

June 8, 2004

MEMORANDUM TO: Eric Leeds, 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 APRIL 21, 2004, BETWEEN THE
NUCLEAR REGULATORY COMMISSION STAFF AND INDUSTRY
LICENSING ACTION TASK FORCE

Members of the staff of the Nuclear Regulatory Commission (NRC) hosted a meeting with representatives of the Nuclear Energy Institute (NEI) and licensees comprising the Licensing Action Task Force (LATF) on April 21, 2004, at NRC Headquarters in Rockville, Maryland. This meeting was open to the public. A list of attendees is provided as Attachment 1.

A summary of the discussion is provided below:

1. White Paper on Alternate Source Term

Jim Fiscaro stated that the industry will provide a response to the NRC comments on the White Paper by the end of May 2004.

Tom Boyce stated that the proposed revision to Generic Letter 91-18 guidance will be issued shortly. A workshop is tentatively scheduled for August 2004.

2. Notice of Enforcement Discretion (NOED) Guidance

The industry LATF is developing a White Paper that discusses the risk of continued operation compared to the risk of the transition to shutdown. It will be available for NRC review within the next few months.

The industry representatives requested a clarification of the NRC guidance on requesting NOEDs versus emergency or exigent Technical Specification (TS) changes. Herb Berkow stated that the NRC guidance is being revised to clarify expectations. In general, 72 hours should be used as a guideline for determining whether a NOED should be requested. In most cases, if there is more than 72 hours available before the expiration of the allowed outage time, there is sufficient time to process an exigent or emergency TS change. Herb clarified that an emergency TS change is preferable to a NOED. However, the NRC is still open to reviewing NOED requests if they meet the criteria.

3. Setpoint Methodology

Chris Gratton stated that the staff is drafting the first safety evaluation (SE) to be issued using the short-term resolution to this issue. A meeting was held in February with Ginna to discuss the proposed wording. The meeting summary, issued on March 23, 2004, provides information on the staff's position. The wording of this SE will be used as a template for the other licensing action requests currently in house, and any applications submitted before the long-term resolution is completed.

The first step in the long-term resolution of this issue is the development of a problem statement. A public meeting will be arranged for June to discuss the long-term actions.

4. Shift Technical Advisor (STA) Requirements

NEI submitted a letter to the Chairman on December 9, 2003, requesting that the NRC consider amending the Commission Policy Statement on Engineering Expertise on Shift to provide an alternative to the Bachelor's Degree educational requirement for the STA position. The NRC responded by letter dated March 15, 2004.

Jim Fiscaro expressed his concern that the NRC's response addressed the technical issue, but not the policy issue, as they requested. The LATF does not agree with the NRC response, and also asked whether or not the Commission approved the staff's response.

Bill Beckner stated that NEI's incoming letter was assigned to his branch for response. The response letter re-states the bases for the current NRC position.

NEI will evaluate what actions to take.

5. Reporting Requirements for Changes to Loss-of-Coolant Accident Analyses

Jennifer Uhle presented details of a proposed Regulatory Information Summary (RIS) regarding the reporting requirements of 10 CFR 50.46. This RIS will not change any regulations or NRC policy. Jennifer clarified that the regulation requires that a reanalysis be performed if the sum of the absolute value of changes is equal to or greater than 50 degrees.

The industry representatives requested that the NRC hold a public workshop to discuss the draft RIS. The NRC staff agreed to consider holding such a workshop.

6. Accelerated Improved Standard Technical Specification (iSTS) Conversion Pilot Program

Tom Boyce and Peter Hearn presented a pilot program that will accelerate the review time for iSTS conversions. The staff's goal is to shorten the NRC review time by 50%. NEI supported the initiative. They recommended that the NRC publish the actual time spent after completion of the pilot so that licensees will have an estimate for planning and budgeting purposes.

Tom Boyce stated that many licensees that have already converted to the iSTS, are submitting large TS change requests that incorporate numerous Technical Specification Task Force

(TSTFs) changes . These are referred to as “mini conversions”. He indicated that review of these applications could be delayed due to resource constraints.

7. Licensing Action Request Withdrawals

Eric Leeds clarified the staff’s proposed process for documenting licensing action request withdrawals. The staff will include in the letter closing out the review, the reasons for the withdrawal, including any technical issues that could not be resolved between the NRC and licensee. There was no objection from NEI on this proposal. The industry participants requested that the NRC include in these letters all of the concerns that the NRC had with the submittal. This will assist licensees in drafting similar requests in the future.

Some of the licensees indicated concern that the NRC uses withdrawals to manage its performance indicator on licensing action completion timeliness. Eric Leeds stressed that it is not the staff’s policy to ask licensees to withdraw a request if the NRC metric is the sole issue. He will continue to reinforce this policy to his staff.

