

Russ,

I believe that future tense would be accurate for ITAAC that are totally uncompleted at the time of the UIN.

We are currently considering your suggestion of using present tense for a partially completed ITAAC in an UIN. Additionally, we're still considering past and future tenses as all three tenses may be needed for accuracy to describe an uncompleted ITAAC.

thanks,  
Perry

**From:** BELL, Russ [<mailto:rjb@nei.org>]  
**Sent:** Wednesday, August 29, 2012 7:29 PM  
**To:** Buckberg, Perry  
**Subject:** RE: Uncompleted ITAAC Notification & NPWG mtg Sept. 12

Perry,  
By the way you put your question, are you suggesting that future tense would be appropriate for ITAAC that are totally uncompleted at the time of the UIN?

I think that licensees may prefer to use present tense throughout the UIN, eg, "the valves are tested in accordance with procedure xyz to determine that [acceptance criteria are met]." It also may be less confusing to the public to use present tense throughout, with a general statement to the effect that a portion of activities described in the UIN may be complete and all ITAAC will be 100% complete prior to fuel load.

Please advise

Thanks

Russ

**From:** Buckberg, Perry [<mailto:Perry.Buckberg@nrc.gov>]  
**Sent:** Wednesday, August 29, 2012 3:34 PM  
**To:** BELL, Russ  
**Cc:** Kowal, Mark  
**Subject:** RE: Uncompleted ITAAC Notification & NPWG mtg Sept. 12

Russ,

Since we have had so much discussion regarding the use of both past & future tenses versus future tense only, do you have a rough idea how many ITAAC will be this apply to in the 225 day letter. In other words, about how many ITAAC will be partially completed between 270 and 225 days before scheduled fuel load?

Thanks,

**Perry Buckberg**

**Senior Reactor Operations Engineer**

Office of New Reactors

Division of Construction Inspection & Operational Programs

x1383 T-07D51

**From:** BELL, Russ [<mailto:rjb@nei.org>]

**Sent:** Tuesday, August 28, 2012 1:59 PM

**To:** Kowal, Mark; Buckberg, Perry

**Subject:** Uncompleted ITAAC Notification & NPWG mtg Sept. 12

Mark, Perry,

At the Aug. 16 CIP workshop, we agreed that the staff would proceed to finalize its comments on the industry's proposed NEI 08-01 guidance on UIN and send them to me. I wanted to suggest a target for doing so – September 10.

Our next New Plant Working Group Meeting is September 12, and my objective is to provide the group a complete status of where we are vis-à-vis significant NRC comments on draft Rev. 5 of NEI 08-01. Having the staff's comments would allow me to do that. NRC will again join us for the public portion of the 9/12 NPWG meeting, and having your comments would allow us to highlight specific issues to NRC management staff that warrant further discussion.

Regarding the staff's position on Uncompleted ITAAC Notification (UIN), there appear to be three main issues:

- On level of detail, we seek NRC agreement that, in general