

September 11, 2008

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

FROM: Nathan Sanfilippo, Reactor Operations Engineer /RA  
**James W. Andersen for/**  
Performance Assessment Branch  
Division of Inspection and Regional Support  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS WORKING  
GROUP PUBLIC MEETING HELD ON AUGUST 27, 2008

On August 27, 2008, the staff hosted the monthly Reactor Oversight Process (ROP) Working Group public meeting. The attendance list for the meeting is contained in Enclosure 1 and the agenda is contained in Enclosure 2.

Discussions by the meeting attendees included: potential non-safety culture related changes to Inspection Manual Chapter (IMC) 0305, "Operating Reactor Assessment Program," use of traditional enforcement for plant assessment, an update on the B.5.b Temporary Instruction (TI), an update on Task Interface Agreements (TIAs), clarification to Part 26 enforcement, potential changes to IMC 0612, "Power Reactor Inspection Reports," and various proposed changes to Nuclear Energy Institute (NEI) 99-02, "Regulatory Assessment Performance Indicator Guidance."

The staff began the meeting by updating the status of revisions to IMC 0305. Safety culture-related revisions are moving forward. The following decisions have been made: to not move 'other components' into cross cutting issues for the baseline program; counting will remain at the aspect level; and, cross cutting issues will not be directly applied to the action matrix. Non-safety culture-related changes to IMC 0305 are also moving forward. Revisions to Inspection Procedure (IP) 95003, "Supplemental Inspection for Repetitive Degraded Cornerstones, Multiple Degraded Cornerstones, Multiple Yellow Inputs, or One Red Input," are currently being sent for regional comment. The regions' comments as well as comments received from the public will be dispositioned with a final version due in the November/December timeframe.

The working group was then briefed on staff efforts to improve the way traditional enforcement actions are captured in plant performance assessment. The staff has developed and in August discussed a range of options with regional and program office managers. Once internal agreement has been reached, the staff plans to discuss all of the options considered with working group. The goal remains to identify the preferred option by the end of 2008.

CONTACT: Nathan Sanfilippo, DIRS/NRR  
301-415-3951

NRC staff presented an update on the status of TI 2515/171, "Verification of Site Specific Implementation of B.5.b Phase 2 & 3 Mitigating Strategies." Inspections are complete at about one half of the plant sites, with a scheduled completion by mid-December. TI 2515/171 inspection teams consist of two to three members, one of which is a representative from the Office of Nuclear Reactor Regulation (NRR). All TI inspection reports are being reviewed by NRR for consistency. NRR staff is also beginning work on baseline inspection procedures for periodic review of B.5.b mitigating strategies.

NRR staff also provided an update on the TIA process. Meeting slides from this update are included as Enclosure 3. This update sought to clarify the 'applicable staff position' concept. Any members of industry or the public are asked to contact Mike Case, Director of the Division of Policy and Rulemaking, with questions or comments on the TIA process.

NEI representatives communicated a question about how the staff plans on handling enforcement of the new Part 26 regulations once they are implemented; whether by traditional enforcement or via the significant determination process. NRC staff will provide a response at a future ROP monthly meeting.

The staff presented a summary and draft revision to IMC 0612. These documents are included as Enclosure 4. The revision is currently under formal regional and headquarters review for comments. Any comments on these draft documents are to be directed to Timothy Kolb by September 20, 2008. A number of industry comments have been addressed in this revision and all additional comments received will be dispositioned in the final issuance of the manual chapter.

Staff and industry then discussed various proposed changes to NEI 99-02. NEI provided a proposed revision to the Mitigating Systems Performance Index (MSPI) diesel generator mission time measurement during the July meeting. Staff has reviewed this paper but continues with internal research to better understand the interrelationships between a number of proposed MSPI changes. The NRC will provide a response to this issue and a path forward in September.

The staff discussed an NEI proposal relating to MSPI equipment failures due to human errors during testing and maintenance. NEI is seeking to limit counting failures that occur only as a result of testing and would not have occurred during an actual demand. Staff discussed this proposal and will work to provide revised wording to the NEI proposal for the September meeting.

Discussion continued regarding proposed clarifications to NEI 99-02 relating to MSPI failures due to maintenance-induced damage/issues found during post-maintenance testing (PMT) prior to returning the component to functional status. The unresolved portion of this issue involves how to handle unavailability and failures when equipment is declared available but not operable. The NRC staff is formulating a position on this issue and will present a whitepaper at a future ROP monthly meeting.

The NRC staff's whitepaper on proposed changes to the Alert and Notification System (ANS) performance indicator, which was introduced in May, was briefly discussed at this meeting. Industry actions to date have not yet satisfied the concerns of the NRC. The NEI emergency preparedness task group is reviewing the NRC's proposal and will report back to the working group once a position agreeable to all parties has been reached.

The NRC is working on a proposed clarification to the unplanned downpowers performance indicator to address the proper timing of the 72-hour clock. This clarification seeks to improve the guidance based on previously approved frequently asked questions (FAQs).

In July, NEI introduced a whitepaper proposing changes to the performance indicator on unplanned scrams. The paper seeks to clarify the use of procedures to shut down the plant. The staff has reviewed this paper and does not believe the proposed wording is clear to the agency's understanding of the guidance. NRC staff will propose modification to this paper for the September meeting.

