

November 10, 1999

MEMORANDUM TO: Cynthia A. Carpenter, Chief  
Generic Issues, Environmental, Financial  
and Rulemaking Branch  
Division of Regulatory Improvement Programs, NRR

FROM: Joseph L. Birmingham, Project Manager "Original Signed By JBirmingham"  
Generic Issues, Environmental, Financial  
and Rulemaking Branch  
Division of Regulatory Improvement Programs, NRR

On September 9, 1999, representatives of the Nuclear Energy Institute (NEI) met with the staff of the Nuclear Regulatory Commission (NRC) at the NRC's offices in Rockville, Maryland. Topics discussed during the meeting included, usefulness of the Post Accident Sampling System, performance indicators for emergency preparedness, status of Emergency Action Level guidance, cost of emergency preparedness at permanently shutdown facilities, adoption of 10 CFR 50.54 (t) on reviews of emergency preparedness programs, KI rulemaking and the status of draft NUREG-1633. A meeting summary from NRC's Operator Licensing, Human Performance and Plant Support Branch is provided in Attachment 1.

The meeting was part of the NRC's Emergency Preparedness Counterpart Meeting held September 9-10. NRC personnel from both headquarters and the regions were present as were representatives of the industry and NEI. Attachment 2 provides a list of those attending the meeting.

Project No. 689

Attachments: As stated

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**EMERGENCY PREPAREDNESS COUNTERPART MEETING  
OPEN MEETING WITH NEI, SEPTEMBER 9, 1999  
OWFN 014-B6, ROCKVILLE, MARYLAND  
Summary prepared by: Patricia Milligan**

**AGENDA TOPICS DISCUSSED**

**1. Post Accident Sampling System (PASS)**

The NRC and industry representatives discussed the use of PASS in emergency response. Several members of industry felt that PASS was not useful due to inaccuracy in the samples and the time needed to obtain the information and stated that other indicators of core damage assessment (e.g., hydrogen concentration and containment radiation monitor readings) were of greater value. The NRC updated the industry on its review of Topical Reports justifying elimination of PASS.

**2. Performance Indicators (PI)**

NEI thanked Randy Sullivan, NRR, for providing training and for developing the Q & A paper. The industry will continue training its people on PIs. There are classes planned for Philadelphia, Atlanta, Chicago, and Dallas. NEI requested clarification on how PIs coordinate with SDP/inspection process. Randy Sullivan, NRR, explained that there are two kinds of inputs: PIs and Inspection. The SDP is meant to "normalize" inspection findings so that the input is similar to PIs. There will be little to no inspection in PI areas. The inspector will focus on the inspection not on the PI's. There have been three inspections to date. The inspectors are to work towards the objectives and not to inspection-hour estimates. There will be no simulator walk-throughs if you are a green plant. This will be consistent across the NRC regions. Industry implementation will begin April 2000. A lessons learned workshop is tentatively planned for January 2000.

**3. Emergency Action Levels (EALs)**

The NRC discussed the status of its development of a revision to Regulatory Guide 1.101 to endorse the industry-developed EAL guidance (NEI 99-01). The NRC is on schedule to issue this revision for public comment by the end of the year. The NRC terminated its efforts to endorse previously industry-developed EAL guidance contained in NEI 99-07 because this guidance is incorporated in NEI 99-01 and the timing of the NRC reviews is such that the NRC does not consider it to be cost effective to endorse both documents.

The industry raised questions on whether NRC had changed its position on the acceptability of the industry practice of revising EALs without NRC approval under the provisions of 10 CFR 50.54(q). 10 CFR 50.54(q) allows licensees to change their emergency plans as long as the change does not decrease the effectiveness of the plan and the plan as changed meets the requirements of 10 CFR 50.47 and Appendix E to 10 CFR Part 50. The NRC responded that it had not changed its position but it was considering initiating a rule change to Appendix E to 10 CFR Part 50 concerning EAL reviews to remove confusion over the applicability of this requirement. In addition, the

NRC stated that any changes to its position would be formally communicated to licensees. The NRC also reiterated that it believed it beneficial for licensees to submit major EAL changes because it is difficult to determine if the change decreases the effectiveness of the emergency plan (because there may not be a one-to-one correlation between the original and changed EALs).

**4. Permanently shut-down EP costs vs. Operating EP costs**

NRC asked industry for an estimate of the EP budget cost savings when a plant is permanently shutdown vs operating. A. Nelson, NEI, volunteered to gather the data.

**5. 10 CFR 50.54 (t)**

Adoption of this rule is optional. NRC asked industry to develop self-assessment indicators in support of 50.54(t). NEI and the industry representatives agreed to discuss it and determine the best approach.

**6. KI rulemaking and draft NUREG-1633**

NEI forwarded a letter to NRC during the public comment period on the KI rule requesting that the NRC deny this rule. NRC staff stated that work on the draft NUREG in support of rulemaking was proceeding slowly.

**NEI/NRC MEETING ON RISK ASSESSMENT IN  
EMERGENCY PREPAREDNESS AREA, SEPTEMBER 9, 1999  
LIST OF ATTENDEES**

<b><u>NAME</u></b>	<b><u>ORGANIZATION</u></b>
Alan Nelson	NEI
Martin Vonk	Commonwealth Edison
John B. Costello	Dominion Generation
James L. Kreh	NRC/Region II
Chris Christensen	NRC/Region II
R. L. Sullivan	NRC/DIPM
Paul Elkman	NRC/Region IV
James O'Brien	NRC/DIPM
David Silk	NRC/Region I
Donna J. Miller	PSEG
Gail M. Good	NRC/Region IV
James D. Jones	Niagara Mohawk Power
Patricia A. Milligan	NRC/DIPM
Norman Hood	Texas Utilities
Falk Kantor	NRC/DIPM
Thomas Essig	NRC/DIPM
Fred Puleo	South Texas Project
Lawrence Cohen	NRC/DIPM
Gary Shear	NRC/Region III
Joe Birmingham	NRC/RGEB
Ernestine Kuhr	Duke Power Company
James E. Foster	NRC/Region III
Daniel M. Barss	NRC/DIPM
Edwin F. Fox Jr.	NRC/DRPM
Roy Mathew	NRC/DIPM
Rich Conte	NRC/Region I

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