

November 3, 2010

MEMORANDUM TO: John Jolicoeur, Chief
Licensing Processes Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

FROM: Sheldon Stuchell, Sr. Project Manager **/RA/**
Licensing Processes Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

SUBJECT: PUBLIC MEETING SUMMARY CONCERNING THE
OCTOBER 15, 2010, MEETING WITH STAKEHOLDERS TO
DISCUSS THE NUCLEAR ENERGY INSTITUTE'S
REGULATORY ISSUE RESOLUTION PROTOCOL

On October 15, 2010, the Nuclear Regulatory Commission's (NRC) Regulatory Issue Resolution Protocol (RIRP) team held a Category 2 public meeting with stakeholders. This memorandum provides a summary of the meeting. The purpose of the meeting was to continue discussions on the Nuclear Energy Institute's (NEI) RIRP project. The meeting covered a status update and closure of the Cable Pilot Project, potential revisions and updates to NEI's guidance document (NEI 10-06), NEI and NRC recommendations for a second pilot, and other related items. The NEI representatives presented and discussed a status update on the Cable Pilot Project, other cables issues, potential issues for the next RIRP pilot, and other related RIRP items. The NRC staff discussed NRC expectations for closure of the cables issue and potential issues for the next pilot.

The presentation and discussions included: a review of the Action Items from the July 28, 2010, RIRP public meeting, NEI handout, "Regulatory Issue Closure Form for the Inaccessible or Underground Power Cable Circuits" (draft dated October 14, 2010), NEI handout "Letter from John Butler to Administrative Points of Contact" (APC 10-36, September 23, 2010), Letter from Jeannie Rinckel to Tim McGinty (September 10, 2010), Letter from Tony Pietrangelo to Eric Leeds (June 30, 2010), Letter from Eric Leeds to Tony Pietrangelo (August 3, 2010), and NEI handout "Regulatory Issue Screening Form, Degraded Grid Voltage Protection (draft dated October 8, 2010)."

There were thirty-two attendees at the meeting, seventeen from the NRC, six from utilities, four from the NEI, one from the Institute of Nuclear Power Operations, one from the Electric Power

CONTACT: Sheldon Stuchell, NRR/DPR
301-415-1847

J. Jolicoeur

- 2 -

Research Institute, one from Sciencetech, and two public stakeholders. Enclosed are a list of meeting attendees, references, a summary of the meeting discussions, and action items.

Enclosure:

As stated

J. Jolicoeur

- 2 -

Research Institute, one from Sciencetech, and two public stakeholders. Enclosed are a list of meeting attendees, references, a summary of the meeting discussions, and action items.

Enclosure:
As stated

DISTRIBUTION:

PUBLIC	RidsOgcMailCenterResource	TBlount
RHall	TKoshy	RMathew
TMcGinty	RidsNrrDpr	RNelson
CStaab	SStuchell	RidsNrrDprPlpb
GWilson		

ADAMS Accession Nos.: ML102940280 (Summary), ML102660035 (notice), ML103020289 (Pkg) * Via email

OFFICE	NRR/DPR/PLPB	NRR/DPR/PLPB: LA*	NRR/DPR/PLPB: BC
NAME	SStuchell	DBaxley	JJolicoeur
DATE	10/22/2010	10/29/2010	11/3/10

OFFICIAL RECORD COPY

Nuclear Regulatory Commission (NRC)

Category 2 Public Meeting

Nuclear Energy Institute's (NEI's)

Regulatory Issue Resolution Protocol (RIRP)

October 15, 2010

Meeting Summary

ATTENDEES

INDUSTRY	NRC	PUBLIC
Scott Bauer, NEI	Tom Blount, NRR/DPR	Paul Blanch, Public
Jerry Bonanno, NEI	Randy Hall, NRR/DORL	Deann Raleigh, Scientech
Gordon Cleifton, NEI	John Jolicoeur, NRR/DPR	Raymond Shadis, Public
Mike Fallon, Constellation	John Kauffman, RES/DRA	
Curtis Fischer, Constellation	Bill Kemper, NRR/DE	
Steve Hutchins, Exelon	Tom Koshy, RES/DE	
Dave Mannai, Entergy	Kamal Manoly, NRR/DE	
Jeannie Rinckel, NEI	Roy Mathew, NRR/DE	
Denise Thomas, Exelon	Matt McConnell, NRR/DE	
Gary Toman, EPRI	Anthony McMurtray, NRR/DCI	
Jacques Vandebroek, SCE	Bob Nelson, NRR/DORL	
Debbie Williams, INPO	Ben Parks, NRR/DSS	
	John Richmond, R-I/DRS	
	Sheldon Stuchell, NRR/DPR	
	Tony Ulses, NRR/DSS	
	Robert Wolfgang, NRR/DCI	

