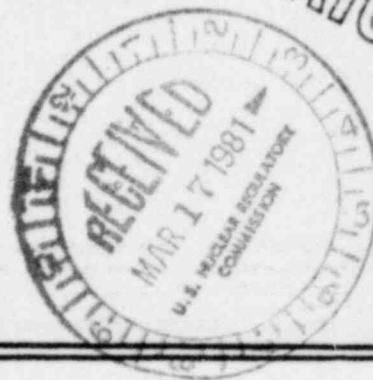


NUCLEAR REGULATORY COMMISSION

ORIGINAL



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In the Matter of:

DISCUSSION OF REVISED LICENSING PROCEDURES

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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DISCUSSION OF REVISED LICENSING PROCEDURES

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Nuclear Regulatory Commission  
Room 1130  
1717 H Street, Northwest  
Washington, D. C.

Wednesday, March 11, 1981

The Commission met, pursuant to notice, at 10:05 a. m.

BEFORE:

- JOSEPH M. HENDRIE, Chairman of the Commission
- VICTOR GILINSKY, Commissioner
- PETER A. BRADFORD, Commissioner
- JOHN F. AHEARNE, Commissioner

ALSO PRESENT:

- LEONARD BICKWIT, General Counsel
- SAMUEL J. CHILK
- WILLIAM J. DIRCKS
- EDWARD J. HANRAHAN
- ALAN S. ROSENTHAL
- HOWARD K. SHAPAR
- B. P. ANTHONY COTTER
- HAROLD DENTON
- KEVIN CORNELL
- EDWARD CASE
- STEPHEN H. HANAUER
- ROBERT MINOGUE
- RAY SMITH
- RICHARD DEYOUNG

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P R O C E E D I N G S

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CHAIRMAN HENDRIE: If we may come to order, the Commission meets this morning on a subject which it has not had before it for, oh, 12 hours anyway -- no, 16, 18. We continue yesterday's meeting.

My aim this morning is to deal briefly with the possible procedural rule change matter that we were discussing yesterday afternoon, and then turn to the missing chair. You can either join us or not, as you like, Bill. We will get to you in a second.

Now, yesterday, looking through the charts and proposals of the -- what are they -- the ad hoc group on what to do about the hearing process, if anything, it does look as though it may be practical to compact the hearing process a little bit and to be able to anticipate with a reasonable expectation that it will work that way, that we can get a couple of months out of the process, and bring it down to the neighborhood of 10 or 11 months.

Now, there were some rule changes, mostly Part 2, but at least one in Part 7, which would be useful in aiding that. They are listed on page 4 of the memorandum we were working from yesterday.

It seemed to me that sentiment along the table, there were a couple of us that would be willing to go ahead on an immediately effective basis with these changes, but others of us

1 that would prefer to understand a little more clearly what the  
2 impacts might be up and down the line, the effects on people.

3 It did seem that all of us would be able to agree on  
4 publishing this battery of procedural, proposed procedural  
5 changes for comment, and that would allow people a chance to  
6 think about them and file with us comments on what the effects  
7 would be and give us a chance to pick out some or all, as the  
8 case might be.

9 So, what I would propose this morning is that we go  
10 ahead and direct publication for comment. We will have to hear  
11 from the General Counsel what he would recommend by way of  
12 comment period, the timing.

13 I think, assuming that we can agree to go in that  
14 direction, that the supplementary information that accompanies  
15 the proposed changes ought to point out what we have in mind,  
16 basically, namely that we are trying to provide a framework in  
17 which the hearing process can proceed more expeditiously; on  
18 the other hand, I think it would be fair to say, it is not our  
19 intention to degrade the quality of those proceedings or their  
20 ability to deal fairly with issues that are properly brought into  
21 them.

22 John?

23 COMMISSIONER AHEARNE: Well, there are basically five  
24 changes, or six, the conforming. As I said yesterday, I would  
25 be willing to go to make them all immediately effective, and I

1 wondered, Vic had not taken a position. He wanted a chance to  
2 think through them. I wondered whether perhaps he might not be  
3 willing to go, if not with all of them immediately effective,  
4 perhaps with most of them. My sense was that perhaps only  
5 number A was the one that might have caused the greatest  
6 concern on Peter's part for asking for comment, and perhaps we  
7 could at least agree to do the others.

8 COMMISSIONER GILINSKY: Actually, that is the one that  
9 I would like to hear comment most on, too, and the one where I  
10 think the effect is least clear, at least in my mind. But I  
11 think it is better to go out for public comment on all of them,  
12 and that is what I would propose.

13 CHAIRMAN HENDRIE: Good try, John. Thank you.

14 Peter, you were nodding toward this general proposition  
15 yesterday afternoon. John and I would be glad to have you join  
16 us in immediately effective motions, but I think you would  
17 prefer -- I read your feelings as preferring to go for comment.

18 COMMISSIONER BRADFORD: I would.

19 CHAIRMAN HENDRIE: What sort of timing?

20 MR. BICKWIT: My thoughts were that you ought to move  
21 very expeditiously here, and since our original suggestion was  
22 to go effective immediately, what we would suggest now is that  
23 we have a notice from the secretary going directly to all the  
24 parties, and that we ask for comments to be filed 20 days after  
25 that notice is sent.

1 Simultaneously with that process, we would suggest a  
2 publication in the Federal Register and ask for comment 15 days  
3 after publication in the Federal Register.

4 CHAIRMAN HENDRIE: Commissioners' comments?

5 COMMISSIONER BRADFORD: Do we have complete discretion  
6 on comment periods?

7 MR. BICKWIT: Under the APA, yes. And our view is that  
8 since you could make these effective immediately, yes. Since you  
9 could make them effective immediately, you have total discretion  
10 in this area. Even if comment were required, this is compatible  
11 with the APA's provision on comment.

12 COMMISSIONER BRADFORD: What do we normally allow?  
13 Thirty days?

14 MR. BICKWIT: Thirty or forty-five. I think 45 is more  
15 like it.

16 COMMISSIONER BRADFORD: What is the purpose of asking  
17 for comment in 20 days from the parties and 15 in response to the  
18 Federal Register notice?

19 MR. BICKWIT: Well, it would come out about the same.  
20 The idea is that you assume five days mailing time, so it is  
21 20 days after mailing, which means that the parties would  
22 probably only have 15 days to reflect on the matter. Everybody  
23 else who gets their notice by Federal Register would have 15  
24 days also.

25 COMMISSIONER GILINSKY: What do these limits mean? Do

1 they mean that a comment has to be postmarked by a certain date?

2 MR. BICKWIT: That is right. And I think under our  
3 proposal we would make it plain that we intended to stick with  
4 that.

5 CHAIRMAN HENDRIE: Actually, once you deliver up the  
6 text to the authorities of the Federal Register, why, it takes  
7 several days for it to appear, a week, something like that. So,  
8 if on a given day you mail from here to people and also march to  
9 the Federal Register, why, they will get it in the mail and it  
10 will be published in the Federal Register about the same time.

11 MR. BICKWIT: Well, what you do is, you go to the  
12 Federal Register and you find out when it will be published, and  
13 then you calculate 15 days from there, and then in the notice  
14 that the secretary sends out you ask for comment by that date.

15 CHAIRMAN HENDRIE: I see. The point of mailing it to  
16 all the parties in our assorted proceedings is to call their  
17 attention to it specially and not leave it to their daily  
18 reading of the Federal Register.

19 MR. BICKWIT: Exactly.

20 CHAIRMAN HENDRIE: I dare say that list probably can  
21 include other people who may not be parties at the moment, but  
22 who clearly have some interest in the process, the normal attempt  
23 of the agency to reach that particular segment of the population  
24 that has some interest in these affairs.

25 That sounds tight for a comment period, but clearly,



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1 whether it is too tight I am willing to argue about. It seems to  
2 me, you know, that 45 or 60 days would be a rather too leisurely  
3 pace to pursue.

4 How does it strike you?

5 COMMISSIONER BRADFORD: I don't have a good feel,  
6 obviously, for the schedules of the people who will be  
7 commenting. These are not extensive -- it is not as though we  
8 were throwing NUREG 0737 at them and asking for comment within  
9 15 days.

10 CHAIRMAN HENDRIE: Yes, I think that is right.

11 COMMISSIONER BRADFORD: So, they will have a rough  
12 sense of what they want to say about it. I guess I think 15  
13 days is a little tight. I would go with 20.

14 CHAIRMAN HENDRIE: I would be willing to expand it  
15 five, considering occasionally I find I have to think about  
16 things and do something in periods of time, and 20 sounds more  
17 like you can get a better set of comments. I will vote for  
18 the 20.

19 COMMISSIONER AHEARNE: Joe, you have got to get three  
20 votes, wherever that will fall.

21 CHAIRMAN HENDRIE: Okay.

22 COMMISSIONER GILINSKY: That sounds reasonable.

23 COMMISSIONER HENDRIE: Okay. Twenty days, and let's  
24 see how fast you can get it out.

25 MR. BICKWIT: There is another part of our proposal

1 that relates to that, and I don't expect it to be accepted, but  
2 in view of the immediacy of the problem and in view of the fact  
3 that these were proposed rules, we were seeking a delegation  
4 simply to draft them and send them.

5 COMMISSIONER BRADFORD: What does that mean?

6 MR. BICKWIT: That means that you wouldn't see them.

7 CHAIRMAN HENDRIE: I can stand that.

8 COMMISSIONER BRADFORD: I must say, wary though I am  
9 of establishing a precedent, I assume that you can be trusted to  
10 do no more than ---

11 COMMISSIONER AHEARNE: Let's use it as a test case.

12 COMMISSIONER BRADFORD: And after all, we, too, will  
13 have those 20 days in which to read them and improve on anything  
14 that seems terribly disturbing.

15 COMMISSIONER GILINSKY: That is fine, yes, so long as  
16 it is clear that it is out for comment without necessarily our  
17 having taken a position on it.

18 CHAIRMAN HENDRIE: That clearly has to be the case in  
19 terms of the rulemaking. Very good. So, we have done that.

20 Yesterday we also agreed to publish for comment the  
21 immediate effectiveness proposition, the alternatives. There I  
22 said that the Commissioners would like to read that draft, and  
23 there I would like to read it, and I assume if I am going to  
24 read it, why, other Commissioners might not feel it unreasonable  
25 that they read it, too.

1 COMMISSIONER BRADFORD: Now, that one will be coming  
2 around?

3 MR. BICKWIT: That is right.

4 CHAIRMAN HENDRIE: Yes. There, there is a little more  
5 creative effort underway.

6 COMMISSIONER BRADFORD: The only thing I am at all  
7 curious about on the other one, the one we have just agreed to,  
8 is what you will say in the statement of consideration. Can you  
9 give me a sneak preview?

10 MR. BICKWIT: I think something on the order of what  
11 was said earlier, that there is a need, the Commission considers  
12 some need for expedition here, but not at the price of degrading  
13 the proceedings. And I actually think that one of the items  
14 you want comment on is whether it will degrade the proceedings.

15 COMMISSIONER BRADFORD: Exactly.

16 MR. BICKWIT: I think we have had the preview.

17 CHAIRMAN HENDRIE: You have had the colloquy there and  
18 settled that, good.

19 Now, the place that I propose to go now in the course  
20 of this meeting is to talk to Mr. Dircks and his assembled  
21 battalions, so that they perhaps don't need to keep coming down  
22 to this series of meetings. And after we have discussed staff  
23 resources, problems and what they can do and so on, then we need  
24 to come back to the March 10th memo, the one we have been looking  
25 at with chart 3 and the list of rules on page 4, and so on, to

1 go on and look at the other items on page 5, and any similar  
2 matters that are hanging over us.

3 After that we will look and see whether we have had a  
4 look, at least one chance to discuss all of the significant  
5 items on everybody's various lists of things we could do.

6 I would like in a week or two, as we close toward  
7 further hearings with some of our subcommittees on this subject,  
8 to be able to say the Commission has at least had a preliminary  
9 discussion on all of those kinds of things.

10 Okay, Bill, yesterday you came with a pack of view-  
11 graphs.

12 MR. DIRCKS: You have a set of the slides before you,  
13 and we may have modified them in the meantime, so I will hit the  
14 points.

15 (Slide.)

16 Let me introduce the topic and give some precautionary  
17 statements.

18 What we are outlining here is, I think, in response to  
19 the assignment you gave us, come back with a set of proposals or  
20 suggestions that would enable us to minimize the delay in the  
21 issuance of staff documents in order to allow, basically, the  
22 plants to operate with a minimum of holdup.

23 CHAIRMAN HENDRIE: In particular for that line of  
24 licensing cases which are far enough down the line so that some  
25 reasonable planning can affect the timing of staff work and

1 publication of documents.

2 MR. DIRCKS: We will not be affecting the near term  
3 plants that much. The major effect will be felt in the '82-'83  
4 period.

