

From: Phil Qualls ^{HQ}
To: Charlie Payne; Doug Coe; Eric Weiss; John Hannon; Peter Koltay ^{HQ}
Date: 8/6/02 10:05AM
Subject: Re: Need to discuss inspection guidance

I think that GL 91-18 is the proper documented method to address the issue. I wish I had thought of it. The Manual action which is found to be feasible by inspectors with adequate supporting analysis and instrumentation etc. whose only failure is lacking prior NRC approval would then be treated as a finding and the compensatory measure per GL 91-18 would be the acceptable MA until the rulemaking issue is resolved.

>>> Peter Koltay 08/06/02 09:56AM >>>

Phil,

as I am reviewing generic letter 91-18 rev 1, resolution of degraded and nonconforming conditions, I am wondering why we do not rely on this guidance to address the fire protection related manual action issues. It appears to be a reasonable (and possible required) interim solution. I recommend that we ask NEI (or request the individual licensees) through generic communications to identify plants where the removal of thermolag resulted in the loss of comformance with III.G.2 requirements, and describe the extent of compensatory measures including manual actions implemented. 91-18 requires licensees to prepare operability determinations and provide justifications for continued operations based on compensatory measures and on proposed permanent timely corrective actions.

>>> Phil Qualls 08/05/02 04:40PM >>>

Peter, we are pursuing rulemaking to address the feasible manual action issue to satisfy III.G.2 of Appendix R.

When the SECY paper for the rulemaking is issued, the enforcement folks will do an EGM.

In the interim, there are a lot of questions. We have been telling folks to treat manual actions in lieu of a III.G.2 barrier as a violation and follow the ROP. The training we provided has served as the basis for what is feasible. My management (John) said that something more is needed for the interim. A change to the inspection guidance on dealing with this issue seems the best way. For those MAs which would otherwise be acceptable and the licensee only failed to obtain an exemption, treat as minor/green or whatever the low level ROP treatment is these days.

For those MAs without proper supporting analysis and/or greater than green risk, proceed with SDP evaluation. Anyway this issue is to be discussed on the Friday counterpart (management) call. We want to know if we can say that inspection guidance for manual action issues is being developed.

Phil

N/S