September 29, 1989

MEMORANDUM FOR: James M. Taylor
Acting Executive Director for Operations

FROM: Edward L. Jordan, Chairman
Committee to Review Generic Requirements

SUBJECT: MINUTES OF CRGR MEETING NUMBER 169

The Committee to Review Generic Requirements (CRGR) met on Wednesday, September 13, 1989 from 1:00-5:30 p.m. The following items were addressed at the meeting:

1. The Committee reviewed the proposed Revised Final Policy Statement on Maintenance Programs in Nuclear Power Plants. The Committee recommended in favor of issuing the proposed policy statement, subject to a number of modifications (to be coordinated with the CRGR staff). This matter is discussed in Enclosure 1.

2. The Committee considered the proposed Final Rule on Access Authorization, but did not complete their review. The Committee identified a number of areas to be addressed further by the staff when the review of this item is resumed at a future meeting. These matters are discussed in Enclosure 2.

In accordance with the EDO's July 18, 1983 directive concerning "Feedback and Closure of CRGR Reviews," a written response is required from the cognizant office to report agreement or disagreement with the CRGR recommendations in these minutes. The response, which is required within five working days after receipt of these minutes, is to be forwarded to the CRGR Chairman and if there is disagreement with CRGR recommendations, to the EDO for decisionmaking.

Questions concerning these meeting minutes should be referred to Jim Conran (492-9855).

Original Signed By:
C. J. Heltemes, Jr. for
Edward L. Jordan, Chairman
Committee to Review Generic
Requirements

Enclosures:
As stated

cc w/enclosures:
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B. Morris (w/enc.)
T. King (w/enc.)
S. Bahadur (w/enc.)
E. Jordan (w/enc.)
J. Heltemes (w/enc.)
J. Conran (w/enc.)
D. Allison (w/enc.)

OFC	CRGR:AEOD	AEOD:DD	C/CRGR:AEOD				
NAME	JConran:cg	CJHeltemes	ELJordan				
DATE	9/20/89	9/27/89	9/27/89				

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5/18/94 → index date

Enclosure 1 to the Minutes of CRGR Meeting No. 169
Proposed Policy Statement on Maintenance

September 13, 1989

TOPIC

B. Morris (RES) and T. King (RES) presented for CRGR review the proposed Final Policy Statement on Maintenance. The Committee reviewed and endorsed a proposed rule on maintenance at Meeting No. 161; but, in a Staff Requirements Memorandum dated June 26, 1989, the Commission directed that (a) the staff prepare a revised Final Policy Statement stating the Commission's expectations for improving maintenance while the need for additional regulatory action is evaluated over the next 18 months, and (b) the staff hold the proposed rule in abeyance while monitoring/assessing industry progress during that period. Briefing slides used by the staff to guide their presentation and discussion with the Committee at this meeting are enclosed (Attachment 1).

BACKGROUND

1. The documents submitted initially to CRGR for review in this matter were transmitted by memorandum dated August 13, 1989, E. S. Beckjord to E. L. Jordan; that initial review package included the following documents:

   a. Draft Commission Paper (undated), "Revised Policy Statement on the Maintenance of Nuclear Power Plants;"

   b. Proposed Revised Final Policy Statement (undated)

2. On September 11, 1989, the Committee received a later version of the proposed Revised Final Policy Statement dated September 8, 1989 which (a) reflected ACRS comments on the earlier version (Item B.1.b above); (b) incorporated additional interoffice review comments by AEOD, OGC and RES; and (c) interoffice concurrences by NRR, AEOD, and OGC. (See Attachment 1 to this Enclosure.)

CONCLUSIONS/RECOMMENDATIONS

As a result of their review of this matter, including the discussions with the staff at this meeting, the Committee recommended in favor of issuance of the proposed Revised Final Policy Statement, subject to a number of modifications discussed with the staff at this meeting, as follows:

1. In the draft Commission paper, at page 2 under Coordination, delete wording that indicates the proposed Commission paper and Revised Final Policy Statement were "approved" by CRGR.

