

February 21, 2008

MEMORANDUM TO: Pao-Tsin Kuo, Director  
Division of License Renewal  
Office of Nuclear Reactor Regulation

FROM: Rajender Auluck, Branch Chief **/RA/**  
Engineering Review Branch 2  
Division of License Renewal  
Office of Nuclear Reactor Regulation

SUBJECT: COMMUNICATION PLAN FOR POST LICENSE RENEWAL APPROVAL  
INSPECTION ACTIVITIES FOR PLANTS WITH RENEWED  
OPERATING LICENSES

The U.S. Nuclear Regulatory Commission (NRC or staff) staff developed a communication plan for the revision and implementation of site inspection procedure IP-71003 pertaining to verification of license renewal commitments prior to entering the period of extended operation. The inspection procedure IP-71003, "Post-Approval Site inspection For License Renewal," was issued on February 18, 2006, and is currently being revised by the staff. Enclosed is a copy of the communication plan.

Implementation of this IP will facilitate accomplishment of our Strategic Plan Goal to ensure safety, effectiveness, and openness in our regulatory process. This plan will facilitate communication within the agency, and provide timely, consistent, and understandable information to our internal and external stakeholders. It identifies opportunities for meaningful involvement that will enhance the public's understanding of our safety and regulatory activities.

This plan has been reviewed by the Office of Nuclear Reactor Regulation and the Office of Public Affairs in accordance with the Communication Plan guidance.

Enclosure:  
As stated

CONTACTS: Tommy Le, NRR/DLR/RPB1  
301-415-1091

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NAME	NLe	IKing	RAuluck	PTKuo
DATE	01/24/08	02/20/08	02/21/08	02/21/08

**OFFICIAL RECORD COPY**

**COMMUNICATION PLAN FOR  
POST LICENSE RENEWAL APPROVAL INSPECTION ACTIVITIES  
FOR PLANTS WITH RENEWED OPERATING LICENSES**

**GOALS**

The U.S. Nuclear Regulatory Commission (NRC or staff) staff developed a communication plan for the revision and implementation of site inspection procedure IP-71003 pertaining to verification of license renewal commitments prior to entering the period of extended operation. The inspection procedure IP-71003, "Post-Approval Site inspection For License Renewal," was issued on February 18, 2006, and is currently being revised by the staff.

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**BACKGROUND**

Based on the Atomic Energy Act of 1954, the NRC issues licenses for commercial power reactors to operate for up to 40 years and allows these licenses to be renewed for another 20 years. The NRC has established a license renewal process that can be completed in a reasonable period of time with clear requirements to ensure safe plant operation for an additional 20 years of plant life.

The NRC staff and the industry have developed license renewal implementation guidance to improve the efficiency and effectiveness of the license renewal process. The goal is to establish a stable and predictable regulatory process for renewing operating licenses. The NRC issued Regulatory Guide 1.188, "Standard Format and Content for Applications to Renew Nuclear Power Plant Operating Licenses," and the "Standard Review Plan for Review of License Renewal Applications for Nuclear Power Plants," (NUREG-1800) for implementing Title 10 of the *Code of Federal Regulations* (CFR) Part 54 that incorporate experience gained from the review of the first renewal applications. The standard review plan also incorporates by reference the "Generic Aging Lessons Learned (GALL) Report," (NUREG-1801) that documents generically the basis for determining when existing programs are adequate and when existing programs should be augmented for license renewal. As part of the NRC staff review process, the staff performs license renewal inspections, in accordance with IP 71002, "License renewal Inspection," prior to the approval of an application for renewed license. The staff has also issued inspection procedure IP-71003 pertaining to verification of license conditions added as part of the renewed license, license renewal commitments, and selected aging management programs (AMPs), are implemented in accordance with 10 CFR 54.

To increase staff effectiveness, the staff is updating the license renewal guidance documents including inspection procedure IP-71003. This update will also increase license renewal review efficiency by incorporating lessons learned from the inspections conducted as part of the license renewal application (LRA) review process.

Enclosure

Although an up-to-date communication plan already exists for the license renewal program, the staff developed this communication plan to inform internal and external stakeholders on the upcoming post license renewal approval inspection activities. Any questions should be directed to Tommy Le at 301-415-1458.

