

From: Melanie Galloway
To: Christopher Tripp; Frederick Burrows; Marian Zobler; Michael Waterman; Roman Shaffer; Thomas Bergman
Date: 2/20/2007 4:06:03 PM
Subject: Re: ACTION: please comment on Statements of Concern Summary

We think that you have captured the common understanding.

The only other thing we talked about was the last sentence of paragraph 4 of p. 5 of the DPO ("Our view is that the future licensing of fuel facilities should meet the above framework or else appropriate regulatory action should be undertaken openly to change the framework.") but we believe the outcome of your deliberations will by default address that issue so it goes without saying and does not need to be explicitly included.

Onward!

>>> Thomas Bergman 2/16/2007 5:05 PM >>>

I apologize for this taking so long, we were trying to understand the impact of the Board's questions on the DPO process. We are proceeding as though these are independent processes.

I found our last meeting very helpful, and I think we are close on how to summarize your concerns into a set of actions that the panel can address:

The panel met with the submitters to gain a common understanding of the issues that the panel needs to address the concerns raised by DPO-2006-005. In summary, the panel shall:

1. Determine whether the Policy described in the August 4, 2006, Robert Pierson memorandum to FCSS staff is consistent with the requirements of the licensing process contained in 10 CFR Part 70, and the staff review guidance contained in NUREG-1520. For Part 70, the Panel shall address consistency between the 8/4/06 Policy and the requirements in 70.21-23, and 70.60-66. For NUREG-1520, the Panel shall address consistency between the 8/4/06 Policy and the guidance contained in the NUREG, such as Section 3.4.3.2, pages 3-13 through 3-21. The Panel shall address in its review, and comment on, the points made in Sections b. and c. of the DPO.
2. Assess whether the level of information provided on I&C design is sufficient to make the required finding, as described in the 2nd paragraph of item (b) on page 4 of the DPO.
3. Evaluate whether the 4 criteria on page 5 of the DPO, proposed by the submitters, represent an acceptable definition for ISA Summary completeness and, if not, what would.
4. Make recommendations, if the panel agrees in whole or in part with the submitters, of the ramifications of decisions made in accordance with the August 4 memorandum upon both future and past licensing.

Please let me know if you have any comments; as discussed, we want to get it right.

Thanks and have a nice weekend.

CC: Renee Pedersen

Enclosure 4

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Subject: Re: ACTION: please comment on Statements of Concern Summary
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