2. At page 2 of the proposed FRN, change the revised (handwritten) insert to read as follows:

   "...including the industry's progress in improving maintenance."

3. At page 2 of the proposed FRN, in the penultimate sentence of the first paragraph, move the word "...recordkeeping..." to the very end of the sentence. Also, add to that paragraph wording that explains briefly why the Commission believes additional emphasis is needed on preventive and predictive maintenance.

4. At page 3 of the proposed FRN, end the first sentence of the first paragraph after the words "...industry as a whole."

5. At page 3 of the proposed FRN, change the first and second sentences of the second paragraph to read as follows:

> "It is the Commission's view that a contributing factor...is the lack of a performance-oriented standard for maintenance. Accordingly, the Commission believes that the development and use of a comprehensive performance-oriented standard...is essential in assuring that an effective maintenance program is developed, implemented and maintained by each licensee over the life of the plant."

6. At page 5 of the proposed FRN, insert the following paragraph after the conclusion of the paragraph that begins at the bottom of page 4:

> "In addition, the Commission will continue to enforce existing requirements related to maintenance. The Commission considers that a violation of license conditions or regulations may be a significant regulatory concern when the violation should have been prevented if an adequate maintenance program had been implemented. Accordingly, in evaluating the safety significance of such violations and the corresponding Severity Level under the Commission's Enforcement Policy (10 CFR Part 2, Appendix C (1989)), consideration will be given to whether the violation should have been prevented by an adequate maintenance program. Further, plant-specific Orders or letters requesting information pursuant to 10 CFR 50.54(f) may be issued where poor or declining maintenance performance raises safety issues. Additional Commission actions and expectations are discussed below."

7. At page 5 of the proposed FRN, in the penultimate sentence of the first full paragraph, change the word "expanded" to "improved." Make a conforming change to the wording of item 4 on page 2 of the draft Commission paper.

8. At page 6 of the proposed FRN, change the second sentence of the first paragraph to read as follows:

> "Specifically, the Commission expects the scope of the maintenance program to include all SSC's (including balance-of-plant) encompassed by the plant's current licensing basis as established by existing regulations and described in the plant's FSAR, as required by 10 CFR 50.34(b), whose failure could significantly affect the safety and security of the facility. The Commission defines maintenance as...."

9. At page 6 of the proposed FRN, renumber the "Maintenance Recordkeeping" element (at the bottom of the page) as No. (17), and move to the end of the list of maintenance program elements. Renumber remaining elements appropriately.

10. At page 7 of the proposed FRN, delete the last paragraph on the page.

PRESENTATION TO CRGR

ON

REVISED POLICY STATEMENT

ON

MAINTENANCE

RES

SEPTEMBER 13, 1989

Attachment 1 to Enclosure 1

STATUS

- o PACKAGE TO CONCURRENCE - AUGUST 18, 1989
- o BRIEFED ACRS FULL COMMITTEE - SEPTEMBER 7, 1989
  - NO LETTER UNTIL OCTOBER
- o AUGUST 18, 1989 PACKAGE MARKED UP TO REFLECT:
  - OFFICE COMMENTS
  - ACRS VERBAL COMMENTS
- o STATUS OF CONCURRENCE:
  - NRR HAS CONCURRED
  - AEOD HAS CONCURRED
  - OGC CONCURS WITH COMMENT
- o DUE TO COMMISSION 9/29/89
- o PLAN TO PUBLISH IN FR IN OCTOBER 1989

SRM Guidance for Revising Policy Statement on Maintenance

- Rulemaking is to be held in abeyance for 18 months from the date of the revised policy statement while industry progress in maintenance is monitored.
- Emphasize need for continued improvement in maintenance.
- Encourage expanded use of NPRDS.
- Encourage industry assistance in developing and voluntary adoption of a standard for maintenance.
- Encourage further development and use of MPIs.
- Indicate intention to issue plant specific orders, where there is poor or declining performance.
- Identify principal elements of an acceptable maintenance program.

Purpose of Revised Policy Statement

- To state those actions the Commission intends to take in maintenance over the next 18 months

- To state those actions the Commission expects licensees to take.

