

Farrar, Karl

From: Richard Conte
Sent: Wednesday, June 03, 2009 12:43 PM
To: Richard Barkley
Cc: Brian Harris; Karl Farrar; John Richmond; Kimberly Hawkins
Subject: RE: Follow ups to the Annual assessment meeting

thanks for the calibration

I will follow your lead.

-----Original Message-----

From: Richard Barkley
Sent: Wednesday, June 03, 2009 10:41 AM
To: Richard Conte
Cc: Brian Harris; Karl Farrar; John Richmond; Kimberly Hawkins
Subject: RE: Follow ups to the Annual assessment meeting
Importance: High

Rich,

Brian Harris (OGC) has agreed to be on the call as has Karl Farrar.

Given the nature of the June 1st email, Sam insisted on talking earlier versus later regarding strategy.

His view, as stated on Monday, is that Mr. Webster had 1 hour of our time before the Annual Assessment Meeting (with 5 staff in attendance), nearly 20 minutes during the meeting to ask questions publicly, and 40 minutes after the meeting - Thus he has had more than his fair share of our time and attention to his issues.

I suggest to make this meeting successful, and ensure we get done in under an hour (Sam has a fixed commitment at 4 pm), you lead off with a discussion summarizing those issues you still believe you have an outstanding promise to him to answer following the May 28 meeting, and summarizing the new issues in the June 1st email.

My recommendation will be to send him a short letter (signed by Sam) acknowledging: 1) the receipt of his June 1st email, 2) that the staff answered many of his prior questions before, during, and after the May 28th meeting, 3) that we received a number of related questions regarding the recent buried piping leaks at Oyster Creek from Congressman Adler on May 27 and are committed to sharing our reply with him, and 4) that the staff will call him following the issuance of the reply to Congressman Adler to discuss any other questions we have committed to respond to him which were not answered by our reply to Congressman Adler. We will then state that the staff is now quite limited in the range of its discussions with him due to the litigation initiated by he and his clients on June 1st regarding Oyster Creek relicensing.

We can discuss this recommendation at 3 pm - I doubt that Sam, Karl or OGC will consent to a much broader, more detailed reply on the docket at this time.

Richard S. Barkley, PE
Technical Communications Assistant, Region I
(610) 337-5065

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Act, exemptions 6
FOIA- B007-0214

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Exb

☐ Please consider the environment before printing this e-mail. Thank you.

-----Original Message-----

From: Richard Conte

Sent: Wednesday, June 03, 2009 7:39 AM

To: John Richmond; Gina Matakas; John White; Kimberly Hawkins

Cc: Richard Barkley; David Pelton; Glenn Meyer; Brian Harris; Karl Farrar; Diane Screnci; Scott Barber; Ronald Bellamy

Subject: RE: Follow ups to the Annual assessment meeting

The discussions with Diane, Karl and DRP (Bellamy/Barber) should be off and today's discussions should be the substitute

Can we get a bridge for 4 lines- see attached scripted responses to previous questions. White should be involved also.

We can't talk strategy on Webster in response to emails sent to Region I unless OGC is involved. I will be with Dave Pelton so that is one line.

The above is the meeting Purpose:

Success would be to have a clear alignment on the strategy.

Agenda or Process:

1. Conte summarize email dates and issues - see attached.
2. Conte Summarize status of addressing emails as of Annual Assessment Meeting
3. Discuss new aspects of Email of Monday June 1.
4. All -Options
-verbal telecon with legal representation -response in writing to all question - NLO review by OGC -others
5. All- Strategy

-----Original Message-----

From: John Richmond

Sent: Wednesday, June 03, 2009 7:11 AM

To: Gina Matakas; Richard Conte

Cc: Richard Barkley; David Pelton; Glenn Meyer

Subject: RE: Follow ups to the Annual assessment meeting

Rich Conte indicated that he and Dave Pelton would be calling in. I assume they'll be together, but don't know that for certain. Rich also said others (OGC?) might want/need to participate.

I'll try to get a head count.

-----Original Message-----

From: Gina Matakas

Sent: Tuesday, June 02, 2009 5:21 PM

To: John Richmond

Cc: Richard Barkley

Subject: RE: Follow ups to the Annual assessment meeting

Unless there are more than 4 people calling in from different locations, we don't need one. Will there be more than 4 people calling in?

Gina

-----Original Message-----

From: John Richmond
Sent: Tuesday, June 02, 2009 9:33 AM
To: Gina Matakas
Subject: RE: Follow ups to the Annual assessment meeting

Gina, will there be a bridge number for this 3PM meeting?

-----Original Message-----

From: Richard Conte
Sent: Tuesday, June 02, 2009 9:17 AM
To: Gina Matakas; John Richmond; Kimberly Hawkins; Sam Collins; Karl Farrar; Ronald Bellamy; Jim Wiggins
Cc: Richard Barkley; John White; Glenn Meyer
Subject: RE: Follow ups to the Annual assessment meeting

I am with Dave Pelton in Headquarters and he and I are on another mission.

he and I can support it.

