

May 5, 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 APRIL 13, 2015, CATEGORY 2 MEETING
BETWEEN THE NUCLEAR REGULATORY COMMISSION AND THE
NUCLEAR ENERGY INSTITUTE REGARDING POTENTIAL
APPROACHES FOR MODIFICATION CHANGES DURING THE
NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805
(NFPA 805) TRANSITION PERIOD

On April 13, 2015, the U.S. Nuclear Regulatory Commission (NRC) staff held a public meeting with the Nuclear Energy Institute (NEI) and the public to discuss potential approaches for making changes to plant modifications during the NFPA 805 transition period. The meeting notice was made available at Agencywide Document Access and Management System (ADAMS) Accession No. ML15097A472.

The NRC staff began the meeting with a slide presentation. The NRC slides are available at ADAMS Accession No. ML15103A117. The presentation first established the two potential approaches under consideration for this meeting. The first was the concept of modifying the license condition in yet-to-be-issued NFPA 805 license amendments to allow licensee self-approval of changes to plant modifications in Attachment S of the amendment request (which gets incorporated into the license condition by reference). This would give licensees flexibility to potentially remove modifications without NRC approval if new NRC guidance is issued that affects the fire probabilistic risk assessment (PRA) such that those modifications would no longer be necessary to meet risk acceptance thresholds. The second approach was to enhance the license amendment request (LAR) process by creating a template in which licensees would have clear guidance on what information would need to be submitted to the NRC to allow a streamlined review of modification change proposals.

The NRC staff then presented the current fire protection program processes for three distinct periods: the time between licensee submission of an NFPA 805 LAR and issuance of the amendment; the transition period after an amendment is issued but before all plant modifications have been implemented; and the period after all license conditions are met (full compliance). Next, the NRC outlined its concerns with the first approach related to changing

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the license condition to allow licensee self-approval during the transition period. The staff expressed concern that changing the list of modifications would change the PRA, and because the NRC staff approves NFPA 805 amendments in part based on the PRA, changes to the list of modifications by licensees after NRC approval might undermine the basis of the NRC's original safety conclusion. Next, the NRC staff outlined the criteria it was considering for the second approach related to a template that might help streamline the review of LARs that would seek to change modifications during the transition period. Generally, the NRC described that a list of the modifications, PRA methods, and updated Attachments M, S, and W would need to be included in the LAR.

Following the NRC staff's presentation, NEI staff presented a series of slides. The NEI slides are available at ADAMS Accession No. ML15103A588. NEI staff discussed the timing that would be involved with the second approach, even under a streamlined LAR process. It would take 6-12 months to prepare a formal LAR submittal, and NEI estimated it would likely take the NRC 9-15 months to approve an amendment. Even if a streamlined approach could cut down that time to 6 months, NEI staff expressed concern that the total time to prepare, submit, review, and approve a LAR would not be very useful to licensees because their NFPA 805 license condition implementation dates would force them into completing modifications before the new amendment could be issued to remove potentially unnecessary modifications. Further, NEI staff stated that it expects each licensee to need several LARs, resulting in a large administrative burden on both the industry and the NRC. NEI staff concluded that, while there may also be challenges with the first approach to allow self-approval of modification changes by licensees, this option is the most logical of the two and provides better efficiency and flexibility.

The NRC staff then took a short break to internally caucus. The staff returned and indicated that it would continue to consider both approaches, and that it would plan to provide an update at the next NRC/NEI public meeting to be held in approximately one month.

An opportunity for public comment was provided near the end of the meeting. No public comments were received. The meeting was then adjourned.

A list of meeting attendees is enclosed with this memorandum.

Enclosure:
As stated

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Name	BMiller	SDinsmore	AKlein
Date	05 / 04 / 15	05 / 04 / 15	05 / 05 / 15

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**NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805
LIST OF ATTENDEES**

April 13, 2015

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

S. Dinsmore
J. Giitter
S. Lee
A. Klein
H. Hamzehee
B. Miller
B. Metzger
D. Frumkin

Stakeholders

B. Montgomery (NEI)
V. Anderson (NEI)
J. Ertman (Duke)
M. Lilley (Exelon)
A. Ratchford (RDS)
E. Rojtas (Jensen Hughes)
L. Kleinsorg (Jensen Hughes)
J. Bonenno (NEI)
R. Neild (Exelon)
J. McQuighan (Exelon)
R. Reynolds (Exelon)
J. Stone (Exelon)
D. Davidson (Southern Nuclear)*
P. Bemis (PGE)*
J. Giles (Southern Nuclear)*
J. LeMaire (EPM)*
F. Mantine (First Energy)*
M. Crompton (EPM)*
A. Jelalian (EPM)*
R. Swerczek (OPPD)*
R. Kalantari (EPM)*
T. Dodson (EPM)*
J. Branum (Southern Nuclear)*

*participated by phone

ENCLOSURE