March 8, 2007

MEMORANDUM TO: Stacey L. Rosenberg, Chief
Special Projects Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

FROM: Tanya M. Mensah, Senior Project Manager **/RA/**
Special Projects Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE FEBRUARY 15, 2007, CATEGORY 2 PUBLIC MEETING WITH THE NUCLEAR ENERGY INSTITUTE (NEI) REGARDING TREATMENT OF OPERATIONAL LEAKAGE FOLLOW-UP (TAC NO. MD2300)

On February 15, 2007, a Category 2 public meeting was held between the U. S. Nuclear Regulatory Commission (NRC) staff and industry representatives at NRC headquarters. A list of attendees is enclosed. The purpose of this meeting was to continue discussions from the August 16, 2006, meeting regarding industry concerns with Regulatory Issue Summary (RIS) 2005-20, “Revision to Guidance Formerly Contained in NRC Generic Letter 91-18, 'Information to Licensees Regarding Two NRC Inspection Manual Sections on Resolution of Degraded and Nonconforming Conditions and on Operability,'” as delineated in NEI White Paper dated May 2, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML061320347). On October 24, 2006, NEI submitted a revision of its White Paper (Rev. 1) to the NRC (ADAMS Accession No. ML070240526).

The NRC staff opened the meeting by highlighting that the October 24, 2006, NEI White Paper contained useful information for addressing the issue of operational leakage. The NRC staff provided feedback to industry representatives regarding specific areas that the NRC staff recommend revisions in order to resolve the issue of operational leakage in American Society of Mechanical Engineers (ASME) Code Class 2 and 3 piping systems.

The NRC staff expressed the view that in the absence of volumetric examinations, visual examinations would not be sufficient for flaw characterization unless both surfaces of the flaw can be visually examined. Because an engineering analysis is only as good as the flaw characterization, the NRC staff stated that additional guidance is needed in the NEI White Paper to address a situation where the flaw characterization is indeterminate.

Regarding the NEI guidance on the timing of operability determinations, the NRC staff stated that the wording may leave more latitude than intended. An NRC staff representative conveyed that the guidance for immediate determination should be consistent with guidance in RIS 2005-20. For example, the NEI White Paper provides licensees with 24 hours to complete the immediate operability determination as a goal but not necessarily a limit. This provision of the NEI White Paper is not consistent with the guidance within RIS 2005-20. The NRC staff recommended a revision to the White Paper to incorporate or reference RIS 2005-20 guidance on immediate determinations. On a related point, the NRC staff recommended that the NEI

White Paper address the situation of when the immediate determination alone is sufficient. Guidance on when the immediate determination alone is sufficient is also contained in RIS 2005-20.

For prompt determinations, the NRC staff recommended that NEI revise the White Paper to refer to RIS 2005-20, Section 4.6.2 on timing for prompt determination. In addition, the NEI White Paper provides 120 hours as a reasonable time for licensees to complete the follow-up prompt operability determination in the case of operational leakage in ASME Class 2 and 3 piping systems. The NRC staff commented that 72 hours is a more appropriate time frame. Industry representatives agreed that they would give serious consideration to the NRC staff recommendations in the next revision to the NEI White Paper.

More detailed information is contained in the NRC staff presentation slides (ADAMS Accession No. ML070460509).

During the meeting, industry representatives stated that guidance within RIS 2005-20, Appendices C.11 and C.12, has already been incorporated into the operability procedures at many plants. The guidance in these appendices may lead to an unnecessary plant shutdown in the event of discovery of through wall leakage in an ASME Code Class 2 or 3 piping system. The current guidance states that a Class 2 or 3 system needs to be declared inoperable as soon as through wall leakage is found. The industry representatives requested that the NRC issue interim guidance that would preclude unnecessary plant shutdowns and that the NRC issue final guidance on this subject once the issue has been fully discussed and resolved. The NRC staff indicated that it would have discussions with NRC management on this request and on options available to respond to this request.

At the conclusion of the meeting, the following actions were agreed upon by NRC staff and industry representatives:

- The NEI will revise the White Paper to address the NRC staff's concerns in approximately 2 weeks from the date of the February 15, 2007, public meeting.
- The NEI will submit a proposed revision of Appendices C.11 and C.12 in approximately 2 months from the date of the February 15, 2007, public meeting.
- The NEI will follow-up with plant operators to determine if a memorandum from the NRC headquarters would provide sufficient justification for plant operators to revise their control room procedures.

No members of the public were in attendance. No public meeting feedback forms were received.

Project No. 689

Enclosure: List of Attendees

cc w/encl: See next page

White Paper address the situation of when the immediate determination alone is sufficient. Guidance on when the immediate determination alone is sufficient is also contained in RIS 2005-20.

