

August 27, 2002

ORGANIZATION: Nuclear Energy Institute (NEI)

SUBJECT: SUMMARY OF MEETING HELD ON JUNE 25, 2002, TO DISCUSS
INSPECTIONS, TESTS, ANALYSES, AND ACCEPTANCE CRITERIA
(ITAAC) IMPLEMENTATION ISSUES

The Nuclear Regulatory Commission (NRC) held a public meeting with NEI on June 25, 2002, at NRC Headquarters to discuss ITAAC implementation issues. A list of attendees is provided as Enclosure 1. The meeting agenda is provided as Enclosure 2.

NEI provided handouts during the meetings which can be accessed through the Agencywide Documents Access and Management System (ADAMS). This system provides text and image files of NRC's public documents. The handouts mentioned above may be accessed through the ADAMS system under Accession No. ML021780270. If you do not have access to ADAMS or if there are problems in accessing the handouts located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdrc@nrc.gov.

Prior to the meeting NEI provided a white paper regarding ITAAC implementation in a letter dated November 20, 2001 (ADAMS Accession Number ML020070338). The staff's response to this letter is documented in a letter dated June 4, 2002 (ADAMS Accession Number ML021550137). The agenda for the meeting contained in Enclosure 2 references the comments from NRC's June 4, 2002, letter. Highlights from the meeting follow.

10 CFR 52.99 Federal Register Notices (FRN)

The staff stated that it does not agree with NEI's interpretation of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 52.99. Specifically, the staff does not believe that 10 CFR 52.99 requires it to make separate ITAAC findings and publish these in the Federal Register. NEI took an action item to resolve its issue with the interpretation of 10 CFR 52.99 through the proposed draft rulemaking for 10 CFR Part 52.

ITAAC and Sign-as-you-go (SAYGO) finality

There was a general discussion of the process to be used for the NRC to make its ITAAC interim conclusions and when and under what criteria they could be revisited. NRC stated that it would consider publishing a general description and principles that would be used for determining when ITAAC interim conclusions would be revisited or withdrawn. This discussion would also include the NRC's expectation that it would normally expect the licensee to withdraw an ITAAC conclusion if new and significant information called into question the licensee's ITAAC conclusion.

The staff also stated that it intended to use the process outlined in SECY-94-294, "Construction Inspection and ITAAC Verification," to develop an inspection plan so that inspection findings can be systematically made. A table in this SECY paper provides an example inspection plan for the advanced boiling water reactor high-pressure core flooders that delineates activities and components for constructing a safety system, arranges them in matrix format by inspection, and lists the guiding inspection procedures. NEI stated that it had comments regarding the table and stated that it would provide the staff with these comments.

The staff and NEI also discussed the SAYGO process. The staff's position is outlined in its June 4, 2002, letter to NEI regarding the issue. NEI had similar questions regarding the finality of the NRC sign-offs relative to this process.

Engineering Design Verifications (EDVs)

The timing of the EDVs was also discussed. Consistent with the comments provided in the June 4, 2002, letter, the staff stated that ideally it would expect to perform the majority of the inspections associated with EDVs before a combined license (COL) is issued. This assumes that the detailed design information is available at this time. NEI and the staff had a discussion of when the inspections could start with NEI stating that it could start when the detailed design work was essentially complete. NEI took an action item to describe to the staff what it means by essentially complete design information. The staff took an action item to consider how it will address EDVs that cannot be performed prior to the COL issuance because the detailed engineering has not yet been performed.

Other Action Items and Future Interactions

NEI asked if the staff had any additional comments on its draft white paper. NEI was particularly interested in any additional feedback regarding Section 6 of its paper, "Preoperational Finding Process and Hearing Opportunity." The staff stated that it provided comments when there was general agreement within the NRC on an issue but not necessarily all of its comments. The staff took an action item to let NEI know if it had any more detailed comments on Section 6 of the paper.

The staff and NEI agreed to consider the best course of action to identify and resolve issues associated with ITAAC implementation. In the short term, additional meetings will be held to clarify and identify the issues. In the longer term, an informational or policy SECY paper to the Commission is being considered.

/RA/

Joseph M. Sebrosky, Senior Project Manager
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Office of Nuclear Reactor Regulation

Project No. 689

Enclosures: As stated

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Meeting
With the Nuclear Energy Institute
June 25, 2002

Attendance List

NRC

Jim Lyons, NRLPO
Tom Bergman, NRLPO
Joe Sebrosky, NRLPO
Jerry Wilson, NRLPO
Antone Cerne, Region I
Jerry Blake, Region II
Ron Gardner, Region III
Chuck Paulk, Region IV
Bob Prato, IIPB
Tom Foley, IIPB
Geary Mizuno, OGC
Bob Weisman, OGC

NEI

Russ Bell
Ron Simard

Other Interested Attendees

Steve Frantz, Morgan Lewis
Charles Brinkman, Westinghouse
Kenneth Hughey, Entergy
George Zinke, Entergy
Eddie Grant, Exelon
Ben George, Southern Nuclear
Cal Reid, Bechtel
J. Alan Beard, General Electric Nuclear
Energy
Joe Hegner, Dominion
Roger Huston, Licensing Support Services
Mike Schoppman, Framatome ANP
Lane Hay, SERCH
Roman Feldman, DOE
Tom Miller, DOE
Deann Raleigh, LIS, Scientech

**Meeting with NEI to Discuss Inspections, Tests, Analyses
and Acceptance Criteria (ITAAC) Implementation**
June 25, 2002
Agenda

1:30 pm	Introductory Comments	NRC/NEI
1:40 pm	Discussion of selected items from NRC June 4, 2002 letter regarding ITAAC implementation (see below)	NEI/NRC
1:40 - 3:30 pm	Public will be given the opportunity to comment after the end of one discussion topic and before proceeding to the next topic	
3:30 pm	Discussion of next steps	NEI/NRC
3:45 pm	Summary	
4:00 pm	Adjourn	

NEI Proposed Discussion Topics:

1. 52.99/Federal Register Notice (FRN) process (NRC Comments 2, 5, 7, 21, 22 from June 4, 2002, letter)
 - Apparent staff distinction between 52.99/FRN process and independent NRC assessment of ITAAC completion
 - Appropriate finality of ITAAC sign-offs by NRC
 - "Higher standard" for ITAAC sign-offs vs. routine inspection reports
 - Nature of staff's post-construction recommendation to the Commission on the status of ITAAC completion
2. Sign as You Go (SAYGO) Process (NRC Comments 3, 4, 12-16)
 - Objectives of SAYGO process (NRC and industry)
 - Appropriate "finality" of SAYGO sign-offs by NRC
3. Engineering Design Verification (NRC Comments 17-18)
 - Defining an early EDV milestone
 - Difference between EDV and ITAAC/DAC
4. Transition to operation (NRC Comments 30, 32)
 - License conditions on power operations
5. Other clarifications/discussion (time permitting)
 - 30-day target for completion of NRC ITAAC verification process (NRC Comment 23)
 - "It will be incumbent on the licensee to demonstrate that such staff identified deficiencies do not invalidate an ITAAC" (NRC Comment 24)
 - Materiality of ASME welder qualification (NRC Comment 29)