5 CHAIRMAN HENDRIE: Well, you are already taking such  
6 steps as you can to help the ones that are close in, but what  
7 we are talking about here necessarily presumes enough time ahead  
8 of the decision date so you can do reasonable things.

9 MR. DIRCKS: We are basing these proposals on the  
10 11 month process that you gave us as a target. The more you deal  
11 with that schedule, the less impact will be on the things we  
12 are proposing here.

13 Another point I want to caution you on is that we are  
14 looking over a period of two to three years. The process will  
15 naturally be somewhat flexible, as you go into this planning  
16 phase. There will be changes made up and down the line. And the  
17 whole thing is interconnected.

18 If by moving the plants into hearing faster, that will  
19 in turn impose another workload back on the staff dealing with  
20 interrogatories, new issues that come up during the hearing  
21 process. I mentioned the other day the 175 to 200 interrogatories  
22 we got on a seismic problem that will divert the seismic staff  
23 away from doing staff documents to deal with those interrogatories.

24 COMMISSIONER AHEARNE: Unless there are other steps  
25 taken, such as the one that eliminates the staff from discovery.

1 MR. DIRCKS: That would be, yes. Because I have  
2 another example of another case where surprisingly -- I mean, not  
3 a surprise, but unexpectedly the board -- well, we didn't have  
4 any notion that this was coming up -- asked five local  
5 psychologists to come in and talk about stress in the control  
6 room, which will immediately drag the human factors staff into  
7 dealing with that issue.

8 COMMISSIONER AHEARNE: Could you give me a reference to  
9 that? What case is that? Just as an aside on the status, which  
10 case is that?

11 MR. DIRCKS: That is the McGuire case.

12 So, the point I am trying to make is, the whole thing  
13 is interconnected, and any improvements made in one area will  
14 help us in this area. Also, it will come back and impact on  
15 staff workload.

16 The major benefits I have listed there. It will  
17 minimize delays on '81 and '82 OL's. It will prevent delays on  
18 1983 OL's. It will expedite the review of near term CP's. And  
19 in '83 it will avoid 92 reactor months of delay using applicant  
20 fuel load dates. And that is the total, out of a total number  
21 of 92 impacted once in '83.

22 COMMISSIONER BRADFORD: How many plants are those 92  
23 months spread over?

24 MR. DENTON: Eleven.

25 COMMISSIONER BRADFORD: And what is the average

1 difference again between the applicant fuel load dates and ours?

2 MR. DENTON: We could subtract the two numbers and  
3 divide ---

4 MR. DIRCKS: Four or five months on the average.

5 COMMISSIONER BRADFORD: I see. I hadn't gotten to  
6 that. I am a slow reader. I hadn't gotten to the next line.

7 MR. DIRCKS: The next one down shows it using the  
8 staff fuel load dates, and that would avoid, then, 39 months of  
9 impact.

10 COMMISSIONER GILINSKY: Now, which 11 plants are you  
11 talking about?

12 MR. DENTON: We are talking about the '83 plants here.

13 COMMISSIONER GILINSKY: This is the second group of  
14 plants?

15 MR. DENTON: Yes. Plants who the applicants expect to  
16 be constructed in '83. They are all about the same size, 11 or  
17 12. They are on my second slide. In the previous presentation,  
18 I had all the '83 plants listed on a separate sheet, and I had  
19 all the '81 and '82 plants on one page.

20 CHAIRMAN HENDRIE: Hang on a minute. What I want to  
21 make sure is that when I talk about the near term group, and  
22 what I am thinking about there are the 10 or 11 or 12, or whatever  
23 it was, plants on a single sheet in one of your handouts within  
24 the last couple of weeks, when I talk about the near term group  
25 and you talk about the '83 and downstream plants, that we have

1 not left out some plants in late '82, and I want to know that  
2 those two terms in sum cover the universe of OL plants.

3 COMMISSIONER AHEARNE: But those early plants included  
4 some slightly into '83 anyway.

5 CHAIRMAN HENDRIE: Yes.

6 MR. DIRCKS: I don't think we have left out any.

7 CHAIRMAN HENDRIE: Okay. So that when we talk about  
8 near term and long term groups, we are talking about, first, the  
9 '81-'82 licenses, is that right? And when you say '83, you  
10 mean ---

11 MR. DIRCKS: Calendar year.

12 MR. DENTON: Our '81 and '82 plants went through  
13 plants to be finished in very late '82. This is Fermi, Comanche  
14 Peak, Grand Gulf, Watts Bar, WHP, and so forth, and they were all  
15 on one page. And then any plant where the utility's own  
16 construction date was '83 went over on the next page of plants  
17 and we called all of those '83 plants. Remember, that was one  
18 of the backup slides, and I did give the secretary a complete  
19 list of all those slides.

20 CHAIRMAN HENDRIE: I don't seem to have the backup.  
21 Sometime you might slip me sheet 2 of that. It gives me a  
22 comforting feeling to be able to run down the list of plants and  
23 made sure somebody hasn't dropped it on the floor and it is  
24 being ignored.

25 Okay, fire away.



1 MR. DIRCKS: Okay. The costs of this proposal would be  
2 125 professional staff years of work and 8 secretarial. These  
3 are additions to the current staff.

4 COMMISSIONER GILINSKY: Which of those reactor month  
5 delay numbers are you using for planning purposes?

6 MR. DIRCKS: The applicant fuel load, the applicant  
7 dates. And that is a point that I should stress, too. As those  
8 dates change to actual dates, we can adjust it back again.

9 COMMISSIONER GILINSKY: If you are going to adjust  
10 things so you can avoid the 92 months, then you are going to --  
11 if the NRC dates are right -- be ready five months before  
12 operation for each of those reactors, assuming all our  
13 assumptions are correct and everything else is constant.

14 MR. DIRCKS: As you get closer in, the dates become  
15 firmer, of course. But I think we were going on the guidance  
16 that we received to base our planning on the applicanc dates.

17 COMMISSIONER GILINSKY: Well, does that really make  
18 sense, when NRC's projections have themselves proven a bit  
19 optimistic on the loading dates?

20 MR. DENTON: Well, we have been accused of, when we  
21 use our dates, having a self-fulfilling prophecy, that if the  
22 utility realizes we are not going to complete our review or get  
23 a license until a year after their plan date, it probably does  
24 influence their schedule.

25 COMMISSIONER AHEARNE: Well, what is your judgment?

1 COMMISSIONER GILINSKY: I understand that, and I think  
2 we want to avoid doing that. But at the same time, the applicant  
3 schedules are developed not only to be realistic, but also to  
4 try and keep control over a process of construction and are just  
5 known to be optimistic and have always been optimistic.

6 MR. DENTON: It is just like our internal scheduling.  
7 The review will expand to take the time allowed, you know, if we  
8 are not careful. So, I understand the desire to put a tight date  
9 and try to hold to it. If we plan on the basis of the NRC  
10 dates, they will be self-fulfilling, because in general once that  
11 becomes known that they are not going to get a license until some  
12 date, then that becomes the pacing of construction.

13 COMMISSIONER AHEARNE: But does it turn around the  
14 other way, that if we plan on their fuel load dates, will they  
15 meet them?

16 MR. DENTON: It doesn't guarantee it, no.

17 COMMISSIONER AHEARNE: What is your judgment?

18 MR. DENTON: It will scatter.

19 MR. DENTON: Historically, I guess their dates have  
20 been more optimistic than our dates.

21 COMMISSIONER GILINSKY: Historically, our dates have  
22 been optimistic, too.

23 MR. DENTON: But that gets into this, the chicken and  
24 the egg. Is it because of our inability to do the reviews and  
25 so forth. So, it is hard to separate out.

1           COMMISSIONER GILINSKY: I understand. Nevertheless,  
2 because to try to avoid these delays involves some pretty  
3 important reallocations of effort and changes in programs, it  
4 seems to me we have got to find some reasonable middle here.

5           CHAIRMAN HENDRIE: Why don't we go ahead and hear the  
6 staff out on where their proposal leads in terms of the way they  
7 would arrange their affairs to achieve this. I think as a basis  
8 for an initial look at the staff plan or a possible staff  
9 configuration that a reasonable initial planning basis is, in  
10 fact, to meet the dates that applicants have claimed they are  
11 going to need the licenses.

12           Now, after you see what all that involves, then you  
13 may want to fine tune a bit in view of the costs or other  
14 practicalities. But, you know, I think we need a base, a  
15 framework in which to look at this, and I think it would be  
16 helpful if, to the extent that Commissioners can bring themselves  
17 to do it, we allow the staff to sort of lay out this.

18           COMMISSIONER AHEARNE: What you are saying, Joe, is  
19 that we refrain from questions until they are finished.

20           CHAIRMAN HENDRIE: Well, I wouldn't care to be ironclad  
21 about it, but largely. How about that? You have got enough  
22 marks in your set of viewgraphs to horrify me.

23           COMMISSIONER AHEARNE: Well, maybe it will be explained  
24 as they go through it, and I will just wait.

25           CHAIRMAN HENDRIE: All right. Let's try to let them

1 get more or less down the line and then these issues can be joined  
2 in a more informed fashion, I think.

3 MR. DIRCKS: Let me just add one point. We were also  
4 working toward providing you input to answer the appropriations  
5 committee, and I believe they said work toward the applicant fuel  
6 dates and let us know what you can do. And I think this is all  
7 going to serve as some input that you have to write in the  
8 letter.

9 (Slide.)

10 The next slide will show you where we have gone  
11 through the available resources and come up with a series of  
12 numbers where we can possibly meet this goal. And your seven  
13 items are in the list there, and we can go down them. And as we  
14 get into the further slides we can provide you details on those  
15 items.

16 The number 7 item is essentially a residual item. We  
17 can talk about getting resources from outside the agency. And  
18 I think what we are talking about in number 7 is not only getting  
19 just bulk resources, but we are limited by skills. We have a  
20 limited range of skills, and that is where we can tap in on that.  
21 This is not moving people around the agency. It is moving  
22 the appropriate people to the right slots.

23 On the bottom we are talking about additional  
24 contracting authority or additional contracting funds in fiscal  
25 '81 of 4.8 million, and in fiscal '82, 7.6 million dollars.

1           We will go on now through the slides to tell you how  
2 we do this.

3           (Slide.)

4           This across the top will show you how we have been able  
5 to transfer projects, transfer personnel, and then deal with the  
6 professional personnel that may be incoming once the freeze is  
7 lifted and we can look at the skills that are coming into the  
8 agency. These have been destined for various offices and we feel  
9 as though we are able to divert some of those incoming skills  
10 into the licensing effort.

11           When we talk about projects assumed, and we have  
12 additional details on that, in the standards are we are talking  
13 about providing support to NRR in the area of SEP, and dealing  
14 with generic issues. In the research area we are dealing with  
15 the equivalent of 5 personnel staff professional there, again  
16 generic issues, topical reports, code development and so on.

17           COMMISSIONER GILINSKY: Which those offices are taking  
18 on?

19           MR. DIRCKS: Yes. Which tasks those offices are picking  
20 up.

21           COMMISSIONER BRADFORD: At the same time, those same  
22 offices are all giving up people?

23           MR. DIRCKS: They are giving up people, too.

24           COMMISSIONER BRADFORD: So, the ones in place are going  
25 to work harder?

1 MR. DIRCKS: Well, ones in places like NRR is going into  
2 overtime, and if they feel themselves being pinched, they can  
3 ease up. If they don't work harder, then certain projects will  
4 slip over there and we will get into that.

5 MR. DENTON: Obviously, we wouldn't assign the type of  
6 work and then ask for the people who are going to do the work  
7 right back. So, where they have done work, we have not tapped  
8 the people who are necessary to do the project they are taking  
9 on. For example, in research a lot of that is doing topical  
10 report, code calculations and so forth, and the people necessary  
11 to do that are not being transferred and those skills will stay  
12 in where they are.

13 COMMISSIONER BRADFORD: But in just a gross figure,  
14 they are taking on a lot more manhours of work, and they will have  
15 a lot fewer manhours to put into it.

16 MR. DIRCKS: Yes.

17 MR. DENTON: Now, some of this they will turn around  
18 and farm back out to contractors to do the work, code verification  
19 and things that were being done by internal people that could be  
20 done by money.

21 MR. DIRCKS: Which is particularly true of an office  
22 such as research. They will use contract dollars to go out.

23 COMMISSIONER BRADFORD: Is that reflected in the item 2  
24 on the preceding slide?

25 MR. CORNELL: No, it is not. Item 2 on the preceding

1 slide is only that work which NRR would contract out.

2 MR. DIRCKS: Let me stress again, we are mentioning  
3 in here specifics and details, but I wouldn't get locked into  
4 the details that much because, as I mentioned, we have a program  
5 here that is changing rapidly over the next couple of years, and  
6 these are the projects that we have identified now.

7 CHAIRMAN HENDRIE: And for that reason, as well as the  
8 limited ability of Commissioners to restrain questions, I urge  
9 you to move expeditiously on through the summary presentation  
10 and see how far you can get before our restraint breaks down.