For prompt determinations, the NRC staff recommended that NEI revise the White Paper to refer to RIS 2005-20, Section 4.6.2 on timing for prompt determination. In addition, the NEI White Paper provides 120 hours as a reasonable time for licensees to complete the follow-up prompt operability determination in the case of operational leakage in ASME Class 2 and 3 piping systems. The NRC staff commented that 72 hours is a more appropriate time frame. Industry representatives agreed that they would give serious consideration to the NRC staff recommendations in the next revision to the NEI White Paper.

More detailed information is contained in the NRC staff presentation slides (ADAMS Accession No. ML070460509).

During the meeting, industry representatives stated that guidance within RIS 2005-20, Appendices C.11 and C.12, has already been incorporated into the operability procedures at many plants. The guidance in these appendices may lead to an unnecessary plant shutdown in the event of discovery of through wall leakage in an ASME Code Class 2 or 3 piping system. The current guidance states that a Class 2 or 3 system needs to be declared inoperable as soon as through wall leakage is found. The industry representatives requested that the NRC issue interim guidance that would preclude unnecessary plant shutdowns and that the NRC issue final guidance on this subject once the issue has been fully discussed and resolved. The NRC staff indicated that it would have discussions with NRC management on this request and on options available to respond to this request.

At the conclusion of the meeting, the following actions were agreed upon by NRC staff and industry representatives:

- The NEI will revise the White Paper to address the NRC staff's concerns in approximately 2 weeks from the date of the February 15, 2007, public meeting.
- The NEI will submit a proposed revision of Appendices C.11 and C.12 in approximately 2 months from the date of the February 15, 2007, public meeting.
- The NEI will follow-up with plant operators to determine if a memorandum from the NRC headquarters would provide sufficient justification for plant operators to revise their control room procedures.

No members of the public were in attendance. No public meeting feedback forms were received.

Project No. 689

Enclosure: List of Attendees

cc w/encl: See next page

ADAMS Package Accession Number: ML070540243
Meeting Notice Accession Number: ML070080193
Meeting Handout Accession Numbers: ML070460509
Meeting Summary Accession Number: ML070510018 NRC-001

OFFICE	PSPB/PM	PSPB/LA	CPNB/BC	PSPB/BC
NAME	TMensah	DBaxley	TChan	SRosenberg
DATE	2/ 28 /07	2/ 27 /07	3/ 7 /07	3 /8 /07

OFFICIAL RECORD COPY

DISTRIBUTION FOR MEETING SUMMARY

Dated: March 8, 2007

PUBLIC
PSPB Reading File
RidsNrrAdro
RidsNrrDpr
RidsNrrDprPspb
RidsNrrPMTMensah
RidsNrrLADBaxley
RidsOpaMail
MMurphy
RidsNrrDciCpnb
TSullivan
TChan
MKhanna
TLupold
CSchulten
RJasinski
RidsOgcMailCenter
RidsAcrsAcnwMailCenter
RidsNrrDe

List of Attendees for February 15, 2007	
Name	**Organization**
*Nancy Chapman	Bechtel Power Corp.
Guy Davant	Entergy
*Richard Emrath	TVA
Berry Foster	Progress Energy
Tim Kobetz	NRC
Laurie Lahti	NMC/NEI Operability Task Force
Steve Lewis	Entergy
Tim Lupold	NRC
Tanya Mensah	NRC
*Deann Raleigh	Scientech
Jack Roe	NEI
Kevin Scherich	Wolf Creek
Mike Schoppman	NEI
Carl Schulten	NRC
Ted Sullivan	NRC
Edmund Tyler	Constellation Energy
Joe Weicks	Entergy
Edward Weinkam	NMC

* Participated via teleconference

ENCLOSURE

cc:

Mr. Anthony Pietrangelo, Vice President
Regulatory Affairs
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
arp@nei.org

Mr. Jack Roe, Director
Operations Support
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
jwr@nei.org

Mr. Charles B. Brinkman
Washington Operations
ABB-Combustion Engineering, Inc.
12300 Twinbrook Parkway, Suite 330
Rockville, MD 20852
brinkmcb@westinghouse.com

Mr. Gary L. Vine, Executive Director
Federal and Industry Activities, Nuclear Sector
EPRI
2000 L Street, NW, Suite 805
Washington, DC 20036
gvine@epri.com

Mr. James Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355
greshaja@westinghouse.com

Ms. Barbara Lewis
Assistant Editor
Platts, Principal Editorial Office
1200 G St., N.W., Suite 1100
Washington, DC 20005
Barbara_lewis@platts.com

Mr. Alexander Marion, Executive Director
Nuclear Operations & Engineering
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
am@nei.org

Mr. Jay Thayer, Vice President
Nuclear Operations
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
jkt@nei.org

Mr. John Butler, Director
Safety-Focused Regulation
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
jcb@nei.org

Mr. James H. Riley, Director
Engineering
Nuclear Energy Institute
1776 I Street, NW
Washington, DC 20006-3708
jhr@nei.org