

July 17, 2003

LICENSEE: Union Electric Company
TXU Energy
Pacific Gas and Electric Company
Arizona Public Service Company
STP Nuclear Operating Company
Wolf Creek Nuclear Operating Corporation

FACILITIES: Callaway Plant
Comanche Peak Steam Electric Station
Diablo Canyon Power Plant
Palo Verde Nuclear Generating Station
South Texas Project Electric Generating Station
Wolf Creek Generating Station

SUBJECT: LICENSING WORKSHOP HELD ON JUNE 10 AND 11, 2003, IN
OVERLAND PARK, KANSAS, WITH THE STRATEGIC TEAMING AND
RESOURCE SHARING - INTEGRATED REGULATORY AFFAIRS
GROUP FOR THE LICENSEES OF CALLAWAY, COMANCHE PEAK,
DIABLO CANYON, PALO VERDE, SOUTH TEXAS, AND WOLF CREEK

Representatives from the NRC and from the six licensees listed above that comprise the Strategic Teaming and Resource Sharing - Integrated Regulatory Affairs Group (STARS-IRAG) participated in a licensing workshop on June 10 and 11, 2003, in Overland Park, Kansas. The workshop was held at the request of the STARS-IRAG. The IRAG is a group within STARS which was formed to interact with the staff on common regulatory issues for the above facilities. The goal of STARS-IRAG is to reduce the overall costs of licensing actions to the licensees and to the staff by developing common licensing action requests and positions. The notice for the workshop was issued on June 2, 2003.

Attachment 1 is the list of attendees. Attachment 2 is the handout provided by the NRC staff. Attachment 3 is the handout from the licensees (including the agenda for the workshop). The handouts were the agenda for the workshop and the slides for the presentations made by the NRC staff and the licensees at the workshop. There was no discussion of any current licensing actions under staff review for any of the above facilities.

The agenda for the workshop is at the beginning of Attachment 3. The purpose of the workshop was to have the licensees and the NRC staff discuss the following licensing topics to help each other understand the others' perspective:

- NRC Work Controls
- Managing Schedules to Support Plant Activities
- NRC Fees
- Quality of Licensing Actions Submittals
- Quality and Role of NRC Safety Evaluations
- NRC Task Interface Agreements

- NRC Bulletin 2002-01 Request for Additional Information
- Safety Conscious Work Environment
- Informal Communications Between NRC and Licensees
- Submittals Associated with Security Issues
- Making Changes to Orders
- Perry Decision
- 10 CFR 50.59 Revised Rule

The discussion was in terms of the slides for the above topics in Attachment 2 (NRC slides) and Attachment 3 (licensees' slides).

There were seven issues identified during the workshop that the NRC and licensees' staffs agreed to pursue as follow-up items. Each issue is discussed below:

1. Follow-up on the NRC Request for Additional Information (RAI) Process: The licensees stated that they wanted to better understand the RAI process followed at the NRC on the approval of information to be requested from licensees. The licensees asked if it is appropriate for the reviewer and the PM, or a higher level within NRC, to approve information being requested. As part of this action, the licensees asked what the effect is of whether the RAI was documented in an e-mail to the licensee, or formally requested in a letter to the licensee. This was assigned to the NRC.
2. Legal Status of Licensee's E-mail Restriction Footer: The NRC staff pointed out that e-mails from licensees to the NRC may have an automatic footer that provides a statement similar to the following: "The information contained in this message may be privileged and/or confidential and protected from disclosure. Note that any views or opinions presented in this message are solely those of the author and do not necessarily represent those of [the licensee]." The NRC staff stated that this causes problems with docketing information and with other activities the NRC is required to perform when information is received from licensees. The NRC staff requested that these footers not be attached to e-mails that are providing information from the licensee to the NRC. Also, the NRC staff stated that e-mails should not be used to send proprietary or confidential information on licensing actions to the NRC. This was assigned to the STARS.
3. Current Guidance on Sensitive Unclassified Homeland Security Information (SUSHI): The licensees requested that there be guidance provided to the licensees on the identification and handling of SUSHI. The NRC staff stated that it understood that a Regulatory Information Summary involving SUSHI will be issued in the near future by the NRC. This was assigned to the NRC.
4. Spent Fuel Project Office (SFPO) Use of Office Instructions: During discussions, it was noted by the licensees that SFPO does not use the same type of office instructions used by the Office of Nuclear Reactor Regulation (NRR). It was suggested by the licensees that the SFPO's use of guidance similar to the NRR office instructions, which are well known, would help the licensees understand what is expected of them. This was assigned to the NRC.