11 MR. DIRCKS: We will push on.

12 The professionals transferred is the next column over,  
13 and we can deal with that as we go into this. We can go through  
14 the summary of work undertaken for NRR by the other offices and  
15 provide you more details, but stressing those details may be not  
16 worth the effort right now. I could go on to slide 4 and we can  
17 always come back.

18 (Slide.)

19 This is the additional assistance that we need on the  
20 outside into NRR. And I mention it is the skills that are the  
21 constraining factor and these are the list of the skills that we  
22 have listed.

23 There are options down there on how to achieve these  
24 skills, and we are exploring which laboratories have these  
25 skills that we need, and we simply will go out and make the

1 necessary arrangements.

2 The other option there is to look at the SEP program  
3 that has been going on for a number of years. They have 18  
4 people in the SEP program, 9 of those people have the skills that  
5 we are looking for, 8 of those people are project managers.

6 COMMISSIONER BRADFORD: This is the same program that  
7 we just told Congress was the way we were going to satisfy the  
8 amendment.

9 MR. DIRCKS: And that is the same program Congress told  
10 us that we should compress in some way or another. So, I think  
11 the signals went up on all the yardarms, and I don't know which  
12 ones we are looking at.

13 COMMISSIONER BRADFORD: I read their letter to say  
14 that they thought the SEP program was a pretty good idea.

15 MR. DIRCKS: Well, again, I am stressing, we are just  
16 laying out things here for your consideration. We are not  
17 recommending anything.

18 COMMISSIONER AHEARNE: Actually, what we told Congress  
19 was we were proposing an approach to satisfying a number of  
20 things, and the proposed approach on 110 had SEP.

21 MR. DIRCKS: I have no doubt that there are gold  
22 watches that have been thrown on the table. We haven't gone  
23 through this thing with the same instruments yet, and that is why  
24 I keep stressing, this is out here now and we can refine it as  
25 we go into this program.



1           COMMISSIONER BRADFORD:  When you say additional  
2 assistance required, why wouldn't you double that number?  What  
3 is the constraint at the upper end there?  Is that the most you  
4 think you can possibly get?

5           MR. DIRCKS:  Well, we could do more, but the more you  
6 go out, I think the more inefficiency you build into the system,  
7 the more difficult it is to control as a product.

8           MR. DENTON:  We started our look by putting together a  
9 schedule that was necessary to avoid delays wherever possible,  
10 assuming an 11 month schedule, and that is how we backed up to  
11 issuing two or three or four SER's each month.  And then we  
12 asked ourselves, assuming no deferrals of anything, how much  
13 people assistance would you need, and we have a number for that.  
14 Then we went through to see what could be deferred, given other  
15 offices, and so forth, and then in order to meet that central  
16 production line of SER's every month of one a week, I think, is  
17 what we ended up adopting as a maximum production rate we could  
18 sustain and assured review by everyone and feed to the ACRS and  
19 so forth, and these then were the total resources needed to meet  
20 that kind of production requirement.

21           COMMISSIONER BRADFORD:  But is this 26 what was left  
22 when you subtracted everything we could do internally from the  
23 number 125?

24           MR. DENTON:  Yes, that is correct.  So, this includes  
25 the mandated overtime, that goes in here, assuming that we are

1 going to get some relief on the hiring freeze, the deferral and  
2 reshuffling of projects, and then this is how much we could get  
3 from outside NRR.

4 MR. CORNELL: Just to follow on your question,  
5 conceivably you could increase this 26 and perhaps not defer some  
6 of the items that we are getting into. You have to be careful  
7 there, because some of the things, such as project managers, you  
8 can't get from the labs. Those are people that you need in-house.

9 MR. DENTON: Then, as I mentioned last time, when you  
10 cut down from 15 to 11 months, we deferred less, and there were  
11 some things that we put back on the due list that had been on  
12 the defer list in the initial passthrough.

13 COMMISSIONER GILINSKY: But this is all based on 11  
14 months?

15 MR. DENTON: Yes, this is all based on 11 month  
16 assumptions.

17 MR. DIRCKS: Now, we can move on to chart 5.

18 (Slide.)

19 This deals with the impact on the programs as a result  
20 of moving some key people around. I mentioned we are dealing  
21 with skills, and when you move skills, certain scarce skills,  
22 you are going to affect programs.

23 I think we just have to refine down through whether  
24 this is the impact or whether we can minimize the impact, but  
25 this is the best estimate that we can get at this time.

1 In the waste management program we are dealing with,  
2 I guess, in that area people with skills in hydrology and earth  
3 sciences, and we are talking about moving, and this would result  
4 in the delays that are mentioned up there.

5 The bi-level waste rulemaking might be delayed two to  
6 three months. That is in the technical rule. The development of  
7 reg guides on hydrological aspects of high level, low level and  
8 uranium recovery, 12 to 24 months. This would not delay the work  
9 on a license if we had one coming in in the high level, low level  
10 waste area, because we are talking about guide development here.

11 COMMISSIONER GILINSKY: Now, why is that? Looking at  
12 your chart on the number of professionals transferred from NMSS,  
13 the number is 2.

14 MR. DIRCKS: Well, we are talking about moving people  
15 from NMSS, research and standards, and they affect that.

16 COMMISSIONER GILINSKY: And they affect the reg guides  
17 and so on?

18 MR. DIRCKS: Yes.

19 MR. CORNELL: This particular area happens to be one  
20 of the most scarce skills in the agency. There are only several  
21 people that have these skills.

22 MR. DIRCKS: And this is dealing with what we have  
23 now. We could improve on some of this, we don't know. This is  
24 the best estimate of what we have.

25 LWR safety research, this is an impingement on the

1 research program, all research personnel being affected here.

2 Most of the items -- well, the first three of delaying  
3 certain items by less than six months, which is, I guess in the  
4 view of many, not a major impact.

5 Do we want to go through them, or do you want to ask  
6 any questions on those projects? Again, the point is ---

7 COMMISSIONER AHEARNE: I am going to honor Joe's  
8 request.

9 MR. DIRCKS: All right.

10 (Slide.)

11 Carrying on with the next slide, again listing the  
12 affected programs. A standards program is on top. The operating  
13 data -- let me mention that. We are talking about two people in  
14 international programs, and we have consulted with Carl Michaelson  
15 on this one, and he, I guess, at this point is not using that  
16 data to much extent anyway, because he has not geared up for it.  
17 Would you mention your conversations with Carl on that?

18 MR. CORNELL: Yes. I guess before we got through with  
19 this exercise Carl's view was that right now most of the useful  
20 information, the high power information he is dealing with is  
21 domestic, for a variety of reasons, and he has not been getting  
22 into the international, and he felt if he had to give up one  
23 area or the other, that is the first area that would go.

24 COMMISSIONER GILINSKY: I must say for myself, you know,  
25 if we are not using it, we are not using it, and we are not giving

1 up much, and that is something we can let go. But of that whole  
2 list, I think that is the one I would look hardest at.

3 MR. CORNELL: It raises certain red flags. My  
4 understanding is that part of his problem is that when you are  
5 dealing with international plants, you can get a lot more  
6 information out of the domestic ones which you have access to,  
7 and it is a lot easier.

8 CHAIRMAN HENDRIE: And you speak the same language and  
9 there is a common technical heritage that the people on our side  
10 and their side are talking to. If you go to the foreign plants,  
11 extracting the sort of background and detail information that  
12 we would like to have to understand how they got into an incident  
13 and what their operating procedures are and so on, it becomes  
14 much more difficult.

15 MR. CORNELL: It is my understanding that this would  
16 not result in a complete lack of that information.

17 MR. DIRCKS: Again, we can go down the list. We are  
18 talking about in the fuel cycle material safety area, the  
19 transportation certification backlog reviews will increase. Again,  
20 by how much, I don't know. I think we have to look at to what  
21 extent they have people left over there, to what extent they are  
22 ready to reorganize themselves, and to what extent they are willing  
23 to do more overtime work. These are, again, office projections.

24 The decommissioning rule, policy statement and generic  
25 environmental impact statement, delayed six to nine months. This

1 means the rule conceivably could slip from September, '81 until  
2 May of '82. But we have such difficulties anyhow in meeting our  
3 rule dates, I am not putting much faith in meeting target dates  
4 anyhow.

5 COMMISSIONER BRADFORD: The other question, you are  
6 saying the rule may really slip from April, '82 to sometime in  
7 '83.

8 MR. DIRCKS: Whether or not we do anything. I don't  
9 mean to minimize any of these impacts. I think they all are  
10 disruptive, and I think that is why, as we go through this  
11 exercise, we haven't pinned down exactly where the impacts will  
12 fall or how they will fall.

13 CHAIRMAN HENDRIE: I think that is a fair statement.  
14 You certainly want to look at the potential impacts, but I have  
15 always found that trying -- you know, when requests would come  
16 through, if you had to give up this many people, what would it  
17 mean, or if you had to take on this additional job, what would  
18 it mean in terms of the other work, and you go through and you  
19 list the affects that you can see that it might have, and you try  
20 to quantify the best you can. But I have always felt that my  
21 ability to really know with any precision was pretty poor. And  
22 I think you are reflecting that kind of feeling here, and I  
23 think it is fair.

24 For instance, just to sort of think about it the other  
25 way around, suppose we said we are going to transfer into these

1 offices, you know, a total of 12 people, equivalent in project  
2 job relief, and 26 people actual professionals, actually  
3 transferred into the six offices listed, and so on, and now what  
4 I want in return for that is an improvement by three months in  
5 the waste management siting and design aspects of rulemaking, and  
6 I want a 24 month improvement in the reg guides, and you tell me,  
7 that is impossible, you know, and right down the line to the  
8 section leaders and the professional say, that is impossible.

9 So, I think in going back and looking at these impacts,  
10 that doesn't mean that one says never mind these impacts. They  
11 are there and they are going to be -- you know, there are effects  
12 going to be felt, these or equivalent ones. But it is kind of  
13 spongy, and there is no question that an organization that says  
14 to itself, holy mackerel, we have got a problem here, let's  
15 everybody see how good we can do to do the problem and minimize  
16 the impacts, the impact is going to come out a lot less than if  
17 everybody is saying, well, you know, if you do that to me, why,  
18 things are bound to be terrible and persist in that view, in  
19 which case it will be self-fulfilling.

20 So, there is an awful lot of influence here on the  
21 eventual effects by the way in which we go about this proposition,  
22 and when we eventually decide where we ought to come down on  
23 this, why, I think we all ought to go at it in as cheerful and  
24 upbeat a spirit as we can and that will minimize the impact.

25 COMMISSIONER GILINSKY: Was there only one person in

1 MPA identified?

2 MR. DIRCKS: In the skill area, that is the only one  
3 that we have identified.

4 MR. CORNELL: In many of these cases, the offices  
5 offered up individuals that they weren't accepting.

6 CHAIRMAN HENDRIE: By george, I am glad to see all of  
7 the normal manifestations of organizational vitality going on  
8 here in this exercise.

9 MR. DIRCKS: I might comment on that. I think we have  
10 gone through these exercises as long as I have been with the  
11 Commission many times over the past several years, and this one  
12 has worked very well. I mean, other than a few minor scraps and  
13 heated discussions, the offices did participate fully and  
14 extremely well in this process.

15 (Slide.)

16 We come now to slide 7, which are the impacts on NRR,  
17 and I think what I will do here, Harold will pick up on this one  
18 and take us through that portion of the NRR program.

19 MR. DENTON: We probably have the most severe impacts  
20 in some sense, in terms of number of things. There are probably  
21 50 manyears or so that we have reallocated or reshuffled or  
22 deferred. I am comfortable and the staff is comfortable with  
23 the reallocations that are under consideration here.

24 We did not cut into what we consider the essential  
25 safety aspects in any case in order to support the casework, but



1 we recognize that going out for technical assistance, for  
2 example, does introduce by itself a delay in getting assistance  
3 and getting it up to speed. So, even though we are able to farm  
4 it out or get someone else to do it, it involves a delay in  
5 getting that done.

6 So, what I will cover here is just those items that  
7 are being deferred. They fall in several categories. There are  
8 the TMI action plan followup items, and we are doing a lot of  
9 TMI action plan in every division. But there were the  
10 additional studies that had to be done, additional development.  
11 We were having trouble doing those before this. There are areas  
12 in which we have critical shortages of skills, and many of these  
13 will have to be deferred.

14 A number of things in operating reactors that we had  
15 hoped to do this year.

16 COMMISSIONER GILINSKY: Could you just give an example  
17 in each category?

18 MR. DENTON: Yes. Let's go to 7-A.

19 (Slide.)

20 The principal area that is impacted in terms of the  
21 deferrals of action plan items is in the division of human  
22 factors. We were having trouble maintaining our progress on all  
23 of those items.

24 We might go to 7-B first, to talk about this.

25 (Slide.)

