

QUESTIONS and COMMENTS FROM ERDS RULEMAKING PUBLIC MEETING
March 26, 2008

Alan Nelson, NEI: What are the gaps that the improvements are addressing? ERDS is helpful to the NRC, but a burden to the sites.

Martin Hug, NEI: The biggest impact for exercises or an actual event is getting the staff (NRC Site Team) to the site more so than staffing the Ops center. The staff (NRC Site Team) at the site has the most accurate and current information.

New ERDS needs to address the gaps in the existing system (reliability, security, new technological advances).

Alan Nelson, NEI: Is NRC planning to add more high-level data points, such as critical safety functions?

Martin Hug, NEI: If a plant did not properly classify an event, and resident staff (NRC Residents) had not yet arrived, what could be accomplished by the NRC at the Ops Center?

Alan Nelson, NEI: A question was asked at RIC regarding the seven (NRC) senior managers that have the authority to recommend/order a site to deviate from the license or procedures if deemed necessary. Where is this regulatory authority located (in writing)? Has it been published?

Alan Nelson, NEI: What is the NRC's role, and has it changed from reviewing protective action recommendations to reviewing EOP's and EAL's?

Alan Nelson, NEI: What is the root cause to document how NRC may have misinterpreted or made a mistake in judgment during an exercise due to lack of data? What is the history of NRC experience, and does the NRC have examples of poor decisions because of lack of plant data?

Martin Hug, NEI: Licensee cost goes up due to additional steps to provide data (e.g., someone physically reviewing a system to retrieve data as opposed to electronic). Some systems are not online with computers at older plants (e.g., stand-alone rad monitors).

Walter Lee, Southern Nuclear: Licensees provide data stream to NRC which ultimately becomes a collective data set, but licensees historically have not been able to receive feedback as to how NRC manipulated the data stream to fit into the exercise. This creates burden on the licensees because they frequently receive questions on the manipulated data, and are not aware of the context in which it was used. Who are the people evaluating the data submitted (experts)? Expertise lies at the plant, and all plants are different. Simulators don't produce data points like the actual plant does, and each site is different. All the data at the site could never be available, and the data at the plant may not match up to the simulator data.

Tim East, Wolf Creek: Is there a written schedule in place for the ERDS rulemaking?

Alan Nelson, NEI: Will there be a gap between the current system and the new system going online?

First Entergy: Besides live data, will there be data storage and retrieval?

Alan Nelson, NEI: Would it be better to pilot the new ERDS system before the rulemaking is issued to ensure that the gaps are fixed, roles and responsibilities are clear, system is reliable and secure, etc.? It would be more cost effective to pilot the system before the rulemaking, so that if these types of issues aren't addressed, or the system needs to be changed, then this information is known ahead of the two-year rulemaking process.

Walter Lee, Southern Nuclear: ERDS needs to be modernized regardless of rulemaking. Can the modernization of some of the system begin before the actual rule is issued? Is the proposed expanded data within design basis specifications?

Walter Lee, Southern Nuclear: Submitting CDs with the E-library documentation can result in the data becoming out-of-date quickly. There needs to be a way for documents that they issue can be flagged if it needs to be sent to the NRC, so that when it is issued to the senior management or whomever it is going to, it can automatically be sent to the NRC at the same time. Is the new technology able to accept this kind of data? E-library should be further defined to ensure consistency.

Alan Nelson, NEI: Would existing plants that have submitted to e-Library have to re-submit their data?

Tim East, Wolf Creek: E-library is great for exercises, but is not as efficient during an actual event. During an actual event, the SRO spent the majority of the time on the phone relaying/receiving information. What is the schedule for rulemaking and implementation?

Walter Lee, Southern Nuclear: There should be a shared burden between the licensees and the NRC to maintain the infrastructure for transferring this data. Infrastructure must be in place for internal and external security for the servers so that when they are uploaded, they can share information without the NRC/licensee crossing the other's firewall. Where is the NRC with regards to this? It was discussed in 2006, and Mel Leach provided a conceptual drawing for what NSIR envisioned the system should look like, but nothing further has been mentioned. Cost goes up when data is manipulated. There should be some type of control so that the shared documents are in a read-only type of format, so that the data cannot be altered. It is clear that the opposition is to the process for sharing information, not the concept. ERDS should definitely be piloted before the rulemaking.

Alan Nelson, NEI: Will there be different considerations for security-sensitive information for a real-time library? Where will the real-time library be located – outside server? Outside entity may have different timeframes considered with regards to updating the information. There

should be one central location to find all needed information. Will there be certain data points that are considered critical and some that are not?

Alan Nelson, NEI: Simulated ERDS data: Has NRC done a survey with the licensees to find out how many simulator systems at their facilities are compatible with NRC's simulator? How many are 2-unit, 1-unit, or multi-unit?

Alan Nelson, NEI: Has NRC looked at alternatives to the simulator? Perhaps NRC should try to create the data it is looking for at TTC and upload to its own simulator and examine the cost benefit.

First Entergy: It can be very challenging to keep the stand-alone systems and simulators in sync. Also, in a free-flowing exercise, the operators may not do what was initially provided to the NRC in the EOP/EAL, which would cause the NRC data received different from what the simulator would predict.

Alan Nelson, NEI: How much time will be allowed for implementation after the final rule? Would it be better to pilot before starting rulemaking? This would help with the cost-benefit analysis. Have we justified rulemaking on a cost-benefit? Will the new ERDS be secure, technically reliable and maintainable?

Walter Lee, Southern Nuclear: Simulator capability for displaying information can be limited (e.g., how many servers available). Some plant computers have been upgraded but are still challenged putting out large amounts of data and graphics. Some data is easy to provide, but others can be very costly. NRC should consider the TTC to provide data for the new system for cost benefit purposes.

First Entergy: Regarding constant data stream vs. "heartbeat", NRC should consider making these available as options instead of regulatory requirements. Some licensees are reluctant to stream info to NRC as it is. Another concern is competitive advantage issue (information crossing companies). Also at issue are legal obstacles regarding compliance with FERC for both NRC and industry regarding the limitations on information.

Alan Nelson, NEI: ERDS is supplied for some States. How much data will be sent to the States? Instead of a constant stream of information, should the States receive a sub-set of data? The states may want a licensee liaison at their state EOC's to interpret data and this would be a cost to the licensee. The states may start to second guess the licensee. Expanding the plant data sent to the states will exacerbate the situation. Need to control the amount of data sent to the states with and ERDS MOU. Give the states only the data they need, not all plant data.

Walter Lee, Southern Nuclear: NRC should figure out what is the right amount of data for the states to have. The States should receive their data directly from the licensee, not the NRC. What is the current plan for the availability of data sets? Is the server capable of multiple simultaneous feeds to plants, etc?

SUMMARY – Alan Nelson, NEI:

- NEI is fully onboard with ERDS modernization and fixing the gaps (reliability, security, updated technology) in the current system;
- NEI has concerns with regards to ERDS expansion, (especially cost-benefit);
- For the additional data points, NEI asks that NRC provide an analysis of the need for those data points. How would those additional data points solve current NRC problems? What is the cost-benefit of rulemaking?
- Some data points will not be available no matter what – everyone understands that;
- This is the second time NRC has requested input regarding E-library; seems like the previous feedback led nowhere, which is very disappointing;
- NRC should consider sending out a white-paper stating concept and process for the new system;
- If this is going to be a rule, it must be assured that it can be up-to-date at all times;
- NRC should use its own simulator and provide the cost-benefit analysis for the data it is requesting industry to provide;
- Increasing the data points will have a direct impact on the sites;
- Provide a written schedule for fixing the gaps beforehand instead of after rulemaking;
- Rulemaking should be put-off until these questions are addressed;
- Willing to do a pilot – should be piloted to States as well;
- Where is NRC with regards to budgeting for this effort;
- What are the next steps for NRC – how will these comments be used; and
- Industry will send letter addressing key issues to be discussed and/or resolved prior to the rulemaking.
- Regarding satellite communications, IAEA has been working on this and may be willing to share information.