

August 21, 2009

MEMORANDUM TO: Joelle Starefos, Branch Chief
Construction Inspection & Allegations Branch
Division of Construction Inspection
& Operational Programs
Office of New Reactors

FROM: Jose Jimenez, Reactor Operations Engineer */RA Tomas Herrera for/*
Construction Inspection & Allegations Branch
Division of Construction Inspection
& Operational Programs
Office of New Reactors

PARTICIPANTS: Public, Industry, and NRC Staff

SUBJECT: SUMMARY OF JULY 23, 2009, CATEGORY 3 MEETING WITH THE
INDUSTRY AND THE GENERAL PUBLIC, TO CONTINUE
DISCUSSIONS ON THE DEVELOPMENT OF CONSTRUCTION
ASSESSMENT PROGRAM AND INSPECTION ACTIVITIES DURING
CONSTRUCTION INCLUDING SAFETY CULTURE, UPDATE ON IMC
2504, AND ITAAC MAINTENANCE.

On July 23, 2009, a public meeting was held between the U.S. Nuclear Regulatory Commission's (NRC), Division of Construction Inspection and Operational Program (DCIP) in the Office of New Reactors (NRO), industry, and the general public. The meeting was held at the Legacy Hotel, 1775 Rockville Pike, Rockville, Maryland. The purpose of the meeting was to continue discussions on the development of Construction Assessment Program, and Inspection activities during construction.

The Category 3 meeting began with a brief discussion by NRC on the current status of the construction programs. NRC talked about the short term and long term strategies for the implementation of the assessments program, safety culture and program for non-ITAAC inspections. For the short term NRC already has the programs in place to commence oversight of construction activities and plans to incorporate a near-term safety culture assessment process similar to that being implemented for operational plants. For the long term goals NRC will continue to consider comments by stakeholders and implement any new Commission directions.

The Nuclear Energy Institute (NEI) presented their proposal for the implementation of an assessment program during construction (ADAMS ML092050573). NEI explained in more detail the concepts submitted to the NRC in a letter dated July 2, 2009 (ADAMS ML091831352). The presentation stressed that the use of cornerstones are essential to the success of an assessment program. NEI also explained how performance indicators are not adequate to assess construction activities due to the challenge to collect meaningful data in the short time of construction.

CONTACT: Jose Jimenez, NRO/DCIP/CCIB
301-415-5303

For implementation NEI demonstrated what they believed the construction response table should look like and mentioned under what conditions a built plant should transition to the NRC's Reactor Oversight Program. The NRC took time to comment that a SECY paper on the development of an assessment program will be brought before the Commission by mid-August. The NRC staff is informing the Commission of the progress made, based on the Commission's comments on the assessment program. The SECY paper makes reference to an alternative option from NEI that will be considered by the staff, as the NRC moves forward with the development of the assessment program.

The NRC presented an update on safety culture (ADAMS ML092020191) and how the agency is planning on implementing this concept during NRC's inspection activities and assessment of construction activities. The discussion began with the definition of safety culture and what areas will be of importance to safety culture during construction. The short term goals include modification of Inspection Manual Chapter (IMC) 0305 components and aspects for use in the construction environment, how aspects will be assigned to findings, and when multiple occurrences of the same aspect will become a construction safety focus issue (CSFI). For a long-term solution, the NRC explained that options are being considered for the implementation of safety culture that will consider the best approach to implement the components and aspects into the assessment of construction activities. A handout was provided to illustrate the NRC's current thoughts on what the components and aspects should look like (ADAMS ML092180870). Other approaches were also mentioned at the meeting as part of feedback received from stakeholders. At the present time NRC staff is waiting on comments from the Commission on the safety culture policy statement. NRC expressed that work will continue with stakeholders to understand and address their concerns.

A brief update on the status of IMC 2504 was presented by NRC staff (ADAMS ML092020272). A draft of IMC 2504 was provided to stakeholders (ADAMS ML092100342) to share some of the changes implemented based on feedback received. Some of the changes discussed were the consolidation of redundant procedures, new inspection procedures specific to 10 CFR 52, basis for inspection programs identified, etc. The scope for the IMC 2504 was emphasized, stressing that it incorporates both construction and operational programs. Details were provided for what these two programs encompass. As the IMC 2504 is a work in progress, the NRC staff mentioned that it is still reviewing internal stakeholder comments. The goal is for IMC 2504 and for the construction program inspection procedures to be completed by the end of fiscal year 2009.