1           There are an awful lot of things that we are not  
2 letting slip in the human factors areas. We are still  
3 developing guidelines for control rooms and for operators. But  
4 these are tasks which we had hoped to devise some reg guides for  
5 to eventually implement in the operating plants.

6           Let me ask Steve Hanauer, who is prepared to cover  
7 these, since all of these TMI action plan items fall within his  
8 scope. They are slides 7-B and 7-A.

9           MR. HANAUER: Let's start with 7-B, please.

10           First of all, I must say that the accuracy and  
11 precision of some of these projections leaves even more to be  
12 desired than some of the other things you have seen today, since  
13 these are things we have not done.

14           Despite appearances, we don't propose to defer our  
15 entire program. These are, as Harold said, action plan  
16 developments which were scheduled for this year and next, which  
17 we, partly recognizing reality in the operator licensing area,  
18 and partly in order to free up resources for casework, have  
19 proposed for deferring.

20           COMMISSIONER GILINSKY: Could you just tell me what it  
21 is that is being deferred in any of these items? Let's start  
22 with the first one.

23           MR. HANAUER: All right. I will start with the top  
24 one. We have already made a substantial change in the operator  
25 licensing program. In the meantime, we have been and plan to

1 conduct a number of studies and to make substantial additional  
2 changes in the operator licensing program. Those realistically  
3 will have to be postponed, and we will not be able, if this plan  
4 is adopted, to propose the second wave of improvements in  
5 operator licensing, operator qualifications.

6 COMMISSIONER GILINSKY: Can you just give me one  
7 example?

8 MR. HANAUER: All right, one example. There must be,  
9 and I am convinced there is, better ways to examine operators,  
10 both by the utilities and by the NRC than our present scheme of  
11 all-day written exams followed by two-hour simulator exams,  
12 followed by a two-hour one on one oral exam. That works  
13 reasonably well, but we have some studies planned to try and  
14 validate how well that predicts operator performance, and to do  
15 better. And that is called for in the action plan, and we  
16 propose now the necessity for deferring that.

17 COMMISSIONER GILINSKY: And for a lack of one person  
18 all of these items get deferred?

19 MR. HANAUER: No, sir. I have to say this viewgraph  
20 and the next one involve about six professionals, rather than the  
21 numbers hastily put on them night before last.

22 COMMISSIONER AHEARNE: This one and the previous one,  
23 you mean?

24 MR. HANAUER: The 7-A, 7-A and 7B together would take  
25 about six professionals either in the house or out of the house

1 to redress.

2 MR. DIRCKS: Of course, Steve, having said that, it  
3 throws our arithmetic off completely.

4 MR. HANAUER: Well, I wouldn't be surprised.

5 If we could have 7-A, please.

6 (Slide.)

7 Following the same logic, you will see here item 7 is  
8 the same item 1.A.3.2. Now, we have, in fact, implemented a  
9 number of improvements in the operator licensing program, which  
10 have been the subject of a great deal of discussion with the  
11 Commission, and in fact we are about to go out with a proposed  
12 rule to engrave on tablets this first wave.

13 However, both the hiring freeze and the lack of  
14 resources for further improvement would delay a further  
15 implementation of some of these improvements.

16 COMMISSIONER GILINSKY: Could you tell me what  
17 specifically would be delayed, say, in the third item?

18 MR. HANAUER: In the third item, control room design,  
19 safety parameter display console, the basic requirements for that  
20 are set forth in NUREG 0696, which the Commission approved  
21 within the last couple of weeks. The Commission has not, and  
22 specifically did not establish the safety parameter display  
23 console as a requirement. We would expect to request this.

24 We expect this requirement to be laid on, and we  
25 expect the industry to design and install such devices. However,

1 we would, if this recovery plan is adopted, do a lot less  
2 technical review of these and they would go in with a lot less of  
3 our review than would otherwise be the case.

4 That is to say, the industry implementation would go  
5 forward more or less as foreseen, and we would spend  
6 substantially fewer resources in reviewing these designs.

7 MR. DENTON: Now, there are a couple of programs, and  
8 this is one of them, in which we were having extreme difficulty  
9 meeting the objectives before the reallocation in the casework,  
10 and this just further exacerbates it because we don't have the  
11 skills in these human factors areas. Steve has made progress,  
12 he was trying to find contractors, and the best hope for relief  
13 appears to be through lifting the hiring freeze and continuing  
14 to seek qualified outside people to help in these areas. These  
15 were all flashing yellow lights, I think, before this exercise.

16 COMMISSIONER AHEARNE: I have been trying not to ask  
17 questions, but ---

18 CHAIRMAN HENDRIE: I can't ask you to hold forever. Go  
19 ahead.

20 COMMISSIONER AHEARNE: Let me ask just one question.  
21 I have got a whole host. But this really does look like the  
22 classic historesis case. It doesn't work the same when you go  
23 into the phenomena as when you come out of the phenomena.

24 Are you saying that if we had six people more that you  
25 don't have yet that all of these things would be done on the

1 schedule we currently laid out for them?

2 MR. HANAUER: If I had today six people, which in fact  
3 I do, and if they were not all about to disappear into the  
4 casework law, yes, I could keep these things going, or most of  
5 them. There would be slippages here and there for the usual  
6 reasons.

7 COMMISSIONER AHEARNE: So, these aren't slots, these  
8 are ---

9 MR. HANAUER: These are people who will do casework  
10 instead of these things, or give licensing exams.

11 COMMISSIONER AHEARNE: And if you did have those, if  
12 you kept those six, then if I went to the action plan book with  
13 all its days of implementation and its schedules, you currently  
14 expect to be able to meet almost all of those schedules?

15 HANAUER: The action plan book you looked at a  
16 short time ago, with its greens and yellows, is what you would  
17 then -- it would be restored to its green and yellow condition,  
18 because that is the program we were pursuing. And indeed, there  
19 is some historesis. If you give us six shiny new people, there  
20 is a certain ramp up during which they will be less useful than  
21 the people we had on there.

22 CHAIRMAN HENDRIE: Steve, one of the characteristics of  
23 the items on 7-A and 7-B in your area -- I guess these things  
24 are all in your area, right?

25 MR. HANAUER: Yes, sir.

1 CHAIRMAN HENDRIE: For instance, item 4 here, 1.D.3  
2 safety system status, what you are talking about are incremental  
3 efforts in improvement in that area. I think this is true of  
4 most of these items.

5 MR. HANAUER: It is true of most of them, but not that  
6 one.

7 CHAIRMAN HENDRIE: Let me consider it as a general  
8 area. The point is that, for instance, by naming one of these  
9 proposition as an impacted item, the implication is not that  
10 there has been no work in this area and now there will not be any  
11 work in this area for some additional time, but rather that there  
12 is an increment of effort that you are contemplating that was  
13 part of the action plan upgrading and that gets rolled back.  
14 Right?

15 MR. HANAUER: That is generally true, although there  
16 are a small number of items which were deferred and will not be  
17 picked up at the time originally foreseen, and that is one of  
18 them.

19 CHAIRMAN HENDRIE: Okay. Safety system status is one  
20 of them. What are the others?

21 COMMISSIONER GILINSKY: Could you just explain what  
22 that item means?

23 MR. HANAUER: That is hardware system. The designs  
24 I have seen, the preliminary designs I have seen are computer  
25 based, in which the configuration of the safety related equipment

1 is scanned and anomalies are announced to the control room staff.

2 CHAIRMAN HENDRIE: It tells you what all your safety  
3 related gear is doing that it shouldn't be doing?

4 MR. HANAUER: Yes. The most obvious application is  
5 that it would have informed the Three Mile control room staff  
6 immediately of those closed aux feedwater valves. One of them at  
7 a time would have been legitimately closed for surveillance  
8 tests, and it would have kept the control room staff informed  
9 about the anomalous configuration of the aux feedwater system and  
10 those valves.

11 This is now done with procedures, and people make  
12 mistakes. The object is to reduce the error rate.

13 CHAIRMAN HENDRIE: But it is also fair to note that  
14 backfitting that kind of safety system status hardware on an  
15 existing plant is a big piece of work. You have got to go  
16 around and put pickup signals from your just great numbers of  
17 pieces of equipment one way or another, either with new  
18 micro switches or sensors, or at least pick up signals from  
19 existing ones and then bring it all together. You know, it is a  
20 major piece of instrumentation, and whether, in fact, we are  
21 going to end up requiring that on new plants or all plants or  
22 any plants, it seems to me, is still a question. But you can't  
23 arrive at the question until you do some work on it, and that,  
24 in part, was what I think this item covered.

25 MR. DENTON: As Bill said, the exact nature of the



1 deferral isn't known here, and we will continue to strive to find  
2 ways to get work done on these things, independent of this  
3 reallocation.

4 Why don't I move to 7-C.

5 (Slide.)

6 We are going to do all the operating reactor items that  
7 we think need to be done, followup on the orders, the significant  
8 occurrences, the research results. But there is always a  
9 backlog of seeming items where someone wants a review done to  
10 change the amendment, and some of these we are just going to  
11 have to put off and not do. We think we will do the great bulk  
12 of them. This is just examples of the kind that are pending  
13 today. But I don't want you to think this is the only set,  
14 because there will be a different set pending next month and  
15 next month and next month. We are always being asked by  
16 utilities to make some kinds of reviews that mainly go toward  
17 benefitting their operation or practicality. We will definitely  
18 follow up on all the ones that we initiate.

19 (Slide.)

20 Now, 7-D is a somewhat different category. This is  
21 deferral of generic issues. Of course, all the generic issues  
22 that are unresolved safety issues will be worked, but there are  
23 a class of ones which we are just deferring work on for a while.  
24 They tend to be the category B and C types, and I have listed  
25 the examples here of ten of the generic issues and their numbers

1 that would just be deferred, no work would be done on these  
2 during this period.

3 We would continue to cope with those problems the way  
4 we cope with them now, for example, without -- we would do an  
5 ad hoc review using our best judgment in that area. No one would  
6 be, though, actively working on trying to improve the analytical  
7 or modeling techniques.

8 Some of the deferrals fall into the environmental area,  
9 where we have tried to improve those forecasting techniques, and  
10 we would defer work on a few items shown on the next slide that  
11 have been under review for USI's by one group or another, but  
12 that weren't selected by the Commission in this latest group.

13 (Slide.)

14 All together, we have ended up, in effect, abolishing  
15 temporarily two branches that we had set up to go forward in  
16 certain areas. One was the systems interaction branch, which we  
17 made a big push on to get moving. We have got system interaction  
18 studies going in a number of areas. We would keep that going in  
19 those cases where we have begun studies, but we would defer a  
20 big methodological increase.

21 Another was in the operating experience evaluation  
22 branch, which we set up within NRR to follow, to look at LER's  
23 carefully. We do it, INE does it, the AEOD does it. We have  
24 agreed to farm out to the other two groups the part that we were  
25 doing there and reassign responsibility within NRR to follow up.

1 But overall, there are some 50 manyears of activities that are  
2 being done differently than we had planned to do them.

3 COMMISSIONER BRADFORD: Those last two are activities  
4 which have been done, Harold, or which you are proposing as part  
5 of the plan? The abolition of those two branches.

6 MR. DENTON: This would be part of the plan, in order  
7 to free up resources. One of the key ingredients this plan does,  
8 it gets a project manager assigned, a single project manager  
9 assigned to every plant that is in the '81, '82, '83 list, which  
10 we don't feel we can really get the case moving without a  
11 project manager. We also have to have project managers assigned  
12 to the CP cases that are about to reactivate.

13 So, staffing up project managers first, and then  
14 staffing up the technical groups that need to follow those  
15 cases is what this plan accomplishes.

16 MR. DIRCKS: I have one more slide to cover.

17 COMMISSIONER BRADFORD: How many of those cases don't  
18 have project managers now?

19 MR. DENTON: We have cases assigned to more than one  
20 project manager at the time, and I think we ended up with a need  
21 for either 12 or 20 project managers in order to have a single  
22 project manager at every active case.

23 COMMISSIONER BRADFORD: Every active case over those  
24 three years?

25 MR. DENTON: And the CP's, in order to assure ---

1 COMMISSIONER BRADFORD: Will some of those project  
2 managers also have cases that are further out?

3 MR. DENTON: Some of the cases that are further out are  
4 already distributed among the existing project managers, because  
5 there are actions that you have to take on plants like Limerick,  
6 even though it is not docketed. But, in essence, we would start  
7 off with one project manager per case. He may have some  
8 residual responsibility for further out cases.

9 COMMISSIONER BRADFORD: How many project managers do  
10 you have?

11 MR. DENTON: Let me ask Ed the number. We have  
12 project managers for the operating plants, and then we have  
13 project managers for the plants under construction and review.

