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SHILTHELM: This only illustrates the disagreement that permeates throughout this chapter. So we continue through line by line and disagree line by line or not, or we could wear each other out and sometimes we'd agree and not agree just because we're worn out. But the bottom line is we don't agree on a 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 in 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?

SHILTHELM: That's what NEI proposed.

ROCHE: Just the first sentence. 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 or still, to you, that's prescriptive?

SHILTHELM: Yes.

ROCHE: Yes.

SHILTHELM: Or detailed, whichever you wish to call it.

FREEMAN: 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. And 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's supposed to serve. That's what I think we mean by prescriptive.

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

ASTWOOD: And 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 describe, in an application, that we just have a pile of paper on this desk and I can retrieve it in five minutes, I think we would have difficulty in being able to make the determination that that is an appropriate method.

So I think we need to have some information on what it is to make the determination that it's appropriate. And 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 standstill of we can't simply go with we will have a

commitment to do it.

I think we have to make that determination.

FREEMAN: 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.

FREEMAN: Documents will be readily retrievable. Safety documents under the document control system will be readily retrievable. Why? How? Does that matter?

ASTWOOD: If we put this in here, I know NEI is going to come back and say what's the definition of readily retrievable, how quick is that.

COX: Let me suggest a rewording at the front end of this first sentence. Suppose 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.

FREEMAN: I guess I disagree with the listed items. I mean, you have the word in there called the document database. That right alone assumes there is some form of database on your documents, a file cabinet, the old school way of doing it would not have a database.

COX: Would you say you wouldn't have a document database?

FREEMAN: You may not. You may have a document control system that's not database related.

COX: I don't think this database -- these two words data base don't have to be interpreted as a computerized database. This is just a collection of data. It's organized. Are you thinking that that has to be a computer database, the way you're reading it?

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

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

FREEMAN: Retaining all relevant documents. Controlling, retaining, basic principles of the document control system.

COX: Including retaining and controlling all relevant documents. That would be the first item.

FREEMAN: 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.

SHILTHELM: 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've captured all those documents important to safety.

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

SHILTHELM: That's my point, and what you're proposing asks for a list, whether that list be complete or incomplete.

COX: 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 -- how does that require a list?

SHILTHELM: This includes, yada, yada, yada, yada. That's the list we're talking about.

COX: Well, yes, okay. But that's not a list of specific documents. That's a statement by the applicant that our system will pick up design requirements, as-built drawings, specifications.

SHILTHELM: That's a list.

COX: The reviewer will be able to determine 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.

SHILTHELM: Yes, he knows. He'll 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 nauseum of exactly what those documents are in a license application.

ASTWOOD: So it's only the question of whether the things that we've listed here are what you would qualify as important to safety.

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

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

ROCHE: Wait a minute. How would you address, and also what Tom's and Heather's concerns are, to address this with that only one line, because you have to think what we're trying to do this for.

SHILTHELM: Well, I think you're looking at each individual section of this SRP far too narrowly and writing it far too narrowly. There is a section in the SRP on records. Okay. It's 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're making is looking at this --

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.

And 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 and he's going to forget to look at the license application as a whole, and that's -- when I read this standard review plan, that's 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've heard you say those kind of issues before. I think that's 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 there, we can see that these records, we've identified whether this is right or not, are controlled, I mean, that information is there.

So I think that's 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 you don't think needs to be submitted versus information that is going to be found somewhere else. Did I misunderstand that?

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

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

The license can't be considered part by part. It has to be considered as a whole. And our experience, and I know we've repeatedly heard how well our -- our reviewers wouldn't do that. They'll look around in the license and

they'll find this stuff, but that's not been our experience. Our experience has been that when you send a configuration management reviewer to review, pursuant to this standard review plan, 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're going to lead to a list of questions and it's going to be -- it's going to turn into nothing more than creating a road map to say, oh, this is here versus in this configuration management section.

That's been our experience.

COX: Okay. I'd like to address your earlier remarks, that you feel somehow that the material that's now in the document control section that we're now discussing should be covered by records management and a list, you called it a list of records that are in the SRP here, 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.

So 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's an appendix, is an example of the types of records that ought to be kept under the different sections of the entire SRP.

And when it gets to Chapter 11 and 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's still just an example listing. It is only in this area that we're talking about, document control, where that list there is really the specification of the things that are important to CM for the IROFS, and that's why it's there.

SHILTHELM: 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 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, though not mapping one to one, necessarily, in each other, because the final list in the appendix is just an example list, an example.

SHILTHELM: I would contend this is just an

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

COX: Because what?

SHILTHELM: Because I can't imagine it's complete, knowing what I know about what exists at my facility.

COX: I'd be glad to add to it.

SMITH: 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."

SHILTHELM: Okay. So it's an example list, contrary to what Tom just said. It may include.

COX: Then we have two example lists. They're not tied to the description of how you keep the records management system.

ASTWOOD: On three, document control, I don't see the "may."

COX: You don't see what?

ASTWOOD: The "may."

SHILTHELM: "This includes."

COX: Yes. It says "This includes."

SHILTHELM: Saying this is the minimum.

COX: I know, 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.

SHILTHELM: What about criticality safety evaluations? It's not in the list.

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

SHILTHELM: I wouldn't think so. My point is your effort is --

COX: And assessment reports --

SHILTHELM: 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. 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 as within that CM system, how are they going to have anything to review?

SHILTHELM: Going back to what we supposed, the applicant --

COX: They should describe --

SHILTHELM: -- 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 the license and determine that it's acceptable.

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

COX: I understand your comment, and I don't think we're 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'd have good supervision or mentors.

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

SHILTHELM: But our experience, and the prior EDO acknowledged our experience, that this will become 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's not supposed to happen.

SHILTHELM: Well, he acknowledged that it does.

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

SHILTHELM: That's why we don't believe the overly

detailed information that's found its way into this SRP is necessary. I think this is going to continue all day.

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

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

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

SHILTHELM: 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 have always been where the major disconnect exists.

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

SHILTHELM: I'll never use it again. Too detailed, it's overly detailed.

FREEMAN: It's nothing that seems to be going away

from our side.

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 to do and 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'm kind of drawing an analogy to this SRP that, for us, the what to do is okay, but what you're also including in here is really the how to's.

So that your maybe not so experienced reviewer can use the same document to look at the what's, but also the lower level, how. But the problem is, and I understand that, you're 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 that we call it prescriptive because it prescribes what or how we have to do things, not just the what, but how's, and those details. That's where we get -- that's why I think we're at this impasse right now.

ASTWOOD: And we could solve that problem by

saying you have to have an appropriate CM function and I'm putting all this detail in the next document for an appropriate -- you know, when you're doing this review, based on this SRP, an appropriate CM function contains this information.

I mean, that's 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: And it's fair enough that we're talking about it and I think in most paragraphs, or it could be in most paragraphs, we're talking here about what, not how. You see 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're saying look for these topics, these articles, these kinds of documents.

NAGY: 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 holding 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.

And if we're not willing to say that this is the list, absolutely, and maybe you are, but we're not, then I don't think it serves us well.

This is why, on a number of issues, I've made the statement that I think we need to stick with the principles behind it. 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 the -- whatever they call their engineering design specification documents, whatnot, would fit into the right categories.

So maybe talking about what's and how's 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 stop there, then we

wouldn't have the problem.

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

FREEMAN: They may not be relevant.

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

SHILTHELM: It clearly says they're going to capture the documents that are important to safety. If an as-built drawing is not important to safety, who cares?

COX: But you seem --

SHILTHELM: They just won't capture it.

