

**NRC Public Meeting**  
**NEI's Regulatory Issue Resolution Process**  
**March 24, 2009**  
**Meeting Minutes**

***Attendance***

<b>INDUSTRY</b>	<b>NRC</b>
Jerry Bonanno, NEI	Tom Boyce, NRR/DORL
Mark Giles, Entergy	Bill Brach, NMSS
Jim Gresham, Westinghouse	Joe Giitter, Director, NRR/DORL
Tom Houghton, NEI	Eric Leeds, Director, NRR
John Keeley, NEI	Tim McGinty, Director, NRR/DPR
Brian Mann, TSTF	Sean Meighan, NRR/DORL
Dave Mannai, Entergy	Martin Murphy, NRR/DPR
Tony Pietrangelo, NEI	Robert Nelson, NRR/DORL
Everett Redmond, NEI	Sheldon Stuchell, NRR/DPR
Jim Riley, NEI	Mike Waters, NRR/DSS
Jeannie Rinckel, NEI	
Mike Schoppman, NEI	

***ATTACHMENTS***

1. NRC Meeting Announcement and Agenda (ML090550975)
2. NEI Handout (ML090980324)

***INTRODUCTIONS***

- NEI - Tony Pietrangelo:
  - The RIRP is a framework for improving our joint capability for closing regulatory issues that have multi-plant applicability.
  - It is structured around current processes.
  - It provides a unified resolution across all affected stakeholders
  - It establishes a common foundation for issue resolution at an early point in the life of an issue (i.e., problem statement, applicable requirements/guidance, success criteria)
  - It documents outcomes through licensing actions and changes to established regulatory documents, such as license amendments, the Standard Review Plan, and Regulatory Guides.

- NRC - Eric Leeds
  - NRC supports the objectives of the RIRP; to improve the timeliness, transparency, and documentation of issue closure in the interest of safety and public confidence.
  - An NRC/industry dialogue can help achieve this objective by defining a protocol that identifies specific industry licensing actions and specific changes to NRC criteria necessary for issue closure.
- All attendees introduced themselves.

## **MEETING OBJECTIVES**

- Jeannie Rinckel reviewed the industry's meeting objectives and intent;
  - Describe the intent of the resolution process.
  - Obtain NRC feedback and answer questions.
  - Determine next steps.
- Tim McGinty requested that we not create a new process, but that NEI should consider the term "protocol" as more appropriate for what was described. Existing NRC processes should be appropriate for issues. It is up to the RIRP team to ensure open issues are being processed through the correct NRC process.
- Jeannie Rinckel emphasized that the vast majority of regulatory issues are resolved effectively within NRC processes and within acceptable time-frames. However, outlier issues sometimes take an inordinate amount of time and effort to close. The RIRP seeks to reduce the opportunity cost associated with such issues so resources can be re-directed to other issues.

## **MEETING MINUTES**

- Mike Schoppman presented the General Problem Statement and read from the NEI Handout (Attachment 2) and discussed same. The intent of the RIRP is to come to a timely and appropriate generic closure on issues with broad applicability.
- Mike Schoppman, Brian Mann and Tim McGinty discussed how NRC and industry are typically at odds over some specific issues, resulting in these few issues losing focus and closure.
- Mike Schoppman discussed how some issues may directly affect a dozen or fewer sites, but may indirectly affect 50+ sites. Issues need to be properly screened by industry and resolved when possible.
  - Issues that may rise to be considered in the RIRP, should be the right issues for the right reasons.
- Tim McGinty emphasized that the NRC is resourced for inspections, and expected licensing reviews. That issues industry chooses to consider for additional work, will require resourcing and funding.

