the licensee does.

COX: And I think without writing some more I think it's probably fair to say that your view of what those guiding principles are would fit this markup that you have given us of this? In other words, essentially the first sentence of a lot of these paragraphs, because you have deleted usually after the first sentence.

PARTICIPANT: I can no longer speak for the industry group because I wasn't as involved in that, unfortunately.

COX: You weren't involved in writing this?

PARTICIPANT: From what I have seen so far, it does. Yes, I am a fill-in here, frankly, today, but yeah, I think what NEI has presented with the industry comments kind of goes along with the lines of thinking that I just espoused.

COX: Can I get a nod from the rest of you that that you feel what is produced here and given to us on August, dated August 30, that that shows guiding principles? Is that what John and you all are talking about?

PARTICIPANT: We didn't set out specifically to do

that, I don't believe, so it probably in a lot of cases doesn't do that.

We set out to work on the straw man and I think those guiding principle ideas filtered into a lot of our thinking but it wasn't an overriding consideration as we worked on this chapter.

PARTICIPANT: Yes, it wasn't our principal mission, but I think it colored out thinking. It was probably a second tier effect in our thinking as opposed to the primary focus.

PARTICIPANT: And I think it would look different, probably substantially in some areas, different if we set out with that as the mission.

COX: Okay.

PARTICIPANT: There was an edit or an attempt by industry and ourselves to rewrite Chapter 11 -- it must have been a year ago -- and we really just focused on commitments and what are the core elements that you should describe under each of these acceptance criteria, but that was radical surgery, and more recently we have just tried to work more superficially on the version that you gave out most recently.

COX: Well, in some cases then -- there are some paragraphs here that you haven't changed a tremendous amount and there are some of these areas where we have modified to

address, I think to address your concerns, and we have some plain disagreements.

I might suggest that we try to at least get through or keep working on this one and the maintenance one and then maybe we'll have to stop, because among other things I don't have with me my comment document -- it's been misplaced or lost -- that I had on procedures and audits and assessments and incident investigations. I was working with it yesterday and we got through what we got through. Now I don't have it to go through for acceptance criteria, but I can tell you, I know ahead of time that there was very little of your comment in those three items that we picked up and agreed with, so perhaps it wouldn't be worth pursuing that anyway given your current -- what you have said so far today.

However, I do think that I could, that we could continue to work through this, CM and maintenance, and also perhaps you would want to try QA and Records Management and the one other one that we have --

PARTICIPANT: Training and Qual.

COX: Training and Qualifications. But I think we are going to have problems with procedures and incident investigations and audits and assessments.

Why don't we try to determine what is our, what we think is a good way to use the next couple of hours?

[Pause.]

COX: I have made some changes in here but as I say, I think I could work through with you on CM and maintenance and what we could do at least is establish where we disagree -- where we still disagree, I guess.

Do you want to do that or do you want to just say that you don't think this is going to happen?

You have had, I guess, overnight to look at our Chapter 11 that we gave you yesterday.

[Laughter.]

COX: I don't hear anybody --

PARTICIPANT: I didn't rush home and read it last night. I'm sorry.

PARTICIPANT: I would like to ask that maybe the last 15 minutes of this afternoon, if Heather or you could present a little summary of how you are changing Chapter 3 in the ISA. That is of great interest to us.

COX: We have those on the agenda. I am prepared to deal with that. As you can see, we are moving very slowly on this, so that is why I am asking -- we have so many ideas here of what you want to do.

Do you want to just move to the other things because they are important to you? They were lower on the priority list than Chapter 11 -- but I think if we work solidly on Chapter 11 we probably won't get done with it

before 4:30.

If those other items are important enough to deal with today, maybe we ought to do that.

PARTICIPANT: Maybe we ought to take 10 minutes to decide what we are going to do with Chapter 11.

COX: Yes. We now know if nothing else the difference -- you know the difference between the Chapter 11 that is in front of you that I gave you yesterday and your comment, August 30 comments, and what I am saying is in the areas of CM and maintenance the changes that we think are worthy of making have been made.

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

PARTICIPANT: I don't see any value to continuing the line by line discussion that we have had. I just think we are too far apart on some fundamental philosophies. It is personally frustrating to me to go through this line by line knowing that there's other higher level issues hanging out there not addressed.

ROCHE: Why don't you go through the things you have agreed with on this one and then we are going to have to --

COX: Well, that is a pretty good approach. Let's look for something we agree on.

ROCHE: The ones we have agreed with you on, maybe we can work on these.

COX: Is that okay with everybody?

PARTICIPANT: Yes, we can try that.

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

PARTICIPANT: My memory is not always that great, but didn't we come close with was it audits and assessments? We went over one of them yesterday, I believe and they tended to be the guiding principle type things.

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

COX: We did on the areas of review and we progressed --

PARTICIPANT: Not the acceptance criteria.

COX: We didn't deal with acceptance criteria, I don't believe.

PARTICIPANT: We did work through examples of license application though that kind of focused us in on audits and assessments.

ROCHE: Let's go through the one we agree with and then maybe --

COX: Well, document control I guess you can see that we haven't had a meeting of the minds on.

ROCHE: Okay.

COX: Looking at change control, I made some modifications here but in fact the NEI document does not call for deleting much in the change control paragraph at all except it refers to some text in parentheses, which was

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

ROCHE: Which we did.

COX: And we deleted them. There are some other modifications to the paragraph, I believe.

That is perhaps an area where at least relative to this document, the NEI document, we have --

ROCHE: Agreement.

COX: -- pretty much agreement.

Do we have disagreement with that statement?

PARTICIPANT: One issue that several of the industry folks brought to the attention deals with the last sentence of Item 4 --

COX: Oh, yes.

PARTICIPANT: When the change is made according to 70.72 the affected onsite documentation must be made within five working days.

COX: Right.

PARTICIPANT: That seemed to be unnecessarily short.

COX: I simply could not resolve that one in the week or so we were working on it so I left that the way it was. As a matter of fact, Drew Persinko might want to say something about that. Is he here?

ROCHE: He just stepped out.

COX: This was an area that was worked on during

the rulemaking. Do you remember anything about that? There was a need to define what "promptly" meant.

Well, promptly came up to be a few working days, if I remember correctly. That is why this shows up.

This is an artifact of the rulemaking, so that is why I had to go back somewhere else to get this resolved.

PARTICIPANT: This is a tough issue, and I can speak from experience in updating ISA summary documentation as you make changes in the facility, and generally you can get it done in 30 days. You can't get it done in five days. There's too much administrivia associated with it to get it done in five days.

As hard as we have tried to work at efficiency it still has its administrative burden associated with it.

ASTWOOD: Yes. There was a lot of discussion about what that time period should be and again I was only on the sidelines but I remember it connected to something, some other policy that was already in place, so we will have to find out about that and whether or not it applies here -- a definition of promptly from somewhere else.

PARTICIPANT: To think this through a little bit, the important thing is that you update those documents that are going to be used.

ASTWOOD: Right.

PARTICIPANT: Procedures, training, extremely

important.

In fact, they have to be updated and implemented before you effect the change so those are preoperational things that have to occur.

When you update the ISA summary it's more a function of how long you can tolerate it not being updated. That change is based on the circumstance. If you have got three or four sequential changes going to occur within a month in a particular operation, then there is no real value added to update the ISA summary four times when you can wait until all four are done and updated once, so if you could factor that thinking into that definition, there are really two kinds of documents to be updated, those that are important to the operation, to make sure the operation stays safe, and those that are important from an administrative standpoint.

PARTICIPANT: The important thing there is that you never use information that is not current, accurate or up to date in your operations and decisionmaking, so if you have made some changes, and if there is lag time in the system, as long as that lag time doesn't impact your operations or decisionmaking then you should be okay.

COX: We are talking here about documents that are in the CM system, which is supposed to carefully assure that things, inordinate or inadvertent items, don't happen in

actual safety operations because of bad documentation.

PARTICIPANT: Right.

COX: So it could be in some cases if you can't do it in some "x" amount of time, maybe some process would have to stop for some "x" amount of time.

PARTICIPANT: I think that's what is being said is the norm is that we don't operate things until we get changes made that we know we have to change, so the word "promptly" is kind of irrelevant if you are not running it until you get a change effected.

What you don't want to have is an administrative thing that says, well, all documentation, even that that isn't relevant to this, as far as the safety of the operation, like maybe updating the ISA summary itself.

PARTICIPANT: The ISA summary is a good example.

PARTICIPANT: Would fall into the same definition, so it gets back to what are you really trying to effect here? You don't want to operate with the wrong information. That needs to be the standard.

ROCHE: Okay, we'll take a note and get back to you. Let's move on to the others.

COX: Under Number 5, assessments, there were no changes recommended by NEI that were not incorporated in this paragraph you are looking at. I think that is a correct statement.

We should be on the same wavelength there.

You can see that design reconstitution has been eliminated, as you wanted.

We are now on maintenance. We made the change that you called for in the first sentence, except that I didn't put the Number 4 in there.

Under surveillance monitoring, I have a note in my margin here from yesterday that John Nagy will provide a list of principles.

ASTWOOD: Yes, and he did.

COX: We have it already, eh? Okay.

NAGY: This is John Nagy, NFS.

I should point out that that was sort of done on the back of the envelope yesterday during lunch and what I wanted to get my hands back on yesterday and thanks to Walt Schwink I did, was the INPO, and I understand NEI had a lot of involvement with this, document on principles for self-assessment and corrective action programs and the reason being that there were a couple of items in here that basically say, okay, if we find a problem what are we going to do about it?

That really means, well, when we identify it are we going to in a timely fashion communicate that to all the right parties including, as Part 70 requires, for certain items to the NRC? What is our process for going through and

looking at investigations, setting up investigations, doing that in a standard way?

This document in a very nice way goes through and talks about a lot of what is involved in that, and I think might be something we want to at least look at, and I have a number of copies here, and I think some of the industry people already have this. I don't know if I have enough for everybody. If you have one, don't take it.

If you go to page 15 of that document, there is a summary list, summary of principles for effective corrective action programs, and I would submit to you that a subset of that list might be those vital elements that are worthwhile to actually list in a Standard Review Plan either in the context of a corrective action program in general or in following it up with any corrective action you mind find, like is the case with surveillance and monitoring here where you -- how did we respond to an IROFS failure or an adverse trend.

COX: We will look at this, but I would submit that this we do -- we use this information under audits and assessments and incident investigations program, which together are a corrective action program.

NAGY: If you want to though, because one of the specific things I was trying to deal with was the fact that there is a commitment to respond to failures or adverse

trends of the IROFS. It is written in here.

So what would a license reviewer need to see?

ROCHE: What page are you in?

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

COX: That's right.

NAGY: 11-11.

COX: At the bottom, surveillance and monitoring.

NAGY: Right. It says the Applicant describes how results from incident investigations, review of failure records and identified root causes are used to modify the affected maintenance function or eliminate and minimize root causes from re-occurring.

What I would hope most people would do there would be refer to their corrective action program because that is how you deal with all these types of issues, and so with that line of thinking I put together the straw man that I gave out, saying how you would respond.

COX: We'll do that. I see something here that is a little bit -- I can see something you ought to change here in that this paragraph is about surveillance and monitoring, that function of maintenance.

It doesn't have to deal with corrective actions and that sentence that you just read, I think you just read that about results from incident investigations and identified root causes are used to modify the corrective

maintenance function -- I would end that sentence right there now.

Eliminate the part that says "and eliminate or minimize the root cause from occurring. That is not really what is intended to be dealt with here. We are trying to make sure that the Applicant has a good surveillance and monitoring program in the maintenance function.

NAGY: Okay, but I would submit to you that that entire sentence really must go because how results from an investigation or the review of records are treated by your program is part of your corrective action program too.