Meeting attendees then discussed a performance indicator FAQ as provided by NEI in Enclosure 4. FAQ 83.0 was previously agreed to, in principal, by the NRC staff during previous ROP public meetings and was given final approval in August.

The status of the draft FAQ is as follows:

<b>TempNo.</b>	<b>PI</b>	<b>Topic</b>	<b>Status</b>	<b>Plant/ Co.</b>
83.0	MSPI	Monitored Components	Final Approval	Generic

Meeting topics on the Maintenance Rule and on the Risk Assessment Standardization Project Handbook were deferred from the August agenda. Each of these topics will have its own public meeting in coming months.

The date for the next meeting of the ROP Working Group is September 24, 2008. Future ROP monthly meeting dates include October 22, 2008, December 10, 2008, and January 14, 2009.

Enclosures:

1. Attendance List – August 27, 2008
2. Agenda – August 27, 2008
3. Task Interface Agreements
4. IMC 0612 revision handouts
5. FAQ Log

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OFFICE	NRR/DIRS	NRR/DIRS	NRR/DIRS
NAME	NSanfilippo	TKobetz	JAndersen
DATE	09/04/08	09/10/08	09/11/08

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**ATTENDANCE LIST  
INDUSTRY/STAFF ROP PUBLIC MEETING  
August 27, 2008**

	<b>NAME</b>	<b>AFFILIATION</b>
1	Jim Andersen	NRC
2	Sue Simpson	NEI
3	John Thompson	NRC
4	Nathan Sanfilippo	NRC
5	Duane Kanitz	STARS
6	Al Haeger	Exelon
7	Robin Ritzman	FENOC
8	John Butler	NEI
9	Ken Heffner	Progress
10	Jim Peschel	FPL
11	Lenny Sueper	NMC
12	Roy Linthicum	Exelon
13	Tim Kobetz	NRC
14	Mark Giles	Entergy
15	Julie Keys	NEI
16	Fred Mashburn	TVA
17	Mike Boggi	NRR
18	Fred Brown	NRC
19	Bruce Mrowca	ISL
20	Bob Gramm	NRC
21	Steve Vaughn	NRC
22	Arthur Salomon	NRC
23	Jenny Weil	McGraw-Hill
24	Mary Ann Ashley	NRC
25	Justin Wearne	PSEG
26	Dave Midlik	Southern Nuclear
27	Glen Masters	INPO
28	James Coyle	NRC
29	Ron Frahm	NRC
30	Tim Kolb	NRC
31	David Allsopp	NRC
32	Chris Cauffman	NRC
33	Gil Brown	Focal Point
34	Sara Jessop	Areva NP
35	Pam Cowan	Exelon
36	Eric Moore	Focal Point
37	Dave Nelson	NRC
38	Jim Tulenko	Focal Point
39	Michael Case	NRC
40	Marco Rubin	Focal Point

## REACTOR OVERSIGHT PROCESS (ROP) MONTHLY PUBLIC MEETING AGENDA

August 27, 2008 - 9:00 AM – 3:30 PM – TWFN 9A1

9:00 – 9:05 AM	Introduction and Purpose of Meeting
9:05 – 10:30 AM	<p>Discussion of Performance Assessment Branch Topics</p> <ol style="list-style-type: none"> <li>1. Possible changes to Inspection Manual Chapter (IMC) 0305, “Operating Reactor Assessment Program” – non-safety culture</li> <li>2. Traditional enforcement in the ROP</li> <li>3. Part 26 enforcement</li> <li>4. Shutdown monitoring and the Maintenance Rule</li> <li>5. Other</li> <li>6. Opportunity for public comment</li> </ol>
10:30 – 10:45 AM	Break
10:45 – 12:00 PM	<p>Reactor Inspection Branch Topics</p> <ol style="list-style-type: none"> <li>1. General topics of interest in the inspection area</li> <li>2. Risk Assessment Standardization Project (RASP) Handbook</li> <li>3. IMC 0612 changes</li> <li>4. Other</li> <li>5. Opportunity for public comment</li> </ol>
12:00 – 1:00 PM	Lunch
1:00 – 2:00 PM	<p>Discussion of Performance Indicator Topics</p> <ol style="list-style-type: none"> <li>1. Potential NEI 99-02 guidance changes <ul style="list-style-type: none"> <li>• MSPI mission time</li> <li>• MSPI human error</li> <li>• MSPI maintenance-induced PMT issues</li> <li>• EP – siren preconditioning</li> <li>• IE03 – redefining downpowers</li> <li>• IE01 – Unplanned scrams</li> </ul> </li> <li>2. Opportunity for public comment</li> </ol>
2:00 – 2:15 PM	Break
2:15 – 3:15 PM	<p>Discussion of Open and New PI Frequently Asked Questions (FAQs) – Note topic may be moved before lunch if meeting is ahead of schedule. The latest draft FAQs are located on the public web at <a href="http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/draft_faqs.pdf">http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/draft_faqs.pdf</a>. This list is subject to change the day before the meeting based on availability of new draft FAQs provided by the Nuclear Energy Institute. Public comments will be addressed on FAQs following the discussion.</p>
3:15 – 3:30 PM	Future Meeting Dates, Action List Status, Agenda Topics