ENCLOSURE

REFERENCES

1. NRC Meeting Announcement and Agenda (Agencywide Documents Access and Management System (ADAMS) Accession No. ML102660035)
2. NRC Public Meeting Summary from the July 28, 2010, RIRP Pilot Closure Plan Meeting (Accession No. ML102220262)
3. NEI handout draft "Regulatory Issue Closure Form – Inaccessible or Underground Power Cable Circuits" (not available in ADAMS)
4. NEI handout "Letter from John Butler to Administrative Points of Contact (APC 10-36), dated September 23, 2010, (not available in ADAMS)
5. NEI's letter from Jeannie Rinckel to Tim McGinty, dated September 10, 2010, "Regulatory Issues Resolution Protocol: Inaccessible or Underground Cable Systems Pilot Project" (Accession No. ML102570716)
6. NEI's letter from Tony Pietrangelo to Eric Leeds dated June 30, 2010, "Submittal of NEI 10-06, Revision 0, "Regulatory Issue Resolution Protocol: A Method for Resolving Regulatory Issues with Generic Implications" (Accession No. ML101900464)
7. NRC's letter from Eric Leeds to Tony Pietrangelo dated August 3, 2010 (Accession No. ML101890078)
8. NEI draft "Regulatory Issue Screening Form – Degraded Grid Voltage Protection" (not available in ADAMS)

INTRODUCTIONS

NRC – Sheldon Stuchell:

- Began this RIRP Cable Pilot Project meeting with administrative notes and introductions (Reference 1).
- The primary purpose of this meeting is to discuss the closure of the Cable Pilot Project and potential issues for the next pilot. (Reference 1)
- A packet of applicable and available documents (references 1, 2, 5, 6, & 7 noted above) was provided.

MEETING MINUTES SUMMARY

Opening Remarks

Tom Blount provided opening remarks for the NRC and Jeannie Rinckel provided opening remarks for the industry. Mr. Blount noted that NEI's RIRP continues to be seen as a positive initiative to aid in the closure of generically applicable issues through existing NRC processes. He noted the importance of communications from the RIRP team to industry to expeditiously inform of new issues. Jeannie responded that industry also views the RIRP as being a benefit to all stakeholders, and that industry looks forward to the next pilot.

RIRP Cables Pilot Closure and Other Potential Pilot Discussions

- The meeting agenda was changed to accommodate staff schedules allowing discussion of one of industry's potential RIRP pilot #2 issues; "Seismic Hazards Estimates."
 - Gordon Cleifton presented and industry discussed the issue and the need for the issue to receive additional attention as a RIRP issue. The NRC issued

Information Notice 2010-18 (IN 2010-08), "Implications of Updated Probabilistic Seismic Hazard Estimates in Central and Eastern United States on Existing Plants," referencing updated probabilistic seismic hazard estimates. The concern is that application of these new estimates may require seismic re-analysis and perhaps retrofits. Industry would like some form of durable guidance on how to deal with changing seismic analysis going forward. Gordon stated that the RIRP could produce desired results more quickly than a Generic Letter.