I think that entire sentence then would go and then we would be okay, because you would have your incident investigation and hopefully your corrective action program described somewhere else, and here you could just simply say that we are committed to conduct documented surveillances at minimum specified frequencies IROFS, preventive maintenance, et cetera.

COX: We would have to here refer to the corrective action program or to incident investigations --

NAGY: Right.

COX: -- or to audits and assessments and back in that other section we would refer to the fact that that information might be used to modify the surveillance program under maintenance so you are talking about cross referencing

in both directions.

NAGY: Exactly. Perhaps it makes a lot more sense to describe that program elsewhere, not here.

COX: I'll consider that.

PARTICIPANT: Are we going to talk about corrective action program stuff?

COX: Wait a second. We may.

[Pause.]

COX: Now we are going through maintenance.

PARTICIPANT: I understand.

COX: We may get to --

PARTICIPANT: It got a little bit of the high priority relative to -- from this morning's conversation. There is an expectation that we will try to at some point come up with a few key attributes of a corrective action program today, at this meeting, and --

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

PARTICIPANT: -- we were trying to do that.

COX: What was said was the discussion of what elements should be in a corrective action program, which we define here in two different functions, should be discussed this afternoon, because that is what we're doing. I didn't think it was -- well, I guess I did sort of facetiously say we'll resolve that this afternoon.

I now know that we may not resolve it this

afternoon.

PARTICIPANT: We missed the sarcasm.

[Laughter.]

NAGY: If I could --

COX: We will certainly address it.

NAGY: Could I point one thing out then?

COX: Sure.

NAGY: Because we may not get back to it.

COX: Okay.

NAGY: My guess is we won't. On page 15 of what I handed out, the INPO document, it has that list of 12 items.

My looking at this -- now these are all good things, believe me, and I think most of us have tried to do all these things but what are the fundamental, vital ones?

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

COX: On your single sheet?

NAGY: On this page as being the vital elements of this program, the minimum stuff, the stuff your license reviewer ought to be looking for, and I modified the Number 2 one where it says, "Management formally defines problem reporting criteria, the problem reporting system to be used" -- I struck the rest of that sentence and then added "and must include failure of items relied on for safety."

In other words, that is a minimum requirement of this system is when you have an item relied on for safety

failure that it is going to be kicked directly in to the corrective actions program.

That is just my recommendation. This is not something that the whole team has looked at.

COX: How does what you just told us about, this page 15, how does that relate to this single sheet that you -- or does it?

NAGY: See the bullets?

COX: Yes.

NAGY: Just strike my bullets basically on my sheet.

COX: Strike your bullets?

NAGY: Yes. Those bullets were the ones up the top of my head that I was trying to say what ought to be in a good corrective actions program but I think this describes it better in the INPO document.

COX: Okay. So you are saying now this is your suggestion rather than this single sheet?

NAGY: Yes, sir, that's right. I just didn't have it in hand at the time.

COX: I understand that the SRP deals with corrective action in two separate functions called audits and assessments and incident investigations.

We don't have a Management Measures called Corrective Actions?

NAGY: Yes.

COX: So these four or five items, however they are used, might be split up between the two or they might end up all under one.

NAGY: I haven't thought through it. I just submit that for your use, however we can be consistent with it throughout this process in the Walt Schwink's area.

COX: We will certainly look at that.

Are we still back on maintenance now?

NAGY: In that Item Number 1, surveillance, monitoring, the next sentence after the one that you are going to consider for putting in Corrective Action, says "Records showing the current surveillance schedule" -- that sentence -- you know, I am just wondering now is that something that really needs to be under Maintenance or should that be dumped into the Records Management Measures just for clarity?

COX: Establishing PM requires looking at the results of failure records and designing the PM function to take account of what might be more frequent failures than you thought, so you may increase the frequency of PM.

NAGY: Unless you are starting anew, yes, so a priori it does not necessarily. If you have that information you can use it and may use it as a function of importance but that doesn't mean that you always going to

have failure records to guide you when you go into establishing a PM program.

COX: I agree. If you don't have results, you can't use them. This address the time when you have results.

NAGY: I think, you know, your surveillance and monitoring, in the straw man I put out there and maybe it's a little bit too simplistic, but you are looking here for a commitment to conduct documented surveillances.

You want a minimum frequency specified for your items relied on for safety in the preventive maintenance testing and failure records area. I don't think it helps to get a lot more specific.

COX: Okay. Let's --

PARTICIPANT: Would you pass down a copy --

NAGY: Oh, of the straw man thing?

PARTICIPANT: Yes, please.

NAGY: Oh, I'm sorry, it's this thing. Not much use but it's just a sentence or two.

VAUGHAN: I think the corrective action is stuck over in the other QA elements piece.

COX: I am not sure I understand what you are saying there, Charlie.

VAUGHAN: Well, I heard a comment awhile ago that said that the corrective action program wasn't specifically

addressed in the Management Measures.

COX: Oh, and you see something under Other QA Elements that deals with it?

VAUGHAN: In the QA Elements down about Number 16 is where it is really the corrective action statements. I think it ought to be and it is really a Management Measure action and not a QA action necessarily, because it is such a cross-cutting function.

I just introduce that because it really is in here.

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

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

COX: Yes. I see the word "corrective" -- no, I don't see the words "corrective action" under Item 16.

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

PARTICIPANT: -- part of the Corrective Action Program is the very last sentence on the bottom of 11 --

COX: Oh, yes, yes, I've got it -- "or as part of a Corrective Action Plan."

See, you can have a Corrective Action Plan and you can call it that. We will look for the proper elements to be in it that we have listed under A&A and Incident Investigations.

Okay. On PM, we made some modifications there.

I think we did not delete the last sentence because we don't have a problem here with stating here and under Functional Testing the same kind of statement.

We feel like saying under PM that if necessary you have to do a functional test after PM to provide the assurance that the device is still there. That is a simple --

PARTICIPANT: Why not put that under Functional Testing and just -- it just seems to be kind of a black sheep. In fact, maybe it is already there.

COX: Well, yes, but this is a reminder that under the PM function that you may have to end up or at the end do a functional test, following PM.

It in no way detracts from what it says under Functional Testing, which describes what functional testing is required for.

If you found the same thing under Functional Testing, and I don't see it --

PARTICIPANT: You repeated the sentences in both PM and Functional Testing. The same sentence occurs in the top of page 11-13, sixth line down.

COX: Yes -- if necessary, a functional test is conducted after conducting corrective maintenance and before --

PARTICIPANT: Excuse me --

COX: -- before returning an IROFS, so we just mention it in two places. I don't think that is confusing. I think it makes certain that the reviewer doesn't miss it because it is important to both the definition of PM and to a description under Functional Testing of when you use functional testing.

ASTWOOD: Again, I think some of these changes, at least from my understanding, some are editorial and some are important to you, as we have been talking about.

I know you feel frustration in going line by line and you said you don't want to sit there in silence with these other issues, but it is beneficial for me and Tom to hear you say no, this is really important, we don't agree, we need principles here -- whatever you were saying before.

I don't want you to be frustrated with the process because it does help us. Some of this stuff I believe may not be as important to you and we need to focus on the areas that are, so I just want to throw that out there.

COX: So far we are taking the statements of redundancy or repetition as not as important. I consider them not as important as "The following sentence is unnecessarily prescriptive." That kind of a comment is a little more weighty.

ASTWOOD: I agree. I just wanted to make sure that we are not --

COX: And in regard to that, under Item 3-PM, the first comment I considered was, well -- the first couple of comments are essentially editorial and the last comment was one about unnecessary prescription -- "License Applicant will be" -- so on and so on -- and I believe I agreed with you on that one.

Let's see here -- PM. Took out the sentence that starts, "A rationale" and decided we do not need the rationale.

Functional Testing --

ROCHE: Also, we will look at the NEI document for what Steve also mentioned --

COX: Let me back up for a second.

Here is an important point perhaps. Steve made the general observation that all of this is too prescriptive and I think I heard several of you back this up.

Here's an example of a paragraph we just went through where two of the comments had to do with, first of all, a comment about a log, which we took care of. The next comment was about redundancy. The final comment was about too much detail and we took care of that. Now that is all that that NEI document said about that paragraph, and it has essentially been taken care of.

Now are you saying still you don't agree with the paragraph on PM?

All you have to look at is the NEI document, and if you agree that we have corrected those things, why are we changing our mind to say that, well, it's still too prescriptive or what?

FARRELL: But I go back to the rewrite of Chapter 11 I wrote about a year ago or 15 months ago, I don't remember.

I think at that time that rewrite was a major surgery on this and we pulled all this -- the descriptiveness out and went with the -- tried to emulate the guiding principle concept.

We realized that that was too radical an approach and we have backed off. You came out with the version -- I think it was July, I can't remember the date -- and said okay, well, let's be realistic. They are not going to go with the say we think we should be going. Let's try to do the best we can.

You get the bandage box out and let's try to fix up what we think are the glaring errors but basically try to go along with you, so I won't accept the fact that, the statement that we are not standing behind our principles. We tried that once and just now we are trying to make the best job we can because time is running out.

We have got to try to get this thing in order, so I don't want you to put Steve on the hot seat here, so to

speak, and say do you no longer agree with what NEI has done?

We tried that but now we are just trying to do the best we can in a very short time.

COX: Okay. Well, maybe I asked that incorrectly.

I guess the point is where do we go from here?

Are you going to say, well, now -- I mean what would you do with this if this comes out in this paragraph on PM is in here, the way you see it today, dated September 10th?

SCHILTHELM: From BWXT's standpoint, if this were my product, I would start over.

It is disturbing, and I will give you an example of why it is disturbing.

You look at the example in Appendix C on maintenance as a Management Measure and the example of what would be acceptable in a license application. It takes less than two pages to present what would be in the license application but it takes nearly four pages to say what should be in the application in the SRP. Something is dramatically wrong with that picture, okay, as a manager.

We are getting all the technical detail. Something is dramatically wrong with that picture.

We went through this Appendix C yesterday and come to some general agreement that it was acceptable, but why

does it take four pages to write about what you are going to produce in two pages?

That doesn't make any sense. How can that be a clear articulation of the expectation?

So if we had the time and the wherewithal I would propose that we throw it away and start over. I don't know that we have the time or the wherewithal or the energy to do that.

COX: Yes.

SCHILTHELM: And that I think is what we are struggling with today. I am being perfectly blunt and I am not blaming anybody for where we are today. We have all participated in getting where we are.

PARTICIPANT: I'm sitting here and I don't know what to do at this point.

PARTICIPANT: Let's move on.

PARTICIPANT: Okay.

PARTICIPANT: Let's see the parts where we agree; shall we?

PARTICIPANT: Maybe we -- okay, we won't call it agreement then; we'll just say we're going to go over it.

Functional testing: I think we essentially [inaudible] down through their first -- through the comments on 11-16 of the NEI document. I believe we did that.

[Pause.]

Let's see --

PARTICIPANT: So we took out schedule.

[Pause.]

PARTICIPANT: Now, that's just through the bottom of 11-16, and -- but that's really the end of functional testing.

The next material on page 11-17 of the NEI document, is not functional testing anymore, but that's a general acceptance criterion, which in the NRC document, occurs after corrective maintenance, which has been reordered and placed after functional testing.

So we need to go -- if we follow the NRC document, we now need to go back to corrective maintenance, but we've already been over that one.

So we are at the paragraph that starts --

[Pause.]

Well, the next paragraph in the NRC document is a paragraph that wasn't there before.

PARTICIPANT: I've lost you.

PARTICIPANT: I'm sorry, what?

PARTICIPANT: Where are you at now?

PARTICIPANT: We're at the NRC document, page 11-13, the first full paragraph.

PARTICIPANT: Administrative Controls.