COX: -- about the accuracy of the list. What I'm saying is if the list is incomplete, but is itself, as far as it goes, correct --

NAGY: I'm concerned with the certitude of the list. The fact that we are, by -- we are 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're really not qualifying it very well, and I'm not willing to do that.

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

NAGY: It would be my list the minute you put it

out in the SRP, and that's 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's why I asked if there's anything on that list you would not want to capture in the CM system.

NAGY: I don't know. I'll 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 up front.

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

NAGY: Well, clearly.

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

FREEMAN: You may have alternatives, also.

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

that's the issue.

FREEMAN: 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 RAIs are appropriately 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 it in a license, we expect to get RAIs generated, and that's not a good approach to licensing.

GOLDBACH: 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.

That's where, again, we want to -- 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're heading with this, this is going to require an incredible amount of licensing effort down the road

that's going to add no value.

We raised the point yesterday and it was not addressed, and I think that's also at the heart of the impasse right now.

FREEMAN: It's going to become a defensive effort. The question will be asked and you will defend it. Where is your as-built drawing? Well, I don't have one, but I have field measurements. It will be defensive at every single point. That's what it's 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. Our questions weren't answered.

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's not on something that can be called an as-built drawing.

FREEMAN: Correct. But it may be, if you want -- one issue important to safety is the spacing between two objects and you took a field measurement and that's your important measurement. It's not the as-built drawing. There's a number of ways of alternatives. Your list -- I agree with Steve, also, the list is incomplete. It's 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 consider an alternative that you might propose as an as-built drawing.

FREEMAN: I would have to defend the lack of an as-built drawing.

COX: That's right.

FREEMAN: Rather than --

COX: That would be the thing to do.

FREEMAN: Rather than the reviewer judging the information submitted, as the information submitted.

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

FREEMAN: And that's what the first sentence covers, an acceptable method.

COX: But the reviewer -- well.

FREEMAN: Which is what I would present, an acceptable method.

COX: We present what is an acceptable method. We present what is one acceptable method. That's the whole purpose of the SRP.

FREEMAN: That's fine, but it's pretty prescriptive in the fact that it says "this will include."

ASTWOOD: I understand what you're 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're saying. I just want to throw that out as an observation. I mean, having a CM expert review your CM option could result in him coming up with a punch list on his own of things he thinks are important.

SHILTHELM: I agree with you 100 percent, Heather. I agree with. 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. Suppose that -- let me ask you a question. Suppose that sentence that starts "This includes design requirements," suppose it said, as it once said, "This may include design requirements," and so on and so on, would that make any difference?

NAGY: How about if we just said the documents should include those relevant to the engineering of the plant from design phases through construction and as-builts are something where you're 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's one

engineering type of drawing that aren't in the engineering departments 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're not here to be experts in engineering, but we're here to say what is it we need, what is it you want to know.

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

NAGY: That was my point.

COX: That's been around for a long time.

NAGY: My point was 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.

COX: I think that's the key there.

NAGY: Any list. We need to be guided by what is it we're after in terms of -- what is the reasoning here that we're trying to get. And 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 that the licensee goes through in preparing what they're going to submit to you.

I mean, the licensee may just turn around and submit you exactly this list and not have really thought of what you asked for. That's a danger to everybody here.

ASTWOOD: Along 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 -- would that satisfy you?

SHILTHELM: The words that NEI proposed are perfectly adequate.

ASTWOOD: I understand that.

SHILTHELM: IT captures the documents that are important to safety.

ASTWOOD: I understand that.

SHILTHELM: There's a --

ASTWOOD: And I'm trying to come to a compromise

between the two.

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

SHILTHELM: I never said we agreed with the acceptance criteria.

ROCHE: I know, but you were saying don't put it here. We're putting things in the acceptance criteria and now you're saying, no, it's still item one.

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

You mentioned the streamlining letter. Well, that letter, and what we meant precisely is to diminish the number of RAIs, 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.

FREEMAN: I agree.

ROCHE: And that's all we need. It is in good faith. Now, where we look for alternative language that may satisfy you better, we are not going to come up with a complete list. You may have a better 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's really where we're coming from. I mean, this is not something to make your life impossible, and you said you have all these there.

So we're going to have consistency or everybody being treated the same way, in fairness. That's our goal. When you speak, you sense, oh, I'm afraid of this, I'm afraid of that.

Let's try it, because you even mentioned that you didn't even know what this 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.

SHILTHELM: I agree with what you said, Lidia, but our experience doesn't support that and we had the discussion with the entire staff, up to the EDO, about a year ago as to precisely why we're so concerned about the language in the SRP.

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

That is a fact and that is our experience.

ROCHE: This is your first SRP.

SHILTHELM: We've 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's in this SRP.

ROCHE: I do. I understand what you're saying.

SHILTHELM: Now, we don't have to agree that that will come to pass, but that's our experience.

ROCHE: Why don't we try? Let's go, let's move on. Why don't we try and let's move on on these? 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, to be honest on you as to how you manage your facilities, but, at the same time, satisfying our regulatory needs.

FREEMAN: 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'm sure it is pertinent to my view at this point. If I was an outsider, I would have thought this was --

ROCHE: Let me tell you that part. If it's not complete, we don't mean if it's 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 says I want to do this new process and I'm going to follow every one of your requirements, if they're short one letter or one

conversation or something, or a two-page letter, that's what we're thinking of, and we have gotten those, too.

So you have your experience, we have our experience, and this is what we're trying to do, to come up with some grounds that we both can work.

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

ASTWOOD: Let's work on it and get it close. Don't just sit there and say --

ROCHE: That's what we want to do.

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

ROCHE: That's not what you said yesterday. You said we have a lot of progress --

SHILTHELM: I said on the acceptance criteria. We made progress on the purpose of the review. We're in acceptance criteria now. Two different things.

COX: Well, we went through purpose and areas of review.

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

COX: Do we get agreement that far, until we got this acceptance criteria?

SHILTHELM: I think we're in pretty good shape there.

COX: Okay. I'd like to just ask, because I think -- and I'll tell you in a minute, I think we're going to just get bogged down here. But could we just take five or ten minutes, since things seem not to be going too smoothly here, I'd 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'd 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?

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

I'd like to get a --

NAGY: How about instead of guiding -- "should be limited to a set of guiding principles that assure the effectiveness of the licensee, the licensee's program, to meet the performance requirements of the regulation."

COX: Think about it a while. I can't write that fast. "That assure the effectiveness of" --

ASTWOOD: "The licensee's program."

COX: "The applicant's program."

NAGY: Meet the performance requirements of the regulation, to be more specific, but something like that, which sets sort of the tone of what you're laying out for both the reviewer, but then, of course, in the flip side, as we look at it, what the licensee is trying to do in their license language.

COX: Could we limit it to a set of guiding principles that assure that applicant's function meets the performance requirements?

NAGY: I wouldn't say limited, but that's 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's needed here, what they're looking for the licensee to be committing to, and that the licensee does.

COX: 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've given us of this, essentially the first sentence of a lot of these paragraphs, because you've deleted usually after the first or --

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

COX: You weren't involved in writing this?

NAGY: From what I've seen so far, it does. I'm a

fill-in here, frankly, today. But, yes, 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's -- that you feel what is produced here and given to us dated August 30, that that shows guiding principles and that's what you're all talking about?

SHILTHELM: 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 strawman and I think that filtered -- those guiding principle ideas filtered into a lot of our thinking, but it wasn't an overriding consideration as we worked on this chapter.

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

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

COX: Okay.

FARRELL: 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 so, more recently, we've just tried to just work, of course, superficially, on the version that you gave out most recently.

COX: Well, in some cases, then -- now, 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 at least to 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 and 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've said so far today. However, I do think that I could -- we could continue to work through this CM and maintenance and also perhaps you'd want to try QA and records management and the one other one

that we have.

