

June 1, 2005

Mr. Mike Schoppman
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Dear Mr. Schoppman:

SUBJECT: SUMMARY OF MEETING ON MAY 10-13, 2005, WITH THE NUCLEAR
ENERGY INSTITUTE (NEI) OPERABILITY DETERMINATION PROCESS TASK
FORCE

The purpose of this letter is to transmit the summary of the NRC staff meeting with the Operability Determination Process Task Force. The meeting was held at the Excel Services Corporation offices in Rockville, from May 10 through May 12, 2005. The agenda of the meeting concluded ahead of schedule, therefore, no meeting was held the last day of the scheduled meeting, Friday, May 13, 2005. At the meeting, the staff and task force members finalized discussions on all proposed changes to operability guidance for resolution of degraded or nonconforming conditions adverse to safety or quality.

Sincerely,

/RA/

Carl S. Schulten, Senior Reactor Engineer
Technical Specifications Section
Reactor Operations Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

Enclosures: 1. Meeting Summary
2. Agenda
3. Attendance List
4. Draft RIS file: NRC_50605 markup
5. Master markup clean typed file: 9900, DNC

cc w/encls: See attached page

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ADAMS ACCESSION NUMBER: PACKAGE: ML051520361, LETTER: ML051520362,
ENCLOSURE 4: ML051520367, ENCLOSURE 5: ML051520373

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SAlexander (SDA)

DTerao (DXT)

RBlough (ARB)

EReichelt (EGR3)

SBurton (SXB3)

LTrocine (LXT)

JTrapp (JMT1)

WReckley (WDR)

HChernoff (HKC)

cc via e-mail:

Mr. Mike Schoppman, Nuclear Energy Institute
Ms. Laurie Lahti, Nuclear Management Company
Mr. Jeff Thomas, Duke Energy
Mr. Jim Kilpatrick, Constellation Energy
Mr. Donald Hoffman, Technical Specifications Task Force
Mr. Brian Mann, Technical Specifications Task Force
Ms. Patricia Campbell, Morgan Lewis
Ms. Deann Raleigh, LIS Scientech

SUMMARY OF THE MAY 10 -13, 2005,
NUCLEAR REGULATORY COMMISSION MEETING WITH THE
NUCLEAR ENERGY INSTITUTE OPERABILITY DETERMINATION PROCESS TASK FORCE

From May 10 through May 12, 2005, the Technical Specifications Section Staff met with the Task Force at the Excel Services Corporation offices in Rockville, Maryland. The agenda of the meeting concluded ahead of schedule, therefore, no meeting was held the last day of the scheduled meeting, Friday, May 13, 2005. This was final of three scheduled meetings between the Task Force and the Staff for discussing comments on draft RIS 2004-XX for updating Manual Chapter Part 9900 guidance on operability and resolution of degraded or nonconforming conditions which was noticed for public comment August 2004.

A copy of the agenda (Enclosure 2) and a list of attendees (Enclosure 3) are attached. Enclosure 4 contains a Draft RIS file dated May 6th (050605 markup) which incorporates agreements made at the previous, April 25th meeting, for all affected sections. This file was the starting point for the master markup and discussions during the May 10-12, 2005, meeting. The final typed revision to the guidance document (Enclosure 5) incorporates all agreements made at the May 10-12, 2005, master markup meeting.

During the meeting the Staff and the Task Force reviewed the entire guidance document with initial discussions focusing on Appendix B, "Maintenance" and Appendix C, "Specific Operability Issues," to address topics that were not covered at previous meetings. The Staff and Task force objectives for revising the guidance continued to be to ensure clarity of the process for both inspectors and operators in a plain language document. The Staff and the Task Force also agreed to the following:

- Definitions (Section 3.4, Operability Determination) - This section was incorporated into Section 3.3, Operability because as written in the guidance, there was no discernable difference between these processes. In support of this change a new defined term, "Operability Declaration" was written, since this is a fundamental concept in the operability determination process.
- Definition (Section 3.6.2, Specified Safety Function) - This definition was clarified to include a broader use of terminology to ensure the appropriate scope of SSCs, as required by the plant current license basis, are considered for operability determinations. A clarification was made to include events beyond the scope of design basis, such as station blackout and ATWS, if they were included when the plant-specific specified safety function scope was established. In addition, the guidance identifies typical documents that contain definitions of SSC specified safety function(s): Bases of the TS; plant UFSAR; and documents from license amendments such as safety analyses, requests for additional information and safety evaluations.
- Operability Determination Process (Section 4.5, Timing of Operability Determinations) - The general guidance to licensees, take action without delay when a potential degraded or nonconforming condition (DNC) is identified, was moved from Section 4.5 into a new section, Section 4.2, Potential Degraded or Nonconforming Conditions. This

clarifying change keeps all guidance discussions of ODP timing considerations in the Immediate and Prompt Determination steps of the ODP. This change also eliminates potentially contradictory guidance which would have allowed a limited amount of time to confirm the existence of a degraded or nonconforming condition during the discovery process. Thus, ODP timing considerations during the Immediate and Prompt steps of the ODP rely on a reasonable expectation standard for assessing operability regardless of the stage of the determination process.

- Operability Determination (Section 4.8 - Operator Awareness and Responsibilities) - This new guidance was added to clarify that the role of the control room operations staff is an ongoing responsibility during discovery of DNCs and during the Immediate and Prompt steps of the ODP.
- Corrective Action (Section 7.2, Timing of Corrective Actions) - Existing guidance, “to implement repair or replacement activities at the next on-line maintenance window or outage of sufficient duration to adequately plan and implement the proposed corrective action” is updated to be “at the first available opportunity unless an appropriate longer completion schedule is justified.”
- Appendix B, Maintenance (B.4, Reduced Reliability as a Degraded or Nonconforming Condition) - This section is provide to update ODP guidance with respect to 10 CFR 50.65. SSCs experiencing multiple or repetitive failures have a reduced reliability which must be evaluated to determine if the nature or extent of the reduced reliability constitutes a degraded or nonconforming condition. Various factors may contribute to reduced reliability, aging is one factor of increasing importance that should be addressed in the ODP.

AGENDA
MAY 10-13, 2005 PUBLIC MEETING ROCKVILLE, MARYLAND
NEI OPERABILITY DETERMINATION PROCESS TASK FORCE
8:30 am - 4:30 pm

- I. Prepare a Master Markup of MC 9900, "Assessing Operability Determinations and Resolution of Degraded and Nonconforming Conditions"
- II. Identify Open Items Pending Receipt Information for Final Markup May 27, 2005

ATTENDEE LIST
MAY 10 - 13, 2005 PUBLIC MEETING ROCKVILLE, MARYALND
NEI OPERABILITY DETERMINATION PROCESS TASK FORCE

<u>NAME</u>	<u>AFFILIATION</u>
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