NRC staff presented a status report on current activities including the ITAAC maintenance Commission SECY paper and NEI's letter with comments on the paper, 10 CFR 52.103 opportunities for hearing, and feedback received from its meeting with the Advisory Committee on Reactor Safeguards (ACRS) regarding Regulatory Guide 1.215 (ADAMS ML092020218). The NRC staff shared some of the comments provided by ACRS with the approach presented by the staff in the regulatory guide to close ITAAC. The main comments received by staff were that the definition of Design Acceptance Criteria (DAC) should be included in the document, that closure of a DAC should require an in-depth review, and that the DAC closure process should be reviewed by the ACRS. The staff then presented which areas of agreement the NRC had with NEI's letter on ITAAC Maintenance. These areas were in ITAAC closure and maintenance; attributes to programs credited with maintaining ITAAC; notifications to be made after ITAAC has been closed; and for the 10 CFR 52.103(g) finding stating that the acceptance criteria has been met. Future work in this area includes addressing the Threshold 1 issues identified late in construction and revise NEI 08-01 to reflect common understanding. The last presentation was a preliminary discussion on what the hearing process timeline should look like once the licensee notifies the NRC of its intent to load fuel along with the issuance of a schedule for

accomplishing this task (ADAMS ML092080417). This process will be conducted in accordance with 10 CFR 52.103 (a) through (g). This continues to be a work in progress in which stakeholders will be informed of its progress at future public meetings.

A list of meeting attendees is attached. The next Category 3 public workshop will be held on September 17, 2009, location to be determined. The proposed dates, for Category 3 public meetings for calendar year 2009, are:

- November 5;
- December 17.

Members of the public were in attendance, Public Meeting Feedback forms were distributed but none were returned. Please direct any inquiries to me at 301-415-5303, or Jose.Jimenez@nrc.gov.

Enclosures:

As stated

Agenda (ADAMS Accession Number: ML091770589)

cc w/encl: See next page

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RidsAcrcAcnwMailCenter

Joelle Starefos

Alan Blamey

Robert Lukes

Robert Pascarelli

Patrick Boyle

Thomas Kozak

Michael Webb

Richard Laura

Jose Jimenez

ADAMS Accession Number: ML092190707

NRC-001

OFFICE	NRO/DCIP/CCIB	NRO/DCIP/CCIB:BC
NAME	J. Jimenez (<i>T. Herrera for</i>)	J. Starefos
DATE	08/10/09	08/21/09

OFFICIAL RECORD COPY

Construction Inspection Program Mailing List

cc:

Mr. Glenn H. Archinoff
AECL Technologies
481 North Frederick Avenue
Suite 405
Gaithersburg, MD 20877

Mr. Lionel Batty
Nuclear Business Team
Graftech
12300 Snow Road
Parma, OH 44130

Ms. Michele Boyd
Legislative Director
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Ian M. Grant
Canadian Nuclear Safety Commission
280 Slater Street, Station B
P.O. Box 1046
Ottawa, Ontario
K1P 5S9

Mr. Eugene S. Grecheck
Vice President
Nuclear Support Services
Dominion Energy, Inc.
5000 Dominion Blvd.
Glen Allen, VA 23060

Manager
GT-MHR Safety & Licensing
General Atomics Company
PO Box 85608
San Diego, CA 92186-5608

Mr. Edward L. Quinn
Longenecker and Associates
Utility Operations Division
23292 Pompeii Drive
Dana Point, CA 92629

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Energy Program Bethesda, MD 20814

Mr. Gary Wright, Director
Division of Nuclear Facility Safety
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

Mr. Paul Leventhal
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 410
Washington, DC 20036

Mr. Brendan Hoffman
Research Associate on Nuclear Energy
Public Citizens Critical Mass Energy and
Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Ed Wallace, General Manager
Projects
PBMR Pty LTD
PO Box 9396
Centurion 0046
Republic of South Africa