SMITH: Training and qual.

COX: Training and qualifications. But I think we're going to have problems with procedures and incident investigations and audits and assessments.

So why don't we try to determine what we think is a good way to use the next couple of hours. 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.

ROCHE: Let's move on then.

KILLAR: 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're changing Chapter 3 of the ISA, that's of great interest to us.

COX: Yes. We have those on the agenda. I'm prepared to deal with that. But as you can see, we're moving very slowly on this. So that's why I'm asking. Do we have ideas here or what do you want to do? Do you want to just move to the other things because they're 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. So if those other items are important enough to deal with today, maybe we ought to do that.

SHILTHELM: Maybe we ought to take ten minutes to decide what we're going to do with Chapter 11.

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

So do you want to just caucus for ten minutes or what?

GOLDBACH: I don't see any value to continuing the line by line discussion that we've had. I just think there's -- we're too far apart on some fundamental philosophies. It's, personally, frustrating to me to go through this line by line knowing that there's other higher level issues hanging out there that haven't been addressed.

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

COX: That's a pretty good approach. Let's look for something we agree on.

ROCHE: Let's look at the ones we agree with you on that we have done.

COX: Is that okay with everybody?

SHILTHELM: Yes, we can try that.

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

GOLDBACH: My memory is not always that great, but don'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 --

GOLDBACH: Not the acceptance criteria.

COX: We didn't agree on the acceptance criteria, I don't believe.

SHILTHELM: Well, we did work through examples of license application that kind of focused us in on audits and assessments.

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

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

ROCHE: Yes, okay. Change control.

COX: Looking at change control, I made some modifications here, but, in fact, the NEI document does not -- well, we're not 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 a line, two lines worth.

ROCHE: Which we did.

COX: And we deleted them. But there are some other modifications to the paragraph, I believe. So that's 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?

FARRELL: One issue that several of the industry folks brought to the attention deals with the last sentence of item four.

COX: Oh, yes.

FARRELL: When a change is made according to 70.72, the affected on-site documentation must be made within five working days.

COX: Right.

FARRELL: And 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: No.

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's why this shows up. This is an artifact of the rulemaking.

That's why I had to go back somewhere else to get this resolved.

SHILTHELM: 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 is too much administrativia associated with it to get it done in five days and as hard as we have tried to work at efficiency, it just 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'll have to find out about that and whether or not it applies here, a definition of "promptly from somewhere else."

SHILTHELM: I'll tell you what's important. To think this through a little bit, the important thing is that you update those documents that are going to be used, procedures, training, extremely important.

In fact, they have to be updated and implemented before you affect the change. So those are pre-operational things that have to occur. When you update the ISA summary, it is more a function of how long you can tolerate it not being updated. That changes based on the circumstance. If you've got three or four sequential changes that are going to occur within a month in a particular operation, then there is on real value-added to update the ISA summary four times, when you can wait till all four are done and update it 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 operations stay safe, and those that are important from an administrative standpoint.

VAUGHAN: The important thing there is that you never use information that is not current, accurate or up-to-date in your operations and decision-making. So if

you've made some changes and if there is lag time in the system, as long as that lag time doesn't impact your operations or decision-making, then you should be okay.

COX: We're 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 the actual safety operations because of bad documentation.

VAUGHAN: 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.

NAGY: I think that's what is being said. The norm is that we don't operate things until we get changes made that we know we have a change. So the word "promptly" is kind of irrelevant if you're not running it until you get a change affected, but then 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 would fall into the same definition.

So it gets back to what are you really trying to affect here. You don't want to operate with the wrong information. That needs to be the standard.

ROCHE: We'll take a note on that and get back to you. Let's move on the others.

COX: On number five, assessments, there were no changes recommended by NEI that were not incorporated in this paragraph you're looking at. I think that's a correct statement. So we should be on the same wavelength there.

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

We're now on maintenance. We did list -- we made the change you called for in the first sentence, except I didn't put the number four in there.

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

ROCHE: Yes, and he did.

COX: We have it already. Okay.

NAGY: I should point out that that was sort of done on the back of the envelope yesterday at 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.

The reason being is that there was a couple items in here that basically say, okay, if we find a problem, what are we going to do about it, and that really means, well, when we identify it, are we, in a timely fashion, going to communicate that to all the right parties, including, as

Part 70 requires for certain items, to the NRC and 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's involved in that and I think it might be something we want to at least look at, and I have a number of copies here. 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.

But if you go to page 15 of that document, there is a summary list, summary of principles for effective corrective action program, 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 for -- either in the context of a corrective action program in general, or in following up with any corrective action you might find, like is the case with the surveillance and monitoring here, where you -- how did we respond to an IROF failure or an adverse trend.

COX: I 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's written in here. So how -- what would the license reviewer need to see?

ROCHE: What page are you on?

NAGY: Well, I'm on page 11 of mine.

COX: That's right.

NAGY: It's 11-11.

COX: At the bottom, called surveillance and monitoring.

NAGY: Right. And it says the applicant describes how results from incident investigations, review of failure records, and identified root causes are used to modify the effective maintenance function or eliminate and minimize root cause reoccurring.

What I had hoped most people would do there would be to refer to their corrective action program, because that's how you deal with all these type issues. So to that -- with that line of thinking, I put together the strawman that I gave out saying how you would respond.

COX: We'll do that. I wanted to -- I see something here that's a little bit -- I can see something that 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 how results from incident investigations and identified root causes are used to modify the effective maintenance function, I would end that sentence right there now and eliminate the part that says "and eliminate and minimize the root cause from occurring."

That's not really what is intended to be dealt with here. We're 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.

So I think that entire sentence then would go and then we'd 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're committed to conduct documented surveillances at minimum specified frequencies of IROF preventive maintenance, et cetera.

COX: We would have to either refer to the corrective action program or to incident investigations or to audits and assessments. 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're talking about cross-referencing in both directions anyway.

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

COX: We'll consider that.

NAGY: And in -- I'm sorry, wait. Are we going to talk about corrective action program stuff?

COX: Wait a second. We may. We're now going through maintenance.

NAGY: What's that?

COX: We're now going through maintenance.

NAGY: I understand.

COX: We may get to --

NAGY: It got a little bit of a 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 actions program today at this meeting.

COX: I think what was said was --

NAGY: And 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's where we're going.

I didn't think it was -- well, I guess I did sort

of facetiously say we'll resolve that this afternoon, and I don't know that we may not resolve it this afternoon.

GOLDBACH: We missed the sarcasm.

COX: Well, we can certainly address it.

NAGY: If I could just -- 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 one of the fundamental vital ones, I put two, three, four, five and seven.

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 two 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's a minimum requirement of

this system is that when you have an item relied on for safety failure, that it's going to be kicked directly into the corrective actions program.

Now, that's 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 at all?

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 off 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're 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, that I'll call audits and assessments and incident investigation. We don't have a management measure called corrective actions.

NAGY: Yes.

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

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

COX: We will certainly look at that. Okay. Are we still back on maintenance now?

FARRELL: In that same item number one, surveillance monitoring, the next sentence after the ones you're going to consider for putting in corrective action, says "records showing the current surveillance schedule," that sentence. I'm just wondering now is that something that really needs to be under maintenance or should that be dumped into the records management measure, 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 need to increase the frequency of PM.

NAGY: Unless you're starting new.

COX: Yes.

NAGY: So a priori, necessarily, 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 you're 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. But this addresses times when you have results.

