



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

October 14, 1999

MEMORANDUM TO: John A. Zwolinski, Director
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

FROM: Suzanne C. Black, Deputy Director *Suzanne C. Black*
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF MEETING HELD ON SEPTEMBER 29, 1999 BETWEEN
NRC STAFF AND INDUSTRY LICENSING ACTION TASK FORCE

Members of the staff of the U.S. Nuclear Regulatory Commission (NRC) hosted a meeting with representatives of the Nuclear Energy Institute (NEI) and licensees comprising the Licensing Action Task Force (LATF) on September 29, 1999, at NRC Headquarters in Rockville, Maryland. This meeting was open to the public. A list of attendees is provided as enclosure 1. An agenda of the meeting provided by the LATF is included as enclosure 2. Enclosure 3 lists action items identified at the meeting as well as agreed upon due dates. A licensing workshop schedule is included as enclosure 4.

1. General Remarks

Industry representatives stated that they had few new issues to present and that their focus for this meeting would be to review the status of current issues and to establish a schedule for each issue. The LATF encouraged a meeting frequency of every 6 to 8 weeks but stressed that additional interaction between issue team members would be crucial to the timely resolution of the issues. The LATF meetings should be focused on reviewing the status and direction of issue resolution as well as presenting new ideas and issues.

The NRC staff reported that they had exceeded their fiscal year 1999 (FY99) licensing action efforts goals. [The following is provided for informational purposes and was not specifically discussed at the meeting. The performance measure goals in FY99 for licensing action inventory size, licensing action completions, licensing action age and other licensing task completions were met at the end of FY99. The goal for licensing action inventory size was 1000 actions; the actual size was 857. The goal for licensing action completions was 1670 actions; actual completions were 1727. The goal for licensing action age was 80% ≤ 1 year old, 95% ≤ 2 years old, and 100% ≤ 3 years old; the actual age was 86.2% ≤ 1 year old, and 100% ≤ 2 years old. The goal for other licensing action completions was 800 tasks; actual completions were 939.]

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A variety of subjects were discussed during the meeting. A summary of discussions is provided below:

2. COMMUNICATIONS AND POLICY ISSUES (see enclosure 2):

A. PRIORITIES

LATF primary priorities in this area are Task Interface Agreements (TIAs) and the use of draft documents. These issues were discussed at length at the previous LATF meeting held July 27, 1999. Secondary priorities are the generic communications process and backfit issues. A meeting was requested to discuss the issue of generic communications with prospective attendees between industry representatives of the Communication and Policy Team and appropriate NRC staff. It was noted that efforts in this area were already underway as documented in the Chairman Tasking Memorandum and information on the status of those efforts was requested. No date has yet been established.

B. NEW ISSUES (identified since the previous LATF meeting)

1) BACKFITS. The LATF explained that the industry does not fully understand the process and guidance the NRC uses with respect to backfit evaluations. The LATF offered an analogy that the use of the backfit evaluation process should be as evident at the NRC as the 10 CFR 50.59 evaluation process is at the plants. Currently, it is not conspicuously evident. Clarification was requested on this issue. The LATF stated that the organization previously known as AEOD was planning to issue a report of plant specific backfits. The LATF expressed interest in discussing such a report.

2) THE ROLE OF THE PM. The LATF acknowledged that the industry in general has seen recent improvements with the performance of PMs and acknowledged the benefit of the DLPM "reinvention" effort but they want to revisit the issue to ensure that all improvements are realized. Comments will continue to be incorporated into the DLPM reinvention/implementation plan.

A. OLD ISSUES

1) OL-803, License Amendment Review Procedures

LATF requested a response to their letter dated August 23, 1999, which forwarded comments on OL-803, Rev. 2. A due date of October 29, 1999 was established for this response. Currently, NRC staff members intend to issue a draft of OL-803, Revision 3 by November 30, 1999, and a final version by December 31, 1999.