PARTICIPANT: Administrative Controls. That's an

address within the maintenance acceptance criteria, an address to administrative controls, and it simply refers to the recognition that the training and qualification management measure is going to be used to assure that administrative controls are there.

That's -- the reviewer will then have to go to the training and qualification management measure.

Then we come to the paragraph that's headed A General Acceptance Criterion, which is -- you know where it is in the NRC document. It's page 11-17 of the NEI document.

And we think this is useful to reviewers who will assure that -- just so that they can assure the appropriate commitments are made. It tells them what to look for, the methods or practices that should be applied, and for which the applicant should commit to prepare procedures.

It deals with work control methods; the whole paragraph deals with work control methods.

PARTICIPANT: [Inaudible.]

PARTICIPANT: And, no, we didn't combine H and I, because H, I believe that H is not necessarily IROFS. Where's the H here?

H is procedural control over removal of components for service for maintenance and for return to service. We would expect them to have procedures there to deal with some

components that might not be IROFS, whereas I concerns removal of IROFS from service.

There may be components which need controls for removal, because their removal could affect or adversely affect the performance of IROFS, some power supply that may not be considered and IROFS, but just take it out and the IROFS doesn't work.

So we just didn't combine H and I, but that seems -- it was a request to do it for simplicity. I don't consider that a really weighty thing.

The next comment was: Add the suggested words to balance the sentence contents with those of the third sentence above.

I think we did that, and we put in the words, as applicable. We deleted a sentence at the end, all as requested.

That's it for that paragraph.

The next paragraph is --

PARTICIPANT: Not changed.

PARTICIPANT: Well, we put in the word, test. We put in the word test.

The next paragraph starts the four maintenance elements. That --

PARTICIPANT: I might note that [inaudible] took exception to that in that the -- you didn't have to call out

contractors specifically, any time there is any work done on an IROFS, [inaudible].

The company personnel or contract personnel, you know, the same thing applies.

And we don't distinguish between contract personnel and company personnel. Our perspective --

PARTICIPANT: We know that company personnel are already covered. This is particular to address --

PARTICIPANT: The licensee is responsible.

PARTICIPANT: Yes, the contractor people are covered under our license. I mean, anything that we do under our license is under our license, and therefore it doesn't matter who does it.

PARTICIPANT: I have a note that says that we would think about that.

PARTICIPANT: We did agree.

PARTICIPANT: We agreed?

PARTICIPANT: Yes, we did. We changed the words somehow to reflect what they are saying, so we'll get back to that.

PARTICIPANT: What is it that you would like said?

PARTICIPANT: That there is no reason to call out contractors.

PARTICIPANT: You want that whole paragraph deleted?

PARTICIPANT: That would be fine.

PARTICIPANT: Yes.

PARTICIPANT: Now, if you're trying to particularly bring up functional testing, you have functional testing, you know, covered under 3, so I'm not sure what you're trying to do, other -- and you were trying, I think, to portray the perspective of a contract personnel, and we see no difference between contract personnel and company employees when it comes to operations and repairs and what have you to IROFS.

PARTICIPANT: All right, we'll consider deletion of that paragraph.

On the next paragraph that starts with the four maintenance elements, now, I'd be willing to delete that first sentence, even though I have an Okay marked here, but it didn't get into the final copy.

[Pause.]

Now, we get down now to some material on QA that has been added in here. Is Drew back yet?

PARTICIPANT: No. We called him.

PARTICIPANT: He's not here yet.

PARTICIPANT: And I think Will can better explain, or perhaps at least more quickly than I could, how we added material in two places to make it completely flexible. Is that right?

PARTICIPANT: Let me catch up over here.

PARTICIPANT: To make the utilization of QA completely flexible as far as the SRP is concerned. We don't care whether you address this in a management measure or in a separate QA section.

PARTICIPANT: What if -- they suggested all these paragraphs.

PARTICIPANT: There are some required QA elements that did not map into other management measures.

PARTICIPANT: Well, actually --

PARTICIPANT: To be required -- I mean, parts of the classical 18 criteria.

PARTICIPANT: I have an issue with including the first two of those, and maybe actually all three of them in the maintenance section, because if you're trying to pick them up as your quality assurance program, as part of your quality assurance program, particularly when you're starting up a new system and you're doing inspection and functional testing of that new system, you know, maintenance isn't involved at that time period.

Maintenance comes out after you've had the system running and you're doing your preventive maintenance or you're doing your repair and corrective maintenance and so forth.

And so by calling this section out, almost implies

that the -- you know, you don't care about it when you're starting up, but it's only when you're doing maintenance on it.

And you already have functional testing in your maintenance section, so I'm not sure that by putting this in here, what it does for you.

To me, it adds confusion as to what your intent is.

PARTICIPANT: I don't see how -- and, by the way, I took the suggestion of incorporating 1 and 2 into 1.

It starts out saying that inspections and tests are conducted to verify that IROFS conform to specified requirements. How can that confuse anybody?

PARTICIPANT: Because you've got it under maintenance. When you buy and install and IROFS, you have to do inspection and testing to assure that it meets the function.

That is not necessarily a maintenance function.

PARTICIPANT: Well, it's a procurement function, I guess.

PARTICIPANT: It may be under procurement, it may be under construction, you know. I think that by putting in here when you already have functional testing in another part of maintenance, you're confusing what you're looking for.

PARTICIPANT: Let me make a note of that and talk about that with a couple of people. The point is made that it's already covered under functional testing. That's Item 1 in the new NRC document, correct?

PARTICIPANT: Yes.

PARTICIPANT: While there had been -- and Items 2 and 3 of the -- that are 3 and 4 in the NEI document, Item -- the second to the last item, I think has been modified as requested, and the last item we did not want to delete, needs to know it so they'll check it, check it in the CM function, too.

Are we okay on that one?

PARTICIPANT: Just a minor point. On Number 2, the last couple of words, you've got an extra preposition in there. You should take out the word, on.

PARTICIPANT: Prepositions are cheap.

PARTICIPANT: Item 2 in the NRC document?

PARTICIPANT: In the NRC document. Part of maintenance, or as part of QA.

PARTICIPANT: Oh, yes. I want to leave the, of, and take out the, on. All right.

Now, we're into training and qualification. And, well, Will, do you want to deal with this and look for parts that we agree on?

PARTICIPANT: Right. Will Smith, NRC. Pretty

much similar to what we discussed yesterday in the area section.

Section 1 or Paragraph 1 on organization management of training, there was the comment that the following words are too detailed and prescriptive regarding design, operation, maintenance, and so forth.

And that sentence is proposed to be reworded to accommodate at least the first part of your comments. The organization -- the effect of the organization and management of training -- of the training program are acceptable if it is organized -- if the -- if it's organized, staffed, and managed to facilitate planning, directing, evaluating, controlling a training process that fulfills the objectives, especially where human actions are relied on for safety.

PARTICIPANT: I should point out here that you won't see any changes in the NRC document in this area, because we didn't get to put those changes in, even where we think we will put those changes in, as recommended by NEI.

So this document hasn't been revised. Will may be covering wit you, areas where it will be revised.

PARTICIPANT: Where it's intended to be revised or is proposed right now.

There is also comment regarding the following at the bottom of page 11-14 -- let's see --

PARTICIPANT: In the NRC document, right?

PARTICIPANT: Yes. I'm working off three copies here.

PARTICIPANT: I have it here.

PARTICIPANT: At the bottom of 11-14. The first one did read or currently reads: Line management is responsible for the content and effective conduct of the training.

There was a comment regarding line management, and that's been modified, and also a comment to delete the second item there and fold that in.

Basically 1 would now read: Responsibility for the content and effective conduct of the training and management of the training program is clearly defined.

PARTICIPANT: That's NEI.

PARTICIPANT: That incorporates basically what the NEI comments are in that area.

PARTICIPANT: Can you help me? John Nagy, NFS.

The last sentence of the paragraph preceding that section we just got into there, how did that end up?

PARTICIPANT: That's regarding the application?

PARTICIPANT: Yes, the application should state --

PARTICIPANT: They changed it to what you proposed.

PARTICIPANT: Not me. That's why I'm asking.

PARTICIPANT: NEI proposed application should state that training will be conducted, and the planned [inaudible] for which training will be provided.

PARTICIPANT: Okay. Is there -- could I assume that that sentence is directly linked to the one prior to it, so that when it says training may be either or both classroom or on-the-job training, the application should state what type of training will be? Is that what we're getting at there?

You're not looking for a list of the different training? You're looking for whether we're going to use classroom or on-the-job or a combination of the two? Is that a correct statement?

PARTICIPANT: Yes.

PARTICIPANT: Okay. I just wasn't quite sure. I think I would recommend you put in something like state what type of training will be conducted, would be clearer to me, but --

PARTICIPANT: Well, since the plant positions are being named for which training will be provided -- is that right; is that the intent, Will?

PARTICIPANT: Yes. It's tied together in that statement.

PARTICIPANT: Okay. Then all we want is for each plant position that the kind of training that would be

provided.

PARTICIPANT: Sure.

PARTICIPANT: Is that what you're saying? What John is saying is type or kind.

PARTICIPANT: Yes, that was the only -- maybe it's only a clarification of me because of my lack of grammatical skill or something, but right there, I could interpret it a little differently, and I didn't want to.

I want to make sure it's linked.

PARTICIPANT: That's fine, we'll do it.

PARTICIPANT: Okay, and the same listing, Number 3. There was a comment regarding deleting performance-based, and just leaving it training.

I would read right now, according to NEI, training is used as the primary management tool for analyzing, conducting, evaluating training.

I don't see that that improves the clarity of that. Was there a reason for deleting the performance-based, or is there some other?

I wasn't quite sure how to proceed with that.

PARTICIPANT: You're on Number 3.

PARTICIPANT: For clarity, combine 1 and 2?

PARTICIPANT: 1 and 2 have been combined, but Number 3 --

PARTICIPANT: I think I have missed a few words

there. It doesn't read quite right.

PARTICIPANT: What's the question, Will? I'm sorry.

PARTICIPANT: Number 3, which reads performance-based training --

PARTICIPANT: Yes.

PARTICIPANT: They propose deleting performance-based, and leaving it as training is used to evaluate training.

PARTICIPANT: Whether it's performance-based training, evaluating training or simply training evaluating training, that sentence needs a little editing.

PARTICIPANT: I think what we were shooting at was the prescriptiveness of the phrase, performance-based, as opposed to training, in general, because there are several.

PARTICIPANT: Maybe we just want to say that performance is used as the primary management tool for analyzing, designing...

PARTICIPANT: What is it we want?

PARTICIPANT: We use the term, proficiency, elsewhere.

PARTICIPANT: What is being desired here; that somebody say they're going to evaluate the effectiveness of their training?

PARTICIPANT: Maybe, Will, explain to us what you

were trying to say with Number 3, and maybe we can figure out why we said it was wrong.

PARTICIPANT: What did it say in the first place, Will? It looks like it just said training is used.

PARTICIPANT: Originally, the latest version: Performance-based training is used as the primary management tool for evaluating it.

PARTICIPANT: That was our --

PARTICIPANT: Does that make sense to you, Will?

PARTICIPANT: It doesn't.

PARTICIPANT: What is performance-based training, and how can that be evaluation of training?

Do you mean that a performance-based evaluation is used to evaluate the effectiveness of training?

PARTICIPANT: Using the tool. Training is a method or a tool.

PARTICIPANT: I just don't know what you were trying to get to.

PARTICIPANT: I think that needs a little work, even as we had it. Performance-based training is used as a tool for analyzing.

PARTICIPANT: I thought you would have objected to the primary management tool.