14 COMMISSIONER BRADFORD: Just the plants under  
15 construction and review.

16 MR. DENTON: We have three branches.

17 MR. CASE: I don't have the numbers. I would rather  
18 get them for you.

19 MR. DENTON: I think it is about 18 or 20 presently,  
20 project managers assigned to all the plants, either in  
21 construction or in for an operating license, and that quite  
22 often results with the same person having Salem and having a  
23 CP.

24 (Slide.)

25 MR. DIRCKS: The final slide gives you some idea of the

1 funding requirements and the possible sources to meet those  
2 requirements. This is fiscal '81-82. We need about 12.7 million  
3 dollars to carry out this effort, and we have listed the amounts  
4 in there.

5 The biggest amount is the additional technical support  
6 for licensing. This is only money needed by NRR. This does not  
7 include money for other offices to increase their technical  
8 assistance work. That would principally be in the area of  
9 research. I think we are talking about no more than a million  
10 dollars in that area.

11 Possible sources for those funds, in fiscal '81, the  
12 first four items of fiscal '81 funds, we would do some  
13 reprogramming in and the last -- and we always have our friend,  
14 the document control contract hanging out there as a possible  
15 source. And then the last two items, dealing with the '81  
16 carryover, unobligated carryover, and then the question mark  
17 dealing with the reprogramming in '82 that we would have to do.

18 This completes everything that I have to say.

19 CHAIRMAN HENDRIE: 'Good. We got you through. I admire  
20 the restraint of my colleagues. I thank them for it.

21 Go ahead, John.

22 COMMISSIONER AHEARNE: If you wouldn't mind, I would  
23 just like to go down through a number of these charts.

24 The proposal of this redistribution, you had on your  
25 first chart the minimized delays on '81 and '82 operating

1 licenses. To a large extent this is backfilling in behind that,  
2 isn't it, in the sense that the '81 and '82 operating license  
3 delays are being -- to the extent that NRR or the non-ELD staff,  
4 non-licensing board staff is associated with it, it is in order  
5 to get those documents done that you are now working on, and you  
6 are pulling some people in, as I understand it.

7 MR. DENTON: That is a convenient way to look at it,  
8 that we will focus the existing resources on the '81 and '82,  
9 and the new people by and large would be assigned the '83 plants.  
10 They would become the project managers and the technical  
11 reviewers.

12 COMMISSIONER AHEARNE: Is that a correct way?

13 MR. DENTON: Well, it wouldn't happen entirely that  
14 way. There are some plants in '81 and '82 that we have  
15 accelerated the schedule of in order to get them off the list  
16 that may have to be picked up by some of these reassigned people.

17 MR. DIRCKS: I might mention, too, we are dealing here  
18 with getting people into the NRR licensing process. Again,  
19 another thread in this fabric is the impact on ELD if you move  
20 forward with a process that would get more cases for the hearings.  
21 That is an important part of the problem.

22 CHAIRMAN HENDRIE: Yes. We may be able to supply a  
23 couple of people from the Commission level.

24 MR. DIRCKS: But it does impact. And how you deal with  
25 the problem of the immediate effectiveness rule, I guess, will

1 impact back on OGC and OPE.

2 COMMISSIONER AHEARNE: In your reallocation within NRR,  
3 are you attempting to -- are you planning on taking people out  
4 of the existing branches and putting them into the casework  
5 branches, or are you trying to take work that can be done and  
6 giving it to the existing branches?

7 MR. DENTON: We are trying to keep the casework within  
8 the existing branches to the extent possible, and farm out items  
9 that are not casework. So that the casework would be done by  
10 the existing staff. So, we have tended to give out what we would  
11 call safety technology or operating reactor actions, but doing all  
12 of that we still had a demand for certain critical skills and  
13 certain project manager functions that couldn't be met outside  
14 NRR. And that led to two branches, then, which in effect would  
15 be dissolved. Otherwise, it would stay.

16 COMMISSIONER AHEARNE: I wasn't asking the split. I  
17 was really asking, within NRR you have mentioned already that  
18 you are planning on abolishing two branches. Beyond that, are  
19 you taking the work within the division of licensing and trying,  
20 to the extent possible, to parcel extra work out to the other  
21 divisions, or are you trying to take people from the other  
22 divisions and put them into the division of licensing?

23 MR. DENTON: The only people going into the division of  
24 licensing are project managers. So, they will get the project  
25 managers. They will also -- some of the operating reactor actions

1 we will try to let them handle through Franklin Institute with  
2 Franklin contract type studies. But by and large we will just  
3 give more money to, say, the division of engineering to get the  
4 operating reactor actions done that they would otherwise have  
5 their staff do.

6 COMMISSIONER AHEARNE: So, you are trying to keep the  
7 current organizational structure?

8 MR. DENTON: Yes, that is correct.

9 MR. DIRCKS: I think in one area that bears on this,  
10 I&E will be picking up part of the SAR chapters.

11 MR. DENTON: I am trying to maintain the matrix  
12 organization the way it is, with licensing being project managers  
13 and then having technical specialists.

14 COMMISSIONER AHEARNE: You had mentioned this is all  
15 based on the 11 month, and if under some magic wand we were  
16 actually to meet the eight month schedule, I assume that you  
17 would, at the moment, still prefer to go this route, because this  
18 is concrete, and if the eight months transpires a year and a  
19 half from now ---

20 MR. DIRCKS: Well, I don't know how concrete the 11  
21 month schedule is.

22 MR. CORNELL: There is another aspect to this. There  
23 are a lot of things which are unknown. For example, we are  
24 banking on offers out. We don't know what those people are  
25 going to be like when they actually get in-house. We are banking



1 on getting assistance from the labs, so there are a lot of  
2 uncertainties.

3 COMMISSIONER AHEARNE: On the second chart you had  
4 4.8 million in '81 and 7.6 in '82. That is part of the 12.7 that  
5 you list on your last chart, is that correct?

6 MR. DIRCKS: I think we didn't catch the extra 0.3 in  
7 there.

8 COMMISSIONER AHEARNE: So that it is 4.8 that you need  
9 in '81, and most of it is in '82 that you have to find.

10 The assistance from other offices, you are taking 13  
11 people out of research. Is that coming primarily from one  
12 particular area?

13 MR. DIRCKS: We are going to do some reorganization and  
14 restructuring in the research area and the standards area, and  
15 we intend to get positions from this general ---

16 COMMISSIONER AHEARNE: Are these transfers that you are  
17 suggesting here for a period of one year, two years, three  
18 years, permanent, permanent readjustment? For example, when we  
19 go in next year on our budget levels, would these essentially be  
20 a revision to the budget level and this would now be a new ---

21 MR. DIRCKS: I think we are doing that to start off  
22 with a detail, and then we will see how it plays out from there.

23 COMMISSIONER AHEARNE: The detail is planned for?

24 MR. DIRCKS: Six months, I think, to begin with, and  
25 then we will look at what permanent restructuring we might want

1 to propose to the Commission.

2 MR. CORNELL: In gross terms, I think we are looking at  
3 this kind of professional experience, professional staff being  
4 transferred for about a year and a half. To get down to  
5 individuals and individual skills, we are starting off with six  
6 months. Some people may not work out, some skills have to go in  
7 and out. But most levels, we are talking about 18 months.

8 MR. CASE: That shouldn't be interpreted to mean that  
9 at 18 months everything goes back to where we were before. We  
10 just haven't been able to look further ahead than 18 months.

11 COMMISSIONER AHEARNE: What I was assuming is that  
12 meant permanent.

13 MR. CASE: It may well turn out to be permanent.

14 COMMISSIONER AHEARNE: Does that include the overtime?

15 MR. DIRCKS: Again, you are talking about 18 months and  
16 with a great uncertainty. I don't think the arithmetic ---

17 COMMISSIONER AHEARNE: The horizon isn't beyond that  
18 is what you are saying.

19 MR. DIRCKS: That is right.

20 COMMISSIONER AHEARNE: You have put the Commission  
21 office as six down there just to highlight the fact that there  
22 might be six additional, but you weren't counting that anywhere?

23 MR. CORNELL: It is not counted. We have identified  
24 six individuals.

25 MR. DIRCKS: It would be nice to have.

1 COMMISSIONER GILINSKY: Which offices are you talking  
2 about?

3 MR. DIRCKS: We have it. Three, ACRS, OPE and SECY.

4 COMMISSIONER GILINSKY: Have you talked to them at all?

5 MR. DENTON: Yes. In general, they all feel they are  
6 necessary to support the accelerated schedules.

7 COMMISSIONER AHEARNE: To an extent, they can make a  
8 justified claim, because the ACRS review is now going to start.

9 COMMISSIONER GILINSKY: It might also work the other  
10 way.

11 COMMISSIONER AHEARNE: Ed probably means that we have to  
12 be more careful with the requests we give to the ACRS.

13 In your unresolved safety issues, generic issues, you  
14 are transferring to research a subset of the generic issues, it  
15 looks like, and I wondered why you weren't transferring all of  
16 the generic issue work?

17 MR. DENTON: I think that we transfer as much as they  
18 could pick up, taking into account the resources they were  
19 transferring back to us.

20 COMMISSIONER AHEARNE: I see. So, really it is a  
21 skill question.

22 MR. DENTON: Yes.

23 COMMISSIONER AHEARNE: So, you are retaining a  
24 generic issues branch because of skills that the people there  
25 have are less useful in the casework than the skills that you

1 found in research to transfer in?

2 MR. DENTON: Yes. And we are maintaining the generic  
3 issues branch as it was. I don't plan to change that. So, they  
4 would continue to get the work done on each identified unresolved  
5 safety issue. You may recall, we had already farmed out some of  
6 even the USI's to research, and they had taken those up as the  
7 actual doing.

8 COMMISSIONER AHEARNE: I notice that you talked about  
9 doing away with the operating experience evaluation branch, but  
10 on your chart you had transferring the work out of the division  
11 of licensing, and I wasn't sure which branch you then were talking  
12 about. You have an operator reactors assessment branch in the  
13 division of licensing.

14 MR. DENTON: I think that is a misnomer on the chart.  
15 It is the one that was put into the division of safety  
16 technology. It has always been a small branch that interfaces  
17 with the AEOD, and that is the group where it has two functions.  
18 The functions of LER monitoring would be picked up by I&E and  
19 the AEOD, and then the interface functions with the AEOD would be  
20 picked up by the branch within the licensing division.

21 COMMISSIONER AHEARNE: I can recall back sometime ago  
22 when the Commission addressed putting in place the AEOD's office,  
23 and the argument about do you need these kinds of branches in the  
24 divisions, and I guess I would encourage the chairman and the EDO  
25 to perhaps take a look also at where else that was built into the

1 structure and there might be some people who could similarly be  
2 transferred into this kind of an operation, and we might face the  
3 point that the AEOD's office is really where that ought to be  
4 done, and you need not have this other one.

5 MR. DENTON: I think when I reorganized we really  
6 didn't have the AEOD office, and it was felt that each office  
7 should have its own following of the LER's at that time.

8 COMMISSIONER AHEARNE: You then had a chart, summary of  
9 work undertaken by I&E for NRR, and it wasn't clear whether that  
10 was counted in your -- when I looked back at your assistance from  
11 other offices.

12 MR. DIRCKS: I think Kevin can take you through this.

13 MR. CORNELL: There are some mathematical errors. One,  
14 you have to look at the number of people -- first of all, if you  
15 look on 3-D, the first item there, NRR over the past has  
16 contributed on a rotating basis people for that center. We had  
17 planned to discontinue that, and now is a question of who you  
18 talk to as to whether this is something being assumed by NRR, by  
19 I&E, or being freed up by NRR. But if you discount that item,  
20 the other difference between 3-C and 3-D has to do with whether  
21 you are talking staff here as professional years. On 3-C we  
22 are talking about the number of professionals freed up in NRR.  
23 On 3-D, we are talking about the number of staff years that it  
24 would take I&E to pick up that work, which is why the numbers  
25 don't add up.

1           COMMISSIONER AHEARNE: I see. And then one way of  
2 interpreting that is ---

3           MR. CORNELL: It is less efficient to transfer it over.

4           COMMISSIONER AHEARNE: Okay. Now, when you talk about  
5 the large number of possible, large amount of possible work that  
6 you could do by the outside assistance route, do you take into  
7 consideration that factor you just mentioned, which is the  
8 inefficiency of doing ---

9           MR. CORNELL: Yes. In calculating the amount of money  
10 it would take, the asterisks on page 2, we are assuming ---

11           COMMISSIONER AHEARNE: I wasn't so much talking about  
12 money. It is that when you transfer -- usually when you have  
13 work done outside ---

14           MR. CORNELL: Let me finish what I was going to say.  
15 We are talking about work if it were done in NRR, it would take  
16 the equivalent of 26 professionals. We are assuming that if  
17 we farmed it out, the labs are going to probably take double that  
18 number of professional work.

19           COMMISSIONER AHEARNE: Well, my concern is, have you  
20 taken into account the fact it still is going to require NRR  
21 people to monitor that fairly closely to get good products?