LATF led a discussion about industry comments on OL-803 (see enclosure 2). The overall feedback on quality of OL-803 is positive with industry citing that the guidance is generally used by PMs and there have been improved communications between NRC and licensees. There was mixed feedback on the implementation of OL-803 with the industry encouraging increased NRC management involvement to internalize OL-803

into the entire amendment review process.

Industry representatives stated that OL-803 lacks guidance regarding requirements for inclusion of risk information and that the industry, in general, does not know when they will be asked for risk information to support the amendment process. The NRC staff stated that the Probabilistic Safety Assessment branch will be consulted and appropriate guidance will be included, if available, in revision 3 of OL-803.

2) OL-1201, Task Interface Agreements (TIAs)

LATF staff stated that they will provide feedback to the recently issued Revision 2 to OL-1201 by October 29, 1999. NRC staff will provide a response to this feedback by November 30, 1999.

3) Use of precedents

LATF will forward a white paper on the use of precedents to the NRC by October 29, 1999.

The NRC staff committed to investigate possible ways of making its database of safety evaluation precedents available to the public (the database is currently available on the NRC internal network). The staff stated that they will investigate the possibility of providing access to the database through the NRC's external web site. In addition, the Agency-wide Documents Access and Management System (ADAMS) will be placed in service in January, 2000. ADAMS will make it easier to search for and retrieve official agency records, including incoming amendment requests and staff safety evaluations. The NRC staff stated that it may also be possible to place the existing safety evaluations into ADAMS. Any progress in this area will be reported to the LATF Technical Specification Change Process issue team.

4) Other issues.

The LATF stated that official feedback has been given to the NRC on all issues covered in the Communication and Policy area with the exception of the new issues discussed above. LATF provided comments on OL-803 in a letter dated August 23, 1999, and the other issues were addressed at the previous LATF meeting on July 27, 1999.

3. Technical Specification Change Process Issues:

A. NEW ISSUES

No new issues were discussed

B. OLD ISSUES

1) Unintended TS Changes - previously entitled Minor TS Changes (see enclosure 2)

LATF stated that resolution of this issue is a high priority in order to show production

capability of the LATF.

The NRC staff is drafting a special generic FR notice to solicit public comments on the resolution of this issue.

It was agreed that the NRC would provide a schedule for closure of the Unintended TS Action/review of Sequoyah submittal by October 15, 1999.

2) Guidance for TS Bases Changes

LATF stated that they are developing guidance for effecting Technical Specification (TS) Bases Changes. No due date was established.

3) Generic TS Changes

LATF requested that NRC staff determine if any legal issues may hinder/preclude the implementation of the proposed consolidated line item improvement concept. It was agreed that the NRC would make this determination by October 15, 1999.

LATF will provide input to the NRC regarding the level of industry interest in pursuing the consolidated line item improvement concept.

4) Precedent TS Changes

LATF will forward a white paper on the use of precedent TS changes by October 29, 1999.

4. Other Licensing Submittals (other than TSs) Issues:

A. NEW ISSUES

No new issues were discussed

B. OLD ISSUES

1) OL-803-like Guidance

LATF expressed a desire for guidance for Other Licensing Submittals similar to the guidance contained in OL-803. The NRC staff plan to include guidance in Revision 3 to OL-803 or other Office Letters. Industry representatives believe that emergency preparedness (EP) and security plan changes should be handled like quality assurance (QA) plan changes under the recently revised 10 CFR 50.54(a).

2) LATF stated that they will forward a preliminary schedule for the resolution of Other Licensing Submittals issues by October 29, 1999.

3) A schedule of upcoming licensing workshops and grouping of attendees was distributed (see enclosure 4).

5. Requests for Additional Information (RAI) Issues:

A. NEW ISSUES

No new issues were discussed

B. OLD ISSUES (see enclosure 2)

LATF stated that results of monitoring progress to date are that industry experience is positive but mixed. Generally there is evidence of improvement; however, the industry still experiences issues with RAI quality, insufficient communications and inadequate citing of the regulatory bases of certain information requests.

