

July 10, 2001

DOCKET: Project 690

SUBJECT: SUMMARY OF PUBLIC MEETING ON LICENSE RENEWAL RULEMAKING

On June 28, 2001, the U.S. Nuclear Regulatory Commission (NRC) staff met in Rockville, Maryland, to gather comments from stakeholders on whether it is appropriate to revise the license renewal rule (10 CFR Part 54), "Requirements for Renewal of Operating Licenses for Nuclear Power Plants." The Commission requested in its August 27, 1999, Staff Requirements Memorandum (SRM), responding to SECY- 99-148, *Credit for Existing Programs for License Renewal*, that the staff "prepare a detailed analysis and provide recommendations to the Commission on whether it would be appropriate to resolve generic technical issues, including any credit for existing programs, by rulemaking." A copy of the SRM is enclosed as Attachment 1. A list of meeting attendees is provided in Attachment 2. Staff presentation materials are provided in Attachment 3.

The staff presented an overview of the license renewal rule (10 CFR Part 54) and discussed the license renewal guidance documents which consist of a Generic Aging Lessons Learned (GALL) report, an updated Standard Review Plan for License Renewal (SRP-LR), and a Regulatory Guide that endorses an industry guide (NEI 95-10, Rev. 3) on the contents of a renewal application. The staff discussed SECY-01-0074, *Approval to Publish Generic License Renewal Guidance Documents* and SECY-99-148 that provided a summary of the options outlined in the paper, summarized efforts taken to address the Commission direction outlined in the SRM, and summarized the staff experience regarding implementation of the license renewal rule.

The staff discussed the Advisory Committee on Reactor Safeguards (ACRS) comment that, although not required by rule, an applicant should be encouraged to include the results of the scoping process in their applications (Attachment 4). The staff indicated that the guidance documents could be improved further to address this comment or that the license renewal rule could be revised to add this as a requirement. Because this information was included in all the applications received to date and the staff inspected on-site documentation as part of the scoping review, industry representatives did not believe it would be necessary to revise the rule for this purpose.

The staff sought comment on whether it is beneficial to codify the GALL report in the license renewal rule. The industry indicated that additional effort would be required, while the benefits might be limited because many applications might be nearly complete before the GALL rulemaking could be completed. The industry indicated that they were satisfied that the GALL report could be addressed through implementation. The industry also commented that codifying programs might affect public confidence because it would take away information normally contained in an application from the public's review. The industry added that codifying programs would also make it difficult to make changes later on as technology advances.

NEI representatives stated that the industry did not believe rulemaking was necessary at this time. They further indicated that the license renewal process was reasonable, stable and predictable. (NEI letter of June 4, 2001, to the NRC is provided as Attachment 5.) In addition, NEI indicated that the effort to risk inform Part 50 (Option 2) could be accommodated in the existing 10 CFR 54.4 language and no Part 54 rulemaking would be necessary.

The participants discussed the information in a June 26, 2001, Union of Concerned Scientists (UCS) letter (Attachment 6). This letter contained the UCS comments that the rule should be revised to (1) subject the gaseous and liquid radioactive waste systems to an aging management review because their failure could potentially cause excessive releases of the radioactivity to the environment, (2) provide explicit criteria defining acceptable minimum standards for aging management programs, and (3) deal with one-time inspection surprises. The staff indicated that UCS submitted a May 3, 2000 petition for rulemaking related to radwaste systems with respect to the license renewal rule scope (Part 54) and the environmental impact conclusions (Part 51), which reflected comment (1). The staff response to the first concern will be dispositioned through the petition.

