

January 23, 2003

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

FROM: Joseph L. Birmingham, Project Manager */RA/*
Policy and Rulemaking Program
Division of Regulatory Improvement Programs, NRR

SUBJECT: SUMMARY OF JANUARY 15, 2003, MEETING WITH NUCLEAR
ENERGY INSTITUTE ON FIRE PROTECTION ISSUE MANAGEMENT

On January 15, 2003, Nuclear Regulatory Commission (NRC) staff met with representatives of the Nuclear Energy Institute (NEI) and industry to discuss fire protection issue management processes. Those attending the meeting are listed in Attachment 1.

After introductions, Suzanne Black and John Hannon, of the NRC, briefly discussed the status of NEI 00-01 on circuit analysis and indicated that potentially licensees would need a license amendment or exemption to adopt it. They followed this with a discussion of the value of plants adopting NFPA 805 which would allow licensees to evaluate the effect of using NEI 00-01 as part of their fire protection program and, under the guidance of NFPA 805, licensees may be able to implement NEI 00-01 without a license amendment. They also discussed the possibility of the NRC applying an inspection moratorium during the implementation of NFPA 805 including suspension of the triennial inspection. Fred Emerson, of NEI, agreed that this could encourage licensees to adopt NFPA 805 as it would allow them to focus their fire protection resources on the NFPA 805 implementing adoption process.

Mr. Emerson then began the body of the meeting by stating that the purpose of the meeting was to identify fire protection issues and the processes to manage them but not to resolve the issues at this meeting. He noted that some of the issues arise from NRC inspection. However, experience has shown that there is a learning curve that inspectors go through particularly when there is a change of inspectors at a site. This is due, in part, to the fact that licensees typically have varying license conditions and exemptions at different sites. Licensees find that they often need to resolve issues that were previously addressed. He stated that issues also arise from new technical information and changes in when a license amendment is required. He pointed out that there is a difference in the way industry identifies issues and the way NRC identifies issues. He discussed the fact that each have different methods for managing new issues and proposed that the NRC and industry have periodic meetings to compare issues and to exchange information on priorities and to discuss emerging issues or trends in fire protection.

He indicated that the industry fire protection working group had discussed that it is difficult to know when an issue is resolved and considered closed. An NRC staff member asked if the issues were entered into licensees' corrective action programs (CAP) and then reach a point considered to be closed. Industry agreed that this typically happens with issues but the process does not always agree with the NRC process regarding priority or schedule.

The group discussed the release of the NRC draft NUREG on circuit analysis. Mr. Hannon explained that the release was an action to make the NUREG more available for discussion at a February 19, 2003, public facilitated workshop on circuit analysis. Mr. Emerson noted that there were two draft documents on circuit analysis in review, the NRC NUREG and industry's NEI 00-01.

The group discussed that Regulatory Guide (RG) 1.189 should be revised to address circuit analysis rather than develop a separate RG. There was general agreement on this point. NRC staff noted that there was no further ongoing testing of circuits except some participation in international testing.

Mr. Hannon discussed the forthcoming workshop in February. He stated that the primary purpose of the workshop was to identify the type of circuits agreed to be risk significant, those needing further research to determine the risk significance, and those of low risk significance. The end result would be the resumption of inspections for this area. This statement was discussed and generally agreed with by industry.

The group discussed what should be done regarding giving licensees credit for self-inspection whether under NFPA 805 or the Significance Determination Process (SDP). The NRC restated that it was considering giving credit for the in-depth assessment performed by the licensee implementing NFPA 805 and skipping the triennial inspection. The NRC would audit the implementation process to assess the implementation. The group believed that the SDP process was still evolving and that the credit to be given for self-assessment had not been fully determined.

The group briefly discussed restraints on issue resolution. The restraints were primarily resources, plant impacts, and time. These restraints varied by issue and by licensee, however, the group believed that better communication with the NRC could improve the situation.

The NRC briefly discussed its Fire Protection Improvement Program. This program was intended, among other things, to provide a plan for managing fire protection issues, to schedule the resolution of these issues, and to better inform the public.

There was a brief discussion on the process for handling Task Interface Agreement (TIA) requests from the NRC regions. The staff indicated that when the regions had an unresolved item, they would request NRC headquarters assistance. This may or may not result in the issuance of a TIA. The issue may be resolved informally. However, there is a formal TIA process for issues not resolved informally.

There was a question on the schedule for the gaseous suppression issue. NRC indicated that the schedule was set for about March 2003. The issue could be discussed at the next meeting with the working group.

The group then discussed emerging regulatory concerns and issues. One of these was the issue of license renewal and the effect on fire protection scope. Industry believed that this issue would result in scope increases. The NRC stated that the staff had been working on this issue for some time and had issued interim staff guidance for comment, however, the issue is being handled by the License Renewal Program. NEI suggested that the issue be discussed

at the next meeting. (After the meeting, the staff discussed this issue with the License Renewal Program and concluded that because it was being handled by them it would not be a topic for the next meeting). There was a question from industry about a recent NRC information notice on heat collectors. Industry believed that the notice was being used beyond its intent by regional inspectors. The staff replied that the intent of the notice was to get information to licensees for use as appropriate and was not intended as an inspection tool.

Another question from industry was whether there would be a lessons learned issued for fire protection triennial inspections. The staff plans to evaluate the results of the triennial inspections. This topic could be discussed at the next meeting with the working group.

The group proposed to have its next meeting February 18, 2003. Topics suggested for the meeting included a comparison of issues and the priority assigned to each, incentives for adopting NFPA 805 and how to deal with findings during its implementation, gaseous suppression, and schedule for the NRC manual action plan. The NRC plans to propose an agenda for the meeting.

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

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Another question from industry was whether there would be a lessons learned issued for fire protection triennial inspections. The staff agreed this was a good suggestion and proposed it for a topic to be discussed at the Regulatory Information Conference in April.

The group proposed to have its next meeting February 18, 2003. Topics suggested for the meeting included a comparison of issues and the priority assigned to each, incentives for adopting NFPA 805 and how to deal with findings during its implementation, gaseous suppression, and schedule for the NRC manual action plan. The NRC plans to propose an agenda for the meeting.

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

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MEETING on FIRE PROTECTION ISSUE MANAGEMENT
LIST OF ATTENDEES
January 15, 2003

<u>NAME</u>	<u>ORGANIZATION</u>
Suzanne Black	NRR/DSSA
John Hannon	NRR/DSSA/SPLB
Eric Weiss	NRR/DSSA/SPLB
Dan Frumkin	NRR/DSSA/SPLB
Paul Lain	NRR/DSSA/SPLB
Mark Henry Salley	NRR/DSSA/SPLB
Joe Birmingham	NRR/DRIP/RPRP
David Diec	NRR/DRIP/RPRP
Eileen McKenna	NRR/DRIP/RPRP
See-Meng Wong	NRR/DSSA/SPSB
Peter Wen	NRR/DRIP/RPRP
Dave Nelson	NRC/OE
J.S. Hyslop	NRC/RES/PRAB
Fred Emerson	NEI
Doug Brandes	Duke Power
Gary Gates	OPPD
Frank Garrett	APS Palo Verde
Bijan Nijafi	SAIC/EPRI
Dean Tolete	Dominion VA Power
John Maracek	FENOC
Chris Pragman	Exelon Nuclear
Ken Erdman	Fort Calhoun
Donald Ferraro	Morgan Lewis
Patricia Campbell	Winston & Strawn
Sheldon Trubatch	Law Office of S. Trubatch
Altheia Wyche	Serch/Bechtel

ATTACHMENT