

January 28, 2008

MEMORANDUM TO: Michele G. Evans, Director
Division of Component Integrity
Office of Nuclear Reactor Regulation

FROM: Edmund J. Sullivan, Senior Level Advisor **/RA/**
Division of Component Integrity
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE DECEMBER 10, 2007, CATEGORY 2 PUBLIC
MEETING WITH THE NUCLEAR ENERGY INSTITUTE (NEI) ON
OPERATIONAL LEAKAGE (TAC NO. MD5109)

On December 10, 2007, a Category 2 public meeting was held between the U. S. Nuclear Regulatory Commission (NRC) staff and industry representatives at the NRC offices in Rockville, Maryland and via telephone. A list of attendees is provided in Enclosure 1. The purpose of this meeting was for the NRC staff and industry representatives to discuss the NRC staff guidance related to operational leakage in ASME Code Class pressure boundary components. This project was undertaken to address industry concerns raised in the NEI White Paper on Operational Leakage provided to the NRC in May 2006 (Agencywide Documents Management System (ADAMS) Accession No. ML061320347). The NRC staff previously met with the NEI to discuss this issue on August 16, 2006, February 15, 2007 (ADAMS Accession No. ML070540243), August 30, 2007 (ADAMS Accession No. ML072540476), and October 18, 2007 (ADAMS Accession No. ML073200781).

The December 10, 2007, public meeting was held to discuss NEI comments on draft Part 9900, Appendices C.11 and C.12, which were in placed in ADAMS prior to the meeting (ADAMS Accession No. ML073380097). The public were made aware of the draft appendices in ADAMS through the public meeting web site announcement.

Enclosure 2 contains a copy of the presentation made by NRC staff during the meeting. The presentation addressed changes made to the draft Part 9900, Appendices C.11 and C.12 since the last meeting with NEI. One of the topics covered in this presentation pertained to submitting relief requests in connection with evaluating flaws and operational leakage. In response to questions the NRC staff indicated that the guidance on relief requests is related to satisfying the requirements of 10 CFR 50.55a and that submitting a relief request is not part of the operability determination process, per se. NRC staff and industry discussed that there are other related questions and topics that may be appropriate to discuss in a similar forum after the Part 9900 guidelines are issued.

Enclosure 3 contains comments that NEI prepared on the draft Part 9900, Appendices C.11 and C.12. Regarding the first comment, NRC staff agreed to revise the wording to include "or construction code" after "ASME Code" in several places to ensure clarity.

The second NEI comment requested NRC staff to clarify the intent with regard to the timing of the repair of leaks identified at the end of an outage or during an unplanned short outage when all the requirements of ASME Code Case N-513-1 and the associated conditions in Regulatory Guide 1.147 can be satisfied. NRC staff agreed to take a close look at this request to determine if the topic is appropriately characterized or needs clarification.

The third and fourth NEI comments pertain to discussion earlier in the meeting on when relief requests are needed in connection with operational leakage.

The fifth NEI comment pertains to the use of the term "normal operating temperature" versus "nominal operating temperature" in the 7th paragraph in C.12. The staff indicated it would look into which term to use consistent with usage in Code Case N-523 discussed in the 7th paragraph.

Regarding the sixth comment, the NRC staff noted that it finds the guidance on timing for immediate and prompt operability determinations discussed in the NEI White Paper, Revision 2 (ADAMS Accession No. ML071590195) is acceptable.

NEI and NRC staff representatives noted that it may be useful to have additional discussions in 2008 on topics related to the Part 9900, Appendices C.11 and C.12. NEI representatives indicated that NEI may send in a paper to frame the issues for further discussion.

The NRC staff indicated that it anticipates issuing RIS 2005-20, Revision 1 by the end of January 2008. This RIS will contain the finalized Part 9900, Appendices C.11 and C.12.

No members of the public were in attendance.

Project No. 689

Enclosure:

1. List of Attendees
2. NRC Slide Presentation
3. NEI Comments on Draft Appendices C.11 and C.12

The second NEI comment requested NRC staff to clarify the intent with regard to the timing of the repair of leaks identified at the end of an outage or during an unplanned short outage when all the requirements of ASME Code Case N-513-1 and the associated conditions in Regulatory Guide 1.147 can be satisfied. NRC staff agreed to take a close look at this request to determine if the topic is appropriately characterized or needs clarification.

The third and fourth NEI comments pertain to discussion earlier in the meeting on when relief requests are needed in connection with operational leakage.

The fifth NEI comment pertains to the use of the term "normal operating temperature" versus "nominal operating temperature" in the 7th paragraph in C.12. The staff indicated it would look into which term to use consistent with usage in Code Case N-523 discussed in the 7th paragraph.

Regarding the sixth comment, the NRC staff noted that it finds the guidance on timing for immediate and prompt operability determinations discussed in the NEI White Paper, Revision 2 (ADAMS Accession No. ML071590195) is acceptable.

NEI and NRC staff representatives noted that it may be useful to have additional discussions in 2008 on topics related to the Part 9900, Appendices C.11 and C.12. NEI representatives indicated that NEI may send in a paper to frame the issues for further discussion.

The NRC staff indicated that it anticipates issuing RIS 2005-20, Revision 1 by the end of January 2008. This RIS will contain the finalized Part 9900, Appendices C.11 and C.12.

No members of the public were in attendance.

Project No. 689

Enclosure:

1. List of Attendees
2. NRC Slide Presentation
3. NEI Comments on Draft Appendices C.11 and C.12

DISTRIBUTION:

DCI r/f	RidsOgcMailCenter	M.Murphy	
RidsNrrDpr	RidsOpaMail	C.Schulten	Memo ML080220220
RidsNrrDprPspb	RidsAcrcAcnwMailCenter	T.Mensah	Encl. 2 ML080220231
RidsNrrAdro	RidsNrrDci	C.Tucci	Encl. 3 ML080220236
RidsNrrDciCpnb	K.Gruss		

OAR in ADAMS? (Y or N) Y ADAMS ACCESSION NO.: **Pkg ML080220228** TEMPLATE NO. NRR-106
 Publicly Available? (Y or N) Y DATE OF RELEASE TO PUBLIC 01/28/08 SENSITIVE? N
To receive a copy of this document, indicate in the box: "C" = Copy w/o enclosures "E" = Copy w/enclosures "N" = No copy

OFFICE	NRR/ADES/DCI	SUNSU REVIEW COMPLETE	NRR/ADES/DCI/CPNB
NAME	E. Sullivan /RA/	E. Sullivan /RA/	T. Chan /RA/
DATE	01/24/08	01/24/08	01/28/08

List of Attendees for October 18, 2007	
Name	Organization
Edmund Sullivan	NRC/NRR/DCI
Gerald Waig	NRC/NRR/DIRS/ITSB
Terence Chan	NRC/NRR/DCI/CPNB
Timothy Lupold	NRC/NRR/DCI/CPNB
Edward Weinkam	NMC
Joseph Weicks	Entergy
Mike Schoppman	NEI
Steve Lewis	Entergy
Mike Melton	NEI
Ken Petersen	STARS
Rick Graham	Southern Nuclear
Nathaniel Cofie	Structural Integrity Associates
Ernie Throckmorton	Chesapeake Inservice Inspection/ASME

Nuclear Energy Institute

Project No. 689

cc:

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

Mr. Alexander Marion, Executive Director
Nuclear Operations & Engineering
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
am@nei.org

Mr. Jack Roe, Director
Operations Support
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
jwr@nei.org

Mr. Jay Thayer, Vice President
Nuclear Operations
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
jkt@nei.org

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

Mr. John Butler, Director
Safety-Focused Regulation
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
jcb@nei.org

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

Mike Melton, Senior Project Manager
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
man@nei.org

Mr. James Gresham, Manager
Regulatory Compliance and Plant
Licensing
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355
greshaja@westinghouse.com

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