

April 7, 2010

MEMORANDUM TO: Tim Frye, Branch Chief  
Construction Assessment, Enforcement, and Allegations Branch  
Division of Construction Inspection  
& Operational Programs  
Office of New Reactors

FROM: Kevin Mattern, General Scientist **/RA/**  
Construction Assessment, Enforcement, and Allegations Branch  
Division of Construction Inspection  
& Operational Programs  
Office of New Reactors

PARTICIPANTS: Public, Industry, and NRC Staff

SUBJECT: SUMMARY OF MARCH 25, 2010, NRC CONSTRUCTION  
INSPECTION PROGRAM CATEGORY 3 PUBLIC MEETING WITH  
THE INDUSTRY AND THE GENERAL PUBLIC

On March 25, 2010, the NRC, Office of New Reactors (NRO), held a public meeting to discuss various topics relating to new reactor construction (Agencywide Documents Access and Management System (ADAMS) Accession Number ML100491015). The purpose of the meeting was to update members of the public on the progress of two working groups, namely the Construction Reactor Oversight Process (cROP) working group and the Design Acceptance Criteria (DAC) working group, and to solicit feedback from a rounded set of stakeholders regarding development of both processes. The NRC staff also solicited feedback from the public and industry on proposed Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) rulemaking language and revisions to the industry document NEI 08-01.

The meeting began with remarks by Tom Kozak of the Division of Construction Inspection and Operational Programs (DCIP). Mr. Kozak described the cROP working group's activities to date along with their continued interactions with both internal and external stakeholders through Category 2 and 3 public meetings over the past four months (ML100820025). The working group has established several guiding principles which summarize alignment with the Reactor Oversight Process (ROP) where applicable, allow for deviation from the ROP as appropriate, and call for a transparent, predictable, objective, and performance based assessment of licensee performance. Tom enumerated the cROP working group milestones, specifically highlighting the achievement of consensus on a regulatory framework in January, 2010 and the issuance of an information SECY paper that is currently (March, 2010) in the concurrence process. The consensus regulatory framework's cornerstones, attributes and areas to measure were discussed (ML100820034) in detail. Finally, the working group's path forward was elucidated via initiation of discussion on the possible development of a deterministic significance process, a risk matrix, and the use of traditional enforcement.

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301-415-6622

The meeting continued with remarks by Nanette Gilles of the Division of New Reactor Licensing (DNRL). Ms. Gilles lead continued discussions with external stakeholders on the draft proposed rule text on ITAAC maintenance (ML100810300). These discussions were initiated at a March 5, 2010 public workshop on the draft rule text, which was made publicly available by the NRC staff on February 26, 2010. Based on feedback from stakeholders during the March 5 workshop, the staff revised some provisions of the draft rule and the staff discussed these revisions with stakeholders at the March 25 public meeting. Stakeholders provided additional feedback on the draft rule provisions which the staff will consider as it prepares the proposed rule package for Commission review. Industry also made a statement, regarding their perspective of the envisioned rulemaking, through Russell Bell, NEI (ML100840699). Industry stated their agreement on the concept of Supplemental ITAAC Closure Letters and the "All Complete" letter; however, they expressed that the proposed rule language may be "unduly complex and prescriptive" and that rulemaking might not be the preferable vehicle to use for additional guidance.

The meeting continued with remarks by Jim Gaslevic (ML100820395) of the Construction ITAAC Team (CIT) of DCIP. Mr. Gaslevic prepared feedback and discussed the staff's review of the NEI 08-01 Revision 4 submittal. The industry guideline for ITAAC closure was updated to reflect ITAAC maintenance developments. Mr. Gaslevic stated that due to very recent changes in the draft rule addressing ITAAC maintenance, the guideline does not comprehensively cover the new, proposed rule text changes. NEI agreed to update staff when they are prepared to resubmit a reworked Revision 4.

The meeting concluded with remarks by Thomas Fredette, DCIP/CAEB (ML100810296). Mr. Fredette described the status and details related to Design Acceptance Criteria (DAC) task working group activities. Highlights of the briefing included the inspection process framework (ML100840627) to be employed for the South Texas digital I&C DAC pilot inspection, details of the I&C DAC inspection procedure, and the planned schedule for the pilot inspection.

A list of meeting attendees is attached. The next Category 3 public meeting will be held on May 13, 2010 from 8 a.m. to 4 p.m. in Rockville, MD.

The planned dates, for CIP Category 3 public meetings for the remainder of calendar year 2010 are:

- May 13;
- July 1;
- August 19;
- October 7; and
- December 9.

Members of the public were in attendance and Public Meeting Feedback forms were distributed with none returned or submitted according to standard protocols. Please direct any inquiries to me at 301-415-6622, or [Kevin.Mattern@nrc.gov](mailto:Kevin.Mattern@nrc.gov).

Enclosures:  
As stated

cc w/encl: See next page

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cc w/encl: See next page

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ADAMS Accession Number: ML100960351

NRC-001

OFFICE	NRO/DCIP/CAEB	NRO/DCIP/CAEB:BC
NAME	K. Mattern	T. Frye
DATE	04/06/10	04/07/10

**OFFICIAL RECORD COPY**

**Attendance List  
Category 3 Public Meeting  
White Flint North  
March 25, 2010**

**Attendance List**

Name	Organization
Bell, Russ	NEI
Bilik, Tom	NRC
Bryant, Barry	Dominion
Burdick, Stephen	Morgan Lewis
Cerne, Tony	NRC
Cicotte, George	NRC
Concklin, John	AREVA
Cottingham, Anne	NEI
Duncan, Emily	Winston + Strawn
Durkin, Tim	Energetic Inc.
Finklin, Pamela	Fluor
Freebairn, William	Nucleonics Week
Gardner, Ron	NRC
Giles, Julie	SCE&G
Gilles, Nanette	NRC
Gray, Susan	State of Maryland
Greene, Jon	Unistar
Guochen, Sun	NRC
Holt, David	Intercon
Jimenez, Jose	NRC
Johnson, Andrea	NRC
Keithline, Kimberly	NEI
Kerr, Chris	Exelon
Khan, Masrur	Bechtel
Kindard, James	AREVA
Kleeh, Edmund	NRC
Kowal, Mark	NRC
Kozak, Tom	NRC
Lansbury, Roger	NRC
Latta, Bob	NRC
Laura, Rich	NRC
Lavera, Ron	NRC
Lipscomb, George	NRC
Lorlin, Leonard	EPRI
Lukes, Bob	NRC
Marshall, Michael	NRC
Mattern, Kevin	NRC
Meyer, Glenn	NRC

ENCLOSURE

Murray, Demetrius	NRC
Obermiller, Nathan	MNES-Mitsubishi
Oddo, John	SHAW Group Inc.
Plisco, Loren	NRC
Raleigh, Deann	Scientech
Ray, Thom	Westinghouse
Rice, April	SCE&G
Robillard, Dave	PSEG Nuclear LLC
Scarola, Ken	Nuclear Automation Engineering, LLC
Schmitt, Ron	NRC
Schofer, Fred	NRC
Shuaibi, Mohammed	NRC
Sinks, Donna	NRC
Slider, Jim	NEI
Snyder, Al	Enercon Inc.
Sommerville, Jim	State of Georgia
Spivack, Ian	NRC
Tabatabai, Omid	NRC
Tappert, John	NRC
Taylor, Larry	Progress Energy
Thompson, Ryder	SCE&G
Uchiyama, Junichi	Mitsubishi
Volkoff, John	Unistar
Waites, Brandon	Southern Company
Webb, Michael	NRC

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(Revised 3/29/2010)

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