NAGY: I think your surveillance and monitoring, in the strawman I put out there, and maybe it's a little bit too simplistic, but you're looking here for a commitment to conduct documented surveillances. You want a minimum frequency specified for your items relied on for safety and the preventive maintenance functional testing and failure records area, I don't think it helps to get a lot more specific.

COX: Okay.

FARRELL: Could you pass out a copy of your --

NAGY: The strawman thing?

FARRELL: Yes, please.

NAGY: I'm sorry. It's this thing.

FARRELL: This one?

NAGY: It's not much use, but it's just a sentence or two.

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

COX: I'm not sure I understand what you're

saying.

VAUGHAN: I heard a comment a while ago that said that corrective action program wasn't specifically addressed in the management measures.

COX: And you see something under other QA elements that deals with it.

VAUGHAN: In the QA elements, down about number 16, is where it's really the corrective action statements. I think it ought to be -- and it's really a management action and not a QA action necessarily, because it is such a cross-cutting function.

But I'd just introduce that because it really is in here.

COX: Well, we haven't discussed QA yet.

VAUGHAN: I guess that was a marker, that's a flag as to where --

COX: I see the word "corrective." No, I don't see the words "corrective action" under item 16.

VAUGHAN: It doesn't say corrective action.

KILLAR: Actually, it's part of the corrective action program, as the very last sentence on the bottom of the left-hand side.

COX: Yes, yes, yes. I 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.

FARRELL: Why not put that under functional testing? It just seems to be kind of a black sheep.

COX: I believe --

FARRELL: In fact, maybe it's already there.

COX: Well, yes. This is a reminder that under the PM function, 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 the functional testing is required for.

If you found the same thing under functional testing, and I don't see it exactly --

FARRELL: The sentence is in both PM and functional testing. The same sentence occurs on the top of page 11-13, the sixth line down.

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

returning an IROFS.

FARRELL: I'm sorry. I didn't see it, sorry.

COX: So we just mention it in two places. I don't think that's confusing. I think it makes certain that the reviewer doesn't miss it, because it's 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 my understanding, some are editorial and some are important to you, as we've been talking about it. 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, I don't agree, we need principles here, or 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're 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 then.

ASTWOOD: I understand. I just wanted to make sure that we're not --

COX: And in regard to that, under item three, PM, the first comment I considered was -- well, the first couple of comments were essentially editorial and the last comment was one about unnecessary prescription.

License applicant will be saying -- 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." We decided we do not need the rationale.

Okay. Functional testing.

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

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 is 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's all that that NEI document said about that paragraph. Now, it's essentially been taking 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've corrected those things. Are we changing our mind to say, well, it's still too prescriptive or what?

FARRELL: I'd go back to the rewrite of Chapter 11 I wrote about a year ago or 15 months ago, I don't remember, and I think, at that time, that rewrite was a major surgery on this and we pulled all this -- the prescriptiveness out and went with -- tried to emulate the guiding principle concept.

We realized that that was too radical an approach and we backed off. You came out with the version, I think it was July, I can't remember the date, and I said, okay, let's be realistic, they're not going to go the way we think we should be going, let's try to do the best we can. 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 would accept the fact that the statement that we're not standing behind our principles, we tried that once, but we're just now trying to make the best job we can, because time is running out. We've 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're 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, no, I mean, what would you do with this if this comes out and this paragraph on PM is in here the way you see it today, dated September 10?

SHILTHELM: From BWXT's standpoint, if this were my product, I would start over. It's disturbing, and I'll give you an example of why it's 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're getting all the technical detail. Something is dramatically wrong with that picture.

And we went through this Appendix C yesterday and came to some general agreement that it was acceptable. But why does it take four pages to write about what you're going to produce and two pages? That doesn't make any sense. And how can that be a clear articulation of the expectation?

So if we had the time and wherewithal, I would

propose we'd throw it away and start over. I don't know that we have the time or the wherewithal or the energy to do that, and that, I think, is what we're struggling with today, and I'm being perfectly blunt and I'm not blaming anybody for where we are today.

We've all participated in getting where we are today. It's just where we are. And I'm sitting here and I don't know what to do at this point.

ROCHE: Let's move on to the parts where we agree.

COX: Okay.

ROCHE: Shall we?

COX: Okay. We won't call it agreement. We'll just say we're going to go over it. Functional testing. I think we essentially, at least down through their first -- through the comments on 11-16 of the NEI document. I believe we did that.

Now, that's just through the bottom of 11-16, 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 the 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 -- well, the next paragraph in the NRC document is a paragraph that wasn't there before.

NAGY: I've lost you, Tom. I'm sorry.

COX: I'm sorry?

NAGY: Where are you at now?

COX: We are at the NRC document, page 11-13, first full paragraph, administrative controls. That's addressed within the maintenance acceptance criteria and addressed 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.

The reviewer will then have to go to the training and qualification management measure.

Then we come to the paragraph that's headed general acceptance criterion, which is -- you know where it is in the NRC document. It's on page 11-17 of the NEI document.

We think this is useful to reviewers who will assure that -- just so they can assure that appropriate commitments are made. It tells them what to look for, 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. We didn't combine H and I, because H, I believe, I think that H is not necessarily IROFS. Where is H here? H is procedural control of removal of components from service for maintenance and for return to service. We would expect you 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 an IROFS, but you 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 words "as applicable." We deleted a sentence at the end, all as requested.

That's it for that paragraph.

The next paragraph is the same. Well, we put in the word "test." We put in the word "test."

The next paragraph starts "The four maintenance elements." That actually --

KILLAR: I might note that you actually took exception to that in that you didn't have to call out contractors specifically anytime they worked on an IROFS, whether it's the company personnel or contract personnel, the same thing applies and we don't distinguish between contract personnel and company personnel.

COX: We know that company personnel are already covered. This is particularly to address contractor personnel.

KILLAR: Well, if the licensee is responsible.

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

ROCHE: Yes.

ASTWOOD: I have a note that says were thinking about --

ROCHE: We did agree.

COX: We agree.

ROCHE: Yes. We changed the words somehow to reflect what they're saying. So we'll get back to that.

COX: What is it you would like said?

KILLAR: That there's no reason to call out contract --

COX: You want that whole paragraph deleted?

KILLAR: That would be fine. Now, if you're trying to particularly bring up functional testing, you have functional testing covered under three. So I'm not sure what you're trying to do, other than you're trying, I think, to portray the perspective of contract personnel, and we see no difference between contract personnel and company employees when it comes to operations and repairs or what have you to IROFS.

COX: All right. We'll consider deletion of that paragraph. On the next paragraph, that starts "The four maintenance elements," I would be willing to delete that first sentence, even though I have an okay mark here, but it didn't get into the final copy.

Now, we get down now to some material on QA that has been added in here. I think Will can better explain or perhaps more quickly than I could how we added material in two places to make it completely flexible. Is that right? 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. But there are some required QA elements that did not map into other management measures. I mean, parts of the classical 18 criteria.

KILLAR: I have an issue with including the first two of those, 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, maintenance isn't involved in 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 or corrective maintenance and what have you.

So by calling this section out, it almost implies that you don't care about it when you start it up, 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, by putting this in here, what it does for you. To me, it adds confusion as to what your intent is.

COX: I don't see how -- and by the way, I took the suggestion of incorporating one and two into one.

It starts out saying "Inspections and tests are conducted to verify that IROFS conform to specified requirements."

How can that confuse anybody?

KILLAR: Because you've got it under maintenance. When you buy and install an IROF, you have to do inspection and testing to assure that it meets the function. That is not necessarily a maintenance function.

COX: It's a procurement function, I guess.

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

COX: Let me make a note of that and talk about that with a couple people. The point is made that it's already covered under functional testing. That's item one in the new NRC document. Correct?

KILLAR: Yes.