Chris Grimes summarized UCS comments (2) and (3), along with general comments from other public interest groups, in terms of public confidence in the license renewal process. He agreed that it would be useful to clarify how the ten attributes, discussed in the SRP-LR, of an effective aging management program are determined to be effective, particularly as it relates to operating experience, either in an enhancement of the guidance documents or directly in Part 54. Regarding one-time inspections and aging degradation observed during operation, the staff indicated that GALL identifies components for which the staff would accept a one-time inspection that would verify the absence of an aging effect warranting an aging management program or identify the existence of an aging effect for which the corrective action process would determine the appropriate programmatic needs. The staff similarly agreed that it would be useful to clarify the reliance on one-time inspections in either the guidance documents or the rule. UCS had also commented, in relation to the one-time inspections, that licensees with renewed licenses would "cry backfit" if such future inspections reveal the need for changes to aging management programs. The staff noted that, consistent with the Commission's reliance on the regulatory process to establish the requirements in Part 54, when future operating experience identifies the need for changes to aging management programs the staff would expect the plants' quality assurance process to decide those changes. If the NRC concludes that a more demanding program change is warranted for the GALL standard, then the backfit procedure would be the appropriate method for resolving the difference. In the operating experience cited in the UCS examples, six of eight events involved active components. The NRC staff should determine whether UCS believes that the operating experience demonstrates the need for aging management programs for active components.

In relation to public confidence in the license renewal process, Chris Grimes noted that several public interest groups had expressed concerns about the hearing process. The Commission recently issued proposed changes to the adjudicatory process for public comment. Those proposed changes would permit an informal hearing process for license renewal. Public interest in the hearing opportunity will be addressed in that rulemaking and not as part of this effort.

The meeting participants were asked whether there were any other potential rule changes that should be considered, and there were none. The staff expressed its appreciation to all of the parties who contributed comments and participated in the meeting. The staff explained that the purpose of the meeting was not to decide whether or how to change the renewal rule, but to ensure that the range of interests could be clearly identified in a staff recommendation to the Commission. The staff noted that the ACRS briefing on license renewal rulemaking is scheduled for July, 11, 2001, at 1:00. The staff encouraged anyone interested to notify the ACRS if they wish to comment, in accordance with the Federal Register notice for that meeting.

/RA/

Raj K. Anand, Project Manager
License Renewal and Standardization Branch
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

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Raj K. Anand, Project Manager
License Renewal and Standardization Branch
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

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J. Johnson

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B. Boger

D. Thatcher

G. Galletti

B. Thomas

J. Moore

R. Weisman

M. Mayfield

A. Murphy

W. McDowell

S. Droggitis

S. Duraiswami

RLSB Staff

A. Thadani

R. Zimmerman

C. Julian

R. Gardner

D. Chyu

M. Modes

J. Vora

cc:

Mr. Joe Bartell
U.S. Department of Energy
NE-42
Washington, D.C. 20585

Mr. Richard P. Sedano, Commissioner
State Liaison Officer
Department of Public Service
112 State Street
Drawer 20
Montpelier, Vermont 05620-2601

Mr. Douglas J. Walters
Nuclear Energy Institute
1776 I Street, N.W., Suite 400
Washington, DC 20006-3708
DJW@NEI.ORG

National Whistleblower Center
3238 P Street, N.W.
Washington, DC 20007-2756

Mr. Stephen T. Hale
Florida Power & Light Company
9760 S.W. 344 Street
Florida City, Florida 33035

Mr. Frank Gregor
ASME Nuclear Codes & Standards
LCM Engineering
2103 Otter Court
Tarpon Spring, Florida 34689

Mr. Barth W. Doroshuk
President and Chief Operating Officer
Constellation Nuclear Services, Inc.
Calvert Cliffs Nuclear Power Plant
1650 Calvert Cliffs Parkway
Lusby, MD 20657

Mr. Gary Leidich, Vice President
Institute of Nuclear Power Operations
700 Galleria Parkway
Atlanta, GA 30339-5957

Mr. Robert Gill
Duke Energy Corporation
Mail Stop EC-12R
P.O. Box 1006
Charlotte, NC 28201-1006

Mr. Charles R. Pierce
Southern Nuclear Operating Co.
40 Inverness Center Parkway
BIN B064
Birmingham, AL 35242

