

June 22, 2007

MEMORANDUM TO: Timothy Frye, Chief
Health Physics Branch
Division of Construction Inspection
& Operational Programs
Office of New Reactors

FROM: Sara Bernal, General Engineer – NSPDP */RA/*
Health Physics Branch
Division of Construction Inspection
& Operational Programs
Office of New Reactors

SUBJECT: SUMMARY OF JUNE 6, 2007, CATEGORY 2 PUBLIC MEETING
WITH THE NUCLEAR ENERGY INSTITUTE TO DISCUSS HEALTH
PHYSICS ISSUES FOR NEW REACTORS

On June 6, 2007, the Nuclear Regulatory Commission (NRC) staff met with members of the Nuclear Energy Institute (NEI) to discuss new reactor health physics issues with NEI. The meeting took place at NRC headquarters located in Rockville, MD. Enclosure 1 lists the meeting attendees.

A public meeting notice was issued on May 29, 2007, and was posted on the NRC's external (public) web page (Agencywide Document Access Management System (ADAMS) Accession No. ML071440243). The notice included the meeting agenda, which was also available as a handout at the meeting. The discussions included:

- (1) Industry questions on Chapters 11 and 12 of Regulatory Guide RG 1.206, "Combined License Applications for Nuclear Power Plants."
- (2) NRC regulatory guidance update plan

After brief opening remarks by the NRC staff, NEI stated that they plan to submit a topical report by the end of July 2007 on a proposed method for performing the radwaste cost benefit analysis required by 10 CFR 50 Appendix I (Section II.D) and Regulatory Guide 1.110, "Cost Benefit Analysis for Radwaste Systems for Light-Water-Cooled Nuclear Power Reactors." The NEI proposal is expected to suggest that the topical report replace the guidance of Regulatory Guide 1.110, if found acceptable by the staff.

CONTACT: Sara Bernal, NRO/DCIP/CHPB
(301) 415-1027

NEI began the discussion on RG 1.206 by asking about the possibility of Combined License (COL) applicants making “commitments” in their application to address unresolved COL action items. COL applicants would “commit” to implementing relevant regulatory guidance and industry standards at the time of COL submittal, rather than providing design details. NEI proposed that this method be used at the time of licensing for the radioactive waste management system.

NRC staff responded that this would not be acceptable. Staff referred NEI to section C.III.4.3 of RG 1.206, “Combined License Information Items That Cannot Be Resolved Before the Issuance of a License.” Staff stated that applicants who could not, or did not, want to provide full information at the time of licensing, could instead propose Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) for the hardware component of the radioactive waste management system along with license conditions for the operational programs component (Process Control Program, Offsite Dose Calculation Manual, etc.) Alternatively, applicants could provide nominal values in their COL application. Later, after issuance of the license (with conditions), the licensee would update the nominal values contained in their Final Safety Analysis Report (FSAR) to reflect as-built conditions using the FSAR update process. However, staff emphasized that sufficient information is still needed at the COL stage to support the NRC licensing decision and to propose a method for ensuring the final closure of information items following issuance of the COL.

Industry responded by asking for clarification on how much information would be considered a “sufficient” amount of information and whether the lack of specific information in the COL would mean a rejection of a COL application during the acceptance review?

NRC staff stated that there will be a public meeting to discuss the level of detail that will be needed to describe the resolution of COL action items in COL applications. In addition the NRC has formed an internal working group to determine acceptance criteria for COL applications.

NRC staff from the Office of Research presented information on the NRC’s Regulatory Guide Update Program (ML071630108). Industry provided feedback on the update program, including its possible impact on operating reactors as well as on new reactor licensing. NRC staff stated they would take all comments into consideration and that they would continue to seek external stakeholder input on the scheduling of regulatory guide updates in addition to the public comment period offered on all draft guides.

The public was invited to attend the meeting. Public Meeting Feedback forms were not received.

Enclosure:
List of Attendees
Meeting Handout

cc w/encl: See next page

NEI began the discussion on RG 1.206 by asking about the possibility of Combined License (COL) applicants making "commitments" in their application to address unresolved COL action items. COL applicants would "commit" to implementing relevant regulatory guidance and industry standards at the time of COL submittal, rather than providing design details. NEI proposed that this method be used at the time of licensing for the radioactive waste management system.