Mr. Dobie McArthur
Director, Washington Operations
General Atomics
1899 Pennsylvania Avenue, NW, Suite 300
Washington, DC 20006

Mr. Ron Simard
6170 Masters Club Drive
Suwanee, GA 30024

Leslie Compton Kass
Nuclear Energy Institute
Suite 400
1776 I Street NW
Washington, DC 20006-3708

Mr. Carl E. Parry, President
Utilities Service Alliance, Inc.
9200 Indian Creek Parkway
Suite 201
Overland Park, KS 66210

Construction Inspection Program Mailing List

Email

APAGLIA@Scana.com (Al Paglia)
APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
BrinkmCB@westinghouse.com (Charles Brinkman)
Carellmd@westinghouse.com (Mario D. Carelli)
carey.fleming@constellation.com (Carey Fleming)
chris.maslak@ge.com (Chris Maslak)
christian.martel@aerojoule.com (Christian Martel)
CumminWE@Westinghouse.com (Edward W. Cummins)
cwaltman@roe.com (C. Waltman)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
donald.woodlan@luminant.com (Donald Woodlan)
draleigh@scientech.com (Denna Raleigh)
ecullington@earthlink.net (E. Cullington)
erg-xl@cox.net (Eddie R. Grant)
garry.miller@pgnmail.com (Garry D. Miller)
gcesare@enercon.com (Guy Cesare)
GovePA@BV.com (Patrick Gove)
greshaja@westinghouse.com (James Gresham)
gwcurtis2@tva.gov (G. W. Curtis)
gzinke@entergy.com (George Alan Zinke)
james.beard@gene.ge.com (James Beard)
jason.parker@pillsburylaw.com (Jason Parker)
jerald.head@ge.com (Jerald G. Head)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
jim@ncwarn.org (Jim Warren)
JINesrsta@cpsenergy.com (James J. Nesrsta)
John.O'Neill@pillsburylaw.com (John O'Neill)
Joseph_Hegner@dom.com (Joseph Hegner)
junichi_uchiyama@mnes-us.com (Junichi Uchiyama)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
Marc.Brooks@dhs.gov (Marc Brooks)
maria.webb@pillsburylaw.com (Maria Webb)
marilyn.kray@exeloncorp.com
mark.beaumont@wsms.com (Mark Beaumont)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
media@nei.org (Scott Peterson)
mgiles@entergy.com (M. Giles)
mike_moran@fpl.com (Mike Moran)
MSF@nei.org (Marvin Fertel)
murawski@newsobserver.com (John Murawski)
mwetterhahn@winston.com (M. Wetterhahn)
nirsnet@nirs.org (Michael Mariotte)
patriciaL.campbell@ge.com (Patricia L. Campbell)
paul.gaukler@pillsburylaw.com (Paul Gaukler)

Paul@beyondnuclear.org (Paul Gunter)
pshastings@duke-energy.com (Peter Hastings)
rclary@scana.com (Ronald Clary)
regservices@scientech.com (Reg Service)
RJB@NEI.org (Russell Bell)
RKTemple@cpsenergy.com (R.K. Temple)
robert.kitchen@pgnmail.com (Robert H. Kitchen)
sabinski@suddenlink.net (Steve A. Bennett)
sandra.sloan@areva.com (Sandra Sloan)
SauerB@BV.com (Robert C. Sauer)
sfrantz@morganlewis.com (Stephen P. Frantz)
stephan.moen@ge.com (Stephan Moen)
steven.hucik@ge.com (Steven Hucik)
Support@SaporitoEnergyConsultants.com (Thomas Saporito)
trsmith@winston.com (Tyson Smith)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
VictorB@bv.com (Bill Victor)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)
whorin@winston.com (W. Horin)