22           MR. DENTON: Yes. We did find that in farming work out,  
23 the gain wasn't as big as just transferring it. We had to  
24 continue the surveillance and oversight, and we have accounted  
25 for that. What we envision in that area, if we pick the first

1 option of laboratory assistance, would be to pick a lab that has  
2 enough people in the electrical power systems, instrumentation,  
3 thermal transfer areas -- those having the most severely critical  
4 skills in the agency -- and give them a substantial number of the  
5 applications to assist us in, and we think we can locate a center  
6 of people that have just those kinds of skills.

7 COMMISSIONER AHEARNE: But the basic philosophy, our  
8 basic concept there, as I understand it, is that still the work is  
9 done out there, and so any monitoring or contact is sporadic and  
10 either has the leader of that lab group coming back here, and so  
11 the people don't get a direct interaction with the task manager,  
12 or the task manager goes out there.

13 MR. DENTON: I have budgeted on the assumption we will  
14 have to assign a person there for the technical oversight of the  
15 activity.

16 COMMISSIONER AHEARNE: Actually out to the lab?

17 MR. DENTON: Yes. That would work if we can get a  
18 big enough commitment in one place.

19 COMMISSIONER AHEARNE: In your affected program list,  
20 where you talk about less than six months delay, two to three  
21 months delay, that is a kind of fine tuning ---

22 MR. DIRCKS: Again, it is just putting some bounds  
23 around it. It certainly is not a commitment to do this one way  
24 or the other, in one month or two months.

25 COMMISSIONER AHEARNE: Just as an example, so I can

1 understand, in the waste management area, as you described the  
2 reason for the delay is because they have some hydrology people  
3 short in the agency. You are going to take those people out and  
4 put them into the casework.

5 MR. DIRCKS: Yes.

6 COMMISSIONER AHEARNE: What is the assumption that you  
7 make, then, that after the certain period of months those  
8 hydrologists go back, or that some of the new slots coming into  
9 the agency are allocated to hire hydrologists to pick up that  
10 load?

11 MR. DIRCKS: I think you have to look at the initial  
12 surge of new people coming in. We are still going to be trying  
13 to help the licensing function out, and Harold's group. Depending  
14 on how his effort goes, we could pick up hydrologists into that  
15 area that John Davis has, for example.

16 MR. MINOGUE: Could I add to that, there is also the  
17 assumption that a number of reg guides simply are not done. So,  
18 the first element deals with the rulemaking, which is a part of  
19 the action, and the guides you don't do.

20 Further on, if I could comment on something earlier,  
21 the six months that occurs so frequently is based on the  
22 assumption that we will, in research, in effect delegate some of  
23 the followup programs to either consulting firms or to  
24 laboratory staff, and there is about a six month transition as  
25 some of that occurs.



1           COMMISSIONER AHEARNE: And that you will be able to get  
2 the money to do that.

3           MR. MONOGUE: Yes, that is right. The source of that  
4 funding hasn't been discussed in this presentation, but I believe  
5 we can get the money to do that. We are taking a hard look at  
6 where we could squeeze the money out of other programs by  
7 reprogramming. There is a built in assumption that a lot of the  
8 followup research programs will be done by out of house people,  
9 so it will be done with the support of out of house people is a  
10 more accurate way to put that. So, the big impact will be  
11 relatively short range.

12           COMMISSIONER AHEARNE: Now, we get to NRR deferred  
13 programs, and you have a whole list of 18 month deferrals. Would  
14 it be correct to read that as, the people that you have, the  
15 resources that you hope to put on those programs will not be on  
16 those programs, and your horizon at the moment is 18 months, and  
17 so what you are saying is, you are essentially deferring those  
18 programs, and when effort would be resumed on them depends on  
19 how this whole process begins to unfold?

20           MR. DENTON: Yes, that is correct. It goes to the  
21 question you had asked earlier about suppose the Commission is  
22 successful in cutting the licensing time in half again. It does  
23 seem to me, it makes some sense to get on with a big effort at  
24 the beginning, to try to get ahead of the game, and if we find  
25 that we are actually producing SER's and decisions ahead of need,

1 then would be the time to scale back and cut back on the  
2 deferrals.

3 COMMISSIONER AHEARNE: Now, on your last chart you have  
4 three million dollars in FY81 research as being possible sources.  
5 I gather that that is taking money out of research to shuffle into  
6 here, or reprogram. Is that the same monies you were talking  
7 about, Bob, finding to fund this work that is going on the  
8 deferral?

9 MR. MINOGUE: No. That money was part of an entirely  
10 separate exercise that we did within research. It really was  
11 more tied in with the long range plan review. It wasn't done  
12 directly with this other work.

13 COMMISSIONER AHEARNE: I guess three final questions.  
14 The first one is, on the approach to human factors, how do you  
15 answer the charge that will be raised that one of the major  
16 issues that came up as a result of reviewing all of the TMI  
17 analyses was that the agency had not focused enough effort on  
18 human factors? If you look at this, it appears, and I am saying  
19 this would be the charge, how do you answer it, it appears that  
20 what we have done is stripped a lot of the human factors effort.  
21 Is that a judgment that it is not as important as previously had  
22 been described?

23 MR. DIRCKS: If you look at the numbers of staff years  
24 here, we have one and two; Steve says it is closer to five and  
25 six. I think what he is doing, and I don't know whether he is

1 doing it or not, is multiplying it by two, that number of people  
2 over two years.

3 I think the list is long, and I think it has a lot of  
4 items there. I think the emphasis, there is still a heavy  
5 emphasis on human factors. It is still a high priority in NRR.  
6 I think the list of incidental items, not incidental, but there  
7 is a list of items here that may look worse than the number of  
8 people we are talking about.

9 MR. DENTON: I guess compared to pre TMI times, we  
10 didn't have such a division. We had only a very few people, we  
11 didn't have any psychologists. Now we have a division of some  
12 60 or more people, and we have a ceiling that would permit Steve  
13 to hire more. So, we are putting a considerable amount of effort  
14 into it, and we have come a long way, but there are these  
15 residual items that were in the action plan for further studies,  
16 and these are second wave efforts, not what I call -- we are  
17 doing the first wave efforts entirely. And they reflect Steve's  
18 and my judgment about assuming we should cut and defer as much  
19 as we could reasonably do to gain casework, this is how far we  
20 did it, and there were a lot of things that we did not put on the  
21 deferral list that are going to get done.

22 We just didn't make up a list of those, the things that  
23 we are not deferring.

24 COMMISSIONER AHEARNE: A second question, one of the  
25 results of this will be we will be putting in a substantial

1 amount of additional resources into the NRR casework process.  
2 There has to be a question raised at some point, and so what would  
3 the answer be, that in the past part of the problem that we have  
4 had is that the resources we have allocated have not been  
5 allocated appropriately within the casework organization, or  
6 within the NRR organization? What confidence do we have putting  
7 in additional resources that that will not compound the problem,  
8 but to have better tracking system or are you handling your  
9 resources in a different way?

10 MR. DENTON: We have begun to handle them in a  
11 different way by issuing the detailed priority list and making  
12 deta'l assignments and reviewing them weekly. But the plan would  
13 be that if we get these additional resources, to assign them  
14 discrete tasks and discrete schedules, and follow it, so they  
15 don't go into a pool that is thrown for all kinds of tasks. But  
16 they have specific cases and projects that they are working on.

17 COMMISSIONER AHEARNE: For my final question, I assume  
18 that in making this proposal that it is the judgment then of the  
19 director of NRR and the EDO that on balance there is no significant  
20 impact, unwise, imprudent impact upon the overall safety of what  
21 we regulate by doing this?

22 In other words, another way of saying it is that if we  
23 accept this, we aren't then crossing the boundary on the  
24 adequate protection of public health and safety of either  
25 operating plants or as we see downstream. I am making that

1 assumption. If it is wrong, tell me. But the question is, are  
2 there any differing views to that amongst the other major  
3 office directors?

4 MR. DIRCKS: I think as you defer programs and move  
5 people around, you are taking incremental cuts off of approved  
6 safety programs. Harold might disagree, but what we have tried  
7 to do is comply with the instructions as best we could and look  
8 where we would not cut into the muscle of the safety program.

9 As you can see, we have not gone into I&E in any great  
10 way, and I think we have sort of held back on that area, and we  
11 have not gotten into Carl Michaelson's group in any great way,  
12 and I think those are the areas we are trying to preserve away  
13 from this effort.

14 COMMISSIONER AHEARNE: Is your answer that, yes, you  
15 believe this is a prudent program, that the director of NRR and  
16 EDO are saying, yes, this is prudent?

17 MR. DIRCKS: I am saying it is meeting the requests,  
18 I think, that we were given, to look within the program and to  
19 do as much as we can to come up with a program to deal with the  
20 licensing.

21 COMMISSIONER AHEARNE: Are you saying that it is  
22 imprudent?

23 COMMISSIONER BRADFORD: I think he may be saying that  
24 it is up to us.

25 CHAIRMAN HENDRIE: John, you are asking the wrong

1 question.

2 COMMISSIONER AHEARNE: I beg to differ, Joe. I am  
3 asking the director of NRR, I am asking, in his judgment, does  
4 doing this lead to an impact in the either current or future  
5 health and safety that he thinks is unwise. That is the question  
6 I am asking, his technical judgment.

7 CHAIRMAN HENDRIE: Well, you have now asked it in a way  
8 that is more nearly where I had hoped you would go.

9 COMMISSIONER AHEARNE: And I said, I assume the answer  
10 is that he does not think it is unwise.

11 MR. DENTON: I am satisfied with the level of safety  
12 provided by this program for both operating plants and plants  
13 under review, taking into account that we are deferring things  
14 which are desirable and eventually some day I hope to be able to  
15 get back to, but I don't mind deferring them for the period of  
16 time we are talking about here.

17 COMMISSIONER AHEARNE: And I assume that EDO's position  
18 is the same?

19 MR. DIRCKS: I agree with Harold, and I think we have  
20 taken a look across the board in the agency.

21 COMMISSIONER AHEARNE: And my question -- as I said,  
22 that was my assumption. The question was, are there any office  
23 directors, major office people, who disagree with that?

24 MR. DIRCKS: You have got two of them sitting back  
25 there.

1 MR. SMITH: I don't disagree.

2 COMMISSIONER AHEARNE: I assume that they were here for  
3 a purpose.

4 MR. DE YOUNG: We do not disagree. However, we cannot  
5 defer work. We are just not going to do it. Once you pass by  
6 the time to do an inspection in the field, you can't recover  
7 that. It is just gone. So, it is not deferral. We think we  
8 will not infringe unduly on safety.

9 CHAIRMAN HENDRIE: Two inspections in '83 don't make  
10 up for zero inspections in '82.

11 MR. DE YOUNG: Absolutely.

12 COMMISSIONER AHEARNE: But I see in here, though, that  
13 the impact on I&E is really fairly small, is that correct?

14 MR. DE YOUNG: The impact that we read is nine people,  
15 nine staff years per year. In the regions, this comes down to  
16 about six staff years per year, and this we think will come down  
17 to about four and a half manyears of on-site inspection that we  
18 will not do per year.

19 COMMISSIONER GILINSKY: This comes from work which you  
20 are accepting from NRR principally?

21 MR. DE YOUNG: Yes.

22 COMMISSIONER GILINSKY: Rather than people moving over  
23 to NRR?

24 MR. DE YOUNG: We are not moving any people.

25 MR. MINOGUE: I certainly do not disagree. I do want to

1 make note of one thing. The impact in research on our ability to  
2 assure the effective efficient use of public funds in these  
3 research programs may be impacted. I think we have worked out  
4 ways of coming at that. I hope they work. But that is the area  
5 that concerned me the most. We administer the expenditure of a  
6 great deal of money, and it is important to have the staff  
7 resources to do that in a way that makes efficient use of funds.

8 COMMISSIONER AHEARNE: Those are all my questions.

9 CHAIRMAN HENDRIE: Peter.

10 COMMISSIONER BRADFORD: If, in fact, we use the 39  
11 reactor months instead of the 92, does that scale down the 125  
12 manyears in a roughly proportional manner?

13 MR. DENTON: I think it would. When we cut from 15 to 11  
14 months on the hearing process, that didn't scale quite  
15 proportionately, because there were some impacted plants in '83  
16 that were still there. But I think with a plan here which, in  
17 essence, eliminates impacts in '83, I think it would scale more  
18 or less linearly, and we could work that out and get back to you.  
19 In other words, it doesn't scale by months of delay, but it  
20 scales by months of review time that we have to put into it. The  
21 time between now and when we have to finish the review is what  
22 it would scale by. So, it is not the ratio of these numbers, but  
23 it is something directly effected by these numbers.

24 The way I would like at it is, between now and -- I have  
25 to put in like 138 or 150 reactor months of review on those



1 plants in '83 to finish them all 11 months before they are  
2 completed, and if you extend them all by four months, I would buy  
3 that much more time in the review, so it is maybe a third or a  
4 fourth relaxation in the demand for people.

