November 23, 2009

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

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

PARTICIPANTS: Public, Industry, and NRC Staff

SUBJECT: SUMMARY OF OCTOBER 28, 2009, CATEGORY 2 MEETING WITH THE NUCLEAR ENERGY INSTITUTE (NEI), INDUSTRY, AND THE GENERAL PUBLIC, TO DISCUSS NRC'S COMMENTS OF NEI 08-02 "CORRECTIVE ACTION PROCESSES FOR NEW NUCLEAR POWER PLANTS DURING CONSTRUCTION", REVISION 2.

On October 28, 2009, a public meeting was held between the U.S. Nuclear Regulatory Commission's (NRC), Construction Inspection and Allegation Branch of the Division of Construction Inspection and Operational Program (DCIP) in the Office of New Reactors (NRO), Nuclear Energy Institute (NEI), industry, and the general public. The meeting was located at Two White Flint North 11545 Rockville Pike, Rockville, Maryland. The purpose of the meeting was to discuss the comments provided by NRC to NEI 08-02 document, formerly titled: "Problem Identification and Resolution for New Reactors during Construction" on July 8, 2009 (ML091680090).

The NRC staff started the meeting by providing a brief summary of the key concerns shared with NEI on previous public meetings and a summary of the staff's comments on the new revision of NEI 08-02 (ML093070066). Discussion began with what comments NEI had resolved with the new revision and which were still not fully addressing NRC's concerns. The title of the document was changed to better reflect the document's purpose of providing guidance on how to develop and establish measures to handle corrective actions. The document's executive summary and introduction were rewritten to clarify that it intends to comply with Criterion XVI of Appendix B to 10 CFR 50. Also the document clarifies that since the processes described in the program are quality processes they contain elements from Appendix B. While these comments were addressed, NRC staff pointed that the document still gave the impression that conditions adverse to quality (CAQ) could be handled outside a quality controlled corrective process and that not all ITAACs needed to be handled in a corrective action process. During construction it is expected that most of the issues that will arise will be CAQs. That is why it is very important to have a good corrective action process that will correct quality related deficiency and that is cognizant if an adverse trend is developing; as an indication of a bigger problem.

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

ITAACs are essential to ensure a plant is constructed safely and in accordance with design. Thus any ITAAC findings should be resolved through a corrective action process to ensure NRC can rely on a licensee's quality assurance programs.

NEI explained that the concept of "work process" was intended to capture all CAQ and the concept of "CAP" was where the SCAQ were going to be dispositioned. The document was meant to describe how the "work processes" were part of the quality assurance program in place at the construction site. The "work process" is part of the measures to be instituted to handle all CAQ identified and all the necessary elements are in place to be vigilant of any possible adverse trend that develops. The "CAP" is meant to handle all the additional requirements in Criterion XVI for all identified SCAQ. ITAACs findings will be handle within the corrective action processes. NEI mentioned that they will change the language to make it clearer. NEI agreed with comments offered by NRC staff in an effort to enhance the guidance provided by the document.

NRC staff expressed that the next revision of the document should correct the key elements discussed in the meeting, to ensure licensees adequately implement a corrective action process on site. NEI committed to submit a new version of NEI 08-02 in the coming weeks and to discuss with the staff in a public meeting how all of the comments shared today were dispositioned.

- A list of meeting attendees is attached.

Members of the public were in attendance, but Public Meeting Feedback forms were not received. Please direct any inquiries to me at 301-415-5303, or jose.jimenez@nrc.gov.

Enclosures: Agenda (ADAMS Accession Number: ML092740698)

cc w/encl: See next page

ITAACs are essential to ensure a plant is constructed safely and in accordance with design. Thus any ITAAC findings should be resolved through a corrective action process to ensure NRC can rely on a licensee's quality assurance programs.

NEI explained that the concept of "work process" was intended to capture all CAQ and the concept of "CAP" was where the SCAQ were going to be dispositioned. The document was meant to describe how the "work processes" were part of the quality assurance program in place at the construction site. The "work process" is part of the measures to be instituted to handle all CAQ identified and all the necessary elements are in place to be vigilant of any possible adverse trend that develops. The "CAP" is meant to handle all the additional requirements in Criterion XVI for all identified SCAQ. ITAACs findings will be handle within the corrective action processes. NEI mentioned that they will change the language to make it clearer. NEI agreed with comments offered by NRC staff in an effort to enhance the guidance provided by the document.

