

December 19, 2001

MEMORANDUM TO: Cynthia Carpenter, Chief  
Risk Informed Initiatives, Environmental, Decommissioning, &  
Rulemaking Branch  
Division of Regulatory Improvement Programs, NRR

FROM: Joseph L. Birmingham, Project Manager/**RA**  
Risk Informed Initiatives, Environmental, Decommissioning, &  
Rulemaking Branch  
Division of Regulatory Improvement Programs, NRR

SUBJECT: SUMMARY OF DECEMBER 18, 2001, MEETING WITH NUCLEAR  
ENERGY INSTITUTE ON IMPLEMENTING GUIDANCE FOR NFPA 805

On December 18, 2001, Nuclear Regulatory Commission (NRC) staff met with representatives of the Nuclear Energy Institute (NEI) and industry to discuss NEI's draft outline of guidance for implementation of National Fire Protection Association (NFPA) standard NFPA 805, "Standard on Performance-Based Fire Protection for Light Water Reactor Electric Generation Plants." The meeting attendees are listed in Attachment 1. Presentation material from NEI is in Attachment 2.

After introductions were made, John Hannon, of the NRC, started the meeting by recognizing the NEI effort in developing the outline. He noted that adoption by licensees of the risk-informed and performance-based approaches in NFPA 805 would allow the NRC and industry to better focus their resources for fire protection requirements. He made the following three observations:

1. The implementation guidance should focus on the plants adopting NFPA 805 and not contain guidance for plants choosing not to adopt NFPA 805.
2. If NEI 00-01 is determined to be a valid performance-based and risk-informed circuit analysis methodology, then it may be considered for inclusion in NFPA 805 implementation guidance.
3. Both the NRC and NEI must work towards ensuring that there is a schedular confluence of the rulemaking and the implementation guidance development efforts.

Fred Emerson, of NEI, noted that it was the intent of NEI to include guidance on the use of tools in NFPA 805 for all plants including those not adopting NFPA 805 and that the topic would need further discussion. Mr. Emerson then distributed the slides for his presentation of the overview of the outline. He covered the principal points in the outline which were:

- Licensing process
- Configuration management issues
- Relationship with other regulatory guidance
- Interpretations/guidance for NFPA 805 (appendices)

Mr. Emerson then asked for comments on the outline. The staff contributed several comments and observations:

- Joseph Birmingham asked how the licensees planned to transition to NFPA 805. Doug Brandes stated that licensees would assess the costs versus benefits of adopting NFPA 805. If adoption was beneficial, licensees would likely develop transition plans with milestones and end dates at which time plant-wide compliance with NFPA 805 would be achieved. He did not speculate on the duration of those transition plans.
- Eric Weiss stated that the implementation guidance should include quality assurance features for the implementation of the fire protection analyses and also configuration management/records retention guidance. The personnel performing technically complex analyses (such as fire modeling and risk analysis) and the processes under which those analyses are conducted should meet stringent quality requirements. NEI agreed and felt that there were existing plant provisions for this type of qualification and the outline provided for guidance on the topic.
- Leon Whitney stated that the records retention requirements should result in ease of inspector auditability because NRC did not plan for an *a priori* review and approval of licensee NFPA 805 configurations. NEI felt that the outline provided for guidance on the topic.
- Leon Whitney noted that the proposed draft rule language does not endorse the standard's appendices and that the appendices are not part of NFPA 805 requirements but are for information only. Licensees will need to submit the alternative methods and analytical approaches which are in the appendices to the NRC for approval (under Section 4(i) or 4(ii) of the draft rule language). NRC observed that it may be possible to approve them in the regulatory guide endorsing the implementing guidance.
- The staff led a discussion on the status of items in the docketed licensing basis versus items that had received NRC review and approval. The staff indicated that items submitted on the docket but not specifically reviewed and approved were subject to the normal inspection process and not "grandfathered" when a licensee transitioned to NFPA 805. NEI believes that docketed items not taken exception to by the staff are acceptable. The staff disagreed and NEI indicated that the subject needed further discussion.
- Eric Weiss stated that the implementation guidance should describe a change control process for changes made when implementing NFPA 805 so that incremental changes in risk etc. would not be overlooked (e.g. change review at the level of a Plant Operations Review Committee). NEI and the licensees indicated that the plants had existing requirements for change control.
- The staff led a discussion as to whether licensees would (1) be required, (2) need or (3) want to submit identification of existing features that the licensees want to "bring forward" into a new NFPA 805 licensing basis for NRC "approval" before commencing the transition process. The group agreed that it would be in the interest of both the licensee and the NRC to submit this type of information. The NRC pointed out that there was no requirement in the proposed NFPA 805 draft rule language to identify such features.