- John Kauffman noted that the issue is currently in the Generic Issues program (GI-199) in Regulatory Office Implementation (meaning that NRR has the lead). The issue was identified as a result of new reactors research and screening was completed in 2008. John also stated that at a public meeting in 2008, NEI committed to providing site-specific information for all sites to perform the Safety/Risk Assessment; but that NRC subsequently received information from only a few sites under a Memorandum of Understanding with EPRI. The NRC is in the process of developing a request for the information needed to perform a regulatory assessment of this topic. Mr. Blount noted that we must ensure any process used is not impacted by the Federal Advisory Committee Act (FACA).
 - This issue has not yet been screened or approved by the Licensing Action Task Force (LATF).
- Utilizing Reference 2 to review old Action Items, Jeannie Rinckel provided an update to the Action Items from the last public meeting.
 - Survey of Licensees - Although NEI has not performed a survey of licensees to date, the closure plan for the Cable Pilot Project (Reference 3) includes a follow-up survey to determine plant responses to the recommendations in the APC letter of September 23, 2010, with an expected survey timeline of mid-2011. Industry noted that the cables issue has the attention of all CNO's and is being taken very seriously. This will close the Action Item.
 - Sheldon Stuchell noted that absent a Generic Letter or Bulletin, a voluntary survey by industry would provide information to aid in determining the extent of condition for the cables issue.
 - Cables Project Closure Plan - NEI provided a draft copy of the RIRP "Regulatory Issue Closure Form – Inaccessible or Underground Power Cable Circuits." Once finalized, this will fully close this closure plan action item. (Reference 3)
 - Mr. Blount asked that Block IV include providing survey results to the NRC, not as an NRC requirement, but within the goals of RIRP.
 - NEI Communication to Industry – NEI issued an Administrative Points of Contact (APC) letter to all potentially affected licensees, APC 10-36. This letter reviews the cables issue and a path forward, recommending implementation of a power cable aging management program. Ms. Rinckel acknowledged that an APC letter could have gone out earlier in the process. Jacques Vandebroek noted that all STARS Alliance licensees have put the cables issue in their Corrective Action Program (CAP). This closes this Action Item. (Reference 4)
 - Utilizing Reference 5, Jeannie Rinckel reviewed her September 10, 2010, letter to Tim McGinty, closing the RIRP Cables Pilot Project. An open discussion followed, with NRC agreeing the Cable Pilot Project would be considered closed, but the issue is still open.

Ongoing NRC inspections and actions would continue. Sheldon Stuchell noted the NRC is currently preparing a response letter from Tim McGinty to Ms. Rinckel. NRC expects this letter to be issued within the next few weeks and the letter will confirm the RIRP Cable Pilot Project is considered closed. Denise Thomas inquired as to any issues that NRC may have with the industry plan as detailed in Reference 5. Roy Mathew responded that the letter details industry following two EPRI documents that the NRC has neither endorsed nor reviewed. Thus, the NRC cannot agree to the plan as described. Industry had not requested a review or endorsement of the EPRI documents. Gordon Clefthon responded that industry had made the determination that to gain endorsement of a specific revision of the documents may restrict updates during this time of technology change, and the decision was made not to request NRC endorsement. Mr. Mathew also noted that if cables are found in an environment for which they are not designed, licensees must demonstrate through adequate testing or a condition monitoring program, that the cables can perform their intended function and are operable for the licensed operating term. Tom Koshy noted that the NRC plan is to have Regulatory Guide 1240 issued in the December 2010 or January 2011 timeframe, and that the RegGuide should be used as one method to provide reasonable assurance that subject cables will perform their safety function. Mr. Koshy noted that stakeholders should not see many changes from the draft version. STARS and NEI requested that an additional comment period be allowed or the RegGuide not be issued due to technical disagreements. Additionally, Mr. Koshy noted that the reference in Ms. Rinckel's letter to the GALL aging management program should not be considered for 10 CFR Part 50. Mr. Mathew also noted that the issue being discussed in the RIRP is specific to "power cables" and the NRC has not determined there are any issues with "control cables." He also stated that the NRC plans to revise Information Notice 2002-012, "Submerged Safety-Related Electrical Cables, dated April 21, 2002. The revision will provide updates on inspection findings, lessons-learned, research, operating experience, and also make some clarifications. The revision should be available this fall.

- The next topic discussed was potential changes or updates to the NEI RIRP Guidance Document (NEI 10-06 Rev 0). Jeannie Rinckel noted that industry had no schedule for the next revision to NEI 10-06. Ms. Rinckel inquired as to the status of NRC's review of the document, as noted in Eric Leeds August 3, 2010, response letter to Tony Pietrangelo (Reference 7). Sheldon Stuchell responded that the review was limited at this point due to staffing workload, but the plan was to complete the review and provide comments to NEI by the end of the year. Mr. Stuchell also noted that NRC would like to see the early communications of an issue highlighted within NEI 10-06, to ensure communications from the RIRP team to licensees occurs as early as possible.
- Paul Blanch commented that the NRC is not doing enough to require compliance with 10 CFR Part 50 in regards to the cables issue and the NRC must ensure compliance by all licensees. The NRC must enforce all existing regulations that pertain to inaccessible cables. He stated that a guidance document is not enforceable. The existing regulations must be enforced as written or changed through the rule making process. Anything short of this is unsatisfactory. Mr. Blanch also noted that he does not like the audio service being used for the teleconferences, and that he would like to be included in any document distributions.

