

January 7, 2003

MEMORANDUM TO: Ledyard B. Marsh, Deputy Director  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

FROM: Donna Skay, Senior Project Manager, Section 1 */RA/*  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF MEETING HELD ON OCTOBER 23, 2002, BETWEEN  
THE U.S. NUCLEAR REGULATORY COMMISSION (NRC) STAFF AND  
INDUSTRY LICENSING ACTION TASK FORCE

Members of the staff of the NRC hosted a meeting with representatives of the Nuclear Energy Institute (NEI) and licensees comprising the Licensing Action Task Force (LATF) on October 23, 2002, at NRC Headquarters in Rockville, Maryland. This meeting was open to the public. A list of attendees is provided as Attachment 1.

The topics discussed included: (1) possible improvements in the processes for handling licensing actions related to the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code); (2) status of the initiative to reduce unnecessary regulatory burden; (3) guidance on submittal of power uprate applications; (4) 102% steady state power limit; and (5) miscellaneous process issues. A summary of these discussions is provided below:

1. ASME Code Case Issues

a. Standard Format for Relief Requests

NEI stated that the White Paper, "Standard Format for Licensing Action Requests Submitted Pursuant to 10 CFR 50.55a, Codes and Standards" had been issued to the industry for its use. NEI indicated that the White Paper may be modified as necessary based on the industry's experience.

b. ASME Code Case Process

NEI stated some of their concerns with the current process of endorsing ASME Code Cases, primarily that it is not timely. NEI also voiced their concern that the NRC does not have a champion within management to drive this issue. The staff indicated that NRR has a champion: Gene Imbro and would identify an Office of Research counterpart.

The NRR staff stated that changes to the regulation that would resolve some of the concerns would not be a candidate for direct final rulemaking because we anticipate comments from the public. NEI proposed that, if the NRC pursued a rulemaking which may take up to 2 years, some interim measures should be identified to improve the timeliness of the process. These measures may include: (1) a Regulatory Information Summary (RIS) that would identify to

industry the code cases that have been approved, or (2) generic relief that would apply to a group of plants.

NEI and the NRC agreed to hold a separate public meeting, to which ASME will be invited, to discuss the various interim options.

## 2. Reduction of Unnecessary Regulatory Burden

Bill Ruland presented the status of the staff's efforts to reduce unnecessary regulatory burden.

NEI presented a new consolidated list of regulations that they would like to see addressed through the burden reduction initiative. This list identifies five changes that they recommend be included in a pilot program. NEI identified industry leads for each of the pilot items as listed below:

1. Peak clad temperature - John Huffnagel
2. Financial reporting requirements - Mike Schoppman
3. Shift Technical Advisor - Edward Weinkam
4. Monthly Operating Report - Pedro Salas
5. Offsite Review Committee - Scott Bauer/Getachew Tesfaye

The NRC leads for each of these items will work with the NEI leads to develop an action plan. NEI indicated that they would like to have monthly calls with the NRC staff to discuss status. The next five pilot items will be discussed at a future LATF meeting.

## 3. Power Uprates

NEI and the NRC staff discussed the possibility of developing a White Paper with guidance on submitting applications for measurement uncertainty recapture power uprates. NEI would also like the NRC to develop guidance for its staff on reviewing these applications. The NRC stated that the industry could use the D.C. Cook, Unit 2 application, submitted on October 17, 2002, as a model. NEI will verify that the D.C. Cook, Unit 2, application addresses all of the requests for additional information that were issued for the Unit 1 review and will use this as a boilerplate. The NRC staff agreed to develop some internal guidance and report back to NEI on the staff's actions.

## 4. 1.4% Power Uprate and Impact on Power Operation

Gabe Salamon presented PSEG's interpretation of RIS 2002-03 which provides guidance on the content of measurement uncertainty recapture (MUR) power uprate applications. Prior to the use of improved instrumentation for measuring power level, an indication of 100% power could be anywhere in the range of 98%-102%. Therefore, the inspection procedure (IP 61706) states that it is permissible to exceed the full, steady-state licensed power level by as much as 2% for as long as 15 minutes. Use of the CROSSFLOW instrumentation reduces the uncertainty to 0.6% resulting in an actual power level ranging from 99.4% to 100.6%. RIS 2002-03 states that licensees who have received the MUR uprate should revise their operating procedures related to temporary operation above full steady-state power to reduce the magnitude of the allowed deviation to a lower value corresponding to the new uncertainty value. The concern is that there is now an inconsistency between the IP and the RIS. The NRC staff

proposed an option of creating a limiting condition for operation within the technical specifications (TSs) to specify a range for maximum power level. This would only be pursued by the NRC if enough licensees committed to apply for a TS change. NEI proposed that the NRC revise the RIS to be consistent with the IP. NRC staff agreed to review the RIS and IP and reconcile the differences. In the interim, the staff recommended that licensees address this issue when they apply for a MUR uprate and indicate whether they are committing to the guidance in the RIS.

#### 5. Process Issues

- Requests for Additional Information  
NEI questioned the staff on its method of tracking RAIs. This will be discussed at a future LATF meeting.
- Safety Evaluations (SEs)  
NEI stated that they are not seeing a reduction in the length of SEs as expected based on issuance of the Office Instruction. NEI questioned if the hours charged per SE are comparable. This will be discussed at a future LATF meeting
- Availability of licensing instructions  
NEI would like to see licensing instructions available on the NRC webpage. NRC indicated that they would pursue this with NEI's assistance to determine what would be most useful to put on the webpage.

Attachments: 1. List of Attendees  
2. Meeting Handout

cc w/atts: See next page

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LICENSING ACTION TASK FORCE MEETING

OCTOBER 23, 2002

LIST OF ATTENDEES

<u>NAME</u>	<u>ORGANIZATION</u>
Bill Reckley	NRC/NRR/DLPM
Herb Berkow	NRC/NRR/DLPM
Donna Skay	NRC/NRR/DLPM
Bill Ruland	NRC/NRR/DLPM
John Lamb	NRC/NRR/DLPM
Mohammad Shuaibi	NRC/NRR/DLPM
L. Raghavan	NRC/NRR/DLPM
Mike Schoppman	NEI
James Fiscaro	Duke Energy
Dale Wuokko	First Energy/BWOG
Pedro Salas	TVA
Getachew Tesfaye	Calvert Cliffs Nuclear Power Plant
Alex Marion	NEI
Pete Kokalakis	Entergy Nuclear Northeast
Robert Hill	CP&L
Edward Weinkam	Nuclear Management Company
Charles Brinkman	Westinghouse
Jerry Voss	Excel Services
Kent Halac	PSEG Nuclear
Patricia Campbell	Winston & Strawn
Nancy Chapman	SERCH/Bechtel

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and Chief Nuclear Officer  
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