

June 23, 2010

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

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

SUBJECT: PUBLIC TELECONFERENCE SUMMARY CONCERNING THE MAY 6,
2010, MEETING WITH STAKEHOLDERS TO DISCUSS UPDATES TO
THE NUCLEAR ENERGY INSTITUTE'S REGULATORY ISSUE
RESOLUTION PROTOCOL GUIDANCE DOCUMENT

On May 6, 2010, the U.S. Nuclear Regulatory Commission's (NRC) regulatory issue resolution protocol (RIRP) team held a Category 2 public teleconference with stakeholders. This memorandum provides a summary of the teleconference. The purpose of the teleconference was to present and discuss updates to the RIRP guidance document based on RIRP lessons learned from the NRC and Nuclear Energy Institute (NEI), and updates from the Dry Fuel Storage Task Force. NEI presented key changes to portions of the guidance document and those changes were discussed by attendees.

The presentation included: a new flow chart of the protocol, the change from four phases to five phases within the protocol, updated phase descriptions, and an update to the screening criteria. Discussions included: the need for both short and long term actions within the protocol, the source of issues normally coming from industry, the need to conduct one or more pilots to continue testing the protocol, the NEI desire for NRC to review and provide comments on future versions of the guidance document, and if endorsement of the guidance document was suitable as a means to conclude this phase of the RIRP development.

There were fourteen attendees at the teleconference, seven from the NRC, five from utilities, and two from NEI. Enclosed is a list of meeting attendees, references, a summary of the meeting discussions, and action items.

Enclosure: As stated

June 23, 2010

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

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

SUBJECT: PUBLIC TELECONFERENCE SUMMARY CONCERNING THE MAY 6, 2010, MEETING WITH STAKEHOLDERS TO DISCUSS UPDATES TO THE NUCLEAR ENERGY INSTITUTE'S REGULATORY ISSUE RESOLUTION PROTOCOL GUIDANCE DOCUMENT

On May 6, 2010, the U.S. Nuclear Regulatory Commission's (NRC) regulatory issue resolution protocol (RIRP) team held a Category 2 public teleconference with stakeholders. This memorandum provides a summary of the teleconference. The purpose of the teleconference was to present and discuss updates to the RIRP guidance document based on RIRP lessons learned from the NRC and Nuclear Energy Institute (NEI), and updates from the Dry Fuel Storage Task Force. NEI presented key changes to portions of the guidance document and those changes were discussed by attendees.

The presentation included: a new flow chart of the protocol, the change from four phases to five phases within the protocol, updated phase descriptions, and an update to the screening criteria. Discussions included: the need for both short and long term actions within the protocol, the source of issues normally coming from industry, the need to conduct one or more pilots to continue testing the protocol, the NEI desire for NRC to review and provide comments on future versions of the guidance document, and if endorsement of the guidance document was suitable as a means to conclude this phase of the RIRP development.

There were fourteen attendees at the teleconference, seven from the NRC, five from utilities, and two from NEI. Enclosed is a list of meeting attendees, references, a summary of the meeting discussions, and action items.

Enclosure: As stated

DISTRIBUTION:

PUBLIC

RidsOgcMailCenter Resource

R. Hall, NRR

M. Murphy, NRR

D. Skeen, NRR

E. Benner, NMSS

T. Koshy, RES

R. Nelson, NRR

C. Staab, NMSS

J. Giitter, NRR

T. McGinty, NRR

T. Quay, NRR

S. Stuchell, NRR

ADAMS Accession No.: ML101300106

OFFICE	PGCB: PM	PGCB:LA	PGCB:BC
NAME	SStuchell	CHawes	SRosenberg
DATE	5/ 10 /10	5/ 12 /10	6/23/10

Nuclear Regulatory Commission (NRC)
Category 2 Public Meeting
Updates to the Nuclear Energy Institute's (NEI)
Regulatory Issue Resolution Protocol (RIRP)
Guidance Document
May 6, 2010
Meeting Summary