- Mike Schoppman presented RIRP Flow Chart, page 2 of NEI Handout (Attachment 2) - The RIRP has four phases: Screening, Evaluation, Implementation, and Documentation. Although the flow chart is not fully developed (this will be one of the RIRP task forces tasks), the main steps are:
  - Identify issues that affect multiple plants.
  - Screen them to determine which ones warrant treatment under the RIRP.
  - Prioritize them in order of importance.
  - Establish at the onset a foundation for resolution that is mutually acceptable to NRC and affected stakeholders (e.g., applicable regulations, guidance documents, precedent, references, and key terms and definitions).
  - Define mutually acceptable success criteria.
  - Define a mutually acceptable closure plan.
  - Implement the closure plan.
  - Document the technical & regulatory basis in a durable regulatory document.

Mike Schoppman explained how industry would perform a rigorous screening of any identified issues and validate both the issue and the resource significance.

- Tim McGinty emphasized the need to engage the NRC Regions and ensure coordination and inclusion on any working teams. Everyone agreed that the Regions must be included. The concept of working teams must be developed and guidelines for industry and NRC staff participation on the working teams must be clarified. A number of open issues were identified regarding team roles and responsibilities.
- Mike Schoppman explained that the RIRP is to ensure a more focused approach in resolving issues. The RIRP is a sub-set of the LATF, and the long-term goal should be to institutionalize the protocol and the RIRP will eventually be taken on by the LATF. The results of the flowchart will provide the NRC with expected success criteria for closing open issues. This consideration will also include a statement of “what is success” for this initiative and what will be the product of an issue addressed through the RIRP.
- Brian Mann discussed that there are probably less than a dozen open issues each year that should rise to the level of needing RIRP and additional NRC involvement to close.
- Mike Schoppman discussed how most issues would be processed through the RIRP screening and go back to licensees for industry resolution.
- Tim McGinty concurred that we need alignment on true priority issues that affect multiple plants and that issue resolution must be properly resourced by both industry and NRC.
- Jeannie Rinckel reiterated that most issues should be closed by industry before coming to the NRC.
- Joe Giitter requested validation that the screening process is all done by the industry, before any issues are brought to the NRC. Industry agreed with this.
- Mike Schoppman discussed the process of issues going through the RIRP industry team, and then being vetted by the industry LATF, before coming to the NRC. That the

RIRP industry team is a sub-group to the LATF, and the LATF must be very engaged as any issue progresses.

- Tim McGinty requested that the industry define and fully describe each of the blocks in the flowchart, and especially what the block “NRC concurs” actually means. Industry accepted this as an action item.
- Joe Giitter asked about the involvement of the owner’s groups, and that many of these issues could be resolved by them. Brian Mann acknowledged that the owner’s groups are actively pursuing change to improve, and that those groups could consider RIRP issues for resolution. Mike Schoppman explained that the owners groups would be more inclined to participate in the RIRP once the protocol is in place. All agreed the owner’s groups have a part to play and will add value in resolving issues before coming to the NRC.
- Tim McGinty explained that not all NRC internal processes are public, as they may be part of the decision-making process. These processes would not lend themselves to the protocol.
- Mike Schoppman reviewed the Evaluation Phase and how it would be the first time the NRC would be engaged. Jeannie Rinckel emphasized the need to identify the end-results goal for each issue. That the technical team would need to be assigned at this point, and they would perform the Evaluation Phase. Mike Schoppman reiterated that the Evaluation Phase is the joint effort by the industry and NRC, and all meetings would be done in public. Tim pointed out that the NRC does not do consulting, and the protocol must recognize this as we move forward. Jim explained that the Problem Statement must be very clear, with only the actual facts stated. That the NRC and industry need to engage each issue with an open mind and ensure no personal bias.
- Mike Schoppman discussed the possible solutions to an issue, being new analysis, or tech spec changes, or a generic communication, or other licensing actions.
- Mike Schoppman handed out Page 3 of NEI Handout (Attachment 2), the proposed emergency diesel generator (EDG) frequency and voltage issue. NEI proposes to use the EDG Frequency/Voltage issue as a pilot project. The issue derives from several similar findings in NRC component design basis inspection (CDBI) reports. Mike Schoppman reviewed the written problem statement and multi-unit applicability.
- Tim McGinty requested clarification as to what the end-result should be. How will the problem statements gain both industry and NRC agreement as to the end-result? Brian mentioned that this may be a case where we need to refer back to the tech spec and ensure it is actually testing what is needed.
- Tim McGinty mentioned that the EDG issue may be a good issue to consider, but it may not be the best for the pilot or RIRP. Jim suggested we use the submerged cables issue as the first one.
- Brian Mann mentioned that the industry is taking on a risk with the RIRP, in that issues that may only be identified at one or a few plants may have to be corrected at all plants, but without the RIRP that may not be the case.

