

July 1, 2008

MEMORANDUM TO: Timothy Kobetz, Chief  
Reactor Inspection Branch  
Division of Inspection and Regional Support  
Office of Nuclear Reactor Regulation

FROM: Steven Garry, Health Physics Team Leader  
Reactor Inspection Branch/*RA*/  
Division of Inspection and Regional Support  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF MAY 15, 2008, CATEGORY 2 PUBLIC MEETING  
WITH THE NUCLEAR ENERGY INSTITUTE (NEI) TO DISCUSS  
ROP OVERSIGHT OF HEALTH PHYSICS PROGRAMS

On May 15, 2008, a public meeting was held between the U.S. Nuclear Regulatory Commission (NRC) and representatives of the Nuclear Energy Institute (NEI) and nuclear power industry at the U.S. Nuclear Regulatory Commission Headquarters, Room O-3B4, 11555 Rockville Pike, Rockville, MD 20852. The purpose of the meeting was to provide NEI and the nuclear power industry representatives an opportunity to provide input to NRC staff regarding the Reactor Oversight Process (ROP) for Health Physics Programs. The meeting generally followed the agenda. Enclosure 1 contains the meeting minutes and Enclosure 2 contains the attendee list.

The following documents were provided for discussion during the meeting:

1. Public Meeting Agenda (ADAMS No. ML080040346)
2. NRC Inspection Manual Chapter 612, Power Reactor Inspection Reports (ADAMS No. ML070720191)
3. NRC Inspection Manual Chapter 612, Appendix B, Issue Screening (ADAMS No. ML071720417)
4. NRC Inspection Manual Chapter 612, Appendix E, Examples of Minor Issues (ML070720202)
5. NEI Examples to Support Discussion of the IMC 0612 Process for Determining Whether An Issue is Minor or More than Minor (ML081510501)

Enclosures:  
As stated

cc: See next page

CONTACT: Steven Garry, NRR/DIRS/IRIB  
301-415-2766

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OFFICE	NRR/IRIB	NRR/DIRS
NAME	SGarry	TKobetz
DATE	07/1/08	07/1/08

**OFFICIAL RECORD COPY**

## Meeting Minutes

A meeting between NRC, NEI, and nuclear power representatives was held on May 15<sup>th</sup>, 2008 to provide a forum for discussion of the Reactor Oversight Process for Health Physics issues. The meeting generally followed the agenda proposed in an April 30, 2008, Public Meeting Notice (Agencywide Documents Access and Management System (ADAMS) Accession No. ML081200115). The following is a brief summary of the meeting:

- I. Administrative
- II. Discussion of Inspection Manual Chapter (IMC) -612, IMC-612 Appendix B, and IMC-612, Appendix E.

NEI expressed their concern that the threshold between minor and green findings for Health Physics issues is unclear, and that improved transparency and scrutibility is needed and can be obtained by making improvements to IMC-612. This could be achieved by revising the Significance Determination Process Manual Chapter 612, Appendix B and Appendix E to provide a better basis for decision making. The NRC Health Physics staff noted that the ROP oversight group has the lead in reviewing and making the changes to IMC-612. Any Health Physics related changes will primarily be to provide additional examples in Appendix E.

Discussion was held on the Appendix B, Section 3 "Minor Questions." This section directs comparison of the performance deficiency to the IMC-612, Appendix E examples to determine if the issue is similar to one of the minor examples. NEI and NRC discussed that the number of examples related to Health Physics is minimal, and additional examples would be very useful.

The screening process also uses the Section 3, Minor Questions to determine if the issue is more than minor. NEI/industry noted that many green Health Physics findings result from the positive answer to the 4th minor question, i.e., "is the finding associated with one of the cornerstone attributes listed at the end of this attachment and does the finding affect the associated cornerstone objective?" Discussion was held on the meaning of the cornerstone objective in providing adequate protection of the occupational worker and/or the public. NRC staff noted that adequate protection of workers and the public is based on more factors than just dose based decisions. The decision also includes the regulatory structure of postings, barricades, and programmatic controls listed in 10 CFR 20, and compliance with licensee programs and procedures. NEI and industry noted that some NRC plant inspection reports state that the cornerstone objective was affected, but do not explain how the cornerstone objective was affected. NRC Region III staff noted that they have begun providing more detail on the manner in which the finding affected the cornerstone objective.

NRC staff discussed the difference between enforcement policy and the ROP assessment process. Enforcement is a parallel action to ROP assessment, and is not a replacement for it. If an issue is considered under Enforcement, then the issue should also still be screened in parallel through the SDP process.

NRC staff noted that additional examples would be helpful to explain the meaning behind the Section 3 Minor Questions, and that the screening should consider the actual event and not hypothesize new circumstances.

The meeting discussed the concept of licensee identified vs self-revealing findings, particularly with respect to electronic alarming dosimeters (ED). NEI/industry believed that the ED alarms fit within the definition of licensee identified findings, in that EDs are a licensee provided program or process not required by regulations. NRC staff stated that this was not the current NRC position, but that NRC would consider the position of NEI/industry in the revision of IMC-612.

### III. Public Participation

There were no members of the public attending the meeting.

Public Meeting Feedback 659 Forms were available but no completed forms were received.

### IV. Adjourn

**May 15, 2008 NRC, NEI and Nuclear Industry  
Attendance List**

Name	Company
Roger Pedersen	NRC (Meeting Leader)
Steven Garry	NRC / IRIB
Paul Bonnett	NRC / IRIB
John Commiskey	NRC / Rg I
Steven Orth	NRC / Rg III
John Cassidy	NRC / Rg III
Marty Phalen	NRC / Rg III
Mike Shannon	NRC / Rg IV
Larry Ricketson	NRC / Rg IV
Bernadette Baca	NRC / Rg IV
Don Sterns	NRC / Rg IV
Louis Carson	NRC / Rg IV
Ralph Andersen	NEI
George Oliver	NEI
Richard Doty	Pennsylvania Power and Light
Larry Haynes	Duke Energy
Willie Harris	Exelon
Michael Boyle	Entergy
Lee Thomasson	Dominion
Bob Oliveira	ANI
Paul McNulty	First Energy Nuclear
Stuart Bland	Chesapeake Nuclear Services
Bill Bullard	South Texas Nuclear
Russ Gray	Diablo Canyon
Paul McNulty	First Energy
Paul Mothena	South Carolina Gas and Electric