COX: Okay. While there has -- and items two and three -- or three and four in the other document, in the NEI document. Item -- the second to 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.

So that's where we are on that one.

FARRELL: Just a minor point. On number two, the last couple words, you've got an extra preposition in there. You should take out the word "on."

COX: Two in the NRC document, item two?

FARRELL: In the NRC document. Part of maintenance or as part "of" QA.

COX: Yes. I want to leave the "of" and take out the "on." All right. Now, we're into training and qualification. Will, do you want to deal with this and look for parts that we agree on?

SMITH: Right. Pretty much similar to what we discussed yesterday in the area section. One, section one or paragraph one on organization and 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 combinate at least the first part of your comments to the effect that the organization and management of training, the training program, are acceptable if it is organized -- if the -- if it's organized, staffed and managed to facilitate planning, directing, evaluating and controlling a training process that fulfills the objectives, especially where human actions are relied on for safety.

COX: I should point out here, 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 with you areas where it will be revised.

SMITH: Where it's intended to be revised or is proposed right now. There's also a comment regarding the following -- the bottom of page 11-14 -- let's see --

COX: In the NRC document, right?

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

Also, a comment to delete the second item there and fold that in. Basically, one would now read "Responsibility for the content and effective conduct of the training and management of the training program is clearly defined."

ROCHE: Does NEI --

SMITH: And that incorporates basically what the NEI comments were in that area.

NAGY: Can you help me? The last sentence of the paragraph preceding that section we just got into there, how did that end up?

SMITH: That's regarding the application?

NAGY: Yes. The application should state --

ROCHE: They changed it to what you proposed.

NAGY: Not me, and that's why I'm asking.

ROCHE: NEI proposed the application should state

that training will be conducted and the planned procedures for which training will be provided.

NAGY: Is there -- can 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 here?

You're not looking for a list of the different trainings. 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?

SMITH: Yes.

NAGY: 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, it would be clearer to me.

COX: Since the plant positions are being named for which training will be provided, that's the intent, Will?

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

COX: Then all we want is for each plant position, the kind of training that would be provided.

NAGY: Sure, that's fine.

COX: Type or kind.

NAGY: Maybe it's only a clarification for 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 be able to make sure it's linked.

ROCHE: That's fine.

SMITH: And the same listing, number three, there was a comment regarding deleting performance-based and just leaving it training. It would read, right now, according to NEI, training is used as the primary management tool for analyzing, conducting and 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.

ROCHE: You're on number three?

SMITH: Yes.

COX: For clarity, combine one and two.

SMITH: One and two have been combined.

FARRELL: I think I missed a few words there. It doesn't read quite right.

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

SMITH: Number three, which reads "performance-based training."

COX: Yes.

SMITH: They proposed deleting "performance-based" and leaving it "training is used to evaluate training."

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

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

COX: Maybe you want to say just performance is used as the primary management tool for analyzing design.

SMITH: You use the term proficiency elsewhere.

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

KILLAR: Will, explain to us what you are trying to say with number three and maybe we can figure out why we said it was wrong.

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

SMITH: Originally, the latest version, performance-based training is used as the primary management tool for evaluating.

COX: Right.

NAGY: Does that make sense to you, Will? What is performance-based training and how can that be evaluation of training?

SMITH: Performance-based training.

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

SMITH: Yes. You're using the tool.

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

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

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

FARRELL: One of the areas of review is how do you evaluate the effectiveness of the training and I think we made the point of how does the employee perform, his performance as a measure of the effectiveness of the training, and maybe that's what we're trying to express here in the old number three.

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

KILLAR: Delete the based training and say performance is used as a primary management tool for analyzing, designing, developing, conducting and evaluating training.

FARRELL: Or training effectiveness or whatever.

NAGY: What exactly -- 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've trained somebody correctly?

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

SMITH: We will come -- we will revise that item to clearly state what the intent was.

KILLAR: Well, what is the intent? Can you explain what you are trying to do, Will?

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

FARRELL: Back in Section 11.3.3, one of the areas of review was to number eight, this is on the NRC, page 11-5, item number eight was you have to tell us 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 that guy perform his job, and I think that's -- if we map over from the area review onto the acceptance criteria, maybe that's the connection.

NAGY: So on-the-job performance --

FARRELL: Precisely.

NAGY: -- is used as the primary management tool for analyzing, designing, developing, conducting and evaluating training.

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

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 poll 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."

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

NAGY: It must be performance-based, proficiency evaluation is used.

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

understand performance-based training.

COX: Why not just say job performance is used as a tool for analyzing, designing? 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 can certainly use that performance as a tool in evaluating.

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

NAGY: Good. And you took out primary management.

COX: Took out "primary management," put in "a tool."

SMITH: Now, the other items on that list, right now, the other items four through seven, which would be renumbered three through six, we are not proposing any changes to those.

COX: Which four? The four through seven that are part of item one?

SMITH: Right. There were no NEI comments on those.

COX: Okay. I changed the word "system" to "function" after CM. Now we're into that item two analysis and the ID of activities requiring training.

SMITH: 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 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."

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

SMITH: There's 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 that it each -- again, similar to the paragraph above, each activity for which training, initial or continuing, is required for the specific activities.

Before it read "should be matrixed" and there was an objection to that and we're proposing, rather than matrix, something relateable or traceable to supporting

procedures and training materials, and you would have the option of specifying the method or the approach by which you could relate those two.

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."

COX: Period after "schedule?"

SMITH: It continues to the end of that original sentence, ending with job scope.

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

ASTWOOD: Is this in the same line as the how to's that we discussed before?

SHILTHELM: What are we trying to accomplish here? We're trying to teach people how to do their job in relation to the items relied on for safety and what's important to them. That is pretty simple. And then you're trying to evaluate the effectiveness of that and make sure that it's working.

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

SHILTHELM: Yes. That's teaching people how to do their job in relation to items relied on for safety. Tie it

to "in relation to." So if you go items relied on for safety dependent on people, you have to train them. The statement goes backwards as well as forward in that respect.

There's a lot of words here about what the program has to be, but no where is the mission clear in all these words. The mission is lost in the words.

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

SHILTHELM: So why don't we just say where human actions are necessary to assure 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? One sentence.

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

SHILTHELM: 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 one sentence --

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

SHILTHELM: 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 spent fuel.

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

COX: 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.

SHILTHELM: As a licensee, I think that's unreasonable.

WEBER: It's not clear to me what we get out of

the additional text.

KILLAR: What you've done here with that second paragraph under item two is basically set up a process. What you've done is you've set a committee up. The committee is going to be representatives of design, representatives of constructions, 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 then this committee is only going to identify the activities that require training.

And that's what the licensee is going to -- that's 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?

COX: 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.

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

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

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

You don't need to get into that kind of detail. Just as Steve pointed out, it says the training has to be appropriate to the item relied on for safety.

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

WEBER: We're describing how it's to be done, not what's to be done.

KILLAR: Exactly.

WEBER: 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.

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

WEBER: 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.

COX: 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.

WEBER: What is expected here, I believe, is the analysis and identification of activities requiring training. Right? That's the header on the acceptance criterion.

COX: 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.

GOLDBACH: But, again, what that converts to for the licensee is how to do it. Again, this is 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.

WEBER: Because you're concerned that it would be viewed as a requirement, not as a guidance.

GOLDBACH: Right.

WEBER: I think we need to look at what they're proposing and see what we can do. Should we go on?

SMITH: Number three, on page 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 to prevent and mitigate sequences described in the ISA summary," leaving the last sentence, which is -- that's integrating NEI's suggestion.

WEBER: So we're taking your comment.

ASTWOOD: That's right.

NAGY: 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.

