

December 4, 2006

MEMORANDUM TO: William R. Ott, Chief
Waste Research Branch
Radiation Protection, Environmental Risk,
and Waste Management
Division of Fuel, Engineering and Radiological Research
Office of Nuclear Regulatory Research

FROM: Edward O'Donnell, Senior Geologist */RA/*
Waste Research Branch
Radiation Protection, Environmental Risk,
and Waste Management
Division of Fuel, Engineering, and Radiological Research
Office of Nuclear Regulatory Research

SUBJECT: PUBLIC MEETING BETWEEN THE NUCLEAR REGULATORY
COMMISSION STAFF AND STAKEHOLDERS TO EXCHANGE
INFORMATION ON PLANS TO DEVELOP GUIDANCE FOR
IMPLEMENTING 10 CFR PART 20.1406 "MINIMIZATION OF
CONTAMINATION"

On November 21, 2006, the Nuclear Regulatory Commission (NRC) staff met with the Nuclear Energy Institute (NEI), and other stakeholders at NRC headquarters to exchange information on plans to develop guidance for implementing 10 CFR Part 20.1406, "Minimization of Contamination." The meeting agenda and a list of the attendees are enclosed.

A public meeting notice and meeting agenda (ADAMS Accession numbers, ML063100435 and ML063100206) were issued and posted on the NRC's public web site two weeks prior to the meeting. The information exchange included presentations by representatives of the Office of Nuclear Reactor Regulation (NRR), the Office of Nuclear Regulatory Research (RES), the Office of Federal and State Materials and Environmental Management Programs (FSME), Nuclear Energy Institute (NEI), and Westinghouse on what each was doing relative to implementation of the requirements of 10 CFR Part 20.1406. The last half hour of the meeting was open for public participation, comment, questions, and discussion.

The inter-relationship among the activities of the various participants can be seen in the flow diagram which is enclosed. Time is plotted at the top of the diagram and the activities are placed according to the time line. The activities fall within three broad areas: (A) revision of 20.1406 to address legacy sites and development of accompanying guidance, (B) development of a standard review plan (SRP) and guidance for new facilities, and (C) industry activities (e.g. NEI's Ground-Water Initiative, and EPRI's summary of lessons learned from decommissioning). The flow diagram displays the timing of specific aspects to support both the revision of 20.1406, and the development of guidance for new facilities. Each of the organizations involved

described their activities and this included: FSME efforts to address legacy sites through rulemaking and a NUREG report on environmental monitoring, NRR/NRO revision of the standard review plan for the Combined Operating License, RES development of a regulatory guide for implementing 20.1406, NEI's ground-water initiative, and Westinghouse's 20.1406 guidance for the AP 1000. More specifically, the following were discussed:

Activity (A) Existing Facilities – Rulemaking to Modify 20.1406.

FSME is working on modifying 20.1406 to address legacy sites. As seen in the attached flow diagram, a draft is scheduled to go to the Commission for their consideration in March 2007 with a proposed rule available for public comment in Quarter 4 of FY 2007. FSME will hold a public meeting on the rulemaking on January 10, 2007.

Activity (B) New Facilities – Development of Guidance

NRR in conjunction with NRO is revising the Standard Review Plan (Draft Guide 1145) for the Combined Operating License (COL). The COL combines authorization for construction and operation and it is based on pre-approved reactor designs. Chapter 11 of the Standard Review Plan will deal with effluent releases and Chapter 12 will deal with occupational exposure. Both Chapters are being revised to explicitly reflect the provisions of 20.1406. The revised sections of the Standard Review Plan will be available for internal NRC review in January 2007 and will be formally released in March 2007. The intent is to have it available at least 6 months before the first anticipated license application(s).

FSME is working on background documents which support both the legacy site rulemaking and the development of guidance for new facilities. One of these is a "lessons learned report" completed in October 2006 (ADAMS Accession # ML062620355). To support the rulemaking and as guidance for new facilities, FSME is working on a NUREG on implementing monitoring requirements proposed for inclusion in 20.1406. The NUREG is scheduled to accompany the 20.1406 rulemaking when it is submitted to the Commission in March 2007.