## **AUDIENCE**

The audiences are a subset of those contained within the larger scope of the “Reactor License Renewal Program Communication Plan” and include numerous internal and external stakeholders.

### **Internal Stakeholders**

The Commission

Office of the Executive Director for Operations (EDO)

Office of Nuclear Reactor Regulation (NRR) managers and staff

Office of the General Counsel (OGC)

Office of Public Affairs (OPA)

NRC Region I

NRC Region II

NRC Region III

NRC Region IV

### **External Stakeholders**

Public

Media

Nuclear Energy Institute (NEI)

Plant Operators with Renewed Operating Licenses (ROLs)

Industry (general)

Public interest groups (Union of Concerned Scientists has agreed to coordinate interactions with the Critical Mass Energy Project, Nuclear Information and Resource Service, and National Whistleblowers Center)

## **KEY MESSAGES**

1. The main focus in the implementation of this inspection procedure is to verify those license conditions which have been added as part of the renewed license, license renewal commitments, and selected AMPs are implemented in accordance with the license renewal regulations.
2. The staff has improved the license renewal implementation guidance associated with the verification of licensee’s implementation of its commitments as stated in the ROLs. This update reflects lessons learned and process improvements and will improve the efficiency and effectiveness of the post-renewal process.
3. Addressing comments and concerns related to inspecting and verifying license renewal commitments to implementing AMPs, using post-approval site inspection procedure IP-71003, “Post-Approval Site Inspection For License Renewal,” will promote increased public confidence.

## **COMMUNICATION TEAM**

The primary responsibility of the communication team is to ensure that a consistent, accurate, and timely message is conveyed to our stakeholders. The team consists of technical, project management, and communication staff.

D. Norkin	301-415-2954	NRR/DIRS/IRIB (Team Leader)
T. Le	301-415-1458	NRR/DLR/RPB1 (Co-Team Leader)
S. Burnell	301-415-8204	Public Affairs Specialist, OPA (HQ)

## **EFFECTIVE DATE**

The communication plan is effective as of the date of the memorandum from Rajender Auluck, Branch Chief, Engineering Review Branch 2, Division of License Renewal, to P. T. Kuo, Director, Division of License Renewal, transmitting this communication plan, and will be closed after the communication team determines that the need for specific implementation of a communication plan no longer exists.

## **COMMUNICATION TOOLS**

The following tools are currently being used:

### Internal Briefings

Internal briefings will be conducted at various points in the process, as needed, to keep internal stakeholders informed.

Have I Got News (targeting NRR management and staff)  
EDO Daily Notes (targeting EDO, The Commission)  
NRR Website - What's New Section (targeting all NRC)

### External Outreach

Public Meetings - as needed  
Website  
Handouts, fact sheets and copies of presentation slides

**TIMELINE OF COMMUNICATION ACTIVITIES**

<b>Communication Activities</b>	<b>Responsibility</b>	<b><u>Scheduled Date (for Completion)</u></b>
Draft of DLR-Revised IP-71003 sent to four Regions for comments	NRR/DIRS/IRIB NRR/DLR/RPB1	11/30/06 Completed
Internal DLR/DIRS/OGC/Regions meeting to discuss and redraft & incorporate comments received from the NRC Regions	NRR/DIRS/IRIB NRR/DLR/RPB1	04/30/07 Completed
Letters sent to NEI & UCS requesting public comments on the draft revised IP-71003	NRR/DIRS/IRIB NRR/DLR/RPB1 REGIONS	05/30/07 Completed
Incorporate public comments	NRR/DIRS/IRIB NRR/DLR/RPB1	12/30/07 Completed
EDO Daily Notes	NRR/DLR	02/08 T-1 day
Issuance of revised IP-71003	NRR/DIRS/IRIB NRR/DLR/RPB1	02/08 T=0
Notify Congressional Delegates of issuance of IP	OCA	T+ 30 min
Notify States of issuance of IP	STP	T+ 30 min
Inform Regional Management of issuance of IP	NRR/DLR	T+1 hour
Prepare NRR Highlight	NRR/DLR	T+1 week
NRC internal distribution	NRR/DIRS/IRIB	T+1 week
Inform NRR staff through, "Have I Got News for You"	NRR/DLR/RPB1	T+2 weeks
Public meeting to discuss the implementation of IP-71003 (NRC RIC 2008 03/13/08)	NRR/DIRS/IRIB NRR/DLR/RPB1 NRC Regions, OGC	03/13/08