6. Other Issues

A. ULTIMATE HEAT SINK (UHS) ISSUE

Members of the NRC staff and industry discussed the specific issue of Ultimate Heat Sink temperature during severe weather conditions. During the summer (and winter) months, UHS temperatures may not remain within TS limits. If continued operation is desirable, normal procedures would require the licensee to request enforcement discretion and, if appropriate, the NRC would issue a Notice of Enforcement Discretion (NOED). This may be followed by an emergency or exigent amendment request. This process expends a lot of licensee and NRC resources. Additionally, the safety significance of the issue may be low. The NRC staff is interested in pursuing a process that would be more efficient given the safety significance of the issue.

The LATF will consult the Technical Specification Task Force (TSTF) team and will request they forward a recommendation to the NRC. Simultaneously, the NRC staff will look at the amount of margin that exists in current analysis methodologies and provide feedback on options available. The NRC will provide this information by October 29, 1999.

B. Licensing Action Review Fees

LATF will forward available data to NRC on licensing action review fees during the past 2 years. This data will be similar to data forwarded by TVA. No due date was established.

7. Closing Issues

LATF will contact the NRC to schedule the next LATF meeting.

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J. Zwolinski/S. Black NRC Participants

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LICENSING ACTION TASK FORCE MEETING

SEPTEMBER 29, 1999

LIST OF ATTENDEES

<u>NAME</u>	<u>ORGANIZATION</u>
Suzanne Black	NRC/NRR/DLPM
Bill Reckley	NRC/NRR/DLPM
Lenny Olshan	NRC/NRR/DLPM
Bob Dennig	NRC/NRR/DRIP
Tilde Liu	NRC/NRR/DRIP
Larry Burkhart	NRC/NRR/DLPM
Catherine Marco	NRC/OGC
Carole Jamerson	NRC/NRR/DLPM
Bob Martin	NRC/NRR/DLPM
Sheri Peterson	NRC/NRR/DLPM
Nancy Chapman	SERCH/Bechtel
Ron Byrd	Entergy
Jack Donohew	NRC/NRR/DLPM
Joe Birmingham	NRC/NRR/DRIP
Charles Brinkman	ABB CENP
Mike Cheok	NRC/NRR/DSSA
John Osborne	BGE
Kim Green	Scientech
Bryan McIntyre	Westinghouse
Joe Kelly	FTI
Dale Wuokko	BWOG/FENOC
Mike Schoppman	NEI
Pete Kokolakis	NYPA
Alex Marion	NEI
A.K. Krainik	APS
Roger Walker	TXU
Pedro Salas	TVA
James Fiskaro	Duke Energy
George Hubbard	NRC/NRR/DSSA
Jim Tatum	NRC/NRR/DSSA

LATF ISSUES IN PROGRESS

- Office Letter 803
- Unintended Tech Spec Actions
- Consolidated Processing of Tech Spec Line-Item Improvements
- Office Letter 1201
- Task Interface Agreements (TIAs)
- Informal Telecons
- Use of Draft Documents

LATF Issue Teams

Communications & Policy

(Jim Fisicaro, Brian McIntyre, Charlie Brinkman, Alex Marion)

(NRC Contact: Bill Reckley)

1. Use of NRC precedents*
2. Informal telecons*
3. Initial issuance of documents (e.g., SERs) in draft form*
4. Increase communications between licensees and NRC (OL-803)**
5. Industry provide feedback on NRR licensing-process trends; factor into OL-803**
6. Coordinate comments on OL-803 (short term)**
7. NRC paper on the generic communications process (3/30/99)
8. NRC management oversight when reviewers are reassigned**
9. OGC factors associated with licensing reviews**
10. Task Interface Agreements (TIAs)*
11. Backfit issues
12. Role of the Project Manager

Tech Spec Change Process

(Al Passwater, Pedro Salas, Don Woodlan, Dale Wuokko, Harold Chernoff, Alex Marion)

(NRC Contact: Bill Reckley)

1. Simplified process for minor Tech Spec changes (short term)
2. Guidance for Bases changes
3. Generic Tech Spec changes
4. Precedent Tech Spec changes

Licensing Submittals (other than Tech Specs)