ATTENDEES

INDUSTRY	NRC	PUBLIC
Gordon Cleffton, NEI	Randy Hall, NRR/DORL	
Dave Gullott, Exelon	Tom Koshy, RES/DE	
Greg Halnon, First Energy	Martin Murphy, NRR/DPR	
Henry Hegrat, First Energy	Robert Nelson, NRR/DORL	
Terry Patterson, Constellation	Ted Quay, NRR/DPR	
Jeannie Rinckel, NEI	Dave Skeen, NRR/DE	
Jacques Vonderbroek, STARS	Sheldon Stuchell, NRR/DPR	

REFERENCES

1. NRC Teleconference Announcement and Agenda (Agencywide Documents Access and Management System (ADAMS) Accession No. ML101020592)
2. NEI RIRP Guidance Document Rev 7, February 2010 (ADAMS Accession No. ML100710506)
3. NEI RIRP Guidance Document Change Pages, May 2010 (ADAMS Accession No. ML101300442)

MEETING MINUTES SUMMARY

Using the NEI RIRP Guidance Document Change Pages provided to the NRC on May 4, 2010, NEI presented the key changes to those portions of the guidance document. Although each lesson learned discussed during the April 8, 2010, public meeting was not detailed in the document, during the presentation, NEI discussed most of the lessons learned.

NRC requested the guidance document include both short and long-term actions to ensure the application of the protocol is successful. NEI noted that the actions are part of the Planning Phase and would be included.

The discussions of the flowchart and the phases included noting where the phases would overlay the flowchart and that the industry Licensing Action Task Force (LATF) would be included in the screening process. NRC requested NEI to consider ensuring consistency between the flowchart and the phases. In addition, the NRC commented on the importance of early and periodic communication from the RIRP team to all affected licensees. Communications with licensees should occur soon after the industry RIRP team (or LATF) has made the determination that an issue is generic, and also as the protocol phases are completed. Although the RIRP has not been formally rolled into the LATF, the industry LATF is a functioning body that will use the protocol. The “gate-review” points should identify the information to be shared and communicated. The change from four phases to five phases reflects the update with the Planning and Closure phases.

The Phase 1, Identification Phase, discussions included the need to retain the option of the NRC as a source of issues for the RIRP (LATF). There was general agreement that most issues would be sourced from licensees, but that some could come from the NRC, and if so, normally from NRC management meetings. Based on this, the guidance document should be updated to reflect industry as the primary source of issues.

During the discussion of Phase 3, the Planning Phase, the NRC re-stated their position that the regulatory bases should be resolved during the first, or by the second, public meeting. When the NRC issues inspection findings or an issue has been resolved through the Office of the General Counsel, there should be no need for further debate of the regulatory bases; however, the NRC will provide clarifying information during the initial meetings if requested from industry. During this phase, short-term actions would be identified, and safety or security concerns would be communicated by NEI to the licensees for prompt corrective action.

The Phase 4, Implementation Phase, discussions included the need for including the short-term actions and the long-term or programmatic actions. In addition, it was noted that alignment with both NRC and industry management is expected before implementation and important to ensure success.

The discussions concerning Phase 5, the Closure Phase, detailed that closure should be included in the project plan and provide the NRC with assurance the issue is being resolved at all affected licensees.

During the discussions of the Screening Criteria, NEI identified that NEI’s LATF contact would be the point of contact for developing issues.

All agreed on the importance to conduct one or more pilots to continue testing the protocol. During and after each pilot, the guidance document would be updated to reflect lessons learned.

NEI indicated their desire for NRC to review and provide comments on future versions of the guidance document. As a means to possibly conclude the RIRP development phase, NEI raised the question of NRC endorsement of the protocol. The NRC commented that if the document were endorsed, it may inhibit future changes, and any request for endorsement should wait until the protocol is fully tested and the guidance document is final. In addition, the

NRC noted that since the RIRP is not a new process and not intended to replace any current process, endorsement may not be appropriate.

NEXT STEPS/ACTION ITEMS

1. NEI to update the RIRP guidance document in preparation for the next public meeting.
2. NRC to coordinate and schedule the next RIRP public meeting in late May or early June.
3. NEI to provide the updated RIRP guidance document to the NRC at least twelve days before the next public meeting.