Mr. David Lochbaum
Union of Concerned Scientists
1707 H Street, NW
Suite 600
Washington, DC 20006-3919

Mr. Garry Young
Entergy Operations, Inc.
Arkansas Nuclear One
1448 SR 333 GSB-2E
Russellville, Arkansas 72802

Mr. Mark P. Oncavage
12200 S.W. 110th Avenue
Miami, Florida 33176-4520

Ms. Joette Lorion
13015 SW 90 Court
Miami, Florida 33176

Ms. Susan L. Hiatt, Director
Ohio Citizens for Responsible Energy
6275 Munson Road
Mentor, OH 44060-2406

Mr. Roger A. Newton
Assistant to the Manager – Industry and
Strategic Issues
Wisconsin Electric Power Company
P.O. Box 2046 (Room P128)
Milwaukee, WI 53201

Mr. Andrew C. Kadak, President
American Nuclear Society
555 No. Kensington Ave.
LaGrange Park, IL 60526

Mr. Dave Horvath, Chairman
IEEE Working Group 3.4
Advent Engineering Services, Inc.
24 Frank Lloyd Wright Drive
Lobby A
P.O. Box 555
Ann Arbor, MI 48106-0555

Mr. Charles A. Zalesiak, Chairman
ACI Committee 349
Virginia Power
1538 Westshire Lane
Richmond, VA 23233

Dr. Edwin Lyman, Director
Nuclear Control Institute (NCI)
1000 Connecticut Ave, Suite# 410
Washington D.C. 20036

Mr. Brian Erler, Chairman
ACI/ASME Joint Committee 359
Sargent & Lundy
55 E. Monroe Street
Chicago, IL 60601

Mr. John J. Carey
Electric Power Research Institute
3412 Hillview Ave.
P.O. Box 10412
Palto Alto, CA 94303

Mr. Nestor Lawankiv, Director
of Engineering
American Institute of Steel Construction
(AISC)
One East Walker Drive, Suite 3100
Chicago, IL 60601-2001

Mr. Paul Gunter, Director
Reactor Watchdog Project
1424 16th Street, NW
Suite # 601
Washington, DC 20036

ATTENDANCE LIST
JUNE 28, 2001

PUBLIC MEETING ON LICENSE RENEWAL RULEMAKING
(10 CFR PART 54)

	<u>NAME</u>	<u>ORGANIZATION</u>
1.	Raj Anand	NRC/NRR/DRIP/RLSB
2.	Brooke Poole	Winston & Strawn
3.	Nancy Chapman	SERCH/Bechtel
4.	Deann Raleigh	US Scientch
5.	Roger Huston	Licesning Support Services
6.	Jenny Weil	McGraw Hill
7.	William P. Evans	Southern Nuclear
8.	John Rycyna	Constellation Nuclear Services
9.	Alan Nelson	NEI
10.	Doug Walters	NEI
11.	David Solorio	NRC/NRR/DRIP/RLSB
12.	Jay Collins	NRC/NRR/DE/EMCB
13.	Joe Carrasco	NRC/NRR/DRIP/RLSB
14.	Chang-Yang Li	NRC/NRR/DSSI/SPLB
15.	Jerry Dozier	NRC/NRR/DRIP/RSLB
16.	Matt McConnell	NRC/NRR/DE/EEIB
17.	Jim Strnisha	NRC/NRR/DRIP/RLSB
18.	Sam Lee	NRC/NRR/DRIP/RLSB
19.	Rani Franovich	NRC/NRR/DRIP/RLSB
20.	Peter I. Kang	NRC/NRR/DRIP/RLSB
21.	Rob Taylor	NRC/NRR/DSSA/SRXB
22.	Rob Elliot	NRC/NRR/DSSA/SPLB
23.	Chuck Hsu	NRC/RES/DET
24.	Steve Hoffman	NRC/NRR/DRIP/RLSB
25.	Geary Mizuno	NRC/OGC
26.	Chris Grimes	NRC/NRR/DRIP/RLSB