CONTENT OF REVISED POLICY STATEMENT

- o STATES THAT BASED ON INDUSTRY'S PROGRESS, COMMISSION TO HOLD RULE IN ABEYANCE FOR 18 MONTHS.

- o INDICATES THAT BASED ON INSPECTIONS, ADDITIONAL IMPROVEMENT NEEDED. FOR EXAMPLE:

  - ENGINEERING SUPPORT
  - RECORD KEEPING
  - TRENDING
  - ROOT CAUSE ANALYSIS
  - USE OF PREVENTIVE AND PREDICTIVE MAINTENANCE

- o STATES LICENSEES RESPONSIBLE FOR IMPROVEMENT. NUMARC AND INPO CAN PROVIDE INDUSTRY-WIDE LEADERSHIP.

- o STATES COMMISSION WILL TAKE APPROPRIATE ENFORCEMENT ACTION WHERE THERE IS POOR OR DECLINING MAINTENANCE PERFORMANCE:

  - EMPHASIZE ENFORCEMENT OF EXISTING REQUIREMENTS
  - PLANT SPECIFIC ORDERS
  - CORRECTIVE ACTION PLANS

CONTENT OF REVISED POLICY STATEMENT (CONT'D)

- SOLICITS INDUSTRY AND PUBLIC ASSISTANCE IN DEVELOPING A STANDARD FOR MAINTENANCE:
  - DRAFT R.G. AND SUPPORTING REGULATORY ANALYSIS ISSUED FOR COMMENT 8/17/89.
  - INDUSTRY COULD PROPOSE AN ALTERNATIVE (BY MARCH 1, 1990)
  - WANT STANDARD AVAILABLE IN ~ ONE YEAR TO ALLOW ADOPTION, USE AND FEEDBACK.
  - ENCOURAGE VOLUNTARY INDUSTRY ADOPTION OF STANDARD.
- ENCOURAGES EXPANDED USE OF NPRDS, INCLUDING TIMELY AND COMPLETE REPORTING.
- STATES COMMISSION'S INTENT TO DEVELOP AND USE MAINTENANCE EFFECTIVENESS INDICATORS AND ENCOURAGES LICENSEE AND INDUSTRY DEVELOPMENT AND USE OF MAINTENANCE EFFECTIVENESS INDICATORS, INCLUDING PARTICIPATION IN DEMONSTRATION PROJECT.

CONTENT OF REVISED POLICY STATEMENT (CONT'D)

- RESTATES ELEMENTS OF AN ACCEPTABLE MAINTENANCE PROGRAM FROM PROPOSED FINAL RULE WITH THE ADDITION OF ELEMENTS ON:
  - RELIABILITY CENTERED MAINTENANCE
  - ROOT CAUSE ANALYSIS
- STATES THAT SCOPE OF MAINTENANCE PROGRAM SHOULD INCLUDE ALL SSCS WHOSE FAILURE COULD IMPACT PUBLIC HEALTH OR SAFETY.
- STATES COMMISSION'S INTENT TO MONITOR PERFORMANCE AND IMPROVEMENT OVER NEXT 18 MONTHS AND DETERMINE NEED FOR ADDITIONAL REGULATORY ACTION.
- REVISED POLICY STATEMENT LISTS THE FOLLOWING AS ITEMS TO BE MONITORED:
  - INSPECTION RESULTS
  - LICENSEE AND INDUSTRY SUPPLIED INFORMATION
  - LICENSEE COMMITMENTS, INCLUDING COMMITMENT TO AND USE OF A COMPREHENSIVE STANDARD
  - MAINTENANCE INDICATOR INFORMATION.

Enclosure 2 to the Minutes of CRGR Meeting No. 169
Proposed Rule on Access Authorization

September 13, 1989

TOPIC

B. Morris (RES) and S. Bahadur (RES) presented for CRGR review the proposed Final Rule on Access Authorization. (The subject of Access Authorization was considered previously by the Committee at Meeting Nos. 16, 40, 82, and 102.) Briefing slides used by the staff to guide their presentation and discussion with the Committee at this meeting are enclosed (Attachment 1).