5 MR. CORNELL: I would like to raise one word of  
6 caution that touches on a point that Len just raised with me.  
7 After the SSER is issued, the staff would have to engage in  
8 writing testimony. If you get that period down to four months,  
9 the amount of staff effort per month, you take so much staff  
10 effort to write that testimony. I am not sure we have looked  
11 into -- whether, Harold, you have -- at what the impact of  
12 having to do all that work in four months, as opposed to nine  
13 months or eleven months.

14 MR. DENTON: I think we have assumed we will probably  
15 have to do the same amount of post SSER work, and we just have  
16 to do it sooner with the schedule reduced.

17 MR. CORNELL: I guess what I am getting at is, if you  
18 get more time to produce the SSER, you are compacting the amount  
19 of time you have to do the post SSER testimony preparation, so  
20 you may not gain as much.

21 CHAIRMAN HENDRIE: In part, you have got that taken  
22 care of once you go over to single project assignments to  
23 project managers, because if you get a poor project manager that  
24 is trying to draft testimony for two projects at the same time,  
25 then you have got a real problem on your hands.

1 COMMISSIONER BRADFORD: For purposes of this reallocation  
2 what, then, happens as you look out toward 1984 and 1985? Are  
3 there another 10 or 12 plants per year in each of those years  
4 that would require essentially a continuation of this pattern?  
5 Or do you then go back and pick up the deferred work to a greater  
6 degree?

7 MR. DIRCKS: As we get out there, the numbers decrease.

8 COMMISSIONER BRADFORD: The number of plants decrease?

9 MR. DENTON: It stays high, I think, for maybe '84, and  
10 goes down a little bit in '85, and it is essentially completed  
11 by '86 or so. So, we would have to keep sort of this level of  
12 effort in the casework for the next few years.

13 COMMISSIONER BRADFORD: All the plants are essentially  
14 licensed by '86?

15 MR. DENTON: I have that data but I just don't recall.  
16 Remember, we went through the '72, '74, '75 CP bulge, and now  
17 all those plants are now coming in on us, and I had that in some  
18 previous slides. I just don't have them with me. It is a few  
19 years that the big bulge occurs, and then it is sort of over.

20 COMMISSIONER AHEARNE: There are about 80 that have to  
21 be picked up.

22 MR. DENTON: Yes.

23 COMMISSIONER AHEARNE: That is enough to run you four or  
24 five years.

25 CHAIRMAN HENDRIE: You had some graphs before that

1 showed the incoming OL's begin to taper down after what, '85 or  
2 something like that, and then you have got the bulk of them, I  
3 think, in hand, and then sort of the latecomers are straggling  
4 in at somewhere between two and five a year, and then eventually  
5 you would pickup whatever goes forward now out of the near term  
6 CP's, but that would be a couple of years after that.

7 MR. DENTON: So, I think the level of effort on casework  
8 would have to stay fairly high during this whole period. The  
9 impacts, hopefully, we would find ways to ameliorate those.

10 COMMISSIONER BRADFORD: I don't have any other questions  
11 I do just want to indicate that I am not comfortable with the  
12 full package. I realize that you made a judgment that it doesn't  
13 produce unacceptable levels of safety, but I must say this kind  
14 of major reallocation within the system seems to me to have to  
15 have bad effects that aren't necessarily immediately apparent.

16 We have on other occasions said that the action plan  
17 was necessary, and I assume that at that time we meant more or  
18 less on the schedule that we approved it. And I just can't  
19 imagine that reassigning this many people and deferring work of  
20 the sort that is being proposed to defer here doesn't result in  
21 a net adverse impact on programs that to me would result in a  
22 diminution of safety to an extent that I wouldn't want to see.  
23 That is the program taken as a whole. It doesn't mean that  
24 there aren't some parts of it that would be acceptable.

25 CHAIRMAN HENDRIE: Vic, do you have some questions?

1 COMMISSIONER GILINSKY: For these OL reviews, what sort  
2 of manyear figure are you assuming? And how does that compare  
3 with what we used to apply to OL reviews in the pre TMI?

4 MR. DENTON: We don't have a specific figure in mind.  
5 We have looked at the manyears required for the first few, and  
6 they have been much higher than we used pre TMI, and I had those  
7 numbers the last time. I think they ranged upward on Sequoia to  
8 27 or something like that, and some were done in 7 to 9. So, it  
9 really reflects the judgment of the branch chiefs and their  
10 division directors branch by branch as to what it would take to  
11 meet a schedule. So, we really didn't put it together in terms  
12 of manyears, but rather by issuing a schedule to say, in order to  
13 meet this production rate, and taking into account the people  
14 you have got and the deferrals, what are you willing to commit  
15 to, assuming no real surprises in these reviews.

16 COMMISSIONER GILINSKY: But you haven't added it up in  
17 terms of manyears?

18 MR. DENTON: No.

19 COMMISSIONER GILINSKY: Do you have any feeling for it?  
20 Is it a heftier review than we conducted in the past?

21 MR. DENTON: Oh, yes.

22 MR. CASE: I would guess about 20 if you did it that  
23 way.

24 COMMISSIONER GILINSKY: So, roughly double.

25 MR. CASE: Well, it crept up to maybe 14, I believe.

1 MR. DENTON: The review certainly has expanded in a  
2 number of areas as a result of TMI and all the TMI action plan  
3 items. So, the SER's are bigger, and areas like fire protection,  
4 equipment review, emergency planning have all added to that. So,  
5 I just don't have a good handle yet, but I wouldn't be surprised  
6 if it isn't five, seven or more manyears per case than it used  
7 to be.

8 COMMISSIONER GILINSKY: More than it used to be?

9 MR. DENTON: Yes.

10 CHAIRMAN HENDRIE: Also, the hearings at the OL stage,  
11 there are a greater fraction of OL cases that hearings are  
12 requested and the level of vigor in them goes up and that eats  
13 staff resources.

14 COMMISSIONER GILINSKY: If you do develop an estimate,  
15 I would like to know what it is.

16 I want to get back to the point that Peter raised and  
17 I had raised earlier about 92 months versus 39 months. It seems  
18 to me these numbers are pretty critical. Basically they drive  
19 the whole exercise. If the number were zero, we wouldn't be  
20 here.

21 You know, one of the reasons we got into this business  
22 is we didn't foresee some of these things as well as we might  
23 have, and it seems to me we want to be pretty careful before  
24 sending armies out in various directions, to be pretty clear what  
25 problem it is we are dealing with.

1           What I was wondering about is, in particular, who comes  
2 up with this 39 month estimate? And also, what does it assume?  
3 You were talking about our predictions becoming self-fulfilling.  
4 Is that factored into the 39 months, or is that based on simply  
5 the ability of the utility to complete the plant irrespective  
6 of our process?

7           MR. DENTON: Let me tell you how I got the first  
8 estimates. I went to the blue book that was published in  
9 December, and assumed that we produced our document as the  
10 December blue book schedule called for, that we met that  
11 completely.

12           I added onto that a 15 month hearing process. This was  
13 the way I originally approached the problem. Then I compared  
14 those dates that would result from a decision, assuming we met  
15 the blue book, and assuming 15 months, to the applicant's date  
16 and to the NRC's caseload forecasting date.

17           They are the ones that came out about 130 reactor  
18 months of delay using the applicants' dates, and about 60 or so  
19 months using our dates.

20           Then when we were asked to assume an 11 month review,  
21 I went back and, taking into account some rejuggling of  
22 priorities on cases that had occurred since we move some plants  
23 up and some back, like Fermi and Waterford, to adjust the plants,  
24 I went through that again assuming the 11 month hearing process,  
25 and then compared the dates to the applicants' dates and our

1 dates, and that is where the numbers came from on the first  
2 slide.

3 COMMISSIONER GILINSKY: I understand that. I guess I  
4 shouldn't have asked about the 39 months. What I really mean is,  
5 how do we come up with the NRC estimate on when the plant will be  
6 completed, and who does that, and what assumptions factor into  
7 that?

8 MR. DIRCKS: I think we have a caseload forecast panel  
9 that does this. They actually visit plants. They actually have  
10 some sort of a model that they compare the status of construction  
11 against, and they make an estimate. They have been fairly  
12 active. I think they visit these plants a year before, two  
13 years, I have forgotten. It is in Norm Haller's group, and it is  
14 headed up by someone who has been doing this for years.

15 CHAIRMAN HENDRIE: I will comment that those dates that  
16 we have produced in the past, they used to appear in the gray  
17 book, do we still publish a gray book, or do we? I have lost  
18 track of the colors.

19 MR. DIRCKS: We have a brown book now.

20 CHAIRMAN HENDRIE: Anyway, those dates have always been  
21 subjects of discussion and occasionally agony where, from the  
22 utility side, they feel they are having difficulty keeping their  
23 people hard at it when there is an NRC date floating around which  
24 has slipped six months from their project date.

25 Now, in private conversations, why, their engineers

1 will tell you that they indeed are going to have slippage in the  
2 schedule that they have got, but they feel they have to keep it  
3 posted up on the wall and keep driving everybody forward on that  
4 basis as long as they possibly can, just to prevent a general  
5 relaxation and much greater slippage. And we recognize that  
6 sort of general problem in scheduling of human endeavors, and  
7 in fact apply it internally.

8 But if now we are going to look at some dates for the  
9 kind of purpose we have here where the amount of impact on other  
10 work in the agency goes up or down, depending on how you choose  
11 those dates, then I think they have to be looked at with some  
12 care.

13 At least one of our congressional committees will  
14 always want to know how we stand against the applicants' dates.  
15 I guess other committees will want to know how we stand against  
16 our projected dates.

17 It seems to me that it might be useful, since we are  
18 at a fairly sensitive balance point here, to review some of these  
19 dates with the projects out there, pointing out to them that it  
20 is not going to be a help to anybody if unrealistic dates  
21 persist out there. But I think we also have to recognize that  
22 you can't -- if the project manager on any kind of project  
23 always keeps telling his people every morning his current  
24 estimate, personal best estimate is of how the project is going  
25 to come out, he is never going to get it finished. And, you know,



1 as a professional in that kind of line over the years, why, you  
2 have to keep driving, and you always are aware that, by george,  
3 that thing you are driving for may slip a little bit, but if you  
4 don't keep driving on it, why, the slippage will be infinite and  
5 you will never get there.

6 COMMISSIONER GILINSKY: Well, that is his point of view.  
7 He has responsibilities to build a plant, and that is the way he  
8 has got to do it.

9 CHAIRMAN HENDRIE: But I think in conducting an  
10 improved analysis of our best dates that we ought to be very  
11 careful that in selecting those we are not, you know, in effect  
12 providing a feedback slippage and an incentive for it. So, for  
13 the purposes of this exercise, why, I think some discussion with  
14 the projects out there would be useful. Among other reasons, it  
15 hasn't -- we haven't talked to all of the projects, the near  
16 term projects or the '83 projects recently.

17 I know in at least one case some of the informal  
18 things that had been prepared based on experience over, say, the  
19 last two years with the project -- the project management has  
20 changed in the last six months, and the new guy comes in and  
21 says, look, you know, you are just killing me with this stuff,  
22 it doesn't apply to what I am doing now and it doesn't apply to  
23 the plans I have got before the management and legislatures and  
24 everything else, and for you to publish things which reflect your  
25 view as of a year or 18 months ago is doing me, the project and

1 probably yourselves considerable disservice.

A 2 So, I think some updating on those things and some  
3 discussion is ---

4 COMMISSIONER AHEARNE: Some of it had been done, and a  
5 lot of the model still is based on how much of the construction  
6 is completed. And when the project manager says it is hurting  
7 your people to say that the project is only 80 percent completed,  
8 if it is only 80 percent completed, that is a critical element  
9 to know.

10 COMMISSIONER GILINSKY: What bothers me in the way we  
11 have gone about this is that we seem to be saying that our  
12 estimates are worth nothing.

13 MR. DENTON: No. The reason we went to our estimates  
14 was we found that scheduling by their estimates was not a  
15 reliable indicator of priorities. And when we were reasonably  
16 able to meet schedules, they didn't mind our arranging priorities  
17 by our estimates. It is a key assumption, and it goes both ways.  
18 There is some doubt about our ability to produce SER's and  
19 decisions even though we set this as our goal, that there may be  
20 some slippages here and there for unanticipated problems.

21 So, if you really want to get off the critical path  
22 cleanly, so that we are not accused of the delay, it seems best  
23 to schedule on their construction schedule. Otherwise, we have  
24 got situations like St. Lucie where they say they are going to be  
25 finished the end of next year, and they have got the money and the

1 costs and they have got management support and so forth. We  
2 don't think they are going to make it.

