

From Rich B  
6/8/99

**PUBLIC MEETING ON DECOMMISSIONING**  
**INDUSTRY COMMENTS AND SUGGESTED RESPONSES**

1. Staff is not "following the process" agreed upon with the commission. Not involving industry.
  - A. Staff has completed our preliminary study; now it is time to document our preliminary results and get industry (and public) comment.
2. Staff has "missed an opportunity" to move the process along by taking advantage of existing analyses such as NUREG 1353. Did not account for industry analysis based on NUREG-1353. Did not account for Seabrook PRA for shut down plants. Instead staff has started from scratch, redefined the methods and assumptions, and thereby set back progress.
  - A. NUREG 1353 applies to an operating reactor with all the redundancy and diversity of equipment. The current staff preliminary analysis models plants as we found them. Staff did not find out about Seabrook PRA until a couple of weeks ago.
3. Staff has used highly conservative methods and assumptions in their PRA. In cases where there are 120 hours available for operator action, staff should assume the operator succeeds.
  - A. Staff did a best-estimate PRA based on the information we gathered from site visits and other information. The numerical results can be improved by industry if they:
    - Provide more accurate information on existing plants
    - Make commitments for how future plants will be decommissioned.Regarding the success of operator actions given 120 hours, we credited the operator with succeeding 9,999 times out of 10,000. This is reasonable in the absence of procedures.
4. The staff has not defined acceptance criteria. Should go back to existing guidance such as Reg Guide 1.174.
  - A. Staff is working on the application of Reg Guide 1.174 safety principles and criteria. This effort is not far enough along to share with the public.
5. The staff's schedule for releasing information is too slow (August, 1999). Staff should release their PRA assumptions so that industry can start to respond.
  - A. Staff will speed up the release of our preliminary report (July, 1999). We will not release parts of it earlier, as this would tend to discredit the credibility of the study.
6. Staff's T-H analysis is unduly conservative.
  - A. This is true. Staff did bounding T-H analyses in hopes that it would yield favorable results. Now that we know it won't, we need to go back and sharpen our pencils and develop guidance on plant characteristics which mitigate the T-H results.
7. Industry needs interim guidance. We cannot wait for a three year rulemaking.

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A. Staff could commit to work with stakeholders to develop interim guidance under 50.12. This could occur starting in January, after completion of the independent technical review and the feedback from stakeholders.

In the meantime, near term cases such as Oyster Creek could be handled on a case-by-case basis.

8. Staff cannot take and hold a position. You have used different criteria for every plant exemption you have granted. Now you have raised the issue of whether fitness-for-duty applies, whereas you previously told us it did not.

A. The whole purpose of this exercise is to tie down our regulatory approach once and for all.