BACKGROUND

1. The documents submitted initially to CRGR for review in this matter were transmitted by memorandum dated August 31, 1989, E. S. Beckjord to E. L. Jordan; that initial review package included the following documents:

   a. Draft Commission paper, dated August 30, 1989, "Access Authorization Program for Nuclear Power Plants" (ADVANCE COPY), and attachments as follows:

      Enclosure 1 - Staff Requirements Memorandum, dated April 19, 1989, S. J. Chilk to V. Stello, Jr.

      Enclosure 2 - Proposed Federal Notice, dated August 30, 1989

      Enclosure 3 - Draft Regulatory Guide 5.XX, dated August 25, 1989

      Enclosure 4 - Draft Regulatory Analysis, dated August 1989, (includes Backfit Analysis - Appendix E)

      Enclosure 5 - Draft Congressional Letter (undated)

      Enclosure 6 - Draft Public Announcement (undated)

2. Just prior to Meeting No. 168, the Committee received a retransmittal of the package of documents listed in 1 above - (see memorandum dated September 11, 1989, E. S. Beckjord to E. L. Jordan). This later review package contained a revised version of the proposed Federal Register Notice for this proposed action that reflected additional interoffice review comments by NRR, OGC, and ADM.

   (The transmittal memorandum and revised Federal Register Notice pages included under this item are enclosed as Attachment 2 to this Enclosure.)

CONCLUSIONS/RECOMMENDATIONS

The Committee did not complete their review of this agenda item at Meeting No. 169; the review will continue at a future meeting. Principal areas of discussion at this meeting that need to be addressed further by the staff at the next meeting on this item are identified below:

1. In view of statements in the package that the proposed rule (and implementing Reg. Guide) result in minor impacts on licensees because they essentially only codify and standardize current licensee practices, the Committee questioned the need for a new rule at this time, at least for existing plants. They also questioned the justification provided for the incremental requirements (i.e., Reg. Guide exceptions) recommended by the staff in this package. (See further discussion of one specific incremental requirement in item 4 below.) The Committee requested specifically that the staff be prepared to discuss at the next meeting on this item the option of issuing a rule that would adopt without any exceptions the existing NUMARC guidelines.

2. The Committee noted the contrast between the staff's approach to improvement of licensees' maintenance programs (as evidenced in the proposed Maintenance Policy Statement also reviewed at this meeting, and in the recent proposed Maintenance Rule) and the main "theme" of this proposed Access Authorization Rule. In the case of maintenance programs, the staff has emphasized achieving effectiveness, not consistency, in the licensees' programs. In this access authorization package, the main emphasis seems to be on achieving consistency (standardization) in the licensses' programs.

3. The Committee noted that, while the greatest risk of plant damage and release of radioactive materials due to sabotage would seem to be associated with access of large numbers of temporary workers to "devitalized" areas of the plant during cold shutdown, existing access authorization programs seem to afford the least controls/protection in that aspect. The proposed rule does not seem to address this perceived weakness; in fact, some questioned whether the proposed package represents a relaxation over the status quo in that regard.

4. The Committee questioned the (incremental) requirement in this package that the written psychological tests employed by licensees in screening candidates for unescorted access be certified "valid" as well as "reliable." The information in the package on this point seems to indicate that no currently available tests have been validated for application in testing nuclear power plant workers specifically; and this seemed to indicate that the proposed new rule contains a requirement that arguably could not be met by licensees. The Committee also noted in this context that (a) NRC consultant's expert opinion as presented in the review package seems to indicate that currently available written psychological test methods are expected to produce high false positive indications, and (b) NRC employees requiring unescorted access are routinely certified as adequately stable by their supervisors without the need for written test results based on close observation of behavior over a period of time.

In view of the above points, the Committee suggested that the question of need for written psychological testing in licensees' access authorization programs be revisited by the staff in connection with this proposed action.

5. With regard to the continual behavioral observation program element, the Committee suggested that for the sake of clarity and consistency, the word "continual" should be changed to "continued."

