

November 15, 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:  
Generic Issues, Environmental, Financial  
and Rulemaking Branch  
Division of Regulatory Improvement Programs, NRR

On October 14, 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. During the meeting, NEI reported that the industry had formed working groups for risk-informing Part 73 and had identified a list of requirements they consider to have no added value or to be inconsistently applied by the NRC. NEI expressed a need to clarify the description and characteristics of the Design Basis Threat as a significant topic needing to be resolved. NEI also stated that Working Group-A had developed a proposed guide identifying critical elements associated with force-on-force exercises. The NRC staff discussed these topics with NEI and industry representatives, however, the staff noted that it is awaiting the results of Commission voting on SECY-99-24 for further guidance on the scope of the rulemaking to be undertaken.

A summary of the meeting prepared by the Operator Licensing, Human Performance and Plant Support Branch is attached. The summary contains the list of meeting attendees, a draft copy of NEI 99-07, and the NEI slides on, "Integrated Response Self Assessment Program." NEI and the NRC staff agreed to meet again in December 1999 and that a schedule of meetings and topics on this effort should be published in the Federal Register.

Project No. 689

Attachment: As stated

cc w/att: See next page

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OFFICE	IOLB	RGEB	SC:RGEB
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

November 16, 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  
Generic Issues, Environmental, Financial *J L Birmingham*  
and Rulemaking Branch  
Division of Regulatory Improvement Programs, NRR

SUBJECT: SUMMARY OF MEETING BETWEEN THE NUCLEAR REGULATORY  
AGENCY AND THE NUCLEAR ENERGY INSTITUTE ON  
PERFORMANCE ASSESSMENT RULEMAKING

On October 14, 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. During the meeting, NEI reported that the industry had formed working groups for risk-informing Part 73 and had identified a list of requirements they consider to have no added value or to be inconsistently applied by the NRC. NEI expressed a need to clarify the description and characteristics of the Design Basis Threat as a significant topic needing to be resolved. NEI also stated that Working Group-A had developed a proposed guide identifying critical elements associated with force-on-force exercises. The NRC staff discussed these topics with NEI and industry representatives, however, the staff noted that it is awaiting the results of Commission voting on SECY-99-241 for further guidance on the scope of the rulemaking to be undertaken.

A summary of the meeting prepared by the Operator Licensing, Human Performance and Plant Support Branch is attached. The summary contains the list of meeting attendees, a draft copy of NEI 99-07, and the NEI slides on, "Integrated Response Self Assessment Program." NEI and the NRC staff agreed to meet again in December 1999 and that a schedule of meetings and topics on this effort should be published in the Federal Register.

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## SUMMARY OF NRC/NEI MEETING ON PERFORMANCE ASSESSMENT RULEMAKING

### ATTACHMENTS:

1. List of Attendees.
2. DRAFT Copy of NEI 99-07.
3. Copy of NEI Slides "Integrated Response Self Assessment Program"

Meeting Date: October 14th, 1999

Place: One White Flint North, Room:12-B4

This meeting began with an agreement that the NRC could not provide further definitive answers regarding the proposed rulemaking until after the Commission votes on SECY-99-241, submitted on 10/5/99, and provides NRR with the specific scope of the rulemaking effort to be undertaken, relative to the proposed changes to 10 CFR 73.55 or the larger effort to risk inform the reactor security regulations in Part 73 (RIP 73).

NEI stated that, rather than wait for a final vote they have already established working groups to begin the process of RIP 73, including proposed changes to 10 CFR 73.55. Doug Gipson described the NEI Working Groups as follows:

- Group A: Guidelines for Transition Evaluation. (John McGaha, Entergy Operations)
- Group B: Target Analysis. (Bill Josiger, New York Power Authority)
- Group C: Risk Informed Security Regulation. (Jack Brons, NEI - Hagan, NEI)
- Group D: Prioritize Issues/Inconsistencies. (Lance Terry - Texas Electric)

NEI stated that they have compiled a list of licensee identified requirements that they consider of no-value added or that are being inconsistently applied. NEI believes that the 50.54(p) process is not working well because it is being inconsistently applied by different Regions. NEI also stated that a matrix diagram of these inconsistencies would be shared with the NRC at approximately the first of the year. Furthermore, NEI described how licensee commitments vary considerably from plant to plant.

NEI continued to express a need to clarify the description and characteristics of the Design Basis Threat (DBT) as a significant topic that must be resolved. NEI has taken the position that the definition for radiological sabotage should be expressed in terms of the criteria for a Part 100 release. The NRC recognized that the definition of radiological sabotage needs to be clarified, however, the NRC has not yet assigned Part 100 release criteria to that function, but is currently working on a resolution to the problem of definition. Further, NEI stated that their Target Set development approach does not include Industrial Security and will uniquely focus on health and safety of the public. NEI believes that a new Performance Indicator may result from conduct of drills and exercises. NEI stated their primary concerns consist of the following: a) defining radiological sabotage; b) development of the DBT description & characteristics; & c) clarification of the 50.54(p) process.

NEI stated that Working Group-A has developed a proposed guide which identifies five critical elements associated with force-on-force exercises. NEI provided a rough draft copy of the proposed guide (Attachment 2) titled NEI 99-07-DRAFT "Integrated Response Self-Assessment Program". Questions raised for consideration included: The number of scenarios required for each exercise ? The number of scenarios to be used ? Selection of personnel/shifts to be exercised ? Evaluation methods ?

NEI and the NRC agreed to meet again in December 1999 and that a schedule of meetings and topics should be published in the Federal Register.

**NEI/NRC MEETING ON PERFORMANCE ASSESSMENT RULEMAKING  
OCTOBER 14, 1999, LIST OF ATTENDEES**

<b><u>NAME</u></b>	<b><u>ORGANIZATION</u></b>
Ralph Beedle	NEI
Jack Brons	NEI
James Davis	NEI
Robert T. Allen	Commonwealth Edison
Barry M. Saunders	Commonwealth Edison
John McGaha	Entergy Operations
Dave Gipson	Detroit Edison
Lance Terry	TXU Electric
William A. Josiger	New York Power Authority
Curtis G. Lufman	Virginia Power
Lonnie O. Wilkerson	Northern States Power
Thomas E. Mahon	First Energy
Jerry G. Sims	Southern Company
M. Callahan	GSI
Dennis Gordon	NRC/NRR
Jesse Arildsen	NRC/NRR
Gregory C. Smith	NRC ROI
James R. Creed	NRC/Region III
Robert Gallo	NRC/DIPM
Andy Rayland	NRC/NMSS/FCSS
Ron Albert	NRC/NRR
Frank Gillespie	NRC/NRR
Richard Rosano	NRC/NRR
David N. Orrik	NRC/NRR
Craig K. Seaman	APS
Les England	EOI
A. David Huttier	APS
Rich Enkeboll	NEI
Chris Kelley	TVA
Ron Teed	RG & E
Charles E. Gaskin	NRC/NMSS
Sidney Crawford	Consultant
Robert Champion	Security Supervisor
Kathryn Winsberg	NRC/OGC
William Randolph	APS