

January 10, 2008

MEMORANDUM TO: James W. Andersen, Chief
Performance Assessment Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

FROM: John Thompson, Senior Reactor Operations Engineer
Performance Assessment Branch/**RA**/
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

SUBJECT: PUBLIC MEETING SUMMARIES ON THE DUANE ARNOLD
FREQUENTLY ASKED QUESTION (FAQ) APPEAL MEETING ON
NOVEMBER 14, 2007, AND THE REACTOR OVERSIGHT PROCESS
MEETING HELD ON DECEMBER 5, 2007

On November 14, 2007, the staff hosted a performance indicator frequently asked question (FAQ) appeal meeting. The subject of the meeting was on the unplanned reactor scram performance indicator and a reactor scram at the Duane Arnold facility. The attendance list for the November 14, 2007, meeting is contained in Enclosure 1. The agenda for the meeting is contained in Enclosure 2.

During the meeting, the Nuclear Energy Institute (NEI) presented the industry position on the performance indicator guidance contained in NEI 99-02, "Regulatory Assessment Performance Indicator Guideline," and how it related to the Duane Arnold event (Enclosure 5). The licensee then discussed the scram event, the circumstances leading up to the event, and their view of the guidance (Enclosure 6). The licensee concluded that based on their interpretation, the scram should not count toward the indicator. The staff then presented its views on the event and guidance, concluding that the scram should count towards the indicator (Enclosure 7). After several questions, the meeting concluded and the Director, Division of Inspection and Regional Support (DIRS) stated that he would make his decision prior to the December 5, 2007, Reactor Oversight Process (ROP) Working Group public meeting.

On December 5, 2007, the staff hosted the monthly ROP Working Group public meeting. The attendance list for the December 5, 2007, meeting is contained in Enclosure 3. The agenda for the meeting is contained in Enclosure 4.

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Discussions by the meeting attendees included the safety culture lessons learned and the status of the NRC cross-cutting issue task force effort, a revision to Inspection Manual Chapter (IMC) 0305, "Operating Reactor Assessment Program," double-counting performance indicators and inspection findings in the ROP Action Matrix, and the Operating Experience Smart Sample (OpESS) pilot program (Enclosure 8). During the discussion of safety culture, the staff discussed some of its early observations, possible changes in guidance, and solicited additional input from the industry on the enhancements in this area (Enclosure 9).

Meeting attendees then discussed the status of current NRC initiatives regarding the significant determination process (SDP) appeal process, several Public Radiation Cornerstone SDP changes, ROP realignment, and Regulatory Issue Summary (RIS) 2007-021, "Adherence to Licensed Power Limits."

Meeting attendees also discussed the status of the staff's lessons learned review of Mitigating Systems Performance Index (MSPI) experience, which is being performed by an NRC contractor. The staff also discussed possible changes to the performance indicator guidance, specifically, the unplanned scrams performance indicator, the unplanned power changes indicator, and MSPI based on recent FAQ decisions.

The attendees then discussed open performance indicator frequently asked questions (FAQs). The staff provided the Director of the Division of Inspection and Regional Support (DIRS) decision regarding FAQ 71.0 (Duane Arnold unplanned scram). The Director ruled that after weighing the arguments presented by staff and industry on November 14, 2007, that the scram on March 18, 2007, should count towards the indicator (see appeal decision wording in Enclosure 8, "FAQ Log").

The status of the open draft FAQs are as follows:

TempNo.	PI	Topic	Status	Plant/ Co.
70.0	MSPI	Blown Fuse on Diesel	Final Decision	Ft. Calhoun
71.0	1E01	Chemistry Excursion	Appeal Decision - Final	Duane Arnold
71.1	1E03	Environmental Condition Downpower	Final Decision	FitzPatrick
72.0	EP03	Siren Activation	Final Decision	D.C. Cook
74.0	MSPI	PRA Model Revision	Final Decision	La Salle
75.0	IE01	Manual Shutdown to Repair Valve	Introduced	Perry
75.1	IE01/IE03	Power Runback due to Recirc Pump Motor Fault and Subsequent Manual Shutdown	Introduced	Perry
75.2	IE03	Appx 5% Unplanned Power Change during Shutdown to Repair Valve	Introduced	Perry

The NRC staff and industry reached final agreement on FAQs 70.0, 71.1, 72.0, and 74.0. FAQ 75.0, 75.1, and 75.2 were all introduced and are all associated with events at the Perry plant.

The date for the next meeting of the ROP Working Group is January 16, 2008.