(Angie Krainik, Chip Perkins, John Osborne, Mike Schoppman)

(NRC Contact: Len Olshan)

1. Code exemptions/relief requests (streamlining approval)
2. 10 CFR 50.12 exemption approval
3. QA/Security/Emergency Plan changes
4. Licensee consistency of submittals on similar issues
5. Submittal quality factors
6. NRC acceptance of precedent (once a submittal is approved, subsequent reviews of similar submittals from other licensees should be expedited)
7. Topical reports
8. Mandatory reports to be submitted (review value added)

* NEI LATF presented thoughts in 7/27/99 meeting – NRC feedback pending

** NEI provided comments in 8/23/99 letter to NRC – NRC feedback pending

Requests for Additional Information

(Roger Walker, Pete Kokolakis, Jim Kenny, Mike Schoppman)

(NRC Contact: Sheri Peterson)

1. Monitor progress made thus far in RAI area
2. Consistent application of Backfit Rule to RAIs
3. Integrated reviews and RAIs
4. Support Projects in the review & screening of RAIs
5. Explore value of draft safety evaluations in RAI process

OTHER LICENSING SUBMITTALS (OLS) TEAM - STATUS

- Scope
 - ✓ ASME Code exemptions/relief requests
 - ✓ 10 CFR 50.12 exemptions
 - ✓ QA/Security/Emergency Plan changes
 - ✓ Topical Report approval

- Efficiency Process Improvements
 - ✓ Streamline NRC approval
 - ✓ Timely review and approval of ASME Code Cases
 - ✓ Multi-plant plan change review & approval

- Methods for Approval
 - ✓ OL-803 parallel for OLS
 - ✓ Increased use of precedent
 - ✓ QA Rule allowing previously approved change - do same for Emergency Plan and Security Plan
 - ✓ Add "other licensing submittals" to NRC/licensee workshops
 - ✓ Consolidated TSTF implementation (parallel process for these changes)

- Reduction of Licensee Burden
 - ✓ Eliminate unnecessary mandatory reports (e.g., 50.59, MOR, FFD)
 - ✓ Consolidate needed information into fewer reports

REQUESTS FOR ADDITIONAL INFORMATION (RAIs) TEAM - STATUS

- Results of monitoring progress made thus far in RAI area:
 - ✓ Industry experience positive, but mixed:
 - Generally process has improved significantly
 - There have been few disagreements about RAI quality or timeliness
 - A sense that in some cases, the early communication process has become a surrogate for the RAI process
 - The regulatory basis for the RAI is not consistently provided
- Other comments:
 - ✓ Institutionalize a backfit review into the RAI process via changes to OL-803
 - ✓ More attention to the "one bite of the apple" concept (include management involvement to reinforce concept)
 - ✓ Pursue proceduralizing licensee review of draft NRC SERs
 - ✓ Where does an RAI fit into the NRC's work planning process?

FEEDBACK ON IMPLEMENTATION OF OL-803

- Industry comments/feedback requested by NRC
- Overall feedback on quality of OL-803 is positive
 - ✓ Generally used by Project Managers
 - ✓ Improved communications between NRC & licensees
- Mixed feedback on implementation of OL-803
 - ✓ Increase NRC management involvement to internalize OL-803 into the entire review process
- Continuing industry interest in monitoring future revisions
- Encourage incorporation of NEI comments (8/23/99)

Industry feedback on experience with NRR use of Office Letter 803

1. ACCEPTANCE REVIEWS

- ✓ Section 2: Work Planning
- ✓ Sub-section 2.2: Review Application for Completeness and Acceptability

- In general, industry feedback has been positive.
- More PM reviews (i.e., without referral to technical staff).
- Improved communications during initial acceptance review.
- Fewer formal RAI's.
- PMs appear to be using Section 2.2.
- General consensus that acceptance reviews are being done.
 - There have been supplemental submittals based on NRC acceptance review feedback.
 - There have been amendment withdrawals based on NRC acceptance review feedback.