## **EVALUATION OF SUCCESS**

The effectiveness of implementing the communication plan will be evaluated on a periodic basis to ensure that communications are effective. Success in communicating our messages will be measured by both formal (e.g., public meeting feedback forms) and informal (e.g., routine interfaces with external stakeholders) means. Appropriate modifications will be made to this communication plan based on this assessment.

## **QUESTIONS AND ANSWERS**

### General

Q1. Why is the NRC doing the 71003, the so called "Commitments Inspection"? Is there a safety issue or other matter involved?

A1: The inspection procedure is a part of NRC Inspection Manual (NIM) Chapter 2516, License Renewal Inspection Program. It is part of the agency's inspection program to ensure compliance and assess performance related to 10 CFR 54 on how power reactor licensees are demonstrating that they are managing the effects of aging.

There is a clear safety objective related to the monitoring of passive components and their intended safety related functions within the scope of the license renewal rule (10 CFR 54.4 (a)(1)). The monitoring of non-safety related components with the potential to effect safety related equipment are included (10 CFR 54.4 (a)(2)). Other components in scope of the license renewal rule have a clear regulatory basis to the intended function such as station blackout power (10 CFR 54.4 (a)(3)). For example, the failure of passive components could be a common mode failure for certain safety systems.

The agency has conducted an extensive review of the monitoring of passive components as reviewed in the LRA and by subsequent application amendments or supplements or responses to "requests for additional information" from NRR. As a result of that review, there were open aspects as reflected in commitments. The license renewal process was also based on a premise of demonstration of monitoring passive components to a certain extent. For example, new AMPs were described and found to be acceptable but several implementing procedures remained to be completed. The essential basis for the renewed license was a reasonable assurance determination by the staff based on the above noted review and inspections of AMP reviews and time limited aging analyses. Public confidence and trust in this process dictates that the agency confirm the completion of commitments from which a reasonable assurance determination was made.

Q2. How much is this going to cost the industry in terms of hours or dollars?

A2: The resource estimate for the staff implementation of IP 71003 is approximately 28 inspector weeks per reactor unit.

Q3. What types of commitments are enforceable or have regulatory control?

A3: It depends on where the commitment is stated in the regulatory framework for each license. Only requirements are enforceable. Requirements can be found in statutes, orders, rules and regulations or licenses by condition or by that attached such as the technical specifications. For some renewed plants, there were a number of technical issues such as those related to drywell corrosion, and specific license conditions were developed beyond the standard conditions noted in NRR Safety Evaluation Reports (SERs) – these license conditions are enforceable, if not met.

Also, two standard conditions were used. One dealt with the requirement to update the updated safety analysis report (USAR) or the final safety analysis report (FSAR) issued as required by 10 CFR 50.71(e)(4) after the renewed license was issued as submitted by 10 CFR 54.21(d) in the license renewal application. It also included a provision until the USAR or FSAR was updated, on the ability to change commitments made in the license renewal process using the 10 CFR 50.59 process. If not properly completed, the failure to meet these requirements would be enforceable.

Another standard condition was issued with all renewed licenses; and, for the most part, it dealt with ensuring commitments met before the extended period for those issues raised by the NRR staff during the LRA review. If a commitment is specifically listed or referenced (e.g., SER NUREG Appendix list of commitments and due dates) in the license condition, then it is enforceable, if not met.

There is a group of commitments that are specifically listed in the USARs supplements required by 10 CFR 54.21 (d). Since the changes in USAR are subject to requirements of 10 CFR 50.59, if those rules are not followed for changes, then the issue may be enforceable. Such commitments would be viewed as commitments under regulatory control.