- Joe Giitter and Tim McGinty mentioned that neither the NRC nor industry wants an issue to linger, and we all want closure. The NRC is hoping the RIRP and LATF can use this protocol to close many of the open issues we have today.
- The group discussed the frequency of meetings, and decided that pending NRC resource assignments, we would plan to meet about monthly. The next meeting should be scheduled in the next 4 to 6 weeks.
- Industry requested the NRC bring an issue to the next meeting to pilot through the protocol. Tim acknowledged the request, and will evaluate based on resources. The NRC will provide an answer during the next meeting regarding the acceptability of using the EDG frequency and voltage issue as a pilot.
- Joe Giitter requested some estimate of how long the process should take to bring closure to an issue. Mike Schoppman explained that the attributes must first be defined and then define the goal and end-point. There may be considerable analysis required and it is very difficult to define a timeline. Tom questioned whether the question pertains only to the resolution process, or the entire process. Joe clarified that he was hoping to get an estimate of the time from screening to evaluation, understanding that the Evaluation Phase may take much longer. Brian pointed out that the process is not too different than the Traveler process, and could be accomplished in less than a year if resourced properly.
- Jim Gresham tabled the need to resolve who is on the RIRP team. All agreed that Mike Schoppman is the prime for industry and Sheldon Stuchell is prime for the NRC. Both industry and NRC will close the team list and provide during the next meeting.
- Tom Boyce inquired on how to address issues that come up during inspection (Tech Spec issues) and licensing (variants of regulatory positions) that require and result in quick reaction efforts by NRC and licensees. The discussion resolved that these issues were typically either screened out or determined to be beyond the scope of this particular effort.

## ***DISCUSSION HIGHLIGHTS***

- To emphasize the RIRP's reliance on existing processes, the title was changed to "Regulatory Issue Resolution Protocol."
- All industry stakeholders need to be integrated into the protocol, e.g., PWR Owners Group, BWR Owners Group, Regional Utility Groups, etc. In addition, other public stakeholders will be able to observe and comment in public meetings.
- The screening phase addresses "emerging licensing issues," i.e., issues that could result in a licensing action, such as an OL amendment, relief request, licensing basis change, etc. This phase may include issues derived from either licensing or inspection activities.
- The advantages of this protocol include resolving issues in a more timely and consistent manner across the industry, more efficient allocation of resources, more effective issue

closure in terms of predictability and finality, and better implementation of existing licensing processes.

- NRC and industry "RIRP" teams will develop the protocol by means of periodic (4 to 6 weeks) public meetings until the protocol is sufficiently practiced that it can be merged into the NRC/NEI Licensing Action Task Force (LATF) interface.
- The executive sponsors for the RIRP dialogue are Eric Leeds (NRC) and Tony Pietrangelo (NEI). The management sponsors are Tim McGinty (NRC) and Jeannie Rinckel (NEI). The project managers are Sheldon Stuchell (NRC) and Mike Schoppman (NEI).
- There is much work left to be done in developing the process to ensure a long-term protocol is put in place.

### ***NEXT STEPS***

1. NRC feedback on NEI's recommended pilot (EDG Frequency/Voltage).
2. NRC and industry identify RIRP team composition.
3. Industry provides definitions and descriptions of roles and responsibilities.
4. NRC and industry identify alternate potential RIRP pilots.
5. NRC schedule the next meeting in about 4 weeks, as calendars permit.