PARTICIPANT: It's the only --

PARTICIPANT: Well, one of the areas of review is

how do you evaluate the effectiveness of the training? And I think we made the point, well, how -- how does the employee perform? His performance is a measure of the effectiveness of the training, and maybe that's what we're trying to express here in the old Number 3?

PARTICIPANT: Could it be performance is used as the primary tool?

PARTICIPANT: Maybe --

PARTICIPANT: Delete the base training, and just say performance is used as the primary management tool for analyzing, designing, developing, conducting and evaluating training.

PARTICIPANT: That doesn't --

PARTICIPANT: Or training effectiveness or whatever.

PARTICIPANT: What, exactly -- John Nagy, NFS -- maybe being new to this process is helpful in this respect. I have no idea what you're talking about.

Are we talking about we learn from our experience, and we know how effective our training is because we keep putting the stuff in the wrong bucket, or are we talking about we now have part of our program where we formally go out and -- say, kind of like an on-the-job training evaluation, and that's our primary assessment of whether or not we train somebody correctly?

I think we're wordsmithing something here, but we don't know what it is -- the endpoint. At least I'm not understanding it.

PARTICIPANT: We will revise that item to clearly state what the intent was.

PARTICIPANT: Well, what is the intent?

PARTICIPANT: Could you explain what you are trying to do, Will?

PARTICIPANT: This list of --

PARTICIPANT: Because at this point, my recommendation would be to strike the item.

PARTICIPANT: Well, back in Section 11.3.3, one of the areas of review was to -- Number 8 -- this is on the NRC page 11-5, Item Number 8 was that you have to propose how are you going to evaluate the effectiveness of the training program.

And we made the argument, well, don't forget about doing all the in-classroom testing and so on. Can the guy perform his job?

I think that's -- if we map over from the area of review into the acceptance criteria, maybe that's the connection? That's my thinking on it.

PARTICIPANT: So, on-the-job performance --

PARTICIPANT: Precisely.

PARTICIPANT: -- is used as the primary management

tool for analyzing, designing, developing, conducting, and evaluating training. Is that it --

PARTICIPANT: The effectiveness of the training program, or the training effectiveness, something like that. That's my guess.

PARTICIPANT: Don Goldbach. To me, I think the key words -- and, again, I'm new to this process like John -- but to me, I guess the key words were performance-based training, because that means a certain thing.

That means you pull your people to find out what they need training on, you give them training, and then you measure the effectiveness of the training afterwards.

I think those were -- just looking at it for the first time, that's probably what was meant there, is my guess; that the key words were performance-based training is used...

PARTICIPANT: But then it can't be used in evaluating training.

PARTICIPANT: So it must be performance-based proficiency evaluation, you know, is used.

PARTICIPANT: In a way, part of performance-based training is evaluating the training itself, the way I understand performance-based training.

PARTICIPANT: Why not just say job performance is used as a tool for analyzing, designing...

PARTICIPANT: Yes.

PARTICIPANT: It's not necessarily the primary one. I mean, you sit down and you design a job, and then you design some training before a man ever performs that job.

But having the training done and having a person performing in accordance with the training, you could certainly use that performance as a tool in evaluating.

PARTICIPANT: Oh, yes.

PARTICIPANT: So, why not just say job performance instead of performance-based training?

PARTICIPANT: Good. And you took out primary management?

PARTICIPANT: Took out primary management.

PARTICIPANT: Good.

PARTICIPANT: Put in a tool.

[Pause.]

PARTICIPANT: And the other items on that list, right now, on the other items, 4-7, which would be renumbered 3-6, we're not proposing any changes to those.

PARTICIPANT: Which four? Oh, the 4-7 that are part of Item 1, organization?

PARTICIPANT: Right, there were no NEI comments on those.

PARTICIPANT: Okay. I changed the word, system,

to function, after CM. Now we're into that Item 2, analysis and the ID of activities requiring training?

PARTICIPANT: Right. And the comment was regarding the wording of that regarding activities do not require training, rather than personnel do, and that section has been reworded to appropriately address that, or is proposed to be reworded.

And it would read to the effect: Analysis and identification of activities for which training is required, analysis and identification of activities for which training is acceptable or activities required for competent and safe job performance are identified, documented, and addressed by the training.

Your comments will be incorporated. Is acceptable if the activities required for competent and safe job performance are identified, documented, and addressed by the training.

PARTICIPANT: All right. Now we're on the second paragraph of that item.

PARTICIPANT: Okay, there is a comment regarding deleting the balance of the sentence. And right now, those words are being left as is on the first part of that.

And in the middle, each activity, that section is being reworded to clarify it that, again, similar to the paragraph above, each activity for which training, initial

or continuing, is required, the specific activities -- okay, before it read, should be matrixed, and there was an objection to that.

And we're proposing, rather than matrix, something relatable or traceable to supporting procedures and training materials.

And you'd have the option of specifying the method or the approach by which you could relate those two.

And then the last sentence of that would be the facility-specific activities for which training is required and the applicable training materials should be reviewed on an established schedule.

PARTICIPANT: The period after schedule?

PARTICIPANT: I think that continues to the end of that original sentence, ending with job scope.

[Pause.]

PARTICIPANT: Did that clear up the thrust of your comment, or is it still considered to be too prescriptive?

PARTICIPANT: Too detailed.

PARTICIPANT: Is this in the same line of the how-to's that we've discussed before?

PARTICIPANT: Yes.

PARTICIPANT: I thought we were going to go through the positives. You're not going to delete that.

PARTICIPANT: What are we trying to accomplish

here? We're trying to teach people how to do their job in relation to the items relied for safety and what's important to them, okay?

That is pretty simple. And then you're trying to evaluate the effectiveness of that, and make sure that it's working.

PARTICIPANT: But this acceptance criterion specifically refers to the identification of which activities require training.

PARTICIPANT: Yes, that's teaching people how to do their job in relation to items relied for safety.

PARTICIPANT: Well, that's the training.

PARTICIPANT: Those items -- you tie it in relation to, so if you've got items relied for safety dependent on people, you have to train them.

The statement goes backwards, as well as forwards in that respect.

PARTICIPANT: There's a lot of words here about what the program has to be, but nowhere is the mission clear in all these words. The mission is lost in the words.

PARTICIPANT: I would think the mission is described in the topic sentence of that item, analysis and ID of activities for which training is required.

PARTICIPANT: Okay. So why don't we just say where human actions are necessary to ensure the integrity of

an item relied on for safety, the licensee will commit to have training commensurate with that activity?

Doesn't that address the whole topic? Isn't that the identification of what you train people in? That's one sentence.

PARTICIPANT: We want to tell the reviewer some items to look for to get reasonable assurance that those things are properly identified.

PARTICIPANT: So if the licensee were to say in the application, for all aspects of items relied on for safety, where human intervention or activities are necessary, training shall be commensurate -- shall be developed, implemented and evaluated, commensurate with those items relied on for safety.

If that statement were in a license, doesn't that say how you've identified the activities requiring training in relation to items relied on for safety, which management measures cover because of Subpart H, yada, yada.

It seems like one sentence --

PARTICIPANT: I don't think so. We think we've given you some words here which are direct to the topics we think are important, and, in fact, it serves as an example, if you will, as to how to write -- what to write toward in an application, so that the reviewer will find it acceptable.

PARTICIPANT: So, the sentence I just quoted would be unacceptable in an application, would be insufficient in an application?

What I just said, that for items relied on for safety where human action is necessary, training shall be designed, implemented, and evaluated to assure that the individual is competent to carry out the safety feature of that item relied on for safety.

If the license said that, that would be inadequate in relation to analysis and identification of activities requiring training?

PARTICIPANT: That's what we're saying here by adding this other material in that we think you should point out as being done, other activities.

PARTICIPANT: Frankly, as a licensee, I think that's unreasonable.

PARTICIPANT: It's not clear to me what we get out of the additional text.

PARTICIPANT: What you've done here with that second paragraph of Item 2 is basically set up a process. What you've done is that you've set a committee up, and the committee is going to be representatives of design, representatives of construction, representatives of operations, representatives of training, as well as other subject experts, as appropriate, which could probably be

your criticality, radiation protection, what have you.

And this committee is going to identify the activities that require training. And that is what the licensee is going to ask and what the reviewer is going to look for.

He says, what kind of committee do you have to review your training to make sure you've got all the bases covered? Is that what you intend?

PARTICIPANT: I don't think we call for a committee. We say that the design engineering supervisor and the operations supervisor, other subject matter experts, as appropriate, should think about what training is going to be necessary.

PARTICIPANT: But by listing design, construction, operations, training, and other subject matter experts, as appropriate, should conduct analysis, to me, it sounds like they're supposed to all get together and do that.

PARTICIPANT: Well, it doesn't say anything about getting together and forming a committee. No, it doesn't say that.

PARTICIPANT: Then you go on to say that the training has to take into consideration, minimum -- those managers, supervisors, performing, verifying activities subject -- relied on for safety.

You don't need to get into that kind of detail.

As Steve pointed out, it says the training has to be appropriate to the item relied on for safety.

By using these types of words and this much text, you're setting up expectations that the reviewer is going to be looking for that are beyond what is necessary.

PARTICIPANT: And we're describing how it's to be done, not what's to be done, right?

PARTICIPANT: Exactly.

PARTICIPANT: So this is consistent with our discussions yesterday that set up the performance expectations and leave it to the licensees to figure out how they're going to do it.

PARTICIPANT: Again, it's consistent with the pretty long discussion we had before you came in this afternoon, Mike, about where we are and where we seem to be having this chasm between us that we just can't bridge.

[Pause.]

PARTICIPANT: Well, for now, let's offer to look at reducing the text there to make it clear, what's expected, with an idea about eliminating the how, and focusing on the what.

PARTICIPANT: Well, for instance, this says that what is expected is managing, supervising, performing, and verifying. It doesn't say how to do each of those things.

It says what.

PARTICIPANT: Yes, what is expected here, I believe is the analysis and identification of activities requiring training, right? That's the header on the acceptance criterion.

PARTICIPANT: Yes.

PARTICIPANT: But then we need to instruct the reviewer a little bit on what to look for to obtain that reasonable assurance that that's going to be done well.

PARTICIPANT: But again, what that converts to for the licensee is how to do it. And, again, that's where we're running into a problem.

The guidance for the reviewer, de facto, becomes the way we have to do it, the how-to, because you're concerned that it would be viewed as a requirement, not as guidance.

PARTICIPANT: Right.

PARTICIPANT: Yes.

PARTICIPANT: I think we need to look at what they're proposing, and see what we can do.

Should we go on?

PARTICIPANT: Number 3 on 11-15, beginning with position training requirements, the NEI comment, the balance of sentence is repetitive after the first two lines.

And we're proposing deleting the next line, or the rest of that sentence, deleting, or who perform activities

that prevent, mitigate sequences described in the ISA summary, and leaving the last sentence, which that's integrating NEI's suggestion.

PARTICIPANT: So we're taking their comment, right?

PARTICIPANT: That's right.

PARTICIPANT: On the previous paragraph, I'm not sure there was a comment to be taken that satisfies what we're going for here. Was there? I don't believe there was.

Are you back on 2?

PARTICIPANT: Yes, it just took me awhile to register that we hadn't made a comment that was good on this topic.

I mean, there was a comment, I guess, but it didn't -- nobody could convert this paragraph over into what we were trying to get to, which is what are the key concepts or principles or whatever. That's just not been done.

PARTICIPANT: By simply accepting the comment, I think is your point, does not covert the paragraph into what you think is acceptable?

PARTICIPANT: Right, the comment doesn't go far enough. We didn't do a good job commenting on that.

PARTICIPANT: Right.

PARTICIPANT: There are other interpretations.

PARTICIPANT: Less than adequate comment.

PARTICIPANT: Yes, comment LTA.