2. USE OF PRECEDENT

- ✓ Section 2: Work Planning
- ✓ Sub-section 2.3: Search for Precedent Licensing Actions
- ✓ Section 4: Safety Evaluation
- ✓ Sub-section 4.2: Use of Precedent Safety Evaluations

- Industry experience has been mixed; some PMs use precedent, some do not.
- To some extent, may be a function of the PM.
- Can be an important factor in reducing NRC review time.
- Some PMs communicate precedent to licensees.
- Some PMs ask licensees to identify precedent during early communications.
- In general, licensees do attempt to cite docketed precedent in submittals.
- Request that NRC precedent database be made available to licensees.

3. WORK PLANNING

- ✓ Section 2: Work Planning
- ✓ Sub-section 2.4: Develop a Work Plan
- ✓ Sub-section 2.4.3: Schedule of Review

- In general, industry experience has been positive.
- Frequent informal feedback and periodic review meetings appear the norm.
- Licensees provide desired approval date and implementation time.
- Some PMs provide firm schedules and detailed milestones, some do not.
- Schedule changes appear driven more by technical reviewers than by PMs.
- NRC staff turnaround time on license amendments is faster.
- Need to improve turnaround time on other licensing actions.

4. USE OF RISK INSIGHTS

- ✓ Section 2: Work Planning
- ✓ Sub-section 2.4: Develop a Work Plan
- ✓ Sub-section 2.4.1: Scope and Depth of Review

- In general, industry experience has been negative.
- In some cases, staff has asked licensee to "risk-inform" a design-basis submittal.
- No regulatory guidance with respect to risk-informing a design-basis submittal.
- Use of Regulatory Guide 1.174 (series) does not appear to be "voluntary."

5. COMMUNICATIONS

- ✓ Section 2: Work Planning
- ✓ Sub-section 2.4: Develop a Work Plan

- Industry experience has been positive overall.
- Most feedback is very positive (early conference calls; better NRC understanding of proposed change; communication process consistent for all proposed changes).
- However, some feedback is negative (staff not available; inconsistencies within NRC staff; communication inconsistencies among technical review branches).

6. RAI's

- ✓ Section 4: Safety Evaluation
- ✓ Section 4.3: Requests for Additional Information

- Industry experience has been mixed.
- In general, the RAI process has improved significantly.
- There have been few disagreements about the quality or timeliness of licensee responses to RAI's.
- The NRC staff rarely provides the regulatory basis for an RAI.
- Where an RAI fits into the work planning process is seldom discussed.
- Continuing perception that NRC staff continues to use the licensing-action review process to attempt to impose new requirements and/or commitments.

NRR OFFICE LETTER 1201
TASK INTERFACE AGREEMENTS

- NEI LATF bullet comments provided last meeting
- Request NRC consider NEI comments in next revision of 1201
- NEI LATF seeks further dialogue on OL-1201
- Will revised "oversight process" be incorporated in OL-1201?
- NRC should advise and engage licensee in TIA resolution

UNINTENDED TECHNICAL SPECIFICATION ACTIONS

- Lead Plant Submittal (Sequoyah) - August 30, 1999
- Ready for Federal Register Notice (FRN)
- Review can occur concurrent with FRN
 - ✓ Current status?
- Opportunity to obtain prompt closure of this LATF item
- Implementation through Corrective Action Program

CONSOLIDATED PROCESSING
OF
TECH SPEC LINE-ITEM IMPROVEMENTS

- Presented consolidated processing to NRC:
 - ✓ July 28, 1999, NRC/NEI LATF meeting

- Received preliminary, favorable NRC feedback:
 - ✓ September 8, 1999, NRC/NEI conference call

- Possible future TS candidates:
 - ✓ Improved Standard Tech Spec changes
 - Unintended TS Actions
 - ✓ Risk-Informed Tech Specs
 - ✓ Owners Group Topical Reports

- Possible pilot for consolidated processing:
 - ✓ Unintended TS Actions
 - ✓ NEI LATF developing TSTF (Tech Spec Task Force) "traveler" for Unintended TS Actions
 - ✓ Work with NRC on developing Regulatory Issue Summary for Unintended TS Actions