NRC staff expressed that the next revision of the document should correct the key elements discussed in the meeting, to ensure licensees adequately implement a corrective action process on site. NEI committed to submit a new version of NEI 08-02 in the coming weeks and to discuss with the staff in a public meeting how all of the comments shared today were dispositioned.

- A list of meeting attendees is attached.

Members of the public were in attendance, but Public Meeting Feedback forms were not received. Please direct any inquiries to me at 301-415-5303, or jose.jimenez@nrc.gov.

Enclosures: Agenda (ADAMS Accession Number: ML092740698)

cc w/encl: See next page

DISTRIBUTION:

PUBLIC	RidsNroDcipCcib	RidsOgcmailCenter
PMNS	RidsNroDcipCtsb	RidsAcrsAcnwMailCenter
CCIB r/f	RidsOpaMailCenter	Joelle Starefos
RidsNRODcip	RidsRgn2MailCenter	Juan Peralta
Scott Freeman	Jose Jimenez	
Richard Rasmussen		

ADAMS Accession Number: ML093240360 NRC-001

OFFICE	NRO/DCIP/CCIB	NRO/DCIP/CCIB:BC
NAME	JJimenez	T. Frye
DATE	11/23/09	11/23/09

NEI 08-02 “Problem Identification & Resolution” Workshop **October 28th, 2009** **Location: Two White Flint North, Rockville, MD** **Meeting Attendees**	
Jose Jimenez	NRC/NRO
Nilda Rivera	NRC/NRO
Patrick Boyle	NRC/NRO
Andrea Keim	NRC/NRO
Scott Freeman	NRC/RGII
Tom Bilik	NRC/RGIII
Steven Vandevort	Westinghouse
Paul Bessethe	Morgan Lewis
Russ Bell	NEI
Jim Fisicaro	NEI
Lawrence Walsh	Shaw Group
Mark Harvey	Unistar Nuclear
Dave Robillard	PSEG
Junichi Uchiyama	MNES
Nathan Obermiller	MNES
Bill Maher	FPL
Steven Novak	Bechtel
Kerry Rhoads	Dominion

ENCLOSURE

Construction Inspection Program Mailing List (Revised 10/23/2009)

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)
barry.bryant@dom.com (Barry Bryant)
BrinkmCB@westinghouse.com (Charles Brinkman)
Carellmd@westinghouse.com (Mario D. Carelli)
carey.fleming@constellation.com (Carey Fleming)
charles.bagnal@ge.com (Charles Bagnal)
chris.maslak@ge.com (Chris Maslak)
christian.martel@aerojoule.com (Christian Martel)
cschlaseman@mpr.com (Caroline Schlaseman)
CumminWE@Westinghouse.com (Edward W. Cummins)
cwaltman@roe.com (C. Waltman)
david.hastie@shawgrp.com (David Hastie)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
debbie.johnson@fluor.com (Debbie Johnson)
dwgwyn@moxproject.com (Dealis Gwyn)
donald.woodlan@luminant.com (Donald Woodlan)
draleigh@scientech.com (Denna Raleigh)
ecullington@earthlink.net (E. Cullington)
eddie.grant@excelservices.com (Eddie Grant)
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)
jean-pierre.berger@edf.com (J Pierre Berger)
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)
JJNesrsta@cpsenergy.com (James J. Nesrsta)
john.oddo@shawgrp.com (John Oddo)
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)
larry.taylor@pgnmail.com (Larry Taylor)
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)
raytj@westinghouse.com (Thom Ray)
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)
skip.butler@ge.com (Skip Butler)
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)
William.maher@fpl.com (William Maher)

(From DCIP list)

kenneth.ainger@exeloncorp.com (Kenneth Ainger)
jaudis1@txu.com (John Audas)
llbauman@aol.com
darin.benyak@pseg.com (Darin Benyak)
pmblanch@comcast.net (Paul Blanch)
barry.bryant@dom.com (Barry Bryant)
timothy.clouser@luminant.com (Timothy Clouser)
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 Ginbsberg)
sbhaber@hpacorp.com (Sonja Haber)
ghalnon@firstenergycorp.com (Greg Halnon)
kah@nei.org (Tony Harris)
dllaberdee@firstenergycorp.com (Dee Haskins)
hlhay@becthel.com (Howard Lane Hay)
hundrupa@gao.gov (Alyssa Hundrup)
wrkanda@firstenergycorp.com (Bill Kanda)
kolarick@gao.gov (Carol Kolarik)
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)
elliot.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)