

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

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| 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 Fiscaro | NEI |
| Lawrence Walsh | Shaw Group |
| Mark Harvey | Unistar Nuclear |
| Dave Robillard | PSEG |
| Junichi Uchiyama | MNES |
| Nathan Obermiller | MNES |
| Bill Maher | FPL |
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(Revised 10/23/2009)

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