After discussing the staff's comments, Fred Emerson asked for the staff's overall view of the outline. Eric Weiss said that it appeared to be very complete and, with clarification of the NRC comments, was a good beginning for the implementing guidance. The role of the appendices and the use of tools for plants not adopting NFPA 805 in particular needed to be discussed.

Fred Emerson stated that the preliminary implementation guidance outline referred to "current licensing bases" and "compensatory measures" in the context of existing plant features which must be reviewed as part of a licensee's NFPA 805 "baselining" process when preparing for transition. Leon Whitney stated that an understanding of the definition of "current licensing bases" needed to be achieved. This understanding is needed so that there is agreement on what approved and/or current licensing basis information can be brought forward into the new NFPA 805 licensing basis and what analytical requirements will need to be met with respect to that information. This definition may affect what information the NRC needs to review when approving transition to NFPA 805.

Fred Emerson said that NEI wishes to have substantive discussions with the staff before beginning to write the implementation guidance in March, 2002. The staff said it would provide comments on the implementation guidance outline by January 3, 2002. The staff plans to meet with NEI on the "big ticket" outline issues January 16, February 5, and February 26, 2002. The topics to be discussed would be based on the NRC's comments and as subsequently developed.

Having completed discussion of the implementing guidance outline, the meeting was adjourned.

Project No. 689

Attachments: As stated

cc w/atts: See list

**Attendees for December 18, 2001  
Meeting on NFPA 805 Implementing Guidance**

<b>NAME</b>	<b>ORGANIZATION</b>
A. Marion	NEI
F. Emerson	NEI
D. Brandes	Duke Energy
D. Ferraro	Winston & Strawn
S. Trubatch	Foley & Lardner
C. Sinopoli	Exelon-Peach Bottom
B. Thomas	PSEG Nuclear
T. Furlong	Nuclear Services Organization
J Weil	McGraw Hill
L. Hay	SERCH Bechtel
D. Raleigh	Sciencetech LIS
Roger Huston	Licensing Support Services
S. Morris	NRC/OEDO
J. Hannon	NRC/NRR/DSSA
E. Weiss	NRC/NRR/DSSA/SPLB
L. Whitney	NRC/NRR/DSSA/SPLB
J. Birmingham	NRC/NRR/DRIP/RGEB
S. Wong	NRC/NRR/DSSA/SPSB

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SMorris, EDO	JBirmingham	JHannon	NSiu AHSia

\*See previous concurrence

DOCUMENT: G:\RGE\JLB\MSUM-NEW\MSUM NEI NFPA 805 Imp Guide 12-18-01.WPD

OFFICE	DRIP/RGEB	DSSA/SPLB	DRIP/RGEB
NAME	JBirmingham	EWeiss	SWest
DATE	12/19/01	12/19/01	12/19/01

Official Record Copy

cc: Mr. Alex Marion, Director  
Engineering  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Mr. Fred Emerson, Manager  
Engineering  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Mr. Anthony Pietrangelo, Director  
Risk and Performance-Based Regulation  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Mr. Jim Davis, Director  
Operations  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Ms. Lynnette Hendricks, Director  
Licensing  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708