

February 12, 2010

MEMORANDUM TO: Rani Franovich, Chief
Performance Assessment Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

FROM: Nathan Sanfilippo, Reactor Operations Engineer */ra/*
Performance Assessment Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS MONTHLY
PUBLIC MEETING HELD ON JANUARY 21, 2010

On January 21, 2010, the Nuclear Regulatory Commission (NRC) staff hosted the Reactor Oversight Process (ROP) monthly public meeting with the Nuclear Energy Institute's (NEI) ROP Task Force (the industry). The meeting attendance list is contained in Enclosure 1, the meeting agenda is contained in Enclosure 2, and the meeting handouts are contained in Enclosure 3.

Discussions by the meeting attendees included: Performance Assessment Branch (IPAB) topics; Reactor Inspection Branch (IRIB) topics; various proposed changes to NEI 99-02, "Regulatory Assessment Performance Indicator Guidance;" and ROP Frequently Asked Questions (FAQs). Details of these discussions are highlighted below.

IPAB staff discussed the December 24, 2009, revision to Inspection Manual Chapter (IMC) 0305, "Operating Reactor Assessment Program." Details of this revision were previously discussed at several ROP monthly meetings. The industry questioned the staff's intent of Section 12.03.h., which was inserted to remind regional offices that additional regulatory actions (e.g., deviation request, conduct of public meetings, adding samples to inspection procedures, etc.) can be taken for plants with long-standing substantive cross-cutting issues. The staff reiterated from the October 2009 ROP meeting meeting that the guidance did not change the options that were always available to regions; it simply reinforces that those options exist.

An update was provided on the effort to better integrate traditional enforcement into the assessment process. The NRC noted that changes to IMC 0305 have been completed. Guidance has been incorporated describing the use of traditional enforcement outcomes in the mid- and end of cycle meetings. Optional inspection procedures for conducting follow-up on traditional enforcement outcomes have been issued. Additionally, IMC 0612, "Power Reactor Inspection Reports," Appendix B, "Issue Screening," has been revised to incorporate the decision to allow a Severity Level violation to accompany an ROP finding if the violation resulted in actual consequences, is the result of willfulness, or impeded the regulatory process.

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A brief overview was presented of the pending revision to the NRC's Enforcement Policy. Specific changes to the organization of the violation examples were discussed. The last major revision to the policy predates new 10 CFR Part 73 and Part 26 rule changes and drove the need to increase the number of groupings of violation examples from 8 to 14. That change will allow for a decrease in the scope of each section and an increase in the number of examples in a specific area. The staff noted that the policy was revised to reflect that an ROP finding could have an associated Severity Level violation if traditional enforcement areas were involved.

IPAB staff also discussed the upcoming Regulatory Information Conference (RIC) being held on March 9 – 11, 2010. Additional details on the conference agenda and on-line registration can be found at <http://www.nrc.gov/public-involve/conference-symposia/ric/index.html>.

IRIB staff noted that the ROP Realignment effort is nearly complete. Staff also discussed future efforts involving the potential for revision or replacement of the Component Design Bases Inspections (CDBI). Further discussion will occur in the May/June timeframe.

NEI requested clarification on the term "self-imposed standard" when evaluating potential performance deficiencies. The staff agreed to review the definition in IMC 0612 and discuss it at a future ROP monthly public meeting.

IRIB staff summarized ongoing efforts relating to NUREG-1022, Revision 2, "Event Reporting Guidelines: 10 CFR 50.72 and 50.73," including safety system functional failure (SSFF) reporting. Discussions included examples in which licensees did not report SSFFs. The staff also discussed training being developed for inspectors on 10 CFR 50.72 and 50.73.

Staff and industry discussed various proposed changes to NEI 99-02. Discussion continued on a whitepaper proposing a change to the MSPI Emergency Diesel Generator (EDG) component boundary. Failures associated with the EDG fuel oil transfer pumps are currently not monitored as part of the EDG unreliability index, even though the EDG fuel oil system is risk-significant at many plants. During the meeting, participants summarized the current status of the initiative. IPAB staff is continuing to analyze and develop a technical basis for using the supercomponent approach and will present that during a future ROP meeting.

In previous meetings, the industry suggested making changes to the definitions of failure to run and failure to load/run basic event failure mode classifications relating to the EDG MSPI. During this meeting, participants summarized the current status of this initiative. The industry provided a handout, included in Enclosure 3, which summarizes the proposed changes to the failure mode definitions. Staff will review these definitions for approval at the next meeting. As part of this process, NRC will continue to evaluate data using the new failure mode definitions to determine if the current baseline is valid.

The industry introduced a new whitepaper, included in Enclosure 3, seeking clarification on the use of the Licensee Event Report (LER) date for SSFF PI reporting. The staff will review this paper for further discussion during the next ROP monthly public meeting.

During the December meeting, IPAB staff presented a white paper titled, "A Comparison of International and US Nuclear Industry Performance Indicators to the Current ROP Performance Indicator Program," to stimulate dialogue on PIs. During the ROP meeting, the staff suggested

holding a separate public meeting to further discuss this topic with interested stakeholders. As previously noted, some of the questions for discussion during this future meeting include:

1. Are there any other PIs that could provide useful insights in plant safety performance that weren't highlighted in the paper?
2. Have we identified appropriate and relatively complete attributes for evaluating the value and viability of PIs?
3. Is there a better way to evaluate the value and viability of the PIs (e.g., are all attributes equally important)?

The staff and industry agreed to conduct this meeting on April 22, 2010. A meeting notice will be issued at a later date.