The licensees asked whether the withdrawal letters are reviewed by OGC. Bill Ruland stated that OGC reviews some of these letters on a case-by-case basis.

8. Revised LATF Functional Organization

NEI provided a handout (Attachment 3) with the functional descriptions of the various committees within the LATF Steering Group. Jim Fiscaro stated that NEI will be meeting this summer to prioritize and scope all open action items. Each of the actions will be assigned to one of the committees.

9. NRC Resources

Licensees expressed their concern that project managers are being pulled to work on other issues and task forces, such as security issues. Eric Leeds reported that five project managers will be dedicated full time to review security plans. Because of this, NRR has told the Commission that it will not meet the metric of completing 96% of licensing actions within 1 year. The staff is trying to determine which licensing action requests will be delayed. The staff will contact individual licensees to ensure that they are in agreement with the actions that the staff determines are of lower priority. Eric Leeds also indicated that the staff will be cutting back on other tasks, such as revising internal procedures. Eric stated that the staff will continue to work on current LATF action items but may not be able to take on new LATF actions over the next 6 months. In addition, Eric requested that we postpone the next LATF quarterly meeting until fall due to limited staff resources.

10. Use of Precedent

J. Fiscaro stated that the industry LATF is developing a White Paper on this topic. It will be submitted to the NRC within the next quarter.

11. Communications between NRC and Industry

J. Fisicaro requested that the NRC provide notice of emerging technical issues and NRC actions at the quarterly LATF meetings. One of the issues that the industry is following is pressurized-water reactor sump clogging. Pedro Salas is the NEI LATF contact for this issue. Pedro indicated that NEI would provide comments on the NRC proposal.

12. Annual Licensing Forum

The 2004 Licensing Forum will take place October 20-21, 2004, in Baltimore, Maryland. The LATF agreed that the format may be changed with the objective of establishing more dialog on current and upcoming issues between the NRC and licensee participants.

Attachments: 1. List of Attendees
2. NRC Handout - Reactor Systems LOCA Methodologies
3. NRC Handout - Accelerated ISTS Conversion Pilot
4. NEI Handout - LATF Steering Group

cc w/atts: See next page

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cc w/atts: See next page

DISTRIBUTION:

PUBLIC	C. Gratton
PDI-1 Reading File	ACRS
L. Marsh	OGC
C. Holden	E. Leeds
R. Laufer	W. Reckley
T. Boyce	P. Hearn
H. Berkow	M. Blumberg
W. Ruland	Z. Cruz
H. Chernoff	
M. Tschiltz	
R. Rasmusson	
W. Beckner	
J. Uhle	

Package: ML041190251 Attachments 2 - 4:

ADAMS Accession Number: ML041190238

NRC-001

OFFICE	LA:PDI-1	PM:PDI-1	D:PDIII	DD:DLPM
NAME	SLittle	DSkay	WRuland	ELeeds
DATE	5/19/04	5/19/04	6/2/04	6/7/04

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LICENSING ACTION TASK FORCE MEETING

APRIL 21, 2004

LIST OF ATTENDEES

<u>NAME</u>	<u>ORGANIZATION</u>
Eric Leeds	NRC/NRR/DLPM
Bill Reckley	NRC/NRR/DLPM
Herb Berkow	NRC/NRR/DLPM
Donna Skay	NRC/NRR/DLPM
Bill Ruland	NRC/NRR/DLPM
Tom Boyce	NRC/NRR/DIPM
Harold Chernoff	NRC/NRR/DLPM
Pete Hearn	NRC/NRR/DIPM
Mark Blumberg	NRC/NRR/DSSA
Michael Tschiltz	NRC/NRR/DSSA
Rick Rasmusson	NRC/NRR/SPSB
Zahim Cruz	NRC/NRR/DLPM
William Beckner	NRC/NRR/IROB
Jennifer Uhle	NRC/NRR/DSSA
Christopher Gratton	NRC/NRR/DLPM
Mike Schoppman	NEI
Doug McKinny	Southern Nuclear
Charlie Brinkman	Westinghouse
Jerry Holm	Framatome ANP
Deann Ralieggh	Scientech
Rick Garner	Progress Energy
Wayne Marquino	General Electric
George Stramback	General Electric
Steven Dolley	McGraw-Hill
James Fisicaro	Duke Energy
Keith Jury	Exelon
Pedro Salas	TVA
Don Woodlan	STARS
Pete Kokalakis	Entergy Nuclear Northeast
Nancy Chapman	SERCH/Bechtel

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