BRIEFING FOR

THE COMMITTEE TO REVIEW GENERIC REQUIREMENTS (CRGR)

ON THE PROPOSED FINAL RULE

ACCESS AUTHORIZATION PROGRAM FOR NUCLEAR POWER PLANTS

BY

DIVISION OF REGULATORY APPLICATIONS

OFFICE OF NUCLEAR REGULATORY REASEARCH

BILL MORRIS X 23750
SHER BAHADUR X 23775
SANDRA FRATTALI X 23773

OWFN 2 F 17
SEPTEMBER 13, 1989

Attachment 1 to Enclosure 2

BACKGROUND

- MARCH 1984 — PUBLISHED PROPOSED RULE
- MARCH 1988 — PUBLISHED PROPOSED POLICY STATEMENT
- MARCH 1989 — PRESENTED OPTIONS TO THE COMMISSION
- APRIL 1989 — RECEIVED COMMISSION DIRECTION TO:

  (I) DEVELOP THE FINAL RULE
  (II) DEVELOP THE REG GUIDE ENDORSING INDUSTRY-GUIDELINES WITH APPROPRIATE EXCEPTIONS

PERFORMANCE OBJECTIVE

THE UNESCORTED ACCESS AUTHORIZATION PROGRAM IS TO PROVIDE HIGH ASSURANCE THAT INDIVIDUALS GRANTED UNESCORTED ACCESS TO PROTECTED AND VITAL AREAS ARE:

- TRUSTWORTHY AND RELIABLE
- NOT AN UNREASONABLE RISK TO THE PUBLIC HEALTH AND SAFETY (INCLUDING THE RADIOLOGICAL SABOTAGE)

ELEMENTS OF THE RULE

- MAJOR ATTRIBUTES
- OTHER UNESCORTED ACCESS AUTHORIZATIONS
  - -- TEMPORARY
  - -- EXISTING
  - -- REINSTATED
  - -- TRANSFERRED
- COLD SHUTDOWN SCREENING
- REVIEW PROCESS
- PROTECTION OF INFORMATION
- RECORDS
- AUDITS

MAJOR ATTRIBUTES

- BACKGROUND INVESTIGATION

  TRUE IDENTITY; EMPLOYMENT (5YRS), EDUCATION (5YRS), CREDIT (CURRENT), MILITARY (TOTAL) AND CRIMINAL HISTORY; CHARACTER AND REPUTATION (4 REFERENCES).

- PSYCHOLOGICAL ASSESSMENT

  PERSONALITY TEST, AND IF NEEDED, A CLINICAL INTERVIEW.

- CONTINUAL BEHAVIORAL OBSERVATION

  CHANGES IN BEHAVIOR PATTERN OBSERVED THROUGH SUPERVISION AND MANAGEMENT.

TEMPORARY UNESCORTED ACCESS AUTHORIZATION

- BACKGROUND INVESTIGATION

  FINGERPRINTING; EMPLOYMENT (1YR) AND CREDIT (CURRENT) HISTORY; CHARACTER AND REPUTATION (1 REFERENCE).

- PSYCHOLOGICAL ASSESSMENT

  ADMINISTER IF NOT ALREADY COMPLETED WITHIN A YEAR

- CONTINUAL BEHAVIORAL OBSERVATION PROGRAM

  SAME AS IN THE RULE

EXISTING UNESCORTED ACCESS AUTHORIZATION

GRANDFATHER PROVISIONS FOR ALL INDIVIDUALS WHO ARE ALREADY AUTHORIZED ON OR WITHIN 365 DAYS PRIOR TO THE DATE OF IMPLEMENTATION.

