

Linda-

I have some additional info to share:

Feasible manual actions are defined in the lesson plan in detail [ML013370302 Ltr to NEI (Marion) from Hannon November 29, 2002 provides copy of lesson plan on Manual Actions]. Briefly, a feasible manual action has three attributes:

- 1. Procedures and training for manual actions to be performed
- 2. Thermal-hydraulic timeline or other analysis to show that there is adequate time, staffing, and diagnostic instrumentation to perform manual actions
- 3. Acceptable environmental conditions (temp, radiation, lighting, accessibility).

HQ has suggested to the regions that if manual actions are safe and feasible then the only violation is a minor violation for failure to obtain an exemption or deviation. The licensee would enter that in a corrective action program at an appropriate level of priority and rulemaking would subsequently obviate the need for submitting an exemption or deviation.

I will be making a speech at the NEI Fire Protection Information Forum next week in Seattle on this subject and additional communications will be part of a communications plan.

DIPM/IIPB (Doug Coe) is working on inspection guidance and my staff has now opened a dialogue with OE for enforcement policy that will be part of the Commission paper for the proposed rule.

DRIP/RRRP the lead for the proposed rulemaking and commission paper. Bill Huffman is the project manager for this rulemaking with technical support from SPLB (Phil Qualls).

-Eric

>>> Linda Smith 08/22/02 03:53PM >>>



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>>> Eric Weiss 08/22/02 12:07PM >>>

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Bill-

The clearest and most definitive description of the meeting between NRC and NEI on manual actions is contained in ML021980448 Mtg Minutes for June 20, 2002 (Memo from Birmingham to Grimes July 19, 2002). I think some key points are:

Release NRR "...the staff does not intend to suspend inspection or enforcement related to manual actions. The staff noted that violations would be written for manual actions that were not considered to be feasible but would not be focused on whether feasible manual actions had received prior NRC approval. The staff agreed to consider the need for revised or additional inspection and enforcement guidance."

Yesterday, the ET authorized the staff to proceed with developing a rulemaking plan to amend III.G.2 to accept safe and feasible manual actions. Of course this is only permission to start a long process but I think we can issue inspection guidance and interim enforcement policy on a faster timetable now that we have green light.

I hope that helps.

-Eric

Release NRR >>> William Reckley 08/22/02 11:36AM >>>

Region IV has had a couple more conversations with the licensee re: the crediting of manual actions in an Appendix R fire protection plan. The licensee has in turn consulted with NEI and heard a different account of the meeting and their understanding of the state of things. The region has suggested, and it appears to be necessary, that we have an internal (NRR and RIV) conversation to make sure we are on the same page and to develop a plan to correct the apparent communication problem between us and industry. I'll talk to the region and propose a time sometime next week for a call. Let me know if there are any issues or specific topics we should include on the agenda.