PARTICIPANT: Well, for Mike's benefit, it might help to back up just a bit to what Clifton said earlier. We've come down this road of massaging this thing, without ever really stepping back and saying what's necessary and agreeing on what's necessary to be in this document.

And John had some -- probably some good words an outside observer looking in on this process when he stepped into it yesterday, that you're not stating the principles here.

You're talking a lot and saying a lot of words, but you're not focusing on the principles that make an acceptable program.

So, to simply say that -- I think what you're hearing is that even if you just simply took all NEI's comments, and the proposed Chapter 11 we sent in, we're not particularly happy with that, given the thinking we've done in the last day or so.

PARTICIPANT: Do you want to take another crack at it?

PARTICIPANT: I don't know. We're far down the road.

PARTICIPANT: Where do we go --

PARTICIPANT: I don't know, but we're trying to

fix something.

PARTICIPANT: Actually, Mike, we made a suggestion earlier that maybe what we ought to do is just start over with this chapter from scratch.

PARTICIPANT: I might back on start over. I think we agreed yesterday that the review areas are probably pretty decent.

PARTICIPANT: Right.

PARTICIPANT: That's what we came through yesterday. It's the acceptance criteria, if we could somehow keep that guiding principle in mind that we're going to write down the principles.

PARTICIPANT: If you stated the guiding principles in the areas of review section, they effectively would become the acceptance criteria, I would imagine.

And then that gets back to one of your earlier comments about why is there overlap between areas of review and acceptance criteria?

PARTICIPANT: Exactly.

PARTICIPANT: We tried to, I guess, explain that previously, to say really the areas of review have been expanded somewhat, because it takes the place of the standard format and content guide.

And then the acceptance criteria are really the meat for the staff, because that's where the reviewer is

told, okay, if it measures up to this set of criteria, then it's acceptable.

But I think I understand your comment.

PARTICIPANT: I'm willing to agree that there is probably more meat that can go in the acceptance criteria than is in the areas of review as we left them yesterday.

PARTICIPANT: But not a lot more, and I think this is a lot more. It's dramatically more, you know, 10:1 sort of more. Maybe were it 2: or 3:1 --

PARTICIPANT: That's an beneficial exchange, you know. You're providing comments, and we'll have to go back and take a look at it and figure out what makes sense.

Instead of looking word-for-word, look at it more from what are we trying to accomplish and what are the guidelines that need to be here?

I think there's a way of looking at it without looking at it as throwing it out, because I think you don't want to do that for a couple of reasons:

Psychologically, you don't want to say you threw out what you did, because you learned a lot, and this whole process has been very valuable, I'm sure, to everybody involved, in trying to understand better, what it is you're trying to do.

But I think that if you are honest with yourself, and this is something Steve said earlier, that if it was his

to do, if this was something he was doing in his organization -- and I would agree with this -- at this point, what I would do is, I would put this aside, essentially, and I would use it as a resource, but I would go through it again.

I would go through and pull those things that were useful out of it, and reconstitute what I really needed.

The best example I can give is that one of the biggest mistakes that my staff routinely makes it that they use the current procedure to get to where they want to go. In other words, they will just make edits to it.

And I have to routinely almost take that procedure away and say don't, no. What I want is a better procedure. Stop, throw it away if necessary, get out the pen and go to the blackboard and get some people in the room and make a new procedure.

But simply editing what you have is not always a very good process. But the process of coming up with what was here helped everybody understand better, what we're up against.

And so perhaps there is a way to use some of what's here, but not -- when we get to a section, don't ask, well, here we have three pages, what do you think of the way this is worded? What should be in this action?

We'd probably move faster if we were doing that,

than analyzing the detail of what is currently in these sections, when we get to these later sections, okay?

PARTICIPANT: I agree. This is Bob Freeman from Framatome. I think the probability of agreement would be substantially higher if we began with -- I mean, our current licenses, some of them maybe inadequate with a single statement that says thou wilt have a program.

That doesn't remove the fact that each of our programs, inhouse, do have those guiding principles. They we currently operate those programs, they have been inspected over and over again; they hold up to guiding principles.

If we get back to that point that says you will have a program and it will have the following guiding principles, we may not all agree exactly between even ourselves, that each of our programs has every piece of that, but we'll be a lot closer, I think.

Fundamentally, we'll agree that that's the function of that program. And I see agreement a lot quicker than breaking down the novel that we have in front of us.

PARTICIPANT: Could the industry identify those guiding principles or guidelines or work among yourselves to frame them out in an expeditious way?

PARTICIPANT: I certainly would be willing to try.

PARTICIPANT: Cliff, how --

PARTICIPANT: I think we have to, if we're going to take that --

PARTICIPANT: We have to commit to doing it and doing it expeditiously.

PARTICIPANT: Well, it needs to be revised.

PARTICIPANT: But substantially?

PARTICIPANT: I don't think so.

PARTICIPANT: Well, even I have a much better understanding after these dozen or so meetings we've had as to what the NRC's requirements are and where we're coming from.

I think there certainly is a -- it would probably warrant the effort to try it again.

PARTICIPANT: We apparently developed something a year or two ago.

PARTICIPANT: Define expectations. What type of timing are you looking at?

PARTICIPANT: Well, my understanding is that the rule gets published in the FR next week now, Monday?

PARTICIPANT: Monday.

PARTICIPANT: We expect -- so --

PARTICIPANT: It's effective 30 days from Monday.

PARTICIPANT: I think that in a month we would be able to turn around and get back this principle, what I call our quantifier from discussion, principles document. And we

can sit down and talk about the principles document.

PARTICIPANT: That's expeditious.

PARTICIPANT: The rule is not really tied to the SRP too much anymore, is it? So there's not -- other than we've all expended a lot of energy and we'd like --

PARTICIPANT: Yes, we want to bring this to closure, but ultimately, the product that's developed has to be one that's going to stand the test of time, and it's going to do what it needs to do.

It should not impose any more burden on the licensees than is necessary to satisfy ourselves that there is adequate protection, and that it's consistent with the requirements of the rule.

PARTICIPANT: What did you say, Mike, that it shouldn't put any more burden on the licensee than what?

PARTICIPANT: Than what's necessary to have us have confidence that there is adequate protection, and that's what we've been struggling on.

And, you know, we're approaching it from this way, and you're approaching it from that way, so somewhere in the middle lies the answer.

PARTICIPANT: Do you currently have that confidence?

PARTICIPANT: With the current licenses out there today? Yes, we think that there is adequate protection.

But that confidence was gained through a very arduous, inefficient, sometimes ineffective process, and we don't want to have to go back through that process.

In the future, I would hope that in most cases when you submit amendment requests, if they are submitted in accordance with the guidelines and the acceptance criteria and what have you, that that will expedite our review process, and would cut back on the number of requests for additional information and meetings, and all that sort of stuff.

PARTICIPANT: Yes.

PARTICIPANT: So I think that's -- all the stakeholders, I believe, would agree to that basic objective. The question is, how do you get there from here?

PARTICIPANT: Bob Freeman brought up the streamlining later, and we discussed that, and I think we are in agreement as to that, and I think they understand a little better, what we want.

PARTICIPANT: My comment was, Mike, that the principle basis of the letter sounded great to me until I got down to a few paragraphs that stated there would be, you know, strict adherence to the SRP and I wasn't liking the SRP, and I didn't see agreement existing at that point.

So until we got agreement here, you know, that phrase didn't sit well.

PARTICIPANT: It says there's strict adherence to the SRP?

PARTICIPANT: It says principle --

PARTICIPANT: Incomplete applications, that's one that -- [Tape side ends mid-sentence.]

[End Tape Side A.

TAPE SIDE B

PARTICIPANT: -- as much as possible, will be used by reviewers.

PARTICIPANT: But it would be --

PARTICIPANT: It sets a high standard for this document, as it should.

PARTICIPANT: It does.

PARTICIPANT: And what we need to do is to meet that expectation with an excellent document that we can all agree to.

We all have the same heart to do that here; it's just that it's a little bit difficult.

PARTICIPANT: And an answer to your question yesterday: Now is the time to do it.

PARTICIPANT: Oh, absolutely, we agree. We don't want to put out an SRP and then a week later say, oh, gosh, what does this acceptance criterion mean? That won't

benefit anybody.

PARTICIPANT: And I don't think we want to fight it on a one-on-one basis. That just duplicates resources over and over again.

PARTICIPANT: Just from the earlier conversation, I agree with that, but we also have to not leave most of the licensing basis to the inspectors, you know, for performance.

I think the guiding principles need to be specific enough that --

PARTICIPANT: I agree.

PARTICIPANT: -- that we can judge that it's an adequate program.

PARTICIPANT: It takes a lot of thought to get those to be that, and so it's easier for us to simplify it, oversimplify it, which is what's happening here as we do it on the fly.

And maybe it's easier when you guys write out your thoughts, like you're doing here, which then worries us. So it will take a lot of thoughtfulness on our part to make sure.

And this is one of the reasons like when I pull up the INPO document, this is thoughtful stuff.

PARTICIPANT: Right.

PARTICIPANT: I don't know who did this, but they

did a very good job. We need to be able to have that kind of level of detail.

PARTICIPANT: Right.

PARTICIPANT: And content, in what we provide for all these things. And your document gives us a lot of good starting points to understand what the NRC is considering and what's in your mind relative to these sections.

So I think we can do that and at least come up with a really good first cut at it, as an industry, one that you will be pleased with, I think.

And we can all get to rapid resolution from that point on. That would be my expectation.

PARTICIPANT: And where you find that there is industry consensus standards there that you are all using that address these same elements, you know, by all means raise those, because I think that benefits us.

PARTICIPANT: Actually, we're required by law to adopt consensus standards with some exceptions. So there's a strong onus on the Agency to try to apply those consensus standards.

PARTICIPANT: Clearly, the appeal to guiding principles removes the "how," and it allows a large flexibility on how to accomplish that principle, and I think that's what we're looking for.

PARTICIPANT: And from our discussions, I also

appreciate that you understand that it's not just a very high-level commitment of, yes, we'll have a training program.

PARTICIPANT: Correct.

PARTICIPANT: I mean, that ain't going to cut it.

PARTICIPANT: Correct.

PARTICIPANT: Because, as Tom and Heather and Lydia and Will have mentioned, there needs to be enough meat there to have confidence, but not so much meat that it's imposing an unnecessary burden, both on you and on us, and on all the other stakeholders that choose to read and understand what's going on.

PARTICIPANT: In fact, yesterday when we were discussing the previous sections, you know, Steve many times pointed out that that should be in the acceptance criteria.

But I guess the objection when we get to the nitty gritty of the acceptance criteria is too much detail, too much prescriptiveness and the problems that that may bring to them, or perceived problems.

PARTICIPANT: Don't confuse the fact that we don't want the how, some of the how information in the SRP to mean that we don't intend to put some of the how information in the license application.

They are two different things. We don't want the how information in the SRP because that leads the reviewer

to think that's how it should be done, the only way it should be done.

PARTICIPANT: The only way it should be done.

PARTICIPANT: So --

PARTICIPANT: And a good example of that was yesterday when we were talking about procedures, and we had said, okay, there are two types of procedures.

And if you don't have two types, well, then you're wrong. Well, that wasn't our intent; that was just laying out --

PARTICIPANT: We have six types that are three times better.

[Laughter.]

PARTICIPANT: Right.

PARTICIPANT: Right.

PARTICIPANT: Then it's three times better.

PARTICIPANT: I've been in and out of these discussions this afternoon, obviously, and yesterday some.

Did you ever discuss the general comments that were in the front of the Chapter 11 strike-in/strike-out text?

PARTICIPANT: No, we did not.

PARTICIPANT: Given the hour, 20 of 4:00, and given the fact that we've kind of migrated to a different place than we were headed, would it be productive at this

point to discuss those?

