

March 12, 2015

MEMORANDUM TO: Alexander R. Klein, Chief
Fire Protection Branch
Division of Risk Assessment
Office of Nuclear Reactor Regulation

FROM: Barry W. Miller, Sr. Project Manager */RA/*
Fire Protection Branch
Division of Risk Assessment
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE MARCH 3, 2015, CATEGORY 2 MEETING
BETWEEN THE NUCLEAR REGULATORY COMMISSION AND
NUCLEAR ENERGY INSTITUTE REGARDING NATIONAL FIRE
PROTECTION ASSOCIATION STANDARD 805

On March 3, 2015, the U.S. Nuclear Regulatory Commission (NRC) staff held a meeting with the Nuclear Energy Institute (NEI) and the public to discuss issues related to license amendment reviews and implementation of National Fire Protection Association Standard 805 (NFPA 805). The meeting notice was made available at Agencywide Document Access and Management System (ADAMS) Accession No. ML15043A765.

The NRC opened the meeting with remarks on the NRC's general perspective and observations on how the license amendment reviews for transition to NFPA 805 are progressing. The NRC indicated that four license amendments had been issued in the previous 4-5 weeks, and that two more were expected within the next several weeks. The NRC observed that the reviews conducted under the "new process" (whereby the safety evaluation is developed prior to conducting an audit or issuing requests for additional information (RAIs) so that the review can focus on the gaps in the safety evaluation) have been successful in reducing the number of first and second round RAIs; however, second round RAIs have not been eliminated.

NEI provided opening comments related to ongoing challenges. NEI indicated that they believe progress has slowed in the last 3-4 months, particularly with the issuance of NRC-approved guidance related to NFPA 805.

The NRC provided an update on the status of issuing FAQ 13-0061, "Change Process;" specifically, it will need to be reviewed by the NRC's Office of General Counsel (OGC) before the NRC's closure memo can be issued.

Enclosure:
As stated

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As a follow-up topic from the previous meeting, the NRC provided feedback on NEI's question regarding a change to the license condition that would allow licensees to self-approve changes to modifications during the transition period after issuance of the license amendment. This desire to make changes might arise if NRC guidance should be issued that would change risk numbers such that certain modifications would no longer be required. The NRC stated that it discussed the issue internally with OGC as well as the technical staff and determined that it is a more complex issue than a simple change to the license condition. NEI sought to understand what those complexities were. The NRC and NEI agreed that the best forum to discuss the technical complexities would be at a public meeting dedicated to this issue alone. An action item was taken to schedule this meeting in the near term. Notwithstanding this issue, the NRC proposed that it could use existing processes (i.e., the license amendment process), in lieu of a license condition change, to achieve the outcome NEI sought. More specifically, the NRC proposed the concept of a template to define the contents of a license amendment request that would allow the NRC to review and approve licensee-proposed modification changes on a shorter timeframe than normal license amendment requests. NEI expressed support for this approach, but still believed that a change to the license condition was also needed.

Another topic of discussion was related to fire protection inspections for plants that have already transitioned to NFPA 805. The NRC staff explained that staff from its Office of Nuclear Reactor Regulation (NRR) has attended recent inspections to support the region-led inspection efforts. The NRC further indicated that it has identified potential areas to improve the inspection procedure, and it intends to incorporate the changes in a single revision after more inspections are completed to gather any additional lessons learned. NEI indicated that it had comments on the inspection procedure as well and intended to provide them to the NRC, but did not provide a specific timetable. NEI also provided their perspectives on inspections. NEI staff indicated that inspector training on performance-based rules would be useful. Additionally, NEI staff indicated that it is difficult for plants to support fire protection inspections during the NFPA 805 implementation period; therefore, it would be helpful if the NRC could schedule these inspections outside of the implementation window. The NRC staff indicated that it would provide this feedback to regional counterparts.

The NRC also addressed some generic issues related to the license amendment reviews. NRC staff provided feedback on the licensee comment and fact-check reviews of the draft safety evaluations that occur during the final stages of review, and also provided guidance that the NRC will begin to ask licensees to consider as they conduct fact-check reviews. Details of the fact-check feedback are contained on slides available at ADAMS Accession No. ML15070A506.

The NRC also provided feedback related to extension requests it has been receiving for RAI responses. In particular, the NRC wanted to ensure that licensees understand the schedule implications of these extensions, and that the NRC intends to better document and communicate the schedule impacts back to licensees.

The meeting discussions then moved onto more technical-related issues. The NRC described an issue it is working to resolve related to treatment of main control room abandonment. The next topic addressed was draft NRC guidance on heat release rates. NRC staff in NRR currently has the draft guidance from the NRC Office of Nuclear Regulatory Research (RES). Once NRR staff provide comments back to RES, the draft guidance will be issued for public comment; the NRC expects the guidance to be available for public comment within a couple of weeks. Next, RES staff provided a status on draft guidance for very early warning fire detection systems (VEWFDS). RES staff indicated it expects the draft report to be issued for public comment in mid-May 2015.

NRC staff from RES discussed future research items in cooperation with the Electric Power Research Institute (EPRI) under a memorandum of understanding. RES staff also discussed a recent meeting with EPRI that included discussion on fire related research initiatives, including the priorities and resources to be attributed to those initiatives. RES and EPRI staff believe that this meeting will lead to enhanced cooperation on fire research initiatives.

As a final topic, NEI staff presented some early thoughts on a proposal to more generically address issues with Chapter 3 of NFPA 805. NEI staff believes that better NRC guidance on the intent of several parts of Chapter 3 are necessary, and that instead of addressing each issue in a piecemeal fashion, an NRC rulemaking effort might be a more all-encompassing approach. NEI intends to submit a more formal proposal in the future, and proposed to discuss this issue in more detail during the next meeting.

Lastly, an opportunity for public comment was provided near the end of the meeting. No public comments were received.

The NRC and NEI staff agreed to try to hold future public teleconferences on a monthly basis, with face-to-face meetings on a quarterly basis.

A list of meeting attendees is enclosed with this memorandum.

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Date	03 / 11 / 15	03 / 12 / 15	03 / 12 / 15

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**NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805
NRC/NEI MANAGEMENT MEETING
LIST OF ATTENDEES**

March 3, 2015

**U. S. Nuclear Regulatory
Commission Staff**

J. Giitter
R. Correia
A. Klein
H. Hamzehee
M. Salley
B. Miller
C. Moulton
H. Barrett
S. Dinsmore
J. Hyslop
J. Robinson
A. George
T. Lamb

Stakeholders

E. Flick (Exelon)
P. Harden (First Energy)
V. Anderson (NEI)
M. Tschiltz (NEI)
J. Ertman (Duke)
D. Churchman (Southern Nuclear)
B. Montgomery (NEI)
J. Giles (Southern Nuclear)*
A. Ratchford (RDS)*
J. Stone (Exelon)*
A. Lindeman (EPRI)*
M. Schairer (EPM)*
M. Lilley (Exelon)*
J. DeJoseph (Duke)*
F. DePeralta (PNNL)*

* participated via phone

ENCLOSURE