(From DCIP list)

kenneth.ainger@exeloncorp.com (Kenneth Ainger)
jaudis1@txu.com (John Audas)
llbauman@aol.com
darin.benyak@pseg.com (Darin Benyak)
pdblanch@comcast.net (Paul Blanch)
david_m_collins@dom.com (David Collins)
tdcosby@tva.gov (Thomas D. Cosby)
mtc@nei.org (Mike Coyle)
steven_dolley@platts.com (Steven Dolley)
cxe@nei.org (Chris Earls)
jrfergus@duke-energy.com (J. Robert Ferguson)
fitzpatrickwe@inpo.org (Bill Fitzpatrick)
mark.flaherty@constellation.com (Mark Flaherty)
frickwg@songs.sce.com (Willis Frick)
equinox.consulting.llc@earthlink.net (Eric Fries)
jfulto1@entergy.com (Jack Fulton)
bpgarde@aol.com (Billie Garde)
ecg@nei.org (Ellen Ginsberg)
sbhaber@hpacorp.com (Sonja Haber)
ghalnon@firstenergycorp.com (Greg Halnon)
kah@nei.org (Tony Harris)
dllaberdee@firstenergycorp.com (Dee Haskins)
hlhay@bechtel.com (Howard Lane Hay)
hundrupa@gao.gov (Alyssa Hundrup)
wrkanda@firstenergycorp.com (Bill Kanda)
kolarick@gao.gov (Carol Kolarik)
richard.leckey@fpl.com (Richard Leckey)
howard_levin@msn.com (Howard Levin)
lynchje@inpo.org (Jim Lynch)
rich.mallory@eh.doe.gov (Rich Mallory)

fcmashburn@tva.gov (Fred Mashburn)
brian.mccabe@pgnmail.com (Brian McCabe)
wemookhoeke@stpegs.com (W.E. Mookhoek)
arp@nei.org (Tony Pietrangelo)
caprice@firstenergycorp.com (Clark A. Price)
drepka@winston.com (David Repka)
elliott.rosenfeld@dep.state.nj.us (Elliot Rosenfeld)
dashurberg@hpacorp.com (Debbie Shurberg)
strikkersd@gao.gov (Dave Strikkers)
jrsumpt@nppd.com (Jim Sumpter)
marlene.taylor@exeloncorp.com (Marlene Taylor)
satconsult@msn.com (Spyros Traiforos)
ctyler@winston.com (Catherine Tyler)
lfvaughn@duke-energy.com (Lisa Vaughn)
dwoodla1@txu.com (D.R. Woodlan)
zemenskir@dtenergy.com (Robert Zemenski)
kenneth.wade@nuclear.energy.gov (Kenneth Chuck Wade)

Discuss development of construction assessment program and inspection activities during construction including Safety Culture, update on IMC 2504, and ITAAC Maintenance.

July 23, 2009

Attendance List

Name	Organization
Larry Arnold	STPNOC
Russ Bell	NEI
Steve Blossom	STPNOC
Patrick Boyle	NRC
Barry Bryant	Dominion
Stephen Burdick	Morgan Lewis
Andy Campbell	NRC
Hamer Carter	Progress Energy
Tony Cerne	NRC
Steven Dolley	Platts
James Fisicaro	NEI
Ron Gardner	NRC
Nanette Gilles	NRC
David Hastie	Shaw Group
Tom Houghton	NEI
Gary Janosko	PSEG
Mahmoud Jardaneh	NRC
Jose Jimenez	NRC
Andrea Johnson	NRC
Debbie Johnson	FLUOR
Mark Kowal	NRC
Roger Lanksbury	NRC
Richard Laura	NRC
Leonard Loflin	EPRI
Robert Lukes	NRC
John Maciejewski	INPO
Dan Magwaral	Areva
Denise McGovern	NRC
Garry Miller	Progress Energy
Demetrius Murray	NRC
John Oddo	Shaw Group
Eric Oesterle	NRC
Hikaru Ogasawara	Mitsubishi
Chuck Ogle	NRC
Robert Pascarelli	NRC
Robert Pedigo	Bechtel Corp
Loren Plisco	NRC

Denna Raleigh	Scientech
Thom Ray	Westinghouse
Michael Spencer	NRC
Joelle Starefos	NRC
Larry Taylor	Progress Energy
Ryder Thompson	SCE&G
Alan Torres	SCE&G
Brandon Waites	Southern Company
Gary Waldrep	Exelon
Michael Webb	NRC
Carl Weber	NRC
Matthew Williams	Unistar
Jerry Wilson	NRC
George Zinke	Entergy