Meeting attendees then discussed PI FAQs, provided by NEI and included in Enclosure 3. FAQ 09-06 was revised and the staff agreed to tentatively approve it contingent upon several slight revisions to be done for the February meeting. FAQ 09-07 was given final approval and will have an effective date of April 1, 2010. FAQ 09-09 continued its tentative approval status and is awaiting final industry concurrence at the next meeting. FAQ 09-10, regarding methods for crediting emergency response organization participation at a "common" emergency operations facility (EOF), was discussed. Participants agreed to move the technical discuss of this topic to a separate public meeting with the industry's Emergency Preparedness Task Force for resolution. Until the staff and industry develop enhanced guidance, FAQ 09-10 will remain open. FAQ 10-01 was a previously approved whitepaper on the FAQ withdrawal process and was given tentative approval pending final NRC review. Finally, FAQ 10-02 was introduced to address the generic guidance changes to the Unplanned Scrams with Complications (USwC) PI, which were identified as part of the review of FAQ 09-04 for Brunswick.

The status of FAQs is as follows:

TempNo.	PI	Topic	Status	Plant/ Co.
09-06	EP01	Offsite Call Simulation	Tentative Approval	Duane Arnold
09-07	MSPI	Changes to Planned Unavailability Baseline	Final Approval	Generic
09-09	IE03	Unplanned Power Changes	Tentative Approval	Generic
09-10	EP02	Common EOF Participation	On Hold	Generic
10-01	N/A	Withdrawal of FAQs	Tentative Approval	Generic
10-02	IE04	USwC	Introduced	Generic

The date for the next ROP monthly public meeting is February 11, 2010. Future meeting dates include March 18, 2010, and April 21, 2010.

Enclosures:

1. Attendance List – January 21, 2010
2. Agenda – January 21, 2010
3. Meeting Handouts

DISTRIBUTION:
RidsNrrDirspab
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PUBLIC
RKahler
NRC participants
RidsRgn1MailCenter
RidsRgn2MailCenter
RidsRgn3MailCenter
RidsRgn4MailCenter
Nrr_Distribution Ipab
Nrr_Distribution Irib
IPAB R/F

ADAMS Accession Nos.: Package - ML100261638
Enclosure 3: ML100261708

Memo: ML100261661

OFFICE	NRR/DIRS	NRR/DIRS	NRR/DIRS
NAME	NSanfilippo	TKobetz	RFranovich
DATE	1/27/10	1/27/10	2/12/10

OFFICIAL RECORD COPY

**ATTENDANCE LIST
INDUSTRY/STAFF ROP PUBLIC MEETING
January 21, 2010**

	NAME	AFFILIATION
1	Rani Franovich	NRC
2	Eric Schrader	NRC
3	Tim Kobetz	NRC
4	Nathan Sanfilippo	NRC
5	Duane Kanitz	STARS
6	Roy Linthicum	Exelon
7	Robin Ritzman	FENOC
8	Dave Midlik	Southern Nuclear
9	Tom Houghton	NEI
10	Jim Peschel	FPL
11	Greg Sosson	PSEG
12	Ken Heffner	NEI
13	Aron Lewin	NRC
14	Mark Giles	Entergy
15	Stephen Vaughn	NRC
16	Bruce Mrowca	ISL
17	Arthur Salomon	NRC
18	Ron Gaston	Exelon
19	Robyn Savage	STPNOC
20	Tony Zimmerman	Progress
21	David Van Der Kamp	NPPD
22	Paul Schoepf	AEP
23	Glen Masters	INPO
24	Gary Miller	Dominion
25	Pat Baronowski	ERIN Engineering
26	Deann Raleigh	Sciencetech
27	Bob Kahler	NRC
28	Marty Hug	NEI
29	Lenny Sueper	Xcel Energy
30	Mary Ann Ashley	NRC
31	Randy Hart	Duke
32	Ross Telson	NRC
33	Audrey Klett	NRC
34	Shari Cohen	NRC

REACTOR OVERSIGHT PROCESS (ROP) MONTHLY PUBLIC MEETING AGENDA

January 21, 2010 - 9:00 AM – 2:45 PM – OWFN – Room O-4B6

9:00 – 9:05 AM	Introduction and Purpose of Meeting
9:05 – 9:25 AM	Performance Assessment Branch Topics <ol style="list-style-type: none"> 1. General topics of interest in the performance assessment area 2. IMC 0305 revision 3. Regulatory Information Conference (RIC) 2010 4. Opportunity for public comment
9:25 – 9:45 AM	Reactor Inspection Branch Topics <ol style="list-style-type: none"> 1. General topics of interest in the inspection area 2. Safety System Functional Failure (SSFF) guidance protocol 3. Opportunity for public comment
9:45 – 10:30 AM	Discussion of Performance Indicator (PI) Topics <ol style="list-style-type: none"> 1. Potential NEI 99-02 guidance changes <ul style="list-style-type: none"> • MSPI EDG component boundary • MSPI EDG failure mode definitions • MS05 LER Date 2. Opportunity for public comment
10:30 – 10:45 AM	Break
10:45 – 12:00 PM	Discussion of Performance Indicator Topics (continued) <ol style="list-style-type: none"> 3. Discussion of NRC whitepaper on industry PIs 4. Opportunity for public comment
12:00 – 1:00 PM	Lunch
1:00 – 2:30 PM	Discussion of Open and New PI Frequently Asked Questions (FAQs) <p><i>Note: Topic may be moved up if meeting is ahead of schedule. The latest draft FAQs are located on the public web at http://www.nrc.gov/NRR/OVERSIGHT/ASSESS/draft_faqs.pdf. This list is subject to change the day before the meeting based on availability of new draft FAQs provided by the Nuclear Energy Institute. Public comments will be addressed on FAQs following the discussion.</i></p>
2:30 – 2:45 PM	Future Meeting Dates, Action Items, Future Agenda Topics