All other commitments (not a requirement or specifically stated in the USAR) are subject to the commitment tracking system as noted in NEI 99-04 (Rev. 0), Guidelines For Managing NRC Commitments Changes and as endorsed by Regulatory Issue Summary 2000-17, Managing Regulatory Commitments Made by Power Reactor Licensees to NRC Staff. It should be noted in this guidance that, if there is a change to a commitment to the NRC and it is not a requirement or in a codified process such as UFSAR, there needs to be an impacts review on intended SSC functions and/or significant hazards review. Further, if the commitment is stated in the staff's SER, there may also need to be an informal notification to the staff of the change to such commitments.

Q4. What is an example of a performance deficiency that is defined in the Reactor Oversight Process (ROP) with respect to license renewal condition and commitments? Does the ROP minor criterion apply?

A4: A performance deficiency is behavior that is inconsistent with a requirement or standard for which the licensee have reasonable control. The failure to meet a license renewal commitment would be a performance deficiency in which the requirement would need to be identified and therefore it would be potential violation. If no requirement can be identified, the standard would clearly be that which is written to the agency.

Reviewing performance deficiencies for minor issues applies to all performance deficiencies using the SDP (Significance Determination Process) or traditional enforcement process – this is a first order principle of the agency’s assessment process.

All such issues would be subject to intra-agency review with Division of Operating Reactor Licensing (DORL), Division of License renewal (DLR), Office of Enforcement (OE), Office of the General Counsel (OGC) and the applicable Region.

It should be noted that the IP 71003 is listed as an infrequent procedure that may be used as a part of NIM MC 2515 Appendix C. As such the procedure is applicable to two programs, MC 2515 and MC 2516.

Q5. If you do the 71003-team-inspection before the extended period what kind of findings will you have, new programs and many modified AMP don't go into effect until the period of extended operations.

A5. If something is not in effect, then the issue may be held open or unresolved pending a review to determine if it is acceptable, a violation or deviation. Other regulatory tools could be used if the agency believes a significant commitment or a number of commitments will be missed. All such matters will be subject to a intra-agency review involving NRR/DORL, NRR/DLR, OE, OGC and the applicable Region.

Q6. Can you give examples of what kind of escalated issues with which the industry might need to address?

A6. We hope we won't need to go there in light of the past attention to license renewal and the extensiveness of the plans for monitoring of passive components. The agency has the capability at a moments notice to bring together an intra-agency review involving NRR/DORL, NRR/DLR, OE, OGC and the applicable Region.

A change to a commitment using an AMP method of detection or acceptance criteria that the staff has not reviewed and the process is proven to be ineffective from the original commitment may well be a potential safety issue subject to escalated enforcement if it is a violation by license condition or if a regulatory required change process was not followed. It may also be a violation of 10 CFR 54.29 (a), a standard for issuance of a renewed License, which requires:

“actions have been identified and have been or will be taken with respect to the matters identified ... [managing the effects of aging or time limited aging analysis] ...such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the CLB, and that any changes made to the plant’s CLB in order to comply with this paragraph are in accord with the Act and the Commission’s regulations.”

Q7. Can the agency give an example of a USAR commitments that screens in for a safety evaluation and an example of a change for which the NRC is required to be notified as a result of a) safety evaluation or b) other reason like change in license condition or due date for commitment.

A7. All commitment changes from that which is stated in the USAR would be within the scope of the 10 CFR 50.59 rule subject further screening and/or a safety evaluation. Any change to a license condition including those referenced in license conditions also need to be approved by NRC in accordance with the license amendment process 10 CFR 50.90.

Q8. How will the agency assess significance of performance deficiencies for license renewal conditions and commitments not met (PRAs don't seem to be applicable)?

A8: Several ROP first order principles still apply.

1) Performance Deficiencies will need to meet the definition of a performance deficiency as noted in NIM Manual Chapter 0612.

2) All performance deficiencies will be reviewed for more than minor or not.

3) If the Performance Deficiency can not be addressed by the Significance Determination Process AND it is not subject to Traditional Enforcement, then the issue is subject to NRC Management Review. If subject to traditional enforcement, the supplements to the Enforcement Policy will be used to determine severity level for violations. Those supplements may also be used for the Management Review along with any risk informed insights. The agency has the capability at a moments notice to bring together an intra-agency review involving NRR/DORL, NRR/DLR, OE, OGC and the applicable Region.