REINSTATED UNESCORTED ACCESS AUTHORIZATION

REINSTATEMENT FOR ALL INDIVIDUALS WITH AN AUTHORIZATION INTERRUPTED FOR A CONTINUOUS PERIOD OF NOT MORE THAN 365 DAYS

TRANSFERRED UNESCORTED ACCESS AUTHORIZATION

- MAY ACCEPT ALL INDIVIDUALS TRANSFERRED FROM CONTRACTOR, VENDOR, OR ANOTHER LICENSEE PROVIDED:
  - -- INTERRUPTED TIME NOT MORE THAN 365 DAYS.
  - -- VERIFY INTERRUPTED TIME, TRUE IDENTITY, AND WRITTEN CONFIRMATION OF AUTHORIZATION.
- MUST GRANT AUTHORIZATION TO ALL INDIVIDUALS CERTIFIED BY NRC.

UNESCORTED ACCESS DURING COLD SHUTDOWN

ACCESS GRANTED ONLY TO AREAS NOT CONSIDERED VITAL AREAS.

- DOES NOT REQUIRE BACKGROUND INVESTIGATION (EXCEPT FINGERPRINTING) AND PSYCHOLOGICAL ASSESSMENT.
- COMPENSATORY MEASURES
  - -- VISUAL INSPECTION OF PROTECTED AND VITAL AREAS
  - -- APPROPRIATE PROCEDURES FOR START-UP AND SAFE OPERATION
  - -- NO ACCESS TO AN OPERATING UNIT IN A MULTI-UNIT SITE DURING COLD SHUTDOWN

REVIEW PROCEDURES

REVIEW PROCEDURES ARE PROVIDED FOR EXISTING EMPLOYEES OF LICENSEE, CONTRACTOR, OR VENDOR WHOSE ACCESS IS DENIED OR REVOKED.

AUDITS

- LICENSEE MUST CONDUCT AUDIT OF ITS PROGRAM:
  - EVERY 2-YR IF LICENSEE CONDUCTS THE ENTIRE PROGRAM.
  - EVERY 1-YR IF LICENSEE CONTRACTS OUT ANY PART OF THE PROGRAM.

- LICENSEE MUST AUDIT CONTRACT OR VENDOR PROGRAMS ONCE EVERY YEAR.

EXCEPTIONS TO THE INDUSTRY GUIDELINE

- MILITARY HISTORY TOTAL, NOT JUST FOR 5 YEARS.
- RELIABLE AND VALID PSYCHOLOGICAL TESTS, NOT JUST RELIABLE.
- REVIEW PROCESS EXTENDED TO ALL EMPLOYEES, NOT JUST FOR PERMANENT EMPLOYEES OF THE LICENSEE.
- AUDIT EVERY YEAR IF A LICENSEE CONTRACTS OUT EVEN A PORTION OF ITS PROGRAM.

ROUTING AND TRANSMITTAL SLIP

Date: 5-9-94

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
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REMARKS

This previous Central File material can now be made publicly available.

MATERIAL RELATED TO CA6R
MEETING NO. 169

CC (LIST ONLY) JEAN RATAJE,
PDR L STREET

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MATERIAL RELATED TO CRGR MEETING NO. 169
TO BE MADE PUBLICLY AVAILABLE

1. MEMO FOR J. TAYLOR FROM E. JORDAN DATED 9-29-89
SUBJECT: MINUTES OF CRGR MEETING NUMBER 169
INCLUDING THE FOLLOWING ENCLOSURES WHICH WERE NOT PREVIOUSLY RELEASED:

a. ENCLOSURE 1
A SUMMARY OF DISCUSSIONS OF A PROPOSED Policy Statement on Maintenance

b. ENCLOSURE _____
A SUMMARY OF DISCUSSIONS OF A PROPOSED Rule on Access Authorization

c. ENCLOSURE _____
A SUMMARY OF DISCUSSIONS OF A PROPOSED

2. MEMO FOR E. JORDAN FROM E. Beckjord DATED 8-18-89
FORWARDING REVIEW MATERIALS ON A ~~PROPOSED~~ Revised Policy Statement on the Maintenance of NPPs

3. MEMO FOR E JORDAN FROM E. Beckjord DATED 9-11-89
FORWARDING REVIEW MATERIALS ON A PROPOSED Access Authorization Program for NPPs

4. MEMO FOR E JORDAN FROM _____ DATED _____
FORWARDING REVIEW MATERIALS ON A PROPOSED