WEBER: Are you back on two?

NAGY: Yes. It took me a while 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 not been done.

COX: By simply accepting the comment, I think is your point, does not convert the paragraph into what you think is acceptable.

NAGY: Right. The comment doesn't go far enough. We didn't do a good job commenting on that.

GOLDBACH: Right, less than adequate comment.

NAGY: Yes. Comment LTA.

SHILTHELM: For Mike's benefit, it might help to back up just to what Clifton said earlier. We have 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 probably some good words, as 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 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.

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

SHILTHELM: I don't know. We're far down the road. I don't know. We're trying to fix something --

KILLAR: Actually, Mike suggested earlier that maybe what we ought to do is just start over for this chapter from scratch.

SHILTHELM: I'd back off of start over. I think we agreed yesterday that the --

KILLAR: Well, on the first --

SHILTHELM: -- review areas are probably pretty decent, 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 that --

WEBER: 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, well, why is there overlap between areas of review and acceptance criteria.

We tried to 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.

SHILTHELM: I'm willing to agree that there's probably more meat that can go in the acceptance criteria than is in the areas of review, as we left them yesterday, but not a lot more, and I think this is a lot more. It's dramatically more, ten to one sort of more. Maybe were it two or three to one.

WEBER: That's a beneficial exchange. 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 more from a what are we trying to accomplish, what are the guidelines that need to be here.

NAGY: I think there is 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 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 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 is they use the current procedure to get to where they want to go. In other words, they'll 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.

So perhaps there is a way to use some of what is here, but to 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 section? 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.

FREEMAN: I agree. I think the probability of agreement would be substantially higher if we began with -- I mean, our current licenses, some of them may be inadequate with a single statement that says thou will have a program.

That doesn't remove the fact that each of our programs in-house do have those guiding principles. 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, 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.

I see agreement a lot quicker than breaking down the novel we have in front of us.

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

NAGY: I certainly would be willing to try.

SHILTHELM: I think we have to. If we're going to take that path, we have to commit to doing it and doing it expeditiously.

FREEMAN: Cliff, how does that hold up?

FARRELL: Well, it needs to be revised.

FREEMAN: Substantially?

FARRELL: No, I don't think so.

KILLAR: 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 -- probably warrant the effort to try it again.

KILLAR: Define expeditious. What type of timing are you looking at?

WEBER: Well, my understanding is the rule gets published in the FR next week, now, Monday, we expect.

ASTWOOD: Monday. So it's effective 30 days from Monday.

KILLAR: I would think in a month we would be able to turn around and get back this principle or what I call or quantify from discussion, principles document, and we can sit down and talk about the principles document.

WEBER: That's expeditious.

SHILTHELM: The rule is not really tied to the SRP too much anymore anyway, is it? So there's no -- other than we've all expended a lot of energy and we'd like --

WEBER: 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, that's going to do what it needs to do. It should not impose anymore 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.

COX: What did you say, Mike? That it shouldn't put anymore burden on the licensee than what?

WEBER: Than what's necessary to have us have confidence that there is adequate protection. That's what we've been struggling on and we're approaching it from this way and you're approaching it from that way.

So somewhere in the middle lies the answer.

FREEMAN: Do you currently have that confidence?

WEBER: 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 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.

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.

ROCHE: Bob Freeman brought up the streamlining letter and we discussed that and I think we are in agreement and I think you understand a little better what we want, correct?

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

So until we got agreement here, that letter -- that phrase didn't sit well.

WEBER: It says there is strict adherence to the SRP.

ROCHE: Incomplete applications.

FREEMAN: As much as possible will be used by reviewers.

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

FREEMAN: It does.

NAGY: And what we need to do is 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.

SHILTHELM: And to your question yesterday, now is the time to do it.

WEBER: Absolutely. We don't want to put out an SRP and then a week later say, oh, gosh, what does this acceptance criterion mean, because that won't benefit anybody.

FREEMAN: And I don't think we want to fight it on a one by one basis and just duplicate resources over and over.

ASTWOOD: And just from earlier conversation, I agree that we also have to not leave most of the licensing basis to the inspectors, where performance -- I think the guiding principles need to be specific enough that --

FREEMAN: Agreed.

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

NAGY: It takes a lot of thought to get those to be that, and so it's easier for us to simplify it and over-simplify it, which is what is 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.

ASTWOOD: Right.

NAGY: 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 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, at least come up with a really good first cut at it as an industry, one that you'll be pleased with, I think, and we can all get to rapid resolution from that point on. That would be my expectation.

WEBER: And where you find that there is industry

consensus standards there that you're all using that address these same elements, by all means, raise those, because I think that benefits us.

Actually, we are 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 standard.

FREEMAN: 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.

WEBER: And from our discussions, I also appreciate that you understand that it's not just a very high level commitment. Yes, we'll have a training program. I mean, that ain't going to cut it, because as Tom and Heather and Lidia 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.

ROCHE: In fact, yesterday, when we were discussing the previous sections, Steve many times pointed out 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 perceptive problems.

SHILTHELM: 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.

WEBER: And a good example of that was yesterday when we were talking about procedures and we had said, okay, there's two types of procedures and if you don't have two types, well, then you're wrong.

That wasn't our intent. That was just laying out what --

NAGY: We have six.

WEBER: Then it's three times better. I've been in and out of these discussions this afternoon, obviously, and yesterday some. Did you ever discuss the general comments that were on the front of the Chapter 11 strikeout text?

COX: No, we did not.

WEBER: Given the hour, 20 of four, 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?

COX: There are a couple of items on the agenda that we haven't gotten to yet that they wanted to -- I think they wanted to get to. That will probably take at least a half an hour.

WEBER: What's your pleasure? Do you think we got the gist of the general comments? I mean, correcting technical, grammatical, editorial errors, no problem there. 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.

Reducing redundancy between the individual sections, we just talked about that a little bit in terms of comparing the areas of review and 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?

ASTWOOD: Left on the agenda are ISA summary documents and NRC's revision of Chapter 3. Those are the two things that are left over. You had mentioned specifically our Chapter 3.

COX: What would you like to do first?

WEBER: Chapter 3.

ASTWOOD: I think that's in your packets, also, isn't it?

NAGY: Heather, could you remind some of us that may not be as attuned to this process what is the status of Chapter 3?

WEBER: I think that's what we're going to discuss.

ASTWOOD: Yes.

NAGY: Okay. Is it like Chapter 11, it's still being edited?

ASTWOOD: Still being edited and we have, in your packets, I believe it's in your packets, comments -- no, that's the ISA summary.

KILLAR: I didn't see anything on Chapter 3.

ASTWOOD: It continues to be worked on. You have sent in comments recently. We need to look at that. However, based on the ranking of what was important for 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.

COX: I have a summary here. Essentially, Chapter

3 has been changed so far in four substantive ways and there are 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 -- July 20, you received only a draft of Chapter 11.

There are essentially four change areas that I'm going to review here. The first one had to do with the use of N-sub-H, N-sub-I and the likelihood definition section. If you remember that, we're talking now about Section 3.4.3.2, item seven.

WEBER: What's N-sub-H and N-sub-I?

COX: I'm going to get to that.

WEBER: Okay.

COX: Item seven in that section was approximately page 3-15 in that copy and these are the number -- N-sub-H are the number of high consequence accidents expected in the industry, N-sub-I is the number of intermediate consequence accidents expected in the industry.

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 a number of accidents in the industry.

Well, we've got six or seven industry participants

and we don't know the sum of those kinds of accidents until we see the results from the ISA.

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 was written based on those numbers.

WEBER: To clarify this point, the number of the intermediate is less than the number of high events.

COX: 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 seven, 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 points out that you'll 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.

