

NEI 08-01

- NEI 08-01 Revision 4 issued July 2010.
- Regulatory Guide (RG) 1.215 Revision 1
 - Will Endorse NEI 08-01 Revision 4
- NEI 08-01 Draft Revision 5 submitted to the NRC February 1, 2012 for comment
- NRC Comments Provided to NEI
 - March 15 - Editorial Comments (ML12125A186)
 - March 30 - Substantive Comments (ML12125A196)
 - May 7 - D-RAP ITAAC Comment (ML12129A061)

225 Day Uncompleted ITAAC Letter

•Issues for Discussion

- Approximate time Uncompleted ITAAC Notification (UIN) submittal
 -*(shortly after) the 270 day notice of scheduled fuel load.*
 - Use an 'Effective as of date'
- Use of past tense in addition to future tense
- Level of detail and type of information intended
- ITAAC surge mitigation strategy
- Documenting ITAAC Findings

225 Day Uncompleted ITAAC Letter

- Future and Past Tense

- 08-01 R4 Appendix E-2 Includes Sections Below:

- **Actions Achieved Toward ITAAC Completion**

- Will discuss actions completed for a specific ITAAC
 - Includes – “For completed actions, summarize the methodology for conducting the ITA, and the results that demonstrate that the acceptance criteria were met. **It should be written in an active voice,.....**”

- **Actions Remaining to Attain ITAAC Completion**

- Will provide a “....high level discussion of the remaining activities related to ITAAC completion....”

225 Day Uncompleted ITAAC Letter

- Future and Past Tense Cont'd

- 08-01 R5 Appendix E-2 includes Only the Section Below:

- **ITAAC Completion Description**

- Includes - This section should be very similar to the ITAAC Determination Basis in a Section 52.99(c)(1) ITAAC Closure Notification. The key difference is that it should describe the procedures and/or methods that will be used to conduct the ITA and demonstrate that the Acceptance Criteria are met (future tense versus past tense). Licensees may use future tense throughout this section even if a portion of these activities may have been completed for an ITAAC. An ITAAC is considered uncompleted until all activities within its scope are completed and an ITAAC Closure Notification is submitted to NRC. Licensees may otherwise use and apply the Appendix D-1 template guidance on ITAAC Determination Basis to complete this section for each uncompleted ITAAC.

225 Day Uncompleted ITAAC Letter

- Future and Past Tense Cont'd
- Why R5 Use of Only Future Tense is not Acceptable to the Staff.
 - 10 CFR 52.6 – Completeness and Accuracy of Information
 - Information provided to the Commission by a licensee under this part shall be complete and accurate in all material respects.
 - If ITA methodology was altered, would the UIN ignore the change?
 - Confusing
 - Must limit Public (& Staff) Confusion regarding completed items that are stated as “will be performed”
 - Surge Mitigation
 - The staff could pre-review completed portions of the ITAAC as represented in the UIN

225 Day Uncompleted ITAAC Letter

- Level of detail

- Revision 4

- Section 7:

- These notifications are similar to the ITAAC closure letter submitted under 10 CFR 52.99(c)(1) in terms of the level of technical detail required to describe the ITAAC completion **process**. **However, because these notifications concern ITAAC that have yet to be completed, they should also provide some basis for the expectation that the ITAAC will be successfully completed before fuel load.**

- Appendix E-2:

- Actions Remaining to Attain ITAAC Completion

- It should be written in an active voice, and consist of sufficient information to enable a person familiar with technical/engineering concepts to understand the bases underlying the conclusion established by the licensee regarding the activities remaining to complete the ITAAC.

- Revision 5

- Section 7:

-The 225-day notification mandated by 10 CFR 52.99(c)(3) must include sufficient information so that interested persons will have information on uncompleted ITAAC at a level of detail sufficient to address the Atomic Energy Act of 1954, Section 189.a(1)(B), threshold for requesting a hearing on whether the accepted criteria have been, or will be, met.

- Appendix E-2:

- ITAAC Completion Description

- This section should be very similar to the ITAAC Determination Basis in a Section 52.99(c)(1) ITAAC Closure Notification.

225 Day Uncompleted ITAAC Letter

- Level of detail
- Why R5 Level of Detail is not Acceptable to the Staff.
 - The additional “**procedures and analytical methods**” requirement in 10 CFR 52.99(c)(3) does not exist in 52.99(c)(1).
 - This is no accident.
 - 10 CFR 52.99(c)(3) describes a ‘predictive finding’ and 10 CFR 52.99(c)(1) a completed ITA.
 - The 10 CFR Part 52 Comment Summary Report (July 2007) includes Commission discussion of this issue.
- Discussion
 - In the Comment Summary Report, the Commission supports the rule retaining the distinction between the UIN description of a predictive finding (10 CFR 52.99(c)(3)) and the description of completed ITA (10 CFR 52.99(c)(1)).
 - While an ICN might need to, and may, describe “specific procedures and analytical methods” to satisfy the sufficient information standard in 10 CFR 52.99(c)(1), an ICN isn’t required to meet 10 CFR 52.99(c)(3). An UIN must meet 10 CFR 52.99(c)(3) regardless.

225 Day Uncompleted ITAAC Letter

- Documenting ITAAC Findings
 - List Each Finding for Each ITAAC in the UIN
 - Note Findings that Have Been Addressed
 - Note in General that all Other Findings will be Addressed in the Eventual ICN