

October 9, 2002

MEMORANDUM TO: Christopher I. Grimes, Program Director  
Policy and Rulemaking Program  
Division of Regulatory Improvement Programs, NRR

FROM: Peter C. Wen, Project Manager */RA/*  
Policy and Rulemaking Program  
Division of Regulatory Improvement Programs, NRR

SUBJECT: SUMMARY OF SEPTEMBER 12, 2002 MEETING WITH NUCLEAR  
ENERGY INSTITUTE ON TOPICS RELATED TO THE EMERGENCY  
PREPAREDNESS CORNERSTONE OF THE REACTOR OVERSIGHT  
PROCESS

On September 12, 2002, a publically observed meeting was held between the Nuclear Energy Institute (NEI), industry representatives, and NRC staff at NRC headquarters. The meeting attendees are listed in Attachment 1. The meeting agenda included the following topics:

1. Introductions and Opening Remarks
2. Draft Revision to Inspection Manual Chapter 0609, Appendix B, "Emergency Preparedness Significance Determination Process"
3. Frequently-Asked-Questions (FAQ) 29.5, in the Drill and Exercise Performance Indicator Opportunity
4. Public Input

Industry provided comments for NRC consideration on the proposed draft revision to Inspection Manual Chapter 0609, Appendix B, "Emergency Preparedness Significance Determination Process" (Attachment 2). The presentation of industry comments followed the outline provided as Attachment 3, "SDP Draft Topics for Discussion". This input will be considered by the staff for incorporation into the draft SDP revision.

NEI and industry representatives expressed concerns regarding the staff response to FAQ 29.5. NEI did not believe that the FAQ response was the proper mechanism for identifying regulatory requirements. NRC staff maintains that the inclusion of the regulatory requirements in FAQ 29.5 is necessary to properly understand the response.

During the public input portion of the meeting, NEI presented changes to NEI 99-01, "Methodology for Development of Emergency Action Levels" associated with EAL's HU3, HU4 and HA3 (Attachment 4) and desires to have them considered while seeking the staff endorsement of the document.

Having completed discussion of the agenda items, the meeting was adjourned.

Project No. 689  
Attachment: As stated  
cc w/att: See next page

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Division of Regulatory Improvement Programs, NRR

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Division of Regulatory Improvement Programs, NRR

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**\*See previous concurrence Attachment 2: ML022810342 Attachment 3: ML022810330**

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Nuclear Energy Institute

Project No. 689

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**NRC/NEI MEETING ON EMERGENCY PREPAREDNESS CORNERSTONE  
OF THE REACTOR OVERSIGHT PROCESS  
LIST OF ATTENDEES  
September 12, 2002**

<u>NAME</u>	<u>ORGANIZATION</u>
Randy Sullivan	NRR/DIPM/IEHB
Bruce Musico	NRR/DIPM/IEHB
Robert Kahler	NRR/DIPM/IEHB
Alan Nelson	NEI
Thomas C. Houghton	NEI
Martin Vonk	Exelon
Scott McCain	Exelon
Timothy East	Wolf Creek
Deann Raleigh	Sciencetech
Lori A. Tkaczyk	Entergy - VY
Cuntley Hayes	Entergy - South
Ernestine M. Kuhr	Duke Energy
Mark Lemke	Diablo Canyon
Walter Lee	Southern Nuclear
John Stephenson	FPL
John B. Costello	Dominion

**NRC/Industry SDP Meeting  
SDP Draft Topics for Discussion  
September 12, 2002**

**Clarification of Definitions**

1. Added Program Elements
2. Weakness
3. Knew or Should Have Known
4. Time of Discovery
5. Critique
6. Planning Standard Function
7. Capitalized Defined Terms throughout document

**Section 3: FAILURE TO IMPLEMENT**

1. Modifications to Sheet 2 - Consistency with definitions
2. Recommend replacing Criteria Section
3. Has EPPOS' been replaced by RIS? IN Notice References replaced with appropriate regulation references.

**Section 4: FAILURE TO COMPLY:**

1. Modifications to Sheet 1 - Consistency with definitions
2. Comments:
  - Use of Approved Plan to clarify Table B-1 references
  - General Application of Time of Discovery
  - Regulatory Basis for Single Siren Criteria (5)
  - Regulatory Basis for News Center Performance criteria (7)
  - Eliminated Performance Criteria (Actual Event or PS(14) from other PS' (e.g.: 7,10)
  - Application of Facility/Equipment Design Guidance to Operational Performance (8)
  - Didn't understand discriminators between W/G findings for dose projection functionality? (9)

**Section B(14): Drill and Exercise**

- Discussion of Critique Methodologies clarified

**Section 5: Corrective Actions**

- Resolution of Other Drill/Exercise Performance Weakness (5.2)
- Clarification of non DEP Failure Criteria (5.3)

**Open Discussion/Action Items**