

Enforcement Discretion

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Overview

- **Purpose of NEI Enforcement Discretion Survey**
- **Survey Questions**
- **Summary of Responses and Conclusion**

Purpose of NEI Survey

- **NRC evaluating Industry's request to change the NFPA-805 Enforcement discretion policy**
- **During the Fire Protection Steering Group meeting on October 17, NRC questioned**
 - **How many plants would be significantly challenged if the current enforcement discretion policy for NFPA-805 transition was not changed**
 - **What are the reasons for the additional time required**
- **NEI survey obtained information to answer these questions**

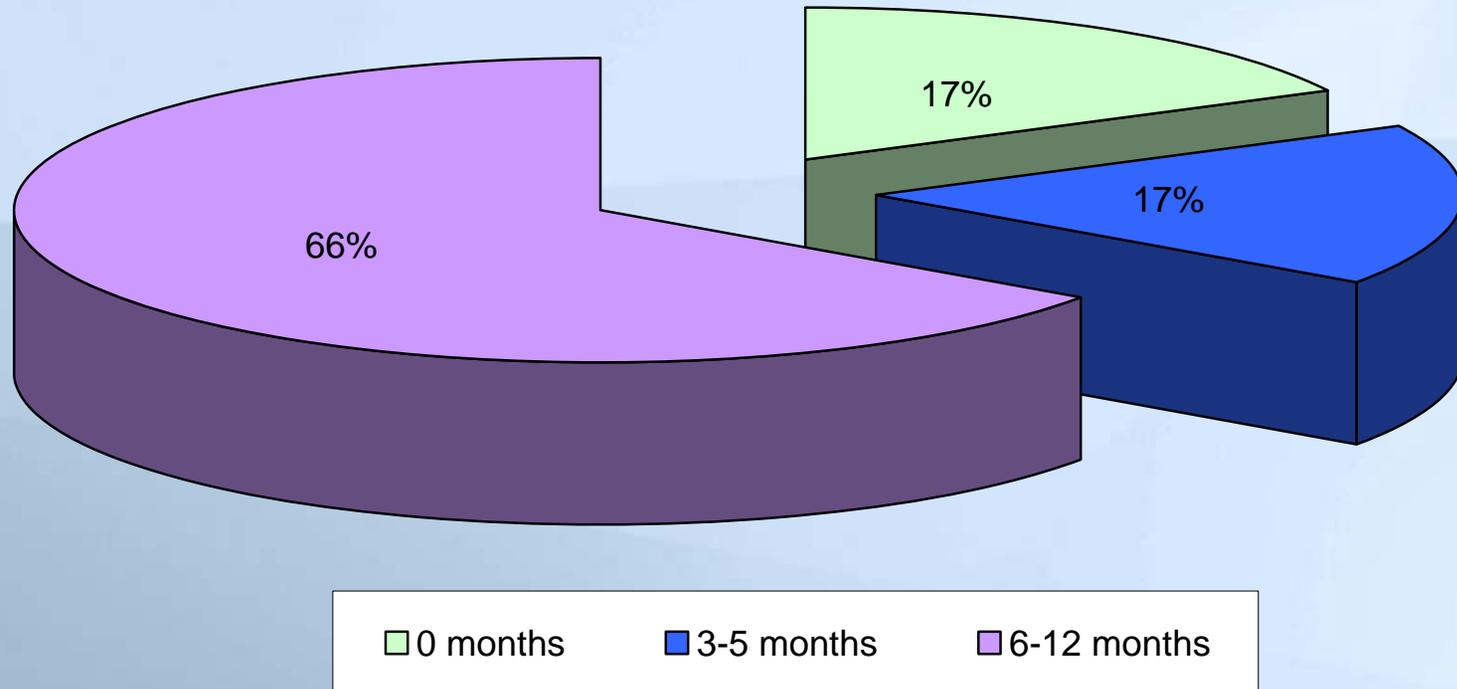
Survey Questions

- **If your plants were held to your existing enforcement discretion period, would you be able to complete the NFPA-805 LAR submittal in time (prior to the end of the enforcement discretion period)?**
- **If you do not expect to be able to complete your LAR in time, please answer the following for each plant:**
 - **Why – what is the limiting resource?**
 - **How much additional time do you believe each plant will need?**

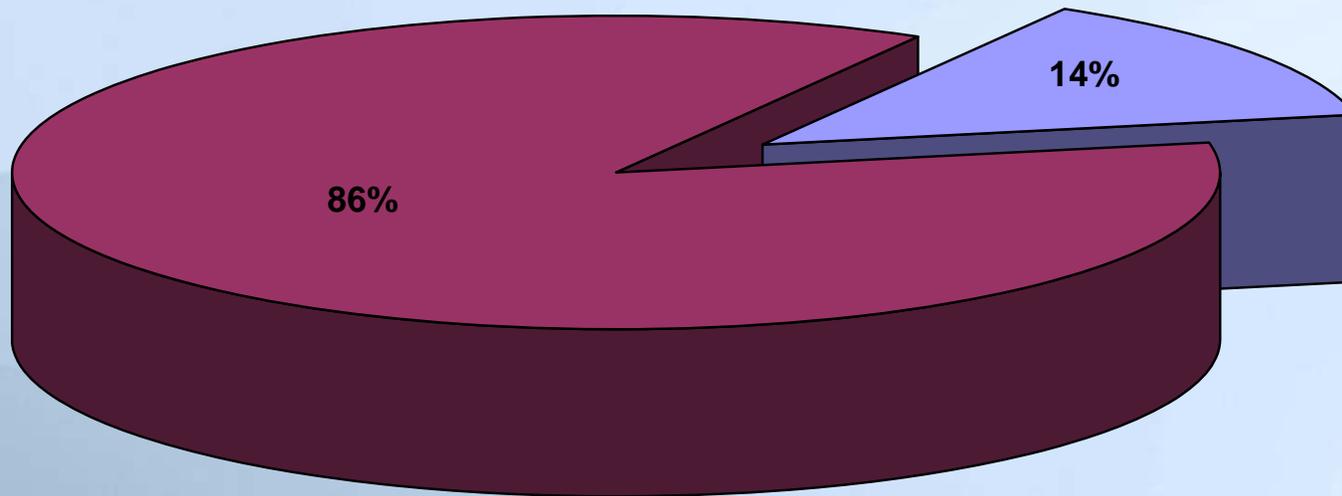
Summary of Responses & Conclusions

- **23/42 Units replied to these questions, representing 55% of transitioning plants.**
 - **23/32 of plants scheduled to submit LAR by the end of 2009, which represents 72% response.**
- **Overall position was that it will be a significant challenge to submit corresponding LARs on time given the current enforcement discretion period**

Enforcement Discretion Extension Needs as Responded to by 55% of Transitioning Plants

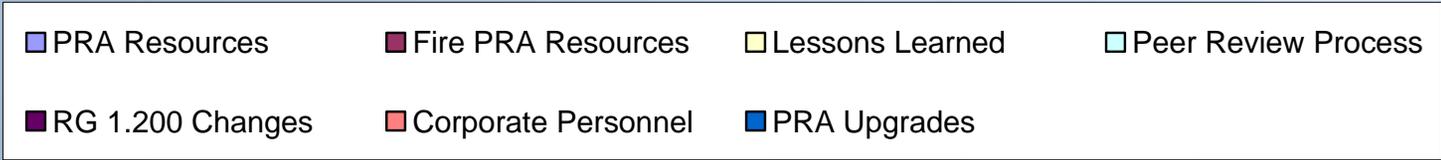
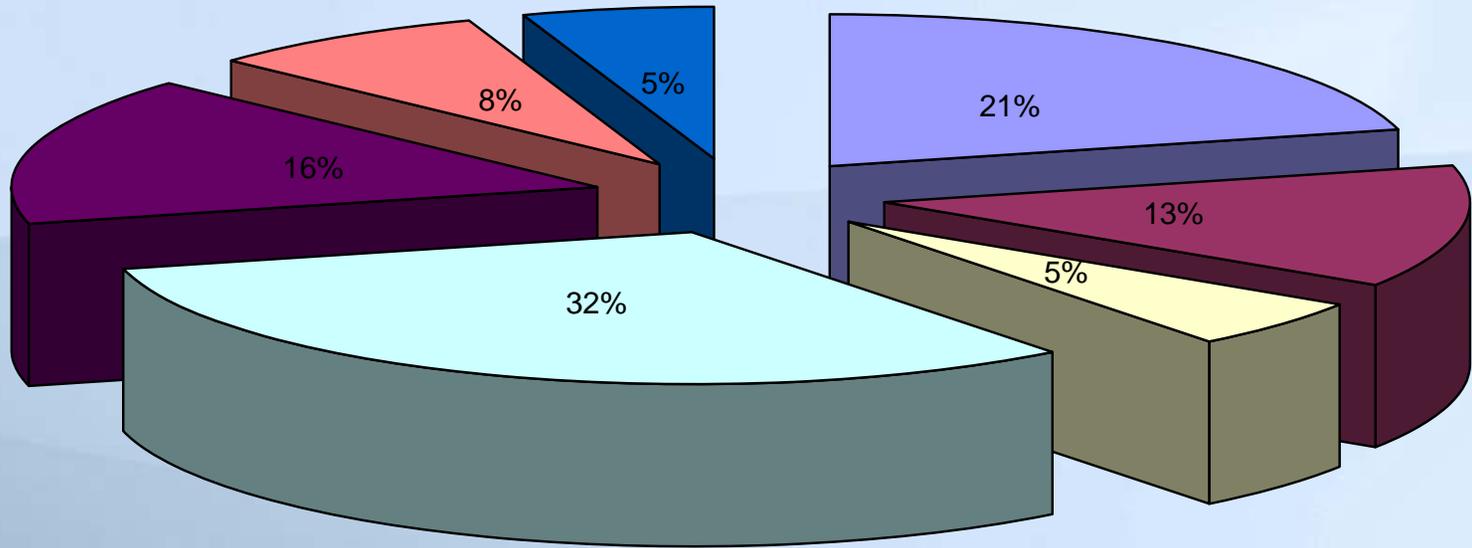


Enforcement Discretion Needs as Responded to by 72% of Plants Scheduled to Submit LAR by the End of 2009



■ No Additional Enforcement Discretion Needed ■ Additional Enforcement Discretion Needed

Key Challenges Resulting in Need for Enforcement Discretion Extension as Responded to by 72% of Plants Scheduled to Submit LAR by the End of 2009



Summary of Responses & Conclusions

- **Major challenges associated with fire PRA quality including**
 - Insufficient number of qualified PRA personnel,
 - Fire PRA peer review standard completion and performance of reviews,
 - Internal events upgrade to RG 1.200, and
 - Time to incorporate lessons learned from the pilots.
- **At least 6 to 12 months of additional time would be necessary to obtain the resources and to allow for adequate incorporation of information from the Pilot Plant reviews**
- **83% of transitioning plants would need an extension of the current enforcement discretion period**