

April 13, 2010

MEMORANDUM TO: Martin Murphy, Chief
Generic Communications & Power Uprate Branch
Division of Policy & Rulemaking
Office of Nuclear Reactor Regulation

FROM: Sheldon Stuchell */RA/*
Generic Communications & Power Uprate Branch
Division of Policy & Rulemaking
Office of Nuclear Reactor Regulation

SUBJECT: PUBLIC MEETING SUMMARY CONCERNING THE NOVEMBER 5,
2009, MEETING WITH STAKEHOLDERS TO DISCUSS NUCLEAR
ENERGY INSTITUTE'S REGULATORY ISSUE RESOLUTION
PROTOCOL

On November 5, 2009, the U.S. Nuclear Regulatory Commission's (NRC) regulatory issue resolution protocol (RIRP) team and industry representatives held a Category 2 public meeting. This memorandum provides a summary of the sixth public meeting the NRC conducted concerning Nuclear Energy Institute's (NEI's) RIRP. The purpose of the meeting was to continue discussing the RIRP and address issues from previous meetings.

NEI and industry representatives presented RIRP program updates, including issues from the NEI Licensing Forum, RIRP program issues, and NEI's RIRP guidance document development. There were fourteen attendees at the meeting, seven from the NRC, four from utilities, and three from NEI. A list of meeting attendees, references, a summary of the meeting discussion, and the next steps for the RIRP program are enclosed.

Enclosure: As stated

NRC Category 2 Public Meeting
NEI's Regulatory Issue Resolution Protocol
November 5, 2009
Meeting Summary

ATTENDEES

INDUSTRY	NRC	PUBLIC
Gordon Cleifton, NEI	William Cartwright, NRR/DIRS	
Jim Gresham, Westinghouse	Joe Giitter, NRR/DORL	
Henry Hegrat, FENOC	Tony Markley, NRR/DPR	
Julie Keys, NEI	Tim McGinty, NRR/DPR	
Tod Moser, STARS	Martin Murphy, NRR/DPR	
Jeannie Rinckel, NEI	Dave Skeen, NRR/DE	
Ed Weinkam, Entergy	Sheldon Stuchell, NRR/DPR	

REFERENCES

1. NRC Meeting Announcement and Agenda, Agencywide Documents Access and Management System (ADAMS) Accession No. ML092800306
2. NEI RIRP Rev 6 Guidance Document, ADMAS Accession No. ML093030030

INTRODUCTIONS

- NRC – Sheldon Stuchell:
 - Kicked off this 6th RIRP meeting.
 - The primary purpose of this meeting is for NEI to present the latest version (Rev 6) of the RIRP guidance document.
 - Reviewed the outstanding action items from the last meeting.
- All attendees introduced themselves.

MEETING MINUTES SUMMARY

NEI Licensing Forum Related Issues

Tod Moser reviewed RIRP issues from the forum and discussed the following:

1. More engagement by the industry
2. NEI needs to provide documents earlier to NRC

3. Industry commitment
 4. Industry and NRC do agree with the goals of the program
- During the discussion, Tim McGinty noted that the NRC needs industry commitment for the NRC to commit resources, both during the development of the RIRP, and especially to consider and work issues in the future.
 - Tod mentioned the need to ensure the regulatory basis for any issues that are brought forward.

Review of the NEI RIRP Guidance Document

- Jeannie Rinckel began the discussion of the document, and noted the importance of the success criteria in closing issues.
- Jeannie also mentioned that along with the success criteria, the regulatory basis is very important.
- Dave Skeen agreed that the regulatory basis was an important step in the process.
- Tim McGinty mentioned the need to ensure questions are brought to the forefront and provided to team members on both sides. That this should include any key regulatory requirements.
- Gordon Cleffton mentioned that this should include any interpretations of regulations or the GDC.
- Ed Weinkam stated that the industry team needed to sell the protocol and resolutions to all, and that non-compliance must be clearly defined and understood.
- Tony Markley mentioned that the NRC teams don't and can't interpret the regulations or GDC, and that the basis is normally established, either through the inspection process or other regulatory processes that OGC has already weighed in on.
- Marty Murphy mentioned that most staff positions are already contained in the Reg Guides. That if part of the resolution and success criteria is an update or new Reg Guide, that resolution should be included.
- Tod Moser indicated the importance of any issue having safety significance to ensure industry acceptance.
- Sheldon Stuchell noted that a technical description section needs to be added to the Identification Phase.
- Jeannie requested additional NRC staff for the issue team, to include someone from licensing and/or inspections.
- Tim McGinty noted that the cables issue team has a number of members with licensing and inspection backgrounds.
- Gordon asked if there is an inspector guidance document so inspectors can determine the key regulations for findings.
- Tony noted that the inspector's guidance is contained in the regulations, Reg Guides, other documents, including the the inspection manual, with the inspection procedures included, and the need to always ensure safety.
- Henry Hegrat mentioned that there could be skepticism within industry, and that it is important for the industry/NEI team to keep going back to industry and ensure understanding.
- Tim acknowledged the importance of keeping industry informed.
- Jeannie noted that industry did not have any new pilot issues ready to present at the time of this meeting, but they would begin considering new issues for the next pilot.

- Jeannie concluded the review of the updated document and noted that more work would be done for the next revision.

NEXT STEPS

1. Industry provides an updated RIRP guidance document (Rev 7). The guidance document needs to include:
 - a. Descriptions of roles, responsibilities, and updated definitions.
 - b. Defined eligibility for issues to enter the RIRP.
 - c. Clarification as to the management concurrence decision point and when and how management override would be used.
 - d. Guidance for the development of the problem statement.
 - e. Update the Screening Phase to include the identification of NRC processes utilized before issues are screened by the RIRP.
 - f. Update the flow chart to include an exit capability to an NRC process in each phase.
 - g. Update the implementation phase to include industry corrective actions.
 - h. Provide definitions and clarifications of “durable guidance” documents.
2. Next public meeting to be scheduled by NRC for early January.
3. Industry plans to submit the final draft guidance document to NRC for official review and comment in January.
4. Industry expects to propose a second pilot issue in January.
5. Issue final guidance document in first quarter 2010.

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