3 COMMISSIONER GILINSKY: You have got the opposite  
4 problem, you don't have a realistic schedule on the SER's.

5 MR. DENTON: But St. Lucie being an example that if we  
6 go to our schedule on St. Lucie, they will be in here talking to  
7 you about why we are not scheduling them higher up on the  
8 priority list. So, it eliminates me having to go through a lot  
9 of turmoil trying to see exactly when are they going to be  
10 finished.

11 So, if we are within two or three or four or five  
12 months of the applicant's estimate, I am taking that.

13 COMMISSIONER GILINSKY: Five months across the board,  
14 that is a fairly hefty chunk.

15 COMMISSIONER BRADFORD: All this could work fairly  
16 well at a time when you didn't have congressional committees  
17 using this as a measure of how many billions of dollars we were  
18 damaging the nation by and how many barrels of oil we were  
19 draining from the Middle East. But if the committees are going  
20 to behave that way, and then they are going to use the licensee's  
21 schedules as the basis for doing it, then we have got to have  
22 more accurate information as to when the plants will really be  
23 finished, because it is no fault of your, obviously, but there is  
24 no point in just sitting there being gratuitously shillelaghed  
25 about with a lot of numbers that bear no relation to the real

1 world.

2 MR. DENTON: And so I fully expect a lot of slippages  
3 in these applicants' dates, and I tried to propose a program that  
4 would just get us off the critical path. I recognize that it may,  
5 in some instances, not have to go this far.

6 COMMISSIONER AHEARNE: It is also a hedge that we don't  
7 get the improvement in the time of the licensing process, and we  
8 ought to always on this side keep in mind that we are facing a  
9 situation that starts with a plant being reviewed and ends with  
10 a license. And I think there are varied levels of pain amongst  
11 us on which points we prefer to see give, but there is going to  
12 be pain somewhere, and we are trying to minimize it, I think.

13 MR. DIRCKS: I think we started off by saying that  
14 there is uncertainty all around. There is uncertainty in our  
15 estimates, in construction estimates, and the estimates that the  
16 hearing process is -- how long that is going to take, and what  
17 impact that is going to bring back on the staff.

18 I think the purpose of this exercise was to give you  
19 the best estimate we could do, and we were also looking to  
20 fulfill the assignment that you gave us to provide you  
21 information to answer the letter that I guess is due this week  
22 back to the appropriations committee.

23 CHAIRMAN HENDRIE: Let me propose something in hopes  
24 that we can get some useful things at least started, rather than  
25 having to return totally to the subject.

1           We have some concern about whether we ought to be  
2 working this program, this staff program, totally against the  
3 present set of applicants, finished numbers. That raises the  
4 ante in terms of impacts, in other words.

5           On the other hand, if we base it solely on the present  
6 set of staff projections for completion, that certainly helps the  
7 impact problem a lot, but it may lead us on reevaluation in a few  
8 months to going back and reporting that once again we are going  
9 to have to either rejuggle things or we have got impacts that are  
10 going to appear down the line.

11           I would really not like to have to cycle this set of  
12 agonies, you know, with the committee.

13           It does seem to me that a careful review with the  
14 projects and some taking into account of what the projects  
15 currently are able to tell us about their plans, programs,  
16 abilities and best estimates would help in improving the  
17 comfort that we have in either their dates or our dates as a  
18 planning basis. I think that effort could usefully begin and  
19 go forward.

20           While it goes forward, and starting now, in order that  
21 we could be making some motions, I think the following proposition  
22 is clear: Whether we believe that the apparent impact is 90  
23 reactor months or the apparent impact is 40 reactor months, the  
24 long term plants, the '83 and beyond plants, there is clearly  
25 going to be a problem there unless we begin now to take some

1 steps.

2           What I would propose we do from this side of the table  
3 is to agree that the staff should begin to move forward along the  
4 lines of the proposition here, not carrying it all the way,  
5 because we have some doubt about whether the 90 month basis is  
6 quite the right one, but at least beginning to move in this  
7 direction so we are beginning to cover at least the order of  
8 half of that, that is the 40 months. And we will continue to  
9 discuss periodically both the dates, the impacts and any other  
10 propositions that we have in hand.

11           You based the present proposition on applicants'  
12 construction completion dates and on the 11 month hearing and  
13 Commission review process. We have yet to carry out all the  
14 steps to accomplish -- you know, to put us in a position where  
15 we think we are reasonably accomplishing in most cases the 11  
16 month hearing and Commission review process. If we did better  
17 there, it is clearly a benefit in terms of your problems. If we  
18 do worse there, it is clearly a higher price in terms of your  
19 problem.

20           What I am saying is that not all of the pieces of this  
21 overall program have fallen into place, but we are taking some  
22 steps in that area, and I think it would be reasonable to take  
23 some steps in the staff reallocation area, and I think I would  
24 leave it to you to judge in which sequence they come. That is,  
25 I think there are some things you are going to have to do even if

1 you decide that the potential downstream impact is, you know, only  
2 a small number, 20 reactor months or something like that. There  
3 are still some things you would want to do to correct that. I  
4 suggest you start taking these steps and sort of begin to work  
5 toward halfway up the line at any rate, and we will continue  
6 these discussions and hopefully improve estimates, better  
7 understanding and, in effect, complete the decision process.

8 Would that be acceptable on this side of the table?

9 COMMISSIONER BRADFORD: I agree with the general thrust  
10 of it. But I would focus their short term efforts, until we  
11 really are prepared to approve a package, perhaps on items 2, 5  
12 and 7 on their page 2 that seem relatively harmless.

13 I would specifically not want the other projects to  
14 begin to slip or specific decisions on deferrals to be made until  
15 we really have decided on what our overall licensing reform,  
16 internal staff reallocation, congressional legislation package  
17 looks like.

18 CHAIRMAN HENDRIE: Peter, I think it is useful to  
19 identify some of these areas which appear to have clearly less  
20 impact. Let's not make an absolute rule about the project  
21 deferrals, because I really think there are some areas overall in  
22 the assorted things that NRR has cited that are of considerably  
23 less real safety impact than others, and rather than just say  
24 no, none of it, why, I think I would be willing to let Harold  
25 move on a few of those items at any rate.

1           COMMISSIONER BRADFORD: I would want to know which ones  
2 they were in advance, though. It may well be that I would come to  
3 agree with you on it, Joe, but I would want to know specifically  
4 which ones he was going to defer.

5           MR. DENTON: I would guess the main thing we need is to  
6 get the project managers assigned to some of these plants in '83,  
7 and maybe get a little better feeling for where it all stands.  
8 That is one of our present handicaps, just not having that done.

9           CHAIRMAN HENDRIE: I think you certainly ought to do  
10 that. That puts a responsible staff officer at work worrying  
11 about where the project is, where the renew is, where the hearing  
12 process is, and it would help.

13           Now, to the extent that to staff your project managers  
14 you begin to implement some of the deferrals you have talked  
15 about, why, Commissioner Bradford would like to know what you  
16 have got in mind before you get it all cast in concrete, what  
17 those particular deferrals seem to mean in the overall context.

18           COMMISSIONER GILINSKY: One thing I would like to know  
19 is, to what extent do these changes involve or affect any  
20 specific commitments we have made, as opposed to simply changes  
21 in programs and outlines? Do you have any feeling for that. Are  
22 there such items involved here?

23           MR. DENTON: I guess the action plan comes the closest  
24 in terms of commitment, Commissio. commitment, or publicly stated  
25 commitment.



1 CHAIRMAN HENDRIE: I don't think there is anything with  
2 specific dates that are now changing.

3 John?

4 COMMISSIONER AHEARNE: My comments, I guess first I  
5 think what we are seeing is basically a budget review, which had  
6 we all been smarter we would have been doing this last fall,  
7 because it is essentially, given an envelope of resources where  
8 do you put your efforts. And I think had we seen this problem  
9 last fall, we would have been going through just this process.  
10 So, I don't have any basic problem with that.

11 I think we are probably, as we swung the pendulum one  
12 way, we are now swinging it a little bit the other way. The  
13 dates probably aren't going to be as big an impact, and the  
14 dollars aren't as much of an impact, but still the reallocation  
15 probably has to be done.

16 My concerns, which I leave really to the Chairman, to  
17 the EDO and to the director of NRR, are this question of the  
18 management control over the shift of resources. A rapid shift  
19 of resources requires an even greater level of management control  
20 than a more slow growth.

21 As far as I am concerned, the only exception I would  
22 take to the proposals that you have in here is, I would not go  
23 for the deferral of the SEP. I think that that has too many --  
24 that it is plugged into too many places and canceling it just  
25 leads, I think, to a host of problems.

1           Then finally, I would urge my colleagues, this  
2 reiterates the need for having a good policy, plan and  
3 programming document that we can put in place.

4           CHAIRMAN HENDRIE: He manages to hang that thing on  
5 everything we do. John, I admire your ability to push.

6           MR. DIRCKS: What I was trying to do when we got into  
7 this was put a bound around the whole problem. We were offering  
8 up some of these projects as not locked in concrete. I don't  
9 know whether you want to come down to the Commission to review  
10 project by project deferrals or speed-up or what.

11           CHAIRMAN HENDRIE: No. Peter, as you get to the point  
12 where you are taking this step of pushing things off in NRR,  
13 particularly the safety related work, why, he would like a chance  
14 to hear what it is and so on. I don't read that as we are going  
15 to have a series of informal Commission meetings and pontificate  
16 over this one or that one, but more of a keeping informed  
17 proposition. That is the way I read it, and since Peter isn't  
18 here, why, my reading at least for the moment, I think, has  
19 precedent.

20           A couple of comments.

21           One of the things which we, as Vic has commented to  
22 me, one of the assumptions that we always make and I always used  
23 to make when I was doing these exercises was that along comes a  
24 new job and you start out with the assumption that all of the  
25 people you have got in your shop, whether it is 600 or 3,000, are

1 working at precisely 100 percent efficiency. They are fully  
2 effective, they have no spare time, they are fully utilized,  
3 every person.

4 Therefore, each additional manhour of new work which is  
5 introduced into the shop must have a corresponding impact on that  
6 other work which was going on.

7 Now, we make that assumption, and as I say, I used to  
8 make it, and I don't propose that you do any different. But we  
9 will all recognize that even in bodies so efficient as the  
10 Commissioners themselves, we are probably at less than 100 percent  
11 utilization, and that inevitably a certain amount of the impact  
12 of reallocations of the kind we contemplate here at least have the  
13 possibility of being taken up in improved efficiency of the staff,  
14 provided we manage to carry the job forward in a way which, down  
15 through the organization, at the sub chiefs and then the working  
16 level, it doesn't create the impression that this is Siberia and  
17 it is, you know, a work prison, but rather the sense that it is  
18 an important job in the public interest and it is a new  
19 challenge, and let us see what we can do to get in there and meet  
20 the challenge.

21 Okay, the second item I would like to comment on. I am  
22 not going to give you a chance to rebut to these, by the way.

23 The second item. With regard to the freeze, my view  
24 is that the freeze for this agency is now off, and that we go to  
25 the OMB agreed numbers. The fact that I don't have in my hands

1 the letter, I see no reason to impede going forward and calling  
2 the people with the offers out and moving ahead.

3 And if the letter hasn't turned up by the end of the  
4 week, why, please call our friends at the great OMB and tell them  
5 that is what we are doing, and if they don't like that, why, they  
6 can say so.

7 The third things is, how quick, out of all of this  
8 array, how quick can we get up an interim hydrogen rule?  
9 Rather than answering, why don't you make a note, and when you  
10 go back, why, ask the interim hydrogen rule people.

11 MR. CASE: The existing one final?

12 CHAIRMAN HENDRIE: This would be the proposed final  
13 rule, the proposed final interim hydrogen control rule. We have  
14 got at least one case in which the publication of that would have  
15 an inspiring effect.

16 MR. SMITH: I believe it is due to the EDO before the  
17 end of March.

18 CHAIRMAN HENDRIE: No, no. This is the proposed  
19 final rule.

20 MR. DIRCKS: Before the end of March.

21 COMMISSIONER GILINSKY: It will be the final?

22 CHAIRMAN HENDRIE: When we publish it, it is final.  
23 When they get it up, it is the proposed final. It can't be  
24 final until it is published.

25 COMMISSIONER AHEARNE: Unless you are willing to

1 change your previous vote on delegation of authority.

2 CHAIRMAN HENDRIE: Okay. I have kept you overlong. I

3 thank you all.

4 (Whereupon, at 12:30 p. m., the meeting was

5 concluded.)

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NUCLEAR REGULATORY COMMISSION

This is to certify that the attached proceedings before the  
Nuclear Regulatory Commission

in the matter of: Discussion of Revised Licensing Procedures

Date of Proceeding: March 11, 1981

Docket Number: \_\_\_\_\_

Place of Proceeding: Room 1130, 1717 H St., N.W., Washington, D.C.

were held as herein appears, and that this is the original transcript thereof for the file of the Commission.

Marilynn M. Nations

Official Reporter (Typed)

*Marilynn M. Nations*  
Official Reporter (Signature)