A report was prepared by the Liquid Radioactive Release Lessons Learned Task Force, commonly referred to as the Tritium Task Force. The Task Force was established by NRC's Executive Director for Operations in March, 2006 in response to unplanned liquid releases of radioactive material to the environment at the Braidwood, Indian Point, Byron, and Dresden nuclear power plants. The Task Force studied the causes of the releases and the public health impacts. Recommendations of the Task Force were made public as a report in October, 2006 (ADAMS Accession # ML062650312). The Task Force recommendations will serve as input to the 20.1406 Rulemaking, and the development of guidance for new facilities.

RES is developing guidance for implementation of 20.1406. Details are found in slides used at the meeting (ADAMS accession # ML063340378). A draft regulatory guide for internal review is anticipated in April 2007 to be followed by a draft for public comment in July 2007. RES is being assisted by a contractor, Information Systems Laboratories, Inc.(ISL). ISL is reviewing available information as to "lessons learned" through operational experience and decommissioning applicable to the regulatory guide. That information will be provided to NRC in a letter report in December 2006. In a second related effort, ISL is reviewing existing regulatory guides to identify those which have a potential connection with 20.1406.

Activity (C) Industry Initiatives (EPRI and NEI).

There was a joint NEI/EPRI presentation on lessons learned in decommissioning made by a representative of NEI. Slides from the presentation have not been publicly released as of the writing of this summary but they will be found in the transcript of the November 2006 ACNW meeting when that is publicly available. The NEI representative pointed out that the Electric Power Research Institute (EPRI) has produced a number of useful reports relating to decommissioning and many of them are listed in a bibliography developed by NMSS.

The bibliography can be found at:

<http://www.nrc.gov/what-we-do/regulatory/decommissioning/lessons-learned.html>

To make the information found in the EPRI reports more accessible to the public, an effort is underway to extract the information from key reports and to release it in summary form. The date of release to the public is unknown.

NEI noted that during the last 30 years considerable effort has gone into applying lessons learned to reduce exposure, minimize waste, and minimize contamination. Much of that is cost driven. NEI members recognize the importance of minimizing releases of contaminants to ground water and the members launched an "Industry Initiative on Ground-water Protection." The initiative requires each nuclear power plant to have a site-specific plan for ground-water protection in place by July 31, 2006. The intent is to: (i) improve management of inadvertent radiological releases to ground water, (ii) prevent migration of licensed radioactive materials offsite, (iii) quantify the impacts on decommissioning, and (iv) enhance the trust and confidence of the local communities, the States, and the NRC. The initiative also provides for enhanced reporting of events, bench marking of industry best practices, and possibly standardizing some practices.

A Westinghouse representative at the public meeting briefly described how guidance is being developed for the AP 1000 design. Details are found in Westinghouse's slides (ADAMS accession # ML063340378). Guidance is being provided through Technical Reports being written explicitly for 20.1406 items found in Chapters 11 (effluent releases) and 12 (radiation protection) of NRC's SRP.

CONCLUSION

It was recognized that there is need for more continued information exchange on the activities of the various parties in the very near future preferably close to the time of the public meeting on revision of 20.1406 which will be held on January 10, 2007. Further interaction is being planned.

FEEDBACK ON MEETING (NRC Form 659)

Two participants commented on the meeting. The commentators were able to find supporting information prior to the meeting. One said the meeting achieved its' purpose and the other said that it "somewhat" did that. One said that the meeting helped them to understand the topic and the other said that it helped "somewhat." Both agreed that the meeting time, duration, and location were reasonably convenient. One felt that ample opportunity was given to ask questions or to express their views. Finally one was satisfied with the NRC staff who organized the meeting and the other replied "somewhat." That commentator noted that microphones would have been helpful and in hindsight, I agree fully with that comment.

Enclosures:

1. Meeting Announcement
2. Agenda
3. Meeting Attendees
4. Flow Diagram showing NRC Staff Activities Relating to 20.1406

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DOCUMENT NAME: C:\FileNet\ML063380178.wpd

PACKAGE: ML063340378

OAR in ADAMS? (Y or N) Y ADAMS ACCESSION NO.: ML063380178 TEMPLATE NO. RES- 006

Publicly Available (Y or N) Y DATE OF RELEASE TO PUBLIC: 12/05/06 SENSITIVE? N

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OFFICE	DFERR/RPERWM	
NAME	E. O'Donnell	
DATE	12/04/06	

Meeting Notice

Meeting between Nuclear Energy Institute (NEI) and the U.S. Nuclear Regulatory Commission (NRC) to exchange information on plans to develop guidance for implementing 10 CFR 20.1406 "Minimization of Contamination"

NRC Contact: Edward O'Donnell, 301-415-6265 e-mail: exo@nrc.gov

Meeting Category:

This is a Category 2 Meeting. The public is invited to participate in this meeting by discussing regulatory issues with the NRC at designated points identified on the agenda.