PRECEDENT TECH SPEC CHANGES

- Licensees are attempting to cite precedents in submittals
- Use of precedent is an item in the evolving list of the qualities of "good" licensing submittals
- Licensees are largely dependent on industry information services
- Posting of NRC precedent database on webpage would be useful

COMMITMENTS MADE AT THE
9/29/99 LATF MEETING

ACTION ITEM/ISSUE		Responsible Party	Due Date
1	Response to LATF letter dated 8/23/99 re: OL 803, Rev 2	NRC	10/29/99
2	Draft of OL 803, Rev 3	NRC	11/30/99
3	OL 803, Rev 3 final	NRC	12/31/99
4	Ultimate Heatsink (UHS) Issue - LATF will discuss with TSTF group and give them thoughts. LATF will present a recommendation on how to handle.	LATF	TBD
5	UHS Issue - NRC will look at "margin" issue and provide branch technical position	NRC	TBD
6	LATF will forward recommended guidance re: TS Bases changes	LATF	TBD
7	Provide schedule and priority for resolution of Other Licensing Submittals issues	LATF	10/29/99
8	Provide feedback on OL 1201, Rev 2	LATF	10/29/99
9	Provide feedback to LATF input on OL 1201, Rev 2	NRC	11/30/99
10	Provide schedule for resolution of Unintended TS Actions including FR notice, comment period, completion of draft SE, final resolution, etc.	NRC	10/15/99
11	Forward recommendations to NRC addressing how to best utilize Precedent TS Changes	LATF	10/29/99
12	LATF to provide additional information on NRC costs, if available (similar to the TVA info)	LATF	TBD
13	Provide schedule for posting database of licensing action precedents on NRC web site. (NOTE: this should be part of ADAMS in presentation schedule)	NRC	10/15/99

COMMITMENTS MADE AT THE
9/29/99 LATF MEETING

14	Identify performance metrics that may be used to assess improvements in the amendment process (should be part of OL 803, Rev 3)	NRC/LATF	TBD
15	Determine if legal issues preclude implementation of the proposed consolidated line item improvement concept	NRC	10/15/99
16	Provide input to NRC on level of industry interest in consolidated line item improvement concept	LATF	10/30/99

Licensing Workshop Schedule

<u>Utility Group</u>	<u>Month</u>
ENTERGY (ANO, Grand Gulf, Riverbend, Waterford)	12/1-2/98
Utilities Service Alliance (USA) (Cooper, Clinton, Fermi-2, Ft. Calhoun, Palisades WNP-2, Wolf Creek)	9/13-14/99
ComEd (Braidwood, Byron, Dresden, LaSalle, Quad Cities)	10/6-7/99
SNC (Farley, Hatch and Vogtle)	11/3-4/99
Duke (Catawba, McGuire, Oconee)	1/26/00
RUG (IV) (Callaway, Comanche Peak, Diablo Canyon, Palo Verde, San Onofre, South Texas Project)	2/1-2/00
FPL&FPC (Crystal River, St. Lucie, Turkey Point)	2/1-2/00
New England Group (Millstone 2/3, Pilgrim, Seabrook, Vermont Yankee)	2/23-24/00
Nuclear Management Company (NSP/WEPCO/WPS/DA) (Duane Arnold, Kewaunee, Monticello, Prairie Island, Point Beach)	3/00
Mid-Atlantic Group (Calvert Cliffs, Hope Creek, Limerick, Oyster Creek, Peach Bottom, TMI, Salem, Susquehanna)	3/15/00
New York Group (Fitzpatrick, Ginna, Indian Point 2 & 3, Nine Mile 1 & 2)	4/15/00
TVA (Browns Ferry, Sequoyah, Watts Bar)	4/11-12/00
First Energy (Beaver Valley, Davis Besse, Perry)	Spring 00
VA and Summer (North Anna, Surry, and Summer)	5/9-10/00
CPL (Brunswick, Robinson, Shearon Harris)	6/6-7/00