5. Design Basis Threat (DBT) Order More Restrictive than Interim Compensatory Measures (ICMs) in Security Plan Orders: The licensees stated that there are conflicts introduced by the security orders in that the language of the later DBT Order may be more restrictive than the earlier ICM Order. The licensees explained that they believed that this restricts their ability to implement the DBT Order without NRC providing some sort of relief from the ICM Order. This was assigned to the NRC.
6. Relaxation of Security Plan Orders per 10 CFR 50.54(p): The licensees suggested that changes should be able to be made to these Orders under 10 CFR 50.54(p)(2), in that the regulation allows for security plans to be changed without prior Commission approval if the changes do not reduce the effectiveness of the plan. Therefore, it appears that regulations provide a mechanism for the licensees to revise their security plans rather than to request a change to the Order. The NRC staff stated that the licensees would have to implement the Security Order and then may make a change that does not reduce the effectiveness of the security plan. It was also pointed out that a relaxation of a Security Order would not meet 10 CFR 50.54(p)(2). The licensees requested further clarification on the possible use of 10 CFR 50.54(p) to revise security plan requirements imposed through a Security Order. This was assigned to the NRC.
7. NRC Concerns on Implementation of Revised 10 CFR 50.59 Rule: STARS-IRAG stated that it thought the NRC staff had concerns about how licensees had implemented and were using the revised 10 CFR 50.59 rule. It is believed that a concern had been expressed by the NRC staff about the appropriateness of implementation of 10 CFR 50.59 in the discussions in February-March 2003 on the Palo Verde 50.59 modifications of its spent fuel pool crane to handle spent fuel to be transported to the site Independent Spent Fuel Storage Installation. The STARS-IRAG requested that if such concerns existed that they be discussed with the licensees. This was assigned to both the NRC and the STARS.

The NRC and licensees completed their presentations and the workshop was closed.

/RA/

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Office of Nuclear Reactor Regulation

Docket Nos. 50-275, 50-323, 50-445, 50-446, 50-482, 50-483, 50-498, 50-499, 50-528,
50-529, and 50-530

Attachments: 1. List of Meeting Attendees
2. NRC Handout (ADAMS Accession No. ML031680606)
3. Licensees' Handout (ADAMS Accession Nos. ML031680606 and
ML031680621)

cc w/atts: See next page

- 5 Design Basis Threat (DBT) Order More Restrictive than Interim Compensatory Measures (ICMs) in Security Plan Orders: The licensees stated that there are conflicts introduced by the security orders in that the language of the later DBT Order may be more restrictive than the earlier ICM Order. The licensees explained that they believed that this restricts their ability to implement the DBT Order without NRC providing some sort of relief from the ICM Order. This was assigned to the NRC.
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cc w/atts: See next page

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*** See previous concurrence**

NRR-106

NRR-106

NRR-106

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DOCUMENT NAME: G:\PDIV-2\Stars\Summary06-10-03-workshop.stars.wpd

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LIST OF ATTENDEES AT WORKSHOP OF JUNE 10-11, 2003
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M. Thadani	NRC/NRR/PDIV-1
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Where:

NRC	= Nuclear Regulatory Commission
NRR	= Office of Nuclear Reactor Regulation
PDIV-x	= Project Directorate IV- Section x
A-UE	= Ameren Union Electric Company
APS	= Arizona Public Service Company
PG&E	= Pacific Gas and Electric Company
STPNOC	= STP Nuclear Operating Company
TXU	= TXU Energy
WCNOC	= Wolf Creek Nuclear Operating Company
STARS	= Strategic Teaming and Resource Sharing
IRAG	= Integrated Regulatory Affairs Group
STARS/NEI	= STARS representative to Nuclear Energy Institute

NRC PRESENTATION SLIDES

ADAMS Accession NO. ML031680606

LICENSEES PRESENTATION SLIDES

1. The licensees' slides (ADAMS Accession No. ML031680621). The first seven pages after the title page is the agenda. The remaining pages are the slides.
2. Of the seven pages that comprise the part of the presentations by the licensees on the quality and roles of safety evaluations today, there are four pages which have slides where the text is not legible. The eleven slides on these four pages are also given in a separate file (ADAMS Accession No. ML031830278) where the text is legible.

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