SHILTHELM: I'm sorry, Tom. You want us to select quantitative guidelines for what?

COX: For -- well, at the very bottom of the tier of quantitative selections, it starts you have these index numbers and the matrix tables I have seen, you've got like minus one's and minus two's, minus three's, or one's, two's,

three's, four's in various places.

We want table two or three says, in appendix -- in the 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 a hundred 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 kind of accidents that would occur in the industry.

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

SHILTHELM: So when you get -- when, as an industry, we identify 10,000 sequences that could result in a high consequence event.

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

SHILTHELM: So that means an evolving definition of highly unlikely.

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

SHILTHELM: What happens if we build a MOX plant? Do each of us have to --

COX: Then there will be better estimates.

SHILTHELM: 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.

COX: You mean because we're adding on a MOX plant as another set of --

SHILTHELM: Because we're adding accident sequences that could -- and each of them are highly unlikely.

COX: 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 we 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.

SHILTHELM: What is the agency's position on that, Mike?

WEBER: Well, I think Tom has described it as something that's under consideration by the risk group. Clearly, you can't impose a requirement that as the number of facilities changes, although you can change the rigor of the controls, because that doesn't make sense.

But yet I think from a risk perspective, which is

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

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

SHILTHELM: But how does that relate to making accident sequences highly unlikely?

COX: When you work back through the numbers, as represented in Chapter 3, by the way, you'll see that that's how we come up with the ten-to-the-minus-five for highly unlikely given a thousand high consequence sequences in the industry.

SHILTHELM: That seems to be making policy rather than SRP issues.

COX: The SRP has to interpret what is set out for us.

SHILTHELM: The rule hasn't set a policy to interpret.

COX: We have Commission documents that say --

SHILTHELM: It says highly unlikely.

WEBER: That's right.

SHILTHELM: 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.

COX: 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.

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

COX: We think they are, because the definition of the double contingency principle in ANS -- what is it -- 8.1 or something, it 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.

SHILTHELM: The rule should say that, if that's the rule, shouldn't it? I'm not trying to back up here, but

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

KILLAR: I don't think you've thought this through completely, because as the criteria, as you've established it and the way you're interpreting it, gives some real problems, as Steve already pointed out. With the creation of a MOX facility, if you include it in this as a Part 70 facility, now what you've done is you've -- 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 shut down ABB-Combustion Engineering facility, then Westinghouse has the ability to be not as risky as they used to be, because now they have more freedom.

WEBER: That's why our risk group is looking at this whole issue.

COX: 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.

KILLAR: The rationale you're portraying right now leads us to that analogy. Now, maybe that's --

COX: That's where we are right now. In other words, you keep brining 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. It's all done in big hot cells.

KILLAR: So criticalities are acceptable if they're in a hot cell.

COX: Criticalities what? No, no. I didn't say they're acceptable, but --

KILLAR: Oh, okay.

COX: -- a lot safer than ones in a vessel sitting out on the floor.

ASTWOOD: I'll make sure the risk people that are working on this get a copy of this transcript and point out your statements and your concerns.

COX: 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 eight, 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 six, quantitative standards for chemical consequences, and it's dealing with the language, again, that talks about what could endanger life or 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 want to include exposures that would result in death for average and susceptible persons, but not for hyper-susceptible persons, which is consistent with the way the AEGLs are defined.

They deal with average and susceptible people, but not hyper-susceptible, 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 in -- it was an editorial change that accepted and as 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'll 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.

ASTWOOD: Did you -- I might have missed it -- state that we were going to put this on the web when we were done?

COX: It is. I thought I said that.

KILLAR: Do you have an idea about when -- what the expectations are?

COX: Well, I've asked for about the end of this month, which is only a couple of weeks away. I think we can do that.

WEBER: So we're going to post a revised draft of Chapter 3 of the standard review plan by the end of September.

COX: Right.

WEBER: 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?

COX: The rationale is laid out in Chapter 3 in that section 3.4.3.2 under quantitative guidelines.

WEBER: Okay.

COX: Okay. That was Chapter 3. If you want, we can go to the summary guidance document, ISA summary guidance document. You do have a handout on that.

ASTWOOD: Yes.

COX: So do I.

ASTWOOD: Comments on September draft of NEI industry guidance document.

COX: Yes. The first paragraph of attachment one, comments on the September draft, it's 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.

The text of the document, your current draft, which I guess is September 12, 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.

KILLAR: 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.

COX: I guess we'll assume that the license application changed material or added material will be available at the time the ISA summary is.

KILLAR: Right.

COX: Now, going to item two, 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 or ISA documentation at the site.

And then it refers 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 that -- 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 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 failed and perhaps had

been failed for some time, and we expect that you will probably have some idea of how long it was 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 are we -- a reviewer 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'll need that information in order for the staff reviewer to evaluate the adequacy of the IROFS.

KILLAR: We have a real problem with that.

COX: I'm sorry?

KILLAR: I say I have a real problem with that, because 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?

COX: If you have no better information than that, then that's all you know at the time.

KILLAR: Right. And that's not acceptable.

COX: We don't think it's acceptable either. If

it's --

KILLAR: You have to give us a reasonable standard. You have to give us a reasonable standard, and that's not a reasonable standard.

If I've got to guesstimate when this thing went out of service, we have to have a reasonable standard.

COX: If you don't inspect the thing but every six months, then it could be that it would be failed for six months and that's one of the numbers that goes into a reliability determination.

In other words, this 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 is the likelihood of not --

KILLAR: But if we've been inspecting something for six months for the last eight years and you've never had a -- every time you inspected it, it was always functional, it was always what have you, it always met its criteria and stuff, but then three months later, you had a failure, you mean we have to say, well, gee, because 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. You have to have some reasonable --

COX: 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 are saying is very good, that's 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 are -- 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 this particular comment is pointing out that in this situation, it will be necessary to know information about the surveillance on this IROFS it's dependent on, it would be necessary to know something about its inspection frequency.

We already assume we're going to know something about its failure frequency. But we are 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. That's really all this item two 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 -- it's simply a comment that reviewing two tables, A-1 and A-3, they seem -- there is an index method, there is 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, and that aspect is going to have to be assured by some information provided elsewhere.

Item four deals with the guidance in section 6.1, page 10, on definitions 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, listed as, quote, "expected to occur in the life of the facility."

Now, we don't exactly know what that means.

KILLAR: We'll take that definition out of there.

COX: It depends on what the life of the facility is, and, again, this is all discussed in the SRP chapter.

Okay. Item five now goes to your -- I think your examples, table UD-2 and that column labeled there controlled parameter limits. The comment is that in general, such limits as that column labeled 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 set point which is something above normal, but not at the failure

limit.

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 rationale 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, we need to know the failure limit, as well as the normal operating limit, and some set point above that that's sort of arbitrarily chosen for operating convenience.

SHILTHELM: Tom, 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 -- reactor assemblies, for example, one is always safe, whether it's in 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.

COX: 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.

SHILTHELM: I think the sequences give you that information even in the absence of the actual parameter value failure limit.

COX: If they give you that information, then it's probably okay.

SHILTHELM: Okay.

COX: I'll give you an example of where we didn't have information. The very typical limit is the double-batching limit. Well, if it's easy for a guy to pick up one bottle, it's pretty easy to pick up two bottles.

If we know that the failure limit is like eight bottles, obviously the guy can't even carry eight five-pound bottles, 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 are 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. 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 this is making.

SHILTHELM: Again, I think 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.

COX: We think you ought to know whether it's going to go critical at two and a half or six.

SHILTHELM: I think there are a few licensees who actually parameterize that all the way out to failure. I think that's just a fact.

