

April 16, 2009

MEMORANDUM TO: John A. Nakoski, Chief  
Quality and Vendor Branch 2  
Division of Construction Inspection  
& Operational Programs  
Office of New Reactors

FROM: Aida Rivera-Varona, Operations Engineer */RA/*  
Quality and Vendor Branch 2  
Division of Construction Inspection  
& Operational Programs  
Office of New Reactors

SUBJECT: SUMMARY OF THE MARCH 25, 2009, MEETING TO DISCUSS THE  
REVIEW OF THE NUCLEAR ENERGY INSTITUTE TECHNICAL  
REPORT 06-14A, "QUALITY ASSURANCE PROGRAM DESCRIPTION"

On March 25, 2009, a Category 2 public meeting was held between the U.S. Nuclear Regulatory Commission (NRC) and representatives of the Nuclear Energy Institute (NEI) at the NRC headquarters offices in Rockville, Maryland. A list of meeting attendees is included in the Enclosure.

The purpose of this meeting was to discuss the NRC staff review of the revision to NEI 06-14A, "Quality Assurance Program Description." NEI 06-14A provides a generic template for use by early site permit (ESP) and combined license (COL) applicants to implement applicable requirements related to the Quality Assurance Program Description (QAPD). By letter dated November 14, 2008, NEI submitted NEI 06-14 Revision 6 that included changes in response to the NRC staff Request for Additional Information (RAI) dated September 17, 2008. NEI submitted responses to the RAI by letter dated November 20, 2008, to facilitate the staff's review.

During the discussion of the RAI responses, the NRC staff identified areas needing further clarification. These areas included the following:

### **Organization**

With respect to RAI #1, which requested additional guidance on organizational structure, the NRC staff acknowledged the additional guidance provided, but explained that more detail on the responsibilities and quality relationships during the construction phase and the operation phase is needed, including a description for the transition of responsibilities from construction to the operational phase. The NRC staff also noted that the organizational description provided in NEI 06-14 appropriately includes management levels that implement quality activities. However, the organizational descriptions and charts for the operations phase need to include both onsite and offsite management and the independent review function.

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### **Use of generic titles**

In response to RAI #2, which addresses the use of generic titles, NEI 06-14, Rev. 6 was revised to add a statement explaining that generic titles can be used throughout the QAPD if they are used consistently. The NRC staff noted that the document needs to clearly state that generic titles should be consistent with those used in the Organization section.

### **References and use of supporting documents during the dedication process**

In response to RAI #4, which suggests a more appropriate reference be used to illustrate the use of supporting documents during commercial grade dedication, NEI 06-14A replaced the reference to RIS 2002-22 with a reference to EPRI TR-106439, "Guideline on Evaluation and Acceptance of Commercial Grade Digital Equipment for Nuclear Safety Applications." The staff noted that EPRI TR-106439 is overly specific to digital I&C and it would be better suited for implementing procedures specific to digital I&C than illustrative of the commercial grade dedication process.

### **Inspection controls applied to non-safety-related structures, systems, and components that are significant contributors to plant safety**

In response to RAI #5, which addresses the use of generic brackets with respect to inspector qualifications, NEI 06-14 removed the brackets, but changed the qualification requirements. Instead of requiring the inspection personnel to be "at a minimum as qualified as the person who performed the activity," the revised requirement states that "inspections are performed by knowledgeable personnel." NEI stated that they intended to retain the revised qualification requirement, but would provide clarification to the NRC staff.

### **Additional Items**

In addition, the NEI RAI responses, NRC staff discussed the following generic QAPD issues that arose during review of COL applications.

#### **Applicability of quality assurance regulatory guides**

- RG 1.8, Rev. 3, May 2000, "Qualification and Training of Personnel for Nuclear Power Plants"
- RG 1.28, Rev. 3, August 1985, "Quality Assurance Program Requirements (Design and Construction)"
- RG 1.33, Rev. 2, February 1978, "Quality Assurance Program Requirements (Operations)"

The NRC staff noted that these regulatory guides are referenced in FSAR Chapter 1 of applications submitted by COL applicants, as commitments with exceptions, pointing to the QAPD for clarification. NEI 06-14 should be revised to address how QAPDs submitted by ESP and COL applicants will either commit to these regulatory guides or take exceptions from them. QAPDs submitted with ESPs and COLs applications need to explicitly identify and address

exceptions to these regulatory guides and provide supporting justification in sufficient depth so that the NRC staff can review the acceptability of these exceptions.

### **Independent Review Board**

The NRC staff noted that NEI 06-14A Section 2, Subsection 2.7, "Independent Review," Option 1 should address the qualifications for the independent review staff. Qualification requirements for these personnel should meet or exceed those described in Section 4.7 of ANSI/ANS-3.1-1978 and the regulatory position of Regulatory Guide 1.8, Rev. 3.

### **QAPD Implementation**

The NRC staff stated that QAPDs submitted with the COL application should be implemented or ready for implementation at the time the COL license is issued.

### **10 CFR Part 21 and 10 CFR 50.55(e) Reporting Program**

NEI noted that Section 16.1 of NEI 06-14A will be revised to remove the reporting program for 10 CFR Part 21 and 10 CFR 50.55(e) because these regulations adequately describe the reporting requirements.

NEI discussed the following initiatives that the industry is working on:

- Lessons Learned From Past And Present Construction: NEI will share with the NRC at a future public meeting a report summarizing its review of past and current construction problems and actions taken by the nuclear industry to reduce the probability of recurrence during new construction.
- NEI Technical Report 08-02, "Problem Identification and Resolution [PI&R] for New Power Plants During Construction." NEI 08-02 provides industry guideline to ensure a consistent, effective PI&R process during the construction phase. The NRC staff is currently discussing with NEI topics that have resulted from NRC review of this document.
- Counterfeit and Fraudulent Parts: The NRC staff and the industry are jointly addressing this issue.

In summarizing the meeting, the NRC staff stated that the meeting had been helpful in discussing generic issues that have identified during staff reviews of COL applications. NEI stated its plans to make certain changes to NEI 06-14A, Rev. 6 that resulted from the meeting discussion and the RAIs that the staff plans to issue concerning the topics discussed during the meeting.

Enclosure: As stated

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Package No.: **ML091030463**

1. Meeting Notice: **ML090490779**

2. Meeting Summary: **ML090980446**

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<b>DATE</b>	4/9/2009	4/16/2009

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**Assurance and Vendor Inspection Program Meeting  
March 25, 2009  
Attendance List**

Name	Organization
George Zinke	Entergy
John Maciejewski	INPO
Ken Conti	AREVA
Ronald Carver	Luminant
Kerry Rhoads	Dominion
Patrick Sheppard	Exelon
Stan Staseks	Detroit Edison
Timothy Dennis	ANS
Sherry Grier	Duke
James Werner	Detroit Edison
Ted Manning	Worley Parsons
John Nakoski	NRC/NRO
Kerri Kavanagh	NRC/NRO
Sabrina Cleavenger	NRC/NRO
Randy Culver	Southern Company
Marion Smith	STPNOC
Tom Niessen	TVA
David Robillard	PSEG
John Giddens	Southern Nuclear
Jim Fisicaro	NEI
Michael Zeitler	NRC/OIG
Rebecca Ryan	NRC/OIG
John Traynor	UniStar Nuclear
Tom Mudge	Washington Group
Aida Rivera-Varona	NRC/NRO
Samantha Crane	NRC/NRO
Ken Heck	NRC/NRO

ENCLOSURE

Name	Organization
Araceli T. Billoch Colón	NRC/NRO