PARTICIPANT: There are a couple of items on the agenda that we haven't gotten to yet.

PARTICIPANT: Right.

PARTICIPANT: They wanted to -- I think they wanted to get to, that will probably take at least a half hour.

PARTICIPANT: What's your pleasure? Do you think we got the gist of the general comments?

I mean, correcting technical, grammatical, editorial areas, okay, no problem there.

PARTICIPANT: What were the other ones there?

PARTICIPANT: Reducing prescriptiveness, we've been talking about that extensively. Ensuring consistency in industry practice and what's stated in the SRP, I think we understand where industry is coming from on that, and you understand our need to have confidence that it's going to be an acceptable program.

Then reducing redundancy among the individual sections, we just talked about that a little bit in terms of comparing the areas of review and the acceptance criteria review procedures. Those are all, I think, generally good objectives that are useful to NRC.

Do you want to elaborate on any of those, or do you think we got the message?

PARTICIPANT: I don't think there's much more to cover there.

PARTICIPANT: Okay.

[Pause.]

PARTICIPANT: Well, the other things that are left on the agenda are the ISA summary guidance documents and NRC's revision of Chapter 3. Those are the two things that are left over.

You had mentioned specifically our Chapter 3.

PARTICIPANT: Oh, yes, yes.

PARTICIPANT: Is that --

PARTICIPANT: What would you like to do first?

PARTICIPANT: Yes, which would you like to do?

PARTICIPANT: Chapter 3, please.

PARTICIPANT: Chapter 3, yes.

PARTICIPANT: Okay.

PARTICIPANT: I think that's in your packets also; isn't it?

PARTICIPANT: Heather, John Nagy. Could you remind some of us that may not be as attuned to this process, what is the status of Chapter 3? I think that's what we're going to discuss.

PARTICIPANT: Yes, I --

PARTICIPANT: Okay, is it like Chapter 11? It's still being edited?

PARTICIPANT: Yes, it's still being edited, and we have in your packets -- I believe it's in your packets --

PARTICIPANT: Where is it?

PARTICIPANT: Comments? No. That's the ISA Summary.

PARTICIPANT: I didn't see anything in Chapter 3.

PARTICIPANT: It continues to be worked on, you have sent in comments recently, and we continue to look at that.

However, based on the ranking of what was important at this meeting, that was lower on the list than these things, so that's what we worked on for the last week in preparation for this meeting.

But Tom is going to address where Chapter 3 stands at this point.

PARTICIPANT: Yes, I have some summary here. Essentially, Chapter 3 has been changed so far in four substantive ways, and there is yet editorial work to be done on it.

But the four substantive ways were in response to comments that were made by NEI, but were received too late for inclusion in the May draft and in the July 20 -- no, on July 20 you received only a draft of Chapter 11.

There are essentially four changes areas that I'm going to review here. The first one had to do with the use

of N-sub-h and N-sub-i, and the likelihood definitions section, if you remember that.

We're talking now about Section 3.4.3.2, Item 7.

PARTICIPANT: What's N-sub-h, N-sub-i?

PARTICIPANT: I'm going to get to that in a minute.

PARTICIPANT: Okay. Item 7 in that section was approximately page 3-15 in that copy.

And these are the number of -- N-sub-h are the number of high-consequence accidents expected in the industry, and sub-i is the number of intermediate consequence accidents expected in the industry.

And as we studied that and kicked this around, I think probably perhaps with some of your people, but certainly within our own house, we've been trying to deal with the difficulty of being in a situation where we must deal with the number of accidents in the industry.

Well, we've got six or seven industry participants, and we don't know what the sum of those kinds of accidents is until we see the results from the ISAs. So we had initially made an estimate of a thousand for N-sub-h and N-sub-i was thrown in as about ten.

That section --

PARTICIPANT: Ten thousand?

PARTICIPANT: That second was written based on

those numbers --

PARTICIPANT: Could you just clarify this point? The number of the intermediate is less than the number of high events?

PARTICIPANT: Yes, yes. The intermediate range is about a factor of four in likelihood, and the highly unlikely range goes over a much larger range.

So those were the numbers chosen. And my point to you today is, we've softened up in the written part in Item 7, which is called Quantitative Guidelines.

We've essentially softened up the language there that would box anybody into particular numbers of accidents in that arena.

And it just, you know, points out that you will have to select something for your own work. We want you to select quantitative guidelines, but we understand that the numbers may have to change with time.

PARTICIPANT: That's right, Tom. You want us to select quantitative guidelines for what?

PARTICIPANT: For -- well, at the very bottom of the tier of quantitative selections starts, you have these index numbers and the matrix tables I have seen. You've got like -1s, -2s, -3s, or 1s, 2s, 3s, 4s in various places.

We want as Table 2 or 3 says in Appendix A of Chapter 3, we want you to make qualitative assessments

associated with numerical values. We want you to be able to say, we think this IROFS will fail in about perhaps as often as ten years, perhaps as often as 100 years.

Make a judgment like that, and that number eventually cascades down into a meaningful relationship, only because we have had to peg those numbers that we're looking for on an estimated number of those kinds of accidents that would occur in the industry.

In other words, an estimated total number of accident -- high-consequence accident sequence that might be reported by all participants, taken together.

PARTICIPANT: Okay, so when you get -- when, as an industry, we identify 10,000 sequences that could result in a high-consequence event?

PARTICIPANT: That would make the requirement for even more reliable IROFS.

PARTICIPANT: So that means an evolving definition of highly unlikely?

PARTICIPANT: If the total number of accident sequences changes markedly over time.

PARTICIPANT: What happens if we build a MOX plant? What happens when we build a MOX plant; do each of us have to --

PARTICIPANT: Maybe by that time there will be better estimates.

PARTICIPANT: I'm serious. Do each of us have to therefore make all our controls that much more robust because of the presence of a MOX plant? That's what you just described.

PARTICIPANT: Well, you mean because we're adding on a MOX plant with another set of --

PARTICIPANT: Because we're adding accident sequences that could -- that in each of our highly unlikely --

PARTICIPANT: I don't think that's the way it will go. I think that -- I mean, I can't say with certainty at this point, obviously, but you have a risk group working on that right now to figure out how things might work out in that area.

Maybe it will have safety goals of its own. I don't know.

PARTICIPANT: What's the Agency's position on that, Mike?

PARTICIPANT: Well, I think Tom has described it. It's something that's under consideration by the Risk Group. Clearly, you can't impose a requirement that as the number of facilities changes, you can change the rigor of the controls.

That doesn't make sense, but yet I think that from a risk perspective, which is that we're trying to

risk-inform this rule, there has got to be some envelope, some overall objective that drives what's required.

PARTICIPANT: The objective we selected was that there wouldn't be a criticality or there shouldn't be a criticality within 100 years.

PARTICIPANT: But how does that relate to making accident sequences --

PARTICIPANT: When you work back through the numbers as they are presented in Chapter 3, by the way, you will see that that's how we come up with the 10 to the minus 5 for highly unlikely, given a thousand high-consequence sequences in the industry.

PARTICIPANT: That seems to be rulemaking and policy, rather than SRP issues.

PARTICIPANT:The SRP has to interpret what is set out for --

PARTICIPANT: The rule hasn't set a policy to interpret, nor --

PARTICIPANT: We have Commission documents that say --

PARTICIPANT: It says highly unlikely.

PARTICIPANT: That's right.

PARTICIPANT: Each accident sequence will be highly unlikely, and the standard for highly unlikely has always been double contingency. And 99 percent of the

accident sequences that result in a high-consequence event are criticality accidents that are for double contingency, you're saying might not remain the standard?

PARTICIPANT: I don't know how you say that the standard has always been double contingency for highly unlikely. I don't think those words are in the double contingency principle.

PARTICIPANT: So are you saying that highly unlikely and double contingency aren't mutually consistent?

PARTICIPANT: Yes, we think they are, because the definition of the double contingency principle in A&S 8.1 or something says that each of the two occurrences shall be unlikely.

But we had to say what is unlikely and then what is multiplying two unlikelies together?

And then the Commission said these high-consequence events shall be highly unlikely. We had to take what we could, and we took the Commission's written declaration that there shouldn't be any deaths from criticalities and realizing that you can't have zero risk, we said that's -- we're interpreting that as no deaths in a hundred years within the industry or no criticalities within the industry within a hundred years for the licensees we have.

PARTICIPANT: The rules should say that if that's

the rule; shouldn't it? I mean, I'm not trying to back up here, but the SRP --

PARTICIPANT: Well, it sounds like you are.

PARTICIPANT: But the SRP seems an odd place to deal with such a profound issue.

PARTICIPANT: And I don't think you've thought this through completely, because as the criteria you've established and the way you're interpreting it, gives some real problems.

As Steve already pointed out, with the creation of the MOX facility, if you include it in this as a Part 70 facility, now what you've done is that the other facilities have to be better in order to account for the additional risk by the MOX facility.

On the other account, if we have additional consolidation in the industry, we [inaudible] down ABB, the [inaudible] engineering facility, then Westinghouse has the ability to be not as risky as they used to be, because now they have more freedom.

PARTICIPANT: And that's why our Risk Group is looking at this whole issue.

PARTICIPANT: I don't think it's necessarily a given that the MOX facility add-on of, say, high-consequence sequences is a significant add-on to the ones that we may define in six or so ISA summaries of other facilities.

PARTICIPANT: The rationale you're portraying right now leads us to that analogy.

PARTICIPANT: That's where we are right now. In other words, you keep bringing the MOX facility up, but it's quite possible that criticalities aren't the problem in a MOX facility that we have in the sum of the other facilities. I mean, that's all done in big hot cells.

PARTICIPANT: The criticalities are acceptable if they're in a hot cell?

PARTICIPANT: Criticality is what? No, no, I didn't say they were acceptable, but it would be a lot safer than the ones in a vessel sitting out on the floor.

PARTICIPANT: I'll make sure that the Risk people are working on this, get a copy of this transcript and point out your statements and your concerns.

PARTICIPANT: Well, let me just summarize by saying you're going to see this in a chapter put on the Web, but you're just going to see a softening in this particular area dealing with the quantitative guidelines.

The second area that has been changed is a clarification of conservatism used in consequence calculations. That appears in Section 3.4.3.2, same section as before, Item 8, called Consequences, and it's Roman Numeral iii in that item called Consequences.

And it's simply a rewording of that paragraph,

which is only about five lines. And it deals with what we're really trying to say about how to deal with a total range of accident consequences.

I don't think it's going to be very substantive in your minds. It's an issue that we wanted to deal with.

The third change, again, in the same section, 3.4.3.2, this one is Item 6, Quantitative Standards for Chemical Consequences.

And it's dealing with the language, again, that talks about what could endanger life or produce injuries. We wanted to make sure that the exposure standards were understood to be conservative in the same sense as AEGLs and ERPGs are conservative.

We wanted to include exposures that would result in death for average and susceptible persons, but not for hypersusceptible persons, which is consistent with the way the AEGLs or the APA -- yes, the AEGLs are defined that deal with average and susceptible people but not hypersusceptible, not the last one percent of people or not the first one percent that would die.

So that's the third change where the language has been changed. The last change that was made was an editorial change that accepted and has embedded in the SRP, identical language proposed by NEI for the paragraph 3.3, Areas of Review, within Chapter 3.

And it provides a better statement of what the reviewer is to review. And, frankly, I'm not sure what NEI document this came out of, at the moment, but we took it word-for-word. It's about four paragraphs.

So I think you will find that okay. Those are the only substantive changes we made to Chapter 3, and as I say, we're working on editorial cleanup of that chapter also.

That's all I want to say about that.

PARTICIPANT: Did you -- did I miss the statement that we're going to put this on the Web when we were done?