- Sheldon Stuchell responded that there have been no document distributions, and most of the referenced documents are in ADAMS.
- Ray Shadis commented that there has been limited public engagement and the NRC needs to do more to ensure meaningful public participation. The public needs a place at the table and to be treated as an equal with industry, state and NRC members.
- NRC presented a potential issue for consideration as the next RIRP pilot; “BWR Suppression Pool Cooling Water Hammer.”
 - Ben Parks presented and described the issue. There is a possibility that a loss of power and subsequent restoration of power would result in a suppression pool cooling system water hammer due to partial draining of the headers.
- NEI presented two other potential issues for the RIRP second pilot; Degraded Grid Voltage Protection and Acceptable Preconditioning Practices.
 - Degraded Grid Voltage Protection – (Reference 8)
 - Gordon Cleffton presented the issue and the concern is that existing guidance is not clear as to the requirements to protect against a degraded grid voltage condition. The issue has affected several plants and arose from component design basis inspections. Various utilities have been subject to enforcement action.
 - Tom Koshy and Roy Mathew commented for the NRC, indicating the NRC is very familiar with this issue. Some of the confusion stems from the Standard Review Plan listing an IEEE Standard as a reference. Licensees have confused the reference as an NRC endorsement when the NRC has not endorsed the referenced IEEE Standard. A design basis accident must be considered concurrent with a degraded grid voltage - this is a pre-existing requirement. A generic communication, probably in the form of a RIS, is planned to be issued in the near future. Sheldon Stuchell noted that all Generic Letters, Bulletins, and Regulatory Issue Summaries include stakeholder engagement and an opportunity for comment on the draft generic communication. Mr. Mathew also stated that this issue is a plant-specific issue and licensees must be in full compliance with the existing regulatory requirements.
 - This issue has been through the RIRP Screening process at the LATF, and the LATF approved this issue for consideration as a RIRP project.
 - Acceptable Preconditioning Practices –
 - Gordon Cleffton presented the issue that there is some disagreement between Licensees and Inspectors as to what constitutes "preconditioning" of equipment prior to Tech Spec surveillances.
 - Tony McMurtray noted that this is not a new issue. Draft NUREG-1946 is currently out for comment and the NRC is engaging the IST and ASME Owner's Groups. NUREG-1946 will update NUREG-1482. The NRC is meeting with industry in Florida during December 2010. Tony stated that including the issue at this time in the RIRP may not add anything to the process because there is already a high level of industry/NRC engagement.
 - This issue has not yet been screened or approved by the LATF.

- The NRC team and industry agreed to separately prioritize these four issues after all four are approved by the LATF, and then conduct a public meeting to decide which issue to pursue as the second RIRP pilot project.
- Sheldon Stuchell reviewed the Action Items from the meeting and discussed potential future meetings.
 - Jeannie Rinckel inquired as to RIRP sponsors involvement for the next pilot, and especially for the next pilot kickoff. Ms. Rinckel would like to ensure Eric Leeds and Tony Pietrangelo are included, such that we meet their expectations.
 - Tom Blount responded that the NRC team does keep senior management engaged, and that the Division Directors will be deciding whether to support any selected future pilots, based on funding and workload. Mr. Blount agreed that Eric would be invited to kick off the next pilot, once the pilot is decided upon.
- Sheldon Stuchell closed the meeting.

NEXT STEPS/ACTION ITEMS

1. NRC to send the meeting documents to Paul Blanch.
2. NEI to provide public meeting handouts to NRC's Document Processing Center for inclusion in ADAMS.
3. NEI to provide final RIRP Regulatory Issue Screening Forms for the three industry proposed second pilot issues; Degraded Grid Voltage Protection, Acceptable Preconditioning Practices, and Seismic Hazards Estimates.
4. NEI issue the RIRP "Regulatory Issue Closure Form – Inaccessible or Underground Power Cable Circuits."
5. NRC will provide a description of the BWR Suppression Pool Cooling issue.
6. NRC and industry will separately prioritize the four possible pilot project #2 issues.
7. NRC to coordinate and schedule the next RIRP public meeting.
8. NRC and industry will collectively prioritize the potential pilot project # 2 issues at the next public meeting. If possible, a collective determination will be made as to the issue selected for the next pilot.
9. NRC and industry will separately resource the selected next pilot.
10. NRC will schedule a pilot #2 kickoff public meeting.
11. NRC to provide comments on NEI 10-06.