NRC staff responded that this would not be acceptable. Staff referred NEI to section C.III.4.3 of RG 1.206, "Combined License Information Items That Cannot Be Resolved Before the Issuance of a License." Staff stated that applicants who could not, or did not, want to provide full information at the time of licensing, could instead propose Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) for the hardware component of the radioactive waste management system along with license conditions for the operational programs component (Process Control Program, Offsite Dose Calculation Manual, etc.) Alternatively, applicants could provide nominal values in their COL application. Later, after issuance of the license (with conditions), the licensee would update the nominal values contained in their Final Safety Analysis Report (FSAR) to reflect as-built conditions using the FSAR update process. However, staff emphasized that sufficient information is still needed at the COL stage to support the NRC licensing decision and to propose a method for ensuring the final closure of information items following issuance of the COL.

Industry responded by asking for clarification on how much information would be considered a "sufficient" amount of information and whether the lack of specific information in the COL would mean a rejection of a COL application during the acceptance review?

NRC staff stated that there will be a public meeting to discuss the level of detail that will be needed to describe the resolution of COL action items in COL applications. In addition the NRC has formed an internal working group to determine acceptance criteria for COL applications.

NRC staff from the Office of Research presented information on the NRC's Regulatory Guide Update Program (ML071630108). Industry provided feedback on the update program, including its possible impact on operating reactors as well as on new reactor licensing. NRC staff stated they would take all comments into consideration and that they would continue to seek external stakeholder input on the scheduling of regulatory guide updates in addition to the public comment period offered on all draft guides.

The public was invited to attend the meeting. Public Meeting Feedback forms were not received.

Enclosure:
List of Attendees
Meeting Handout

cc w/encl: See next page

DISTRIBUTION:
See next page

ADAMS Package Accession Number: ML071700008
Meeting Notice Accession Number: ML071440243
Meeting Handout Accession Number: ML071630108
Meeting Summary Accession Number: ML071690212

OFFICE	NRO/DCIP/CHPB	NRO/DCIP/CHPB (BC)
NAME	SBernal:hpm1	TFrye
DATE	06/20/07	06/22/07

Memo to Timothy Frye from Sara Bernal dated June 22, 2007

SUBJECT: SUMMARY OF JUNE 6, 2007, CATEGORY 2 PUBLIC MEETING WITH THE
NUCLEAR ENERGY INSTITUTE TO DISCUSS HEALTH PHYSICS ISSUES FOR
NEW REACTORS

DISTRIBUTION:

A. Cabbage
S. O'Connor
M. Vaaler
A. Johnson
W. Reckley
RidsAcrsAcnwMailCenter
NRO_DCIP_CHPB
RidsNroDcipChpb
PUBLIC
RidsOpaMail
RidsOgcMailCenter
rla@nei.org
pedro.salas@areva.com
pmothena@scana.com
mark.paul@dom.com
crpierce@southernco.com
draleigh@scientech.com
lck@nei.org
ronald.shippee@areva.com
rely@enercon.com

**Public Meeting with the Nuclear Energy Institute (NEI)
Discussion of New Reactor Health physics Issues
June 6, 2007
Meeting Attendees**

Name	Organization
Tim Frye	NRC
Jean-Claude Dehmel	NRC
Charles S. Hinson	NRC
Sara Bernal	NRC
Steve Schaffer	NRC
Andrea Valentin	NRC
Steve O'Connor	NRC
John Ridgely	NRC
Terry Brock	NRC
Stephanie Bush-Goddard	NRC
Andrea Johnson	NRC
Bob Meck	NRC
Carl Feldman	NRC
Derek Widmayer	NRC
Kimyata Morgan	NRC
William Reckley	NRC
Richard Ely	Enercon Services
Mark Paul	Dominion Resources
Ron Shippee	AREVA NP
Pedro Salas	AREVA NP
Charles Pierce	Southern Nuclear
Paul Mothena	South Carolina E & G
Deann Raleigh	US Scientech
Leslie Kass	NEI
Ralph Andersen	NEI
John Block*	UCS

* By Telephone

ENCLOSURE

cc:

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

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

Mr. H. A. Sepp, Manager
Regulatory and Licensing Engineering
Westinghouse Electric Company
P. O. Box 355
Pittsburgh, PA 15230-0355

Mr. Gary Welsh
Institute of
Nuclear Power Operations
Suite 100
700 Galleria Parkway, SE
Atlanta, GA 30339-5957

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

Alexander Marion, Executive Director
Nuclear Operations & Engineering
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

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

Mr. James H. Riley, Director
Engineering
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

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

Mr. Pedro Salas
Regulatory Assurance Manager - Dresden
Exelon Generation Company, LLC
6500 N. Dresden Road
Morris, IL 60450-9765