PARTICIPANT: I thought I said that, yes. We're going to put this on.

PARTICIPANT: Do you have an idea about when, what the expectations are?

PARTICIPANT: Well, I've asked for about the end of this month, which is only a couple of weeks away, right? I think we can do that.

PARTICIPANT: So we're going to post a revised draft of Chapter 3 of the Standard Review Plan by the end of September?

PARTICIPANT: Right.

PARTICIPANT: And that rationale that Tom was referring to in terms of the total number of accident sequences, that's laid out in Appendix A, right?

PARTICIPANT: The rationale is laid out in Chapter

3 in that section 3.4.3.2 under Quantitative Guidelines.

PARTICIPANT: Okay.

PARTICIPANT: Let's see, okay, that was Chapter 3. Now, if you want, we can go to the summary guidance document, ISA summary guidance document, and you do have a handout on that.

PARTICIPANT: Yes, there is one.

PARTICIPANT: So do I.

PARTICIPANT: Comments on September Draft of NEI Industry Guidance Document.

PARTICIPANT: Yes.

[Pause.]

The first paragraph of Attachment 1, Comments on the September Draft, is sort of an introductory paragraph to the remaining five.

But in that paragraph, it does say that where we need specific items to draw a conclusion of compliance, we'll probably just have to stop the review until we get that information.

And the text of the document, your current draft, which I guess is September 12th, says that certain information required may not be presented in the ISA Summary, but may instead be found elsewhere.

Well, I guess maybe right now we're not certain where that elsewhere will be.

PARTICIPANT: The intent was that some of that material will be in the license application itself, so maybe what we need to do is clarify what we're trying to say there.

PARTICIPANT: So I guess we'll assume that the license application changed material or added material will be available at the time that the ISA summary is.

PARTICIPANT: Right.

PARTICIPANT: Now, going to Item 2, it refers to the discussions of measures that you have on page 13-29, that certain methods and frequencies may not be presented in the Summary, but may be in the application of ISA documentation at the site.

And in order for us to evaluate whether high availability is reasonably achievable, we've got to have information about the surveillance.

Now, you mentioned -- somebody mentioned in a recent meeting -- oh, no, I know where that was. It was Steve's folks.

This information may or may not be obvious or available to the reviewer. But the reviewer is going to need it to evaluate the adequacy of the reliability and availability of an IROFS.

And when I say surveillance, what I'm talking about is the time that a particular piece of needed

equipment is out of service, undetected, is important to the overall -- is important to the reliability of that piece of equipment.

Now, we realize that if it's undetected, it's undetected, but when something occurs as a result of a failure of a piece of equipment, you will, of course, probably in some incident investigation, find out that this particular piece of equipment was out of service -- was failed, and perhaps had been failed for some time.

And we expect that you will probably have some idea of how long it was out of -- you know, failed -- simply because you know how frequently it was inspected, if nothing else.

And that kind of information we need to have fed back into your licensing material over time, and initially you may have to guess at what's the -- what are we -- in other words, you would have to come up with an estimate of how long something could fail without being detected.

Of course, that has something to do with your surveillance schedule.

We will need that information in order for the staff reviewer to evaluate the adequacy of the IROFS.

PARTICIPANT: And we have a real problem with that.

PARTICIPANT: I'm sorry?

PARTICIPANT: I said we have a real problem with that. If you have an inspection frequency of six months, and five and a half months later you have an upset condition that this system was supposed to have mitigated, but it didn't, do we have to say, well, gee, it must have been out of service for five and a half months, because that's the last time we inspected it?

PARTICIPANT: If you have no better information than that, then that's all you know at the time.

PARTICIPANT: Right, and that's not acceptable.

PARTICIPANT: Well, we don't think it's acceptable, either. If it's --

PARTICIPANT: You have to --

PARTICIPANT: What?

PARTICIPANT: You have to give us a reasonable standard, and that's not a reasonable standard.

PARTICIPANT: Well, what --

PARTICIPANT: If we're going to guesstimate when this thing went out of service, we have to have a reasonable standard.

PARTICIPANT: If you don't inspect the thing but every six months, then it could be that it would be failed for six months. That's one of the numbers that goes into a reliability determination.

The beginning number would be, in the first place,

how often do you expect the thing to fail? That's one that's a failure frequency.

But then, given a failure frequency, what's the likelihood of not determining that failure?

PARTICIPANT: But if you've been inspecting something for six months for the last eight years and you've never had -- every time you inspected it, it was always functional, always met its criteria and stuff, but then three months later, you had a failure, you mean we have to say, well, gee, since it's been three months since we inspected it, we have to assume it's been failed for three months?

We've got eight years of experience that says it's been highly reliable. That's what I'm saying, that you've got to have some reasonable man --

PARTICIPANT: But the reliability is a function of two numbers, the expected failure frequency to begin with, and then the time that it remains failed without being detected.

If the first number, which I think you're saying is very good at a very low failure rate to begin with in the last eight years, then you could -- it might be all right to have a relatively infrequent inspection frequency. You would still come up with a good number for reliability.

But if you have a long-term inspection frequency

-- and now I'm talking about equipment that needs to be inspected to determine that it's failed.

Because if you have an automatic failure enunciation of some type on it, or it's known when this device fails without inspecting it, that's another matter.

But I'm talking about equipment that needs to be inspected to determine that it is failed. You could have a very low inspection frequency, long inspection frequency, long time between inspections, if the equipment is very good to begin with.

If the equipment is not very good to begin with, that is, it might be expected to fail inside of a year, probably, then you may need a fairly high inspection frequency on it to cut down the time that it could be failed and undetected.

These things -- and I'm not a reliability engineer, but the two numbers I'm telling you about are like A and B to people who understand reliability engineering, and what we're saying here is that it's a different world where if you were going to talk about risk-informing things, we're going to have to put in the effort to do some risk informing and understand risk and reliability.

And I'm just pointing out -- this particular comment here is pointing out that given this situation, it

will be necessary to know information about the surveillance on this IROFS that's depended on, that it will be necessary to know something about its inspection frequency.

We already assume we're going to know something about its failure frequency, but now we're pointing out that we also need to know how long could it be failed without being detected? That's a key component of the reliability assessment.

And that's really all this Item 2 is about. And there is more information there, another paragraph and a table showing, in fact, approximate surveillance periods or frequencies for IROFS that have a particular failure rate goal.

The third item is -- well, it's simply a comment that reviewing two tables, A-1 and A-3, they seem -- there's an index method, there's an index lacking for this outage duration, again, which is typically controlled by surveillance measures, as it says here.

So, we don't know what the answer is because it wasn't there, that that aspect is going to have to be assured by some information provided elsewhere.

Item 4 deals with the guidance in Section 6.1, page 10 on definition of likelihood terms. It says that that section may give the impression that these definitions may not need to be in the ISA Summary, but 70.65 explicitly

requires that information. It says define these terms.

But we do see the required definitions in the example method given in Appendix A. But the particular example definition given for credible, one of the three terms, is in your document, quote, listed as, quote, "expected to occur in the life of the facility."

Now, we don't exactly know what that means. I don't know what that means.

PARTICIPANT: We'll take that definition out of there.

PARTICIPANT: It depends on what the life of the facility is. And, again, this is all discussed in the SRP chapter.

Okay, Item 5, now, goes to your -- I think your examples in Table UD-2, and that column labeled there, Control Parameter Limits.

The comment is that in general such limits as that column labels Control Parameter Limits, really are -- we need them to show safety margins. It appears that your column there doesn't show safety margins, but it shows the distance to a setpoint that is something above normal, but not at the failure limit.

And for certain situations such as reliance on prohibited operations, operator actions, we need to see a large margin between normal operating conditions and the

actual failure limit because that's part of the rational for why the accident is highly unlikely. We're assuming here that you need to show highly unlikely.

So, it would be useful in cases like this where it's included in the safety rationale, that we need to know the failure limit as well as the normal operating limit and some setpoint above that that sort of is arbitrarily chosen for operating convenience.

PARTICIPANT: Tom?

PARTICIPANT: Yes.

PARTICIPANT: That's a little bit tough, because it's not just the failure limit; it's the fact that you know the value of the failure limit and the fact that you know the value of the normal operating condition.

It doesn't necessarily tell you the margin. It's how fast you can move along the curve that tells you the margin of safety and what sequences move you along the curve.

So knowing the failure limit, a perfect example is reactor components. One is a reactor assembly, for example. One is always safe, either water or air, two are never safe.

So is it one or two? So, you move very quickly, so the difference between one and two doesn't seem very great, where you could have a system that's operating at a KG that it takes 20 KGs to make it a problem, but it can

move from one to 20 very rapidly by some scenario.

PARTICIPANT: But we would expect that we would know how you get from one to 20 in the description of the limit, how you got there.

PARTICIPANT: I think the sequences give you that information, even in the absence of the actual parameter value failure limit.

PARTICIPANT: If they give you that information, then it's probably okay.

PARTICIPANT: Okay.

PARTICIPANT: I'll give you an example of where we didn't have information: The very typical limit is this double batching limit, you know? Well, if it's easy for a guy to pick up one bottle, it's pretty easy to pick up two bottles, you know?

If we know that the failure limit is like eight bottles, obviously the guy can't even carry eight, five-pound bottles, or he can't hold them in his arms. That's a very comfortable margin of safety.

But if we don't know that, then -- and you say that double batching is -- that's it, we have a rule that doesn't allow that guy to more than double-batch.

Well, if two and a half batches and you're at criticality, or .98 or something, we aren't going to feel comfortable about that being called highly unlikely. That's

the kind of thing I'm driving at, is that we need to know the margins of safety in those cases where you're going for highly unlikely in, say, a criticality sequence. That's the only point we're making.

PARTICIPANT: Again, you're going to have trouble, because a lot of times the licensee doesn't know the parameter margin. They know that this is safe --

PARTICIPANT: We think you ought to know whether it's going to go critical at two and a half or six.

PARTICIPANT: I think there are few licensees who actually parameterize that all the way out to failure. So, I think that's just a fact or are actually required to.

PARTICIPANT: See, up till now, we haven't been stressing what does unlikely really mean in the double contingency definition?

PARTICIPANT: I'm not debating, I'm just --

PARTICIPANT: Now, it's a new world.

PARTICIPANT: That's just a fact.

PARTICIPANT: We're looking for what does robust mean? What does unlikely mean? That's because the double-contingency principle has never challenged that, and there is a tendency to say we've got two of them; what more do you want?

Well, the definition has always included the terms, unlikely and the fact that unlikely has never ben

probed or may not have been in some cases --

PARTICIPANT: It's been probed ad nauseam.

PARTICIPANT: Well, I know in some cases it has been looked into. Anyway, that's what Item 5 is all about. It's to indicate the failure limit as well as the safety or normal operating limit in a table like UD-2.

Okay, Item 6: There appears to be an inconsistency between the definition of high-consequence event in Section 70.61, and the treatment of intermediate offsite in Table A-4.

I think if you read this, you could probably understand what we're driving at here. It seemed to be an inconsistency in that whereas high-consequence events have to be highly unlikely, it didn't seem that that was coming out of Table -- I believe it was A-4.

Table A-4 treats intermediate events as needing to be only unlikely, but it the table on page 28, these events exceed AEGL-2 for offsite individuals.

Well, offsite -- exceeding AEG-2 drives you into high-consequence events which require highly unlikely. And do you get what we're driving at by that comment? We think you have classified something as needing only to be unlikely when, in fact, it ought to be highly unlikely?

PARTICIPANT: Okay, we'll look at it.

PARTICIPANT: This is only an example.

PARTICIPANT: Yes, but we don't look at Table A-4 as only an example, but rather your sort of saying here's our risk assessment table, and here's the way we would construct it.