COX: Up till now, we haven't been stressing what does unlikely really mean in the double contingency definition. Now it's another world.

SHILTHELM: It's just a fact.

COX: We're looking for what does robust mean, what does unlikely mean, 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 been probed or may not have been in some cases.

SHILTHELM: It's been probed ad nauseum.

COX: I know in some cases it has been looked into. Anyway, that's what item five 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.

Item six appears to be an inconsistency between the definition of high consequence event in Section 70.61 and the treatment of intermediate off-site in table A-4. I think if you read this, you probably understand what we're driving at here. That 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 in the table on page 28, these events exceed AEGL-2 for off-site individuals. Well, off-site -- exceeding AEGL-2 drives you into high consequence event, which requires highly unlikely.

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.

SHILTHELM: We'll look at it. This is only an example.

COX: Yes, but we don't look at table A-4 as only an example, but rather sort of saying here is our risk

assessment table and here is the way we would construct it.

If you look at your page 22, on the September 12 issue, I think we're talking about the two center boxes there, where the consequence level is intermediate off-site, and I think it refers to those two center boxes.

Table A-4 treats intermediate off-site as needing to be only unlikely, but in the table on page 28, if you go over to 28 -- I think here I had a problem. Okay. At the top of page 28, you see intermediate off-site and a little table up there that says greater than AEGL-2, less than three, but greater than two.

And the comment here is that this shows that that off-site intermediate thing then should be required to be highly unlikely.

VAUGHAN: I think that's a disconnect we have identified in our example anyway. That was one of the things that --

ASTWOOD: I guess the question these are complete comments or is Dennis going to --

COX: This is all of our comments that I believe we had on this. As was said in the beginning here, item one, 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.

You can see it there, follow 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.

ASTWOOD: I didn't want them to think 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 currently in-house from licensees, ISA summary, information that's currently in-house from the licensees.

COX: Yes. I tried to -- well, I did get sort of a summary review here, not detailed review, of our status of looking at documents that have been submitted to the NRC in

the general term of ISA material.

The NRC has reported that two licensees, NSF and GE, or Global Nuclear Fuels, on materials submitted to them. Of course, there's 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 likelihood 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.

WEBER: Tom, I think the licensees are looking for feedback from the NRC on how do they measure up against the rule and get an estimate of what, if any, changes would be needed.

COX: Yes, I know.

WEBER: Against the new rule. I think we need to provide the licensees with our schedule for how we're going to provide that, what's our process, how fast are we going to get back to them, so that they're in a position to do their own internal planning.

I'm sure they'd all like us to get back and say no changes are needed. Some may be that way and some may be not that way. But can we, 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?

COX: That will depend on our ability to work out the resource commitments, I'm sure. Have you got any guesstimates on that?

ASTWOOD: No. We'll get back to you.

WEBER: 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?

COX: We'll have some preliminary planning.

WEBER: Because now the clock starts ticking, or at least soon, and --

COX: We have quite a number of priority items to deal with.

WEBER: I know, I know.

ASTWOOD: I guess that's 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 current ISA summaries, but also the ISA plan document, because that's a six-month turnaround. Which do you think would help you the most?

COX: Of which two things?

ASTWOOD: Those two, developing the ISA plan information or reviewing the ISA summaries in-house, because both of those -- I mean, that's different information that could help you.

VAUGHAN: It probably depends on who you're talking to, because this year we're finishing. It probably depends on which one of us you're talking to, 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've done up until the work this year.

So, obviously, to plan forward with a rule, we're more interested in what do we do to get the documentation squared away than we are doing more work. Everybody I think has to answer that.

ROCHE: That's why we will get to you as soon as possible on the schedule and discuss that.

COX: We can discuss it. I don't know whether you

want me to run over that now. We better discuss it with you individually. But my information is a little bit different than what you just said.

WEBER: How so?

ROCHE: I think maybe we should discuss it individually, don't you think?

COX: If nobody else minds, we can talk about it here.

SHILTHELM: I'd just as soon discuss it individually.

COX: I thought you would prefer that. Okay. That's basically all I have on the licensing status, without going into more individual information on individual licensees.

ASTWOOD: And that's all we had on the agenda. I'll go over what I think are the commitments. Does anybody have any other closing remarks or anything else?

WEBER: I had another item. The folder includes a list of guidance documents.

ASTWOOD: Yes, I passed that out yesterday.

WEBER: And did you discuss it at all?

ROCHE: No, we never got there.

WEBER: Let's just take a couple minutes and raise that to your attention. We have, for a number of years, been working on updating regulatory guides, combining

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's in the queue. If you have strong views that we really need to go forward on some of those documents because you're anxiously awaiting receipt of that information, it would be helpful to know that.

On the other hand, if you're looking at those guidance documents and you're saying, whoa, from my perspective, if you come out with this document, it's 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've been doing that, we will continue to do that, but my guess is that, 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.

ASTWOOD: I had mentioned that they could send it to Chuck and he would be looking in the next couple weeks to get this information.

WEBER: I think a lot of the documents on the front page are actually in Lidia's group.

ROCHE: They are actually my shop's. So why don't you send it to me and then I'll compile it.

WEBER: And then the safeguards items are found at Chuck's shop.

ROCHE: Yes.

WEBER: Okay.

ROCHE: And I set up the table for you to have comments, but if you have more, that's okay. You can expand.

WEBER: Is there a timeframe you're looking for that feedback?

ROCHE: Well, they have so many things to do. They're going to be working on the SRP. So let's say between now and November, December, is that okay? November? You can do better? And setting the expectations low so that the --

WEBER: 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's often like the saying goes, it's 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 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 our strategic plan.

Our hope and aim is to come up with a document that's practical, that makes sense, that is risk-informed, performance-based, that's responsive to the rule, doesn't impose unnecessary burden, and that's -- those are our objectives.

So anytime you see us going in the opposite direction, please speak up. I'm sure you will, but I just want to say we thank you for your involvement.

Heather, back to you.

ASTWOOD: All I was going to do was go over the commitments I think that we had made in the meeting. From the NRC 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'll have a better idea of our status on that and when we can get together and talk to you about that.

WEBER: If not the actual dates, then the schedule for getting you the dates.

ASTWOOD: We're going to continue to work on the

change control and review your change control document. We did not set a specific date for that. We do have the charts that we're working on and we can talk to you about that, what our plan is for that change 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'll, I assume, continue to work on the ISA summary guidance document.

KILLAR: We'll also provide you feedback by the first of November on the reg guides.

COX: I'm sorry. Feedback on what?

KILLAR: The guidance documents, Lidia's and --

COX: The list of stuff.

ASTWOOD: We want to thank Walt Schwink for letting us use his afternoon.

WEBER: Any other closing comments? You're not recording. Come to a microphone.

SCHWINK: My recollection is there's 155 reg guides that apply to fuel cycle facilities, 75 percent of them are older than 15 years old. I thought, and I'm 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?

WEBER: That's the concept. With resource constraints as they are, it's difficult to make the commitment to convert some of those, all of those reg guides into NUREGs. In some cases, what we're 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 it with that extra 15 percent.

In other cases, these actions involve consolidation of the reg guides. A lot of the reg guides you'll see in that list are safeguards related, so they're not even covered by our standard review plan that we've been focused on for Part 70.

So for all those reasons, I think what you see here is the 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 and issue new reg guides, we picked up

some of 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, Reg Guide 8.10 or something like that.

So there is an agency need for that regulatory guide, not just in the fuel cycle area.

SCHWINK: Okay. Thanks.

ASTWOOD: If there's nothing else, I think we are finished. Thank you very much.

[Whereupon, at 4:31 p.m., the meeting was concluded.]