-----Original Message-----

From: Gina Matakas
Sent: Tuesday, June 02, 2009 7:53 AM
To: John Richmond; Kimberly Hawkins; Sam Collins; Karl Farrar; Ronald Bellamy; Jim Wiggins; Richard Conte
Cc: Richard Barkley; John White; Glenn Meyer
Subject: RE: Follow ups to the Annual assessment meeting

Thanks John.

-----Original Message-----

From: John Richmond
Sent: Tuesday, June 02, 2009 7:43 AM
To: Kimberly Hawkins; Gina Matakas; Sam Collins; Karl Farrar; Ronald Bellamy; Jim Wiggins; Richard Conte
Cc: Richard Barkley; John White; Glenn Meyer
Subject: RE: Follow ups to the Annual assessment meeting

I'll attend the Wednesday 3 PM meeting, as Rich is in HQ.

-----Original Message-----

From: Kimberly Hawkins
Sent: Monday, June 01, 2009 5:19 PM
To: Gina Matakas; Sam Collins; Karl Farrar; Ronald Bellamy; Jim Wiggins; Richard Conte
Cc: Richard Barkley; John White; John Richmond
Subject: RE: Follow ups to the Annual assessment meeting

Was the Wednesday 3 pm LT metric meeting rescheduled? If not, I could ask John Richmond to sit in on the follow-up meeting to address this new email from Mr. Webster as Rich Conte will be in training at HQs.

-----Original Message-----

From: Gina Matakas

Sent: Monday, June 01, 2009 4:50 PM

To: Sam Collins; Karl Farrar; Kimberly Hawkins; Ronald Bellamy; Jim Wiggins; Richard Conte

Cc: Richard Barkley; John White

Subject: RE: Follow ups to the Annual assessment meeting

Meeting scheduled for Wednesday, June 3, at 3:00 p.m. to discuss our response to Mr. Webster's email.

-----Original Message-----

From: Sam Collins

Sent: Monday, June 01, 2009 3:10 PM

To: Karl Farrar; Kimberly Hawkins; Ronald Bellamy; Jim Wiggins; Richard Conte

Cc: Richard Barkley; Gina Matakas; John White

Subject: FW: Follow ups to the Annual assessment meeting

Rich Barkley, lets discuss response approach. Thanks, Sam

-----Original Message-----

From: Richard Webster [mailto:rwebster@easternenvironmental.org]

Sent: Monday, June 01, 2009 1:03 PM

To: Sam Collins

Cc: Joseph McMillan; Jill Lipoti; Richard Conte; Janet Tauro; paul@beyondnuclear.org; Hannah Faddis

Subject: Follow ups to the Annual assessment meeting

Mr. Collins,

In order to follow up on our discussions at the annual assessment meeting, please find attached a letter I wrote today to OIG forwarding the e-mail that we discussed. As I stated to you, the opacity and vagueness of the CLB to all parties remains a key problem that we believe needs attention.

More specifically, I would like to confirm my understanding of our discussions on May 28 that the CLB for the underground pipes at Oyster Creek requires intended function be maintained, where intended function does not include containment of radioactive water. If this is incorrect, please let me know as soon as possible.

I also seek clarification of Mr. Conte's statements about the purpose of the aging management programs. I note that the applicant must "demonstrate that the effects of aging will be adequately managed so that the intended function(s) will be maintained consistent with the CLB for the period of extended operation." [1] Can you confirm that the goal of the aging management programs is to prevent any violations of the CLB due to aging during the period of extended operation?

Finally, a question was raised at the meeting as to whether these pipes were inspected prior to relicensing and if so, how. The NRC Staff responded that this question was under review. What is the status of this review? Did the safety review conducted prior to relicensing also review the dates, spatial extent, and findings of prior pipe inspections? If so, why couldn't NRC Staff provide any information on these issues at the meeting?

Additionally, you stated at the meeting that inspection requirements for these pipes may be based upon on the guidance of American Society of Mechanical Engineers (ASME) standards and the Generic Aging Lessons Learned (GALL) report. [2] To the extent that inspections have relied on the guidance, what requirements as to inspection frequency and spatial coverage are contained in this guidance?

Finally, at the meeting Exelon stated that the underground pipe systems carrying radioactive water will be moved above ground or place in vaults. Please confirm what is planned, whether this is a binding a commitment for Exelon, and what is the schedule for completion of that project.

I appreciate your attention to these issues and I look forward to hearing further from you.

[1] 10 C.F.R. § 54.21(a)(3) (2009).

[2] Nuclear Regulatory Commission. NUREG-1801, Rev. 1. (2005).

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