If you look at your page 22 on the September 12th issue, I think we're talking about the two center boxes there where the consequence level is intermediate, offsite.

And I think it refers to those two center boxes. Table A-4 treats intermediate offsite as needing to be only unlikely, but in the table on page 28, if you go over to 28 -- oh, I think that here I had a problem.

Okay, at the top of page 28, you see intermediate offsite in a little table up there that says greater than AEGL-2, less than three but greater that two.

And the comment here is that this shows that that offsite intermediate thing then should be required to be highly unlikely.

PARTICIPANT: I think that's a disconnect that we had identified in our example anyway. That was one of the things that --

PARTICIPANT: I guess the question is, these are complete comments, or is Dennis going to --

PARTICIPANT: This is all of our comments that I believe we had on this.

As was said in the beginning here, Item 1, it's,

you know, the structure of the document is pretty good and it contains some useful information on what should be in an ISA Summary. I don't think it tells a lot about how to prepare, but rather what should be in it.

And, you know, you can see it there, that it follows the content requirements of the rule. I look on it as a pretty good outline of what ought to be in there, but then we have these other comments.

I have a feeling we probably could have more dialogue on this. But these are our comments on your latest draft.

PARTICIPANT: I didn't want them to think that we were going to continue to work on it and give them something else later. These are our comments to go back and think about and revise your document as you see necessary.

The other document that you gave us was the change control document. We simply didn't have time to review that in the time that we had available. We are working on a change control guidance document, and we will consider that when we do this.

So hopefully we can talk to you at a later date about that particular document.

The last thing on the agenda, and I believe Tom is prepared to talk about it, is the status of the ISA documents that are current inhouse from licensee -- ISA

summary information that's currently inhouse from the licensees.

PARTICIPANT: Yes, I tried to -- well, I did get a summary review here, not a detailed review, or our status of looking at documents that have been submitted to the NRC in the general term, ISA material.

The NRC has reported to two licensee, NFS and GE, or Global Nuclear Fuels, on materials submitted to them. Of course, there is more to come.

With the publication of Subpart H, we will now have to review material, as you know, on a schedule that's somewhat established by the rule and will be fleshed out by further guidance documents to come.

But as far as the submittals that we have done some reporting on, neither of these were reviewed with respect to Subpart H, and both need considerable work to deal with Subpart H.

One has no address to likelihoods at all. Only one other licensee has submitted something that we would call the ISA Summary or the ISA, and that's BWXT, and we have not reported to them.

That's being scheduled, being worked on, as we speak, and until we get a program established there, I don't want to make a prediction. There is more material to come, as you know. In the license, it talks about April 2001 for

that.

PARTICIPANT: Tom, I think the licensees are looking for feedback from the NRC on where -- how do they measure up against the rule, and get an estimate of what, if any, changes would be needed against the new rule.

PARTICIPANT: Yes, I know.

PARTICIPANT: I think we need to provide the licensees with our schedule for how we're going to provide that, you know, what [Tape side ends mid-sentence.]

PARTICIPANT: By the end of September, will we be in a position to get back and provide at least a schedule for either sitting down with licensees individually and meetings open to the public, or all together to discuss their ISAs?

PARTICIPANT: Well, it will depend on our ability to work out the resource commitments, I am sure.

Have you got any guesstimates on that?

PARTICIPANT: I knew it would come here. No, I will get back to you.

PARTICIPANT: Okay. Can we get back to them by the end of September with, if we don't have a schedule by then, when we will have a schedule?

PARTICIPANT: We will have some preliminary planning probably.

PARTICIPANT: Okay. Because now the clock starts

ticking, or at least soon.

PARTICIPANT: I know.

PARTICIPANT: Yeah. Well, we have quite a number of priority items to deal with.

PARTICIPANT: I know. I know.

PARTICIPANT: I guess that is a question I have for the facilities. Two of the things that I know have been important in the past are the comments on the ISA summaries, but also the ISA plan document, because that is a six month turnaround.

Which do you think would help you the most?

PARTICIPANT: Of which two things?

PARTICIPANT: Those two, developing, you know, the ISA plan information or reviewing the ISA summaries in-house, because both -- I mean that is different information that could help you.

PARTICIPANT: Probably it depends on who you are talking to, because I mean this year we are finishing. I said it probably depends on which one of us you are talking to us, because Global Nuclear Fuel this year is finishing the first round of ISAs for all of the processes. And we will -- we have submitted summaries for everything that we have done up until the work this year. So, obviously, to plan forward with a rule, we are more interested in what do we do to get the documentation squared away than we are, you

know, doing more work. Everybody, I think, has to answer that.

PARTICIPANT: That is why we will get to you as soon as possible on the schedule for a team to go through each of you and discuss that.

PARTICIPANT: Yeah, we can discuss it. I don't know whether you want me to run over that now. It just be better to discuss it with you individually. But my information is a little bit different than what you just said.

PARTICIPANT: How so?

PARTICIPANT: Well, I think maybe what you discuss individually, don't you think?

PARTICIPANT: If nobody else minds, we can talk about it here. I mean --

PARTICIPANT: I just as soon discuss it individually.

PARTICIPANT: Okay. I thought you would prefer that. Okay. That is basically all I have on the licensing status without going into more individual, information on individual licensees.

PARTICIPANT: And that is all we had on the agenda. I will go over our, what I think are the commitments. Does anybody have any other closing remarks or anything else?

PARTICIPANT: I had another item. The folder includes a list of guidance documents.

PARTICIPANT: Yeah, I passed that out yesterday.

PARTICIPANT: Right. And did you discuss it at all?

PARTICIPANT: No. We never got there.

PARTICIPANT: Let's just take a couple of minutes and raise that to your attention. We have for a number of years been working on updating Regulatory Guides, combing Regulatory Guides, modifying them, coming up with new ones. We don't have the resources to simultaneously process all these things. And so this was an attempt to rack out for you what is in the queue.

If you have strong views that we really need to go forward on some of those documents because you are anxiously awaiting receipt of that information, it would be helpful to know that. On the other hand, if you are looking at those guidance documents and you are saying, whoa, you know, from my perspective, if you come out with this document, it is really not going to help me because I think I already have everything in place in this area, that would also be helpful to know.

We will be looking at our own internal resources to accomplish the work. We have been doing that, we will continue to do that. But my guess is at some point some of

these documents will slide over to the hold status until -- if and when we have the resources to work on them.

So we would appreciate your response, not today, obviously, but down the road.

PARTICIPANT: Yeah, I had mentioned that they can send it to Chuck Amy, and he had been looking in the next couple of weeks to get this information and see.

PARTICIPANT: I think a lot of the documents on the front page are actually in Lydia's group.

PARTICIPANT: They are actually in my shop.

PARTICIPANT: Yeah.

PARTICIPANT: So why don't you send it to me, and then I will compile it.

PARTICIPANT: And then the safeguards items fall under Chuck's shop.

PARTICIPANT: Yeah.

PARTICIPANT: Okay.

PARTICIPANT: And I set up the table with -- for you to have comments, but if you have more, that is okay, you can expand.

PARTICIPANT: Is there a timeframe you are looking for that feedback?

PARTICIPANT: Well, they have so many things to do, they are going to be working on the SRP. So let's say between now and November, December, is that okay? November.

PARTICIPANT: We can do better.

PARTICIPANT: You can do better.

PARTICIPANT: We will try to do better.

PARTICIPANT: I know. I am setting the expectations low so that the events are better.

PARTICIPANT: I would just offer, in the way of closing comments, that we really appreciate your commitment of time and energy to review these documents, to come in and discuss them with us. I think, like has been said earlier this afternoon, we benefit from your review.

I think it is often like the saying goes, it is the process where the predominant value is derived, not the actual product. But having said that, there is recognition, as we were talking about yesterday, that, you know, our staff is turning over, your staff is turning over. If we can come to closure on an SRP that will work for the NRC, that you all are reasonably comfortable with, I think it will be a benefit and certainly responsive to our performance goals under a strategic plan.

Our hope and aim is to come up with a document that is practical, that makes sense, that is risk-informed, performance-based, that is responsive to the rule, doesn't impose unnecessary burden and that is -- those are our objectives. So any time you see us going in the opposite direction, please speak up. I am sure you will. But I just

want to say we thank you for your involvement.

Heather, back to you.

PARTICIPANT: All I was going to do is go over the commitments I think that we have made in the meeting. From NRC's standpoint, we committed to, by the end of September, getting you some idea of when we might be able to get you a date on the ISA reviews. So by the end of September, you will have a better idea of our status on that and when we can get together and talk to you about that.

PARTICIPANT: If not the actual dates, then the schedule for getting you the dates.

PARTICIPANT: Yeah. Where we are getting. We are going to continue to work on the change of control and review your change of control document. We did not set a specific date for that. We do have, you know, the Gantt charts that we are working on, and we can talk to you about that, what our plan is for that change of control process, but I don't have that with me right now.

We are going to work on Chapter 3, and get it on the web by the end of September. And I believe we owe you a response on how this new Part 70 rule and this SRP are going to affect your current license. As you brought up yesterday, I believe we owe you a response on that.

From NEI's point of view, Chapter 11 with the principles by mid-October sometime. And you will continue,

I assume continue to work on the ISA summary guidance document.

PARTICIPANT: And we will also provide you feedback by the first of November on the Reg. Guides.

PARTICIPANT: I'm sorry, feedback on what?

PARTICIPANT: On the guidance.

PARTICIPANT: The guidance documents, Lydia's.

PARTICIPANT: I see. Oh, the list of stuff.

PARTICIPANT: Yeah. We want to thank Walt Schrenk for letting us use his afternoon.

PARTICIPANT: Any other closing comments?

PARTICIPANT: Can I just ask a question [inaudible]?

PARTICIPANT: You are not recording. Come to a microphone. Identify yourself because you will be a new voice on the tape.

PARTICIPANT: [Inaudible] use the microphone.

PARTICIPANT: Hell, no.

PARTICIPANT: Okay.

PARTICIPANT: Excuse me. I hope that wasn't recorded.

PARTICIPANT: My recollection is there is 155 Reg. Guides that apply to fuel cycle facilities. 75 percent of them are older than 15 years old. I thought, and I am going back in memory, which I have more senior moments as I get

older, I thought there was a conscious decision NMSS-office-wide to move away from Reg. Guides, and given we have an excellent SRP evolving, that that would take care of it and we wouldn't need to mother 155 Reg. Guides. Is that still the concept?

PARTICIPANT: That is the concept. With resource constraints as they are, it is difficult to make the commitment to convert some of those, all of those Reg. Guides into NUREGs. In some cases what we are looking at is minor updates to the Reg. Guides to reflect new regulatory citations, new technologies which have emerged. The Reg. Guide might be 85 percent sound, but we want to update with that extra 15 percent. In other cases, these actions involve consolidation of the Reg. Guides.

A lot of the Reg. Guides you will see in that list are safeguards related, so they are not even covered by our Standard Review Plan that we have been focused on for Part 70. So for all those reasons, I think what you see here is a continuation of some of the Reg. Guides that are in the queue.

One other thing I should mention is that back when we came up with the master plan for how we were going to update and withdraw, issue new Reg. Guides, we picked up some the responsibility within NMSS for updating the regulatory guidance that applies more broadly than the fuel

cycle facilities, and those include like the ALARA Reg. Guide. Was it Reg. Guide 8.10 or something like that?

PARTICIPANT: Yes.

PARTICIPANT: And so there, there is an agency need for that Regulatory Guide, not just in the fuel cycle area.

PARTICIPANT: Okay. Thanks.

PARTICIPANT: Anything else?

PARTICIPANT: Unless there is nothing else, I think we are finished. Thank you very much for all your effort.

[Whereupon, the morning session concluded.]