Meeting Purpose: The meeting is to be an information exchange on activities underway or planned for the near future related to guidance development and rulemaking for implementation or modification of the provisions of 10 CFR 20.1406. This provision of Part 20 reads as follows:

"Applicants for licenses, other than renewals, after August 20, 1997, shall describe in the application how facility design and procedures for operation, design and procedures for operation will minimize, to the extent practicable, contamination of the facility and the environment, facility eventual decommissioning, and minimize to the extent practicable, the generation or radioactive waste."

NEI is preparing guidance for industry and NRC has several activities underway relating to 10 CFR 20.1406 which include (a) revisions to the Standard Review Plan for reactor licenses, (b) a regulatory guide on implementation of 10 CFR 20.1406, (c) a draft revision of 10 CFR 20.1406 to apply to operating facilities, and (d) a NUREG report on implementation of monitoring requirements proposed for inclusion in 10 CFR 20.1406. During the meeting, discussions will focus on the broad scope and depth of these activities, and the anticipated completion dates for the various activities. Detailed discussion of the results of these activities will be deferred until a later time when supporting technical work and analyses have made substantial progress or have been completed.

Meeting Date and Time: Tuesday, November 21, 2006 from 9 am to 11 am.

Meeting Location: Auditorium, U.S. Nuclear Regulatory Commission, 11545 Rockville Pike, Rockville, MD 20852.

Meeting Participants:

Internal NRC:

- Office of Nuclear Regulatory Research (RES) – Sponsoring Office
- Office of Federal and State Materials and Environmental Management Programs (FSME)
- Office of Nuclear Materials Safety and Safeguards (NMSS)
- Office of New Reactors (NRO)
- Office of Nuclear Reactor Regulation (NRR)

External:

NEI, EPRI, AREVA, Southern Nuclear, Westinghouse

Audio Teleconferencing

Bridge numbers and pass codes will not be posted on the external web.

Interested members of the public can participate in this meeting via a toll-free teleconference. For details, please call the NRC meeting contact, Edward O'Donnell or 301-415-6265.

Accession Number for meeting-related documents:

Agenda ADAMS # ML063100206

Agenda

Public Meeting between Nuclear Energy Institute (NEI) and the U.S. Nuclear Regulatory Commission (NRC) to exchange information on activities related to 10 CFR 20.1406 "Minimization of Contamination"

Date and Time: Tuesday, November 21, 2006 from 9 am to 11 am.

Location: Auditorium, U.S. Nuclear Regulatory Commission, 11545 Rockville Pike, Rockville, MD 20852.

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|------------------|---|
| 9.00 - 9.10 am | Welcoming remarks, purpose, and scope of meeting, RES |
| 9.10 - 9.25 am | NRR activities on the SRP. Tim Frye |
| 9.25 - 9.35 am | RES activities in development of a Regulatory Guide for implementing 10 CFR 20.1406. William Ott |
| 9.35 - 9.55 am | FSME activities on lessons learned, revision of 10 CFR 20.1406, and NUREG Report on Implementation of 10 CFR 20.1406 monitoring requirements. Andrew Persinko |
| 9.55 - 10.40 am | NEI activities. Ralph Anderson |
| 10.40 - 11.00 am | Opportunity for questions and comments from the public and general discussion. |

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Meeting Participants:

Internal NRC:

- Office of Nuclear Regulatory Research (RES) – Sponsoring Office
- Office of Federal and State Materials and Environmental Management Programs (FSME)
- Office of Nuclear Materials Safety and Safeguards (NMSS)
- Office of New Reactors (NRO)
- Office of Nuclear Reactor Regulation (NRR)

External:

- NEI, EPRI, AREVA, Southern Nuclear, Westinghouse

Attendance List

ENCLOSURE 3

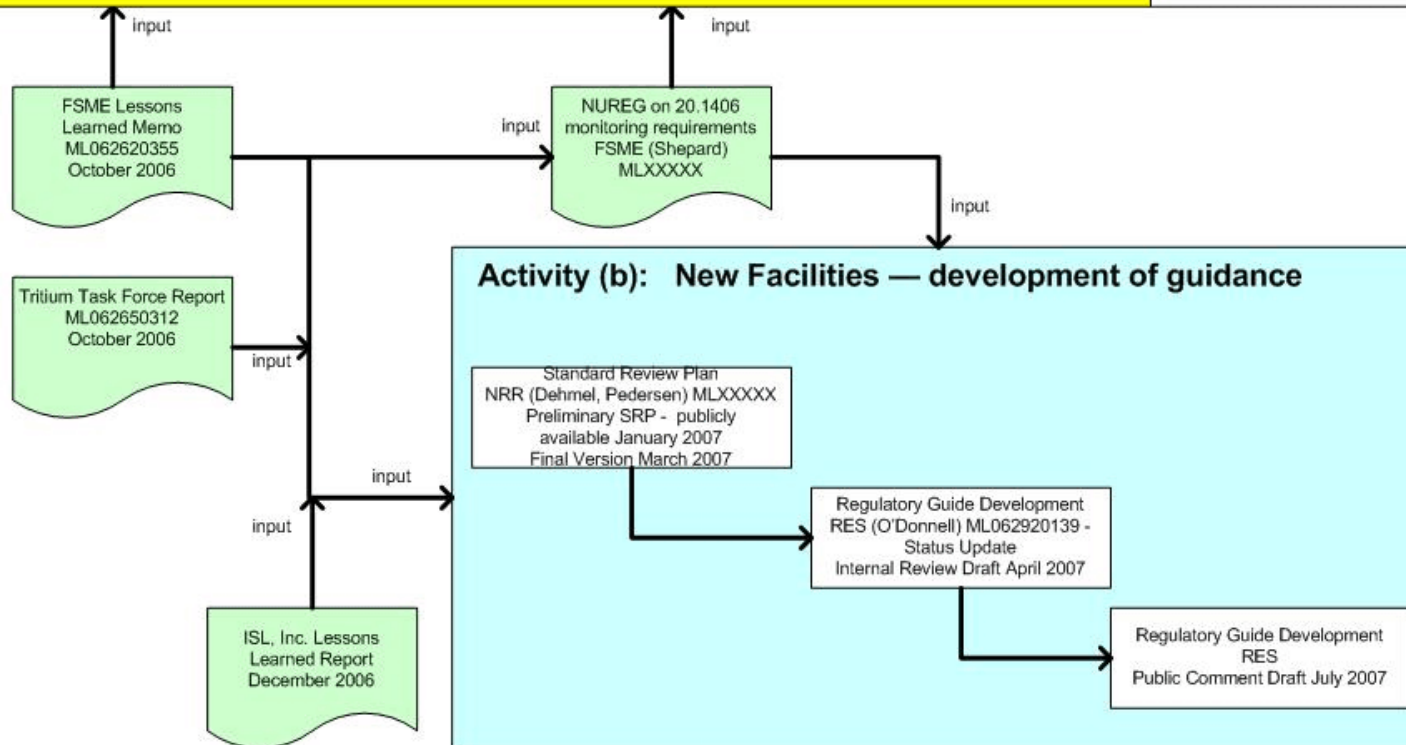
Public Meeting on 10 CFR Part 20.1406, NRC Auditorium, 9-11 am, November 21, 2006			
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Chris Brown	NRC/ACNW	clb@nrc.gov	415-7111
the following participated via a telephone bridge line			
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Jeff Pierce	Southern Nuclear		205-992-7872

Elements of Staff Work Related to Part 20.1406

Fourth Quarter FY 2006	First Quarter FY 2007	Second Quarter FY 2007	Third Quarter FY 2007	Fourth Quarter FY 2007
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Activity (a): Existing Facilities -- Rulemaking to Modify 20.1406 FSME (Persinko) MLXXXXX Draft to Commission March 2007.....Proposed Rule - June 2007	Public Comment Period...
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Activity (c): Industry initiatives NEI Ground Water Initiative, EPRI Lessons Learned	----->
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