

# NEI Handout

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## WORK BREAKDOWN (for NEI tracking purposes)

1. LIC-500
  - Limitations & Conditions
  - Applicability
  - NEI Guideline (or White Paper)
2. PRIORITIZATION
  - Communications Plan (Value Proposition)
  - Pipeline Estimates (12/23/08 NRC letters)
  - Resource Allocation (planning, budgeting, and funding)
3. METRICS
  - Pilot Plant Applications
  - Flexible Metrics
  - Fee Issues
4. CHAMPION
  - Resolution of Disagreements
  - Management Meetings

## LIMITATIONS & CONDITIONS

### 1. PROBLEM STATEMENT

The final Safety Evaluations issued by the NRC on topical report submittals frequently contain limitations and conditions that were not envisioned by the authors of the report. The result is that the usefulness of the report may be limited to a diminished set of applications, may not achieve the full spectrum of benefits, or may require substantial additional licensing effort when applied by a licensee. Furthermore, this result may not become apparent until the draft SE is issued. This can significantly reduce the value of the report, in some cases to the extent that it cannot be implemented.

Unexpected conditions and limitations adversely affect utility plans, schedules, and budgets. Similarly, NRC may incur additional review burden as licensees attempt to accommodate the conditions and limitations in plant-specific licensing action requests.

### 2. PROBABLE CAUSES

The causes are varied and usually include one or more of the following:

- A. In the NRC staff's opinion, the topical report as submitted and supplemented by RAI responses cannot adequately justify the intended applications without further conditions and limitations.
- B. The author has not adequately communicated to the NRC staff expectations with respect to the scope and applicability of the report.
- C. The NRC has not adequately communicated to the author in a timely fashion that the report will be limited in application if further justification is not provided.
- D. The NRC and the author cannot reach agreement on the need for or extent of further justification on a given topic.
- E. There is a lack of consensus on the scope of the regulatory review, such that the author believes that reviewer expectations exceed the guidance provided by the NRC during the pre-submittal meeting.
- F. NRC reluctance to extend the review in order to allow the author to provide additional justification. Potential contributing factors are:
  - (1) NRC staff concern that the 2-year or 3-year metric may not be achieved.
  - (2) NRC staff delay in beginning the regulatory review after receipt of the submittal and the metric clock starts.
  - (3) Relatively low priority of TR reviews compared to other licensing action requests.
- G. The author is unwilling or unable to expend the additional time or resources to attempt to justify removal of conditions and limitations.

## LIMITATIONS & CONDITIONS

### 3. EXAMPLES

The purpose of the Topical Report process is to increase the efficiency and effectiveness of generic programs and evaluations. Limitations and conditions imposed by NRC safety evaluations can significantly reduce the value of the report by reducing its scope of applicability and/or increasing the difficulty of implementation.

The NEI Topical Report Team is prepared to discuss the following examples:

- A. No Impact
  - (1) MRP-139, Alloy 600 Butt Welds
  - (2) WCAP-15791, CIV CT Extensions
- B. Moderate Impact
  - (1) WCAP-15981, PAMS Instrumentation
  - (2) WCAP-16308, PWROG 10 CFR 50.69 Pilot
  - (3) BWRVIP-108, Code Case N-702 Relief (BWR RV Exams)
- C. Significant Impact
  - (1) WCAP-15831, ATWS
  - (2) NEDC-33046, PCIV CT Extensions

### 4. RECOMMENDATIONS

- A. Prepare a template for NRC/author meetings that includes the topic of "limitations and conditions."
- B. Topical Report authors should include any known limitations and conditions in the report.
- C. Include standards in LIC-500 on NRC/author communications, such that potential limitations and conditions are a continual topic of discussion.
- D. Retain LIC-500 (draft Rev 4), section 4.2.7
- E. Add to LIC-500 a statement of the value of the Topical Report process. For example:

#### *VALUE PROPOSITION*

Topical Reports increase safety through:

- ✓ increased margins using improved analyses or designs
- ✓ increasing standardization
- ✓ freeing NRC and industry resources for safety issues

Topical Reports increase efficiency of review process resulting in:

- ✓ the savings of substantial manpower and funds
- ✓ improving licensing predictability
- ✓ improving licensing schedules

## LIMITATIONS & CONDITIONS

- F. Include language in LIC-500 to increase awareness of the potentially significant impact of limitations and conditions:

### *GUIDANCE TO REVIEWERS*

To achieve the value that topical reports offer, it should be the objective of the review to approve the maximum level of requested features and scope of application requested to the extent that the topical report content justifies the features to be in conformance with the NRC's rules, regulations and Commission policy statements and meets applicable Regulatory Guides or justifies an alternate approach.

While adding conditions and limitations to the Safety Evaluation may in some cases be necessary, NRC staff should realize that it is preferable to allow the TR applicant the timely opportunity to provide the justification that can avoid those restraints. Limitations and conditions amplify the effort that is needed by both licensee and NRC on subsequent individual plant applications that reference the TR and also will likely diminish the advantages of the standardization that could have been achieved from a TR that is not conditioned."

## APPLICABILITY OF LIC-500

### 1. Sources of Topical Reports

- A. NSSS vendors
  - (1) Areva
  - (2) GE-Hitachi
  - (3) MHI
  - (4) Westinghouse
  - (5) Others
- B. Owners Groups
  - (1) BWR Owners Group
  - (2) PWR Owners Group
  - (3) Tech Spec Task Force
- C. EPRI
  - (1) BWRVIP
  - (2) MRP
- D. NEI
- E. Other Organizations

### 2. Characteristics of Topical Reports

- A. A Topical Report is defined as a technical report from an NSSS vendor, an Owners Group, EPRI, NEI, or other organization that:
  - (1) Addresses a specific safety-related subject
  - (2) Contains thorough, detailed information about the specific subject
  - (3) Requires an NRC safety assessment<sup>1</sup>
  - (4) Provides a generic basis that, once approved by NRC, is available for use by multiple licensees in plant-specific licensing action requests
  - (5) Improves the efficiency of the NRC Staff's processes for reviewing licensing action requests
- B. The following are not considered Topical Reports, but may be administered using the appropriate sections of LIC-500:
  - (1) A technical reports submitted for resolution of industry issues
  - (2) A programmatic report (e.g., most NEI Guidelines)
  - (3) An informational report (e.g., certain EPRI technical reports)
  - (4) A Tech Spec Task Force (TSTF) Traveler
- C. The following are not considered Topical Reports, and are not subject to LIC-500:
  - (1) A technical report submitted by a vendor or Owners Group in support of an application for a design certification
  - (2) A technical report submitted in support of a plant-specific license amendment request

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<sup>1</sup> NEI assumes the term "safety assessment" is equivalent to "safety evaluation"