Enclosures:

1. Attendance List – November 14, 2007
2. Agenda – November 14, 2007
3. Attendance List – December 5, 2007
4. Agenda – December 5, 2007
5. NEI Presentation from November 14, 2007
6. Licensee Presentation from November 14, 2007
7. NRC Staff Presentation from November 14, 2007
8. Operating Experience Smart Sample Web Page Information
9. NRC Staff Safety Culture Lessons Learned
10. FAQ Log, dated 12/07

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Enclosures – ML080080534

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| RCaniano | DDube |
| IPAB | PAppignani |
| IRIB | |

ATTENDANCE LIST
DUANE ARNOLD APPEAL ROP PUBLIC MEETING
November 14, 2007

	NAME	AFFILIATION
1	John Butler	NEI
2	Julie Keys	NEI
3	Jim Andersen	NRC
4	Jim Peschel	FPL
5	Bob Murrell	FPL
6	Don Hickman	NRC
7	Fred Brown	NRC

**APPEAL MEETING AGENDA
FOR FREQUENTLY ASKED QUESTION 71.0,
CHEMICAL EXCURSION FOLLOWED BY A
PLANT SHUTDOWN FOR THE
DUANE ARNOLD STATION**

November 14, 2007
2:00 - 3:30 p.m.

- 2:00 - 2:05 p.m. Introductions and Explanation of FAQ Appeal Process
(Appendix E to NEI 99-02)
- 2:05 - 2:30 p.m. Overview of FAQ 71.0, Duane Arnold Licensee Discussion
- 2:30 - 2:55 p.m. NRC Staff Discussion
- 2:55 - 3:15 p.m. Questions and Clarifications
- 3:15 - 3:25 p.m. Public Comments
- 3:25 - 3:30 p.m. Final Comments
- 3:30 p.m. Adjourn

ATTENDANCE LIST
INDUSTRY/STAFF ROP PUBLIC MEETING
December 5, 2007

	NAME	AFFILIATION
1	John Butler	NEI
2	Julie Keys	NEI
3	Lenny Sueper	NMC
4	Al Haeger	Exelon
5	Duane Kanitz	STARS
6	Don Olson	Dominion
7	Robin Ritzman	FENOC
8	Fred Mashburn	TVA
9	Kay Nicholson	Duke
10	Tim Kolb	NRC
11	Bryan Ford	Entergy
12	Steven Vaughn	NRC
13	Isabelle Schoenfeld	NRC
14	George Lapinsky	NRC
15	Jim Peschel	FPL
16	Bob Murrell	FPL
17	Mark King	NRC
18	Donna Wright	NRC
19	Eva Brown	NRC
20	Dave Allsopp	NRC
21	Carlos Sisco	Winston and Strawn
22	James Andersen	NRC
23	John Thompson	NRC
24	Jenny Weil	McGraw Hill
25	Bob Gramm	NRC
26	Glen Masters	INPO
27	Ken Heffner	PGN
28	Dave Midlik	Southern Nuclear
29	Patrick Baranowsky	ERIN
30	Don Dube	NRC

ROP WORKING GROUP PUBLIC MEETING AGENDA

December 5, 2007
9:00 a.m. - 4:00 p.m.

Commissions' Hearing Room
Bridge: 1-800-638-8081, Passcode 8891#

9:00 - 9:05 a.m.	Introduction and Purpose of Meeting
9:05 - 09:20 a.m.	Discussion of Performance Assessment Branch Topics <ol style="list-style-type: none"> 1. Safety Culture (task force status) 2. Double-counting in the Action Matrix 3. Revision to IMC 0305 4. Other
09:20 - 10:30 a.m.	Reactor Inspection Branch Topics (topics continued from last meeting) <ul style="list-style-type: none"> • Regulatory Issue Summary (RIS) 2007-21 (update) • Significant Determination Process (SDP) appeal process (status) • ROP Realignment (status) • SDP changes in the Public Radiation Cornerstone (status)
10:30 - 10:45 a.m.	Public Input
10:45 - 12:00 p.m.	Discussion of Performance Indicator Topics <ul style="list-style-type: none"> • MSPI Unavailability Reviews • NEI 99-02 potential guidance changes • Other
12:00 - 1:00 p.m.	Lunch
1:00 - 2:30 p.m.	Discussion of Open and New PI Frequently Asked Questions (FAQs) The latest draft FAQs are located on the public web at http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/draft_faqs.pdf This list is subject to change the day before the meeting based on availability of new draft FAQs provided by the Nuclear Energy Institute (NEI)
2:30 - 2:45 p.m.	Public Input
2:45 - 3:15 p.m.	Continuation Discussion of Open and New PI FAQs
3:15 – 3:35 p.m.	Maintenance Rule <ol style="list-style-type: none"> 1. Maintenance Rule (status)
3:35 - 3:45 p.m.	Future Meeting Dates, ROP Working Group Action List Status and Future Topics
3:45 - 4:00 p.m.	Public Input Meeting To Adjourn Following Public Input