

August 4, 2008

MEMORANDUM TO: Richard Rasmussen, Chief  
Construction Inspection & Allegation Branch  
Division of Construction Inspection  
& Operational Programs  
Office of New Reactors

FROM: Michael Webb /RA/  
Construction Inspection & Allegation Branch  
Division of Construction Inspection  
& Operational Programs  
Office of New Reactors

PARTICIPANTS: Public, Industry, and NRC Staff

SUBJECT: SUMMARY OF CATEGORY 2 PUBLIC MEETING HELD ON JULY 23,  
2008, TO DISCUSS INDUSTRY REVIEW OF IMC 2505 AND NRC  
REVIEW OF NEI 08-02

The Construction Inspection and Allegations Branch of the Division of Construction Inspection and Operational Programs (DCIP) in the Office of New Reactors (NRO) conducted a category 2 meeting on Wednesday, July 23rd, 2008 with the Nuclear Energy Institute (NEI), industry, and members of the public at NEI offices at 11426 Rockville Pike, Suite 230, Rockville, Maryland, from 8:00 am until 11:00 am. The meeting focused on industry review of NRC Inspection Manual Chapter (IMC) 2505, "Periodic Assessment of Construction Inspection Program Results," and NRC staff review of the NEI 08-02, "Problem Identification and Resolution for New Nuclear Power Plants during Construction".

Following introductions, NEI began the meeting by stating that with respect to IMC 2505, it had several general issues to discuss that morning and that it intended to provide more detailed written comments within the next several weeks. The foremost issue was that safety culture and substantive cross cutting issues were not discussed sufficiently in the IMC to understand completely how the assessment process would work. Given that, as currently proposed, the assessment process will include substantive cross cutting issues as an input to the Construction Response Table, but that they are described as "under development" in IMC 2505, the staff acknowledged this issue, but explained that due to the Commission doing an agency-wide re-evaluation of safety culture, the NRO staff will not roll out the revised components until there is agency consensus regarding how the NRC staff will perform its safety culture assessments. NEI also noted that some definitions in IMC 2505 required clarification or were not consistent with other documents. NRC staff acknowledged this point as well. NEI also questioned how a finding would "roll off" the list (i.e., when a violation would no longer be counted in the assessment process). The staff will consider the comment, but as written, an item will be "carried forward for six months from the date of the inspection report in which the apparent violation is issued or until the NRC accepts the licensee's corrective actions, whichever is longer." NEI also sought the status of IMC 0613, "Documenting 10 CFR Part 52 Construction

CONTACT: Michael Webb, NRO/DCIP/CCIB  
301-415-1347

and Test Inspections.” The staff stated that the document was under internal review and that it expected to be able to provide a draft version at the public workshop scheduled for August 28, 2008. The staff also indicated that it intended to provide an update regarding IMC 2505 at the workshop.

Following the discussion of IMC 2505, the NRC staff provided its comments on NEI 08-02. The NRC staff stated that an important point it wanted to communicate was the document's apparent lack of an in depth discussion and guidance on the implementation of the PI&R program. NRC staff review found the document was too generic to accomplish NRC staff understanding of the purpose of the document (i.e., it is intended to facilitate a uniform adoption by applicants that would facilitate NRC verification of regulatory compliance). The staff also provided clarification that because the document reviewed was a first draft, the comments provided were partial and further review of the official submittal would be required for staff endorsement. Also the staff mentioned that for the sake of uniformity of all documents being published for the new construction effort, NRC general counsel will also need to review the document.

Some of the general comments provided to NEI were: lack of clarity in describing how items in the construction PI&R program are going to be transitioned to the operating PI&R program, managerial responsibilities did not properly capture circumstances when the PI&R program or different parts of the PI&R program would be delegated to contractors, enough details were not provided to describe how trending should be implemented effectively given the complexity of programs chosen or the number of contractors that would have this duty, and the document seemed to be very vague on specifically addressing the role of Inspections, Tests, Analyses, and Acceptance Criteria on a PI&R program. The staff also provided additional section-specific comments.

NEI provided some feedback on these and earlier NRC comments (provided in part at a June 17, 2008, Category 2 meeting). NEI provided clarification on the use of NQA-1 (1994) standard as a reference saying that it is based on the Quality Assurance template approved by NRC for Safety Evaluation Reports. As final remarks, the NRC noted that the document's Appendix A is confusing in that it does not properly line up with NRC's current philosophy for identifying and classifying conditions adverse to quality. The staff noted that Appendix B had good examples but more work was needed to expand on those examples and to enable applicants to more easily classify conditions. NEI representatives acknowledged these sections were works still in progress, indicated they would refine the document further to address NRC comments, and expected to submit a final draft to the NRC before the end of the year.

and Test Inspections.” The staff stated that the document was under internal review and that it expected to be able to provide a draft version at the public workshop scheduled for August 28, 2008. The staff also indicated that it intended to provide an update regarding IMC 2505 at the workshop.

Following the discussion of IMC 2505, the NRC staff provided its comments on NEI 08-02. The NRC staff stated that an important point it wanted to communicate was the document's apparent lack of an in depth discussion and guidance on the implementation of the PI&R program. NRC staff review found the document was too generic to accomplish NRC staff understanding of the purpose of the document (i.e., it is intended to facilitate a uniform adoption by applicants that would facilitate NRC verification of regulatory compliance). The staff also provided clarification that because the document reviewed was a first draft, the comments provided were partial and further review of the official submittal would be required for staff endorsement. Also the staff mentioned that for the sake of uniformity of all documents being published for the new construction effort, NRC general counsel will also need to review the document.

Some of the general comments provided to NEI were: lack of clarity in describing how items in the construction PI&R program are going to be transitioned to the operating PI&R program, managerial responsibilities did not properly capture circumstances when the PI&R program or different parts of the PI&R program would be delegated to contractors, enough details were not provided to describe how trending should be implemented effectively given the complexity of programs chosen or the number of contractors that would have this duty, and the document seemed to be very vague on specifically addressing the role of Inspections, Tests, Analyses, and Acceptance Criteria on a PI&R program. The staff also provided additional section-specific comments.

NEI provided some feedback on these and earlier NRC comments (provided in part at a June 17, 2008, Category 2 meeting). NEI provided clarification on the use of NQA-1 (1994) standard as a reference saying that it is based on the Quality Assurance template approved by NRC for Safety Evaluation Reports. As final remarks, the NRC noted that the document's Appendix A is confusing in that it does not properly line up with NRC's current philosophy for identifying and classifying conditions adverse to quality. The staff noted that Appendix B had good examples but more work was needed to expand on those examples and to enable applicants to more easily classify conditions. NEI representatives acknowledged these sections were works still in progress, indicated they would refine the document further to address NRC comments, and expected to submit a final draft to the NRC before the end of the year.

and Test Inspections.” The staff stated that the document was under internal review and that it expected to be able to provide a draft version at the public workshop scheduled for August 28, 2008. The staff also indicated that it intended to provide an update regarding IMC 2505 at the workshop.

Following the discussion of IMC 2505, the NRC staff provided its comments on NEI 08-02. The NRC staff stated that an important point it wanted to communicate was the document's apparent lack of an in depth discussion and guidance on the implementation of the PI&R program. NRC staff review found the document was too generic to accomplish NRC staff understanding of the purpose of the document (i.e., it is intended to facilitate a uniform adoption by applicants that would facilitate NRC verification of regulatory compliance). The staff also provided clarification that because the document reviewed was a first draft, the comments provided were partial and further review of the official submittal would be required for staff endorsement. Also the staff mentioned that for the sake of uniformity of all documents being published for the new construction effort, NRC general counsel will also need to review the document.

Some of the general comments provided to NEI were: lack of clarity in describing how items in the construction PI&R program are going to be transitioned to the operating PI&R program, managerial responsibilities did not properly capture circumstances when the PI&R program or different parts of the PI&R program would be delegated to contractors, enough details were not provided to describe how trending should be implemented effectively given the complexity of programs chosen or the number of contractors that would have this duty, and the document seemed to be very vague on specifically addressing the role of Inspections, Tests, Analyses, and Acceptance Criteria on a PI&R program. The staff also provided additional section-specific comments.

NEI provided some feedback on these and earlier NRC comments (provided in part at a June 17, 2008, Category 2 meeting). NEI provided clarification on the use of NQA-1 (1994) standard as a reference saying that it is based on the Quality Assurance template approved by NRC for Safety Evaluation Reports. As final remarks, the NRC noted that the document's Appendix A is confusing in that it does not properly line up with NRC's current philosophy for identifying and classifying conditions adverse to quality. The staff noted that Appendix B had good examples but more work was needed to expand on those examples and to enable applicants to more easily classify conditions. NEI representatives acknowledged these sections were works still in progress, indicated they would refine the document further to address NRC comments, and expected to submit a final draft to the NRC before the end of the year.

Enclosure: Attendees List

DISTRIBUTION

PUBLIC

RidsOgcMailCenter  
RidsRgn2MailCenter  
RidsNroDcipCcib  
R. Pascarelli  
R. Laura  
G. Khouri

RidsNroDcipCcibCCIBr/f  
RidsRgn1MailCenterRidsAcrsAcnwMailCenter  
RidsRgn4MailCenterRidsRgn3MailCenter  
RidsNroDcipRidsOpaMail  
RidsNroDcipCqvp  
M. Webb

ADAMS ACCESSION: ML082140209

NRC-001

OFFICE	NRO/DCIP/CCIB	NRO/DCIP/CCIB
NAME	MWebb	RRasmussen
DATE	8/1/08	8/4/08

**July 23, 2008 Category 2 public meeting on IMC 2505 AND NEI 08-02  
Attendance List**

<u>Name</u>	<u>Affiliation</u>	<u>email</u>
Richard Rasmussen	NRC	<a href="mailto:Richard.Rasmussen@nrc.gov">Richard.Rasmussen@nrc.gov</a>
Alan Blamey (via phone)	NRC	<a href="mailto:Alan.Blamey@nrc.gov">Alan.Blamey@nrc.gov</a>
Jose G. Jimenez	NRC	<a href="mailto:Jose.Jimenez@nrc.gov">Jose.Jimenez@nrc.gov</a>
Michael Webb	NRC	<a href="mailto:Michael.Webb@nrc.gov">Michael.Webb@nrc.gov</a>
Joe Ashcraft	NRC	<a href="mailto:Joseph.Ashcraft@nrc.gov">Joseph.Ashcraft@nrc.gov</a>
Ken Heck	NRC	<a href="mailto:KCH1@nrc.gov">KCH1@nrc.gov</a>
Tracey Bishop	DOE	<a href="mailto:tracey.bishop@nnsa.doe.gov">tracey.bishop@nnsa.doe.gov</a>
Russ Bell	NEI	<a href="mailto:rjb@nei.org">rjb@nei.org</a>
Chris Earls	NEI	<a href="mailto:jjf@nei.org">jjf@nei.org</a>
Leslie Kass	NEI	<a href="mailto:cce@nei.org">cce@nei.org</a>
Jim Fiscaro	NEI	<a href="mailto:jjf@nei.org">jjf@nei.org</a>
Dan Magnarelli	Areva	<a href="mailto:Daniel.Magnarelli@areva.com">Daniel.Magnarelli@areva.com</a>
Deann Raleigh	Advantage	<a href="mailto:draleigh@scientech.com">draleigh@scientech.com</a>
Kerry L. Rhoads	Dominion	<a href="mailto:kerry.rhoads@dom.com">kerry.rhoads@dom.com</a>
Mark Giles	Entergy	<a href="mailto:mjgiles@entergy.com">mjgiles@entergy.com</a>
George Zinke	Entergy	<a href="mailto:gzinke@entergy.com">gzinke@entergy.com</a>
Howard Wilchins	Epsilon Systems Solutions	<a href="mailto:hwilchins@epsilonsystems.com">hwilchins@epsilonsystems.com</a>
Gary Waldrep	Exelon	<a href="mailto:gary.waldrep@exeloncorp.com">gary.waldrep@exeloncorp.com</a>
Julie Giles	SCE&G	<a href="mailto:jmgiles@scana.com">jmgiles@scana.com</a>
Marion Smith (via phone)	STP Nuclear Operating Co.	<a href="mailto:mesmith@stpegs.com">mesmith@stpegs.com</a>
John Oddo	Shaw	<a href="mailto:john.oddo@shawgrp.com">john.oddo@shawgrp.com</a>
Christian Clement	Unistar	<a href="mailto:christian.clement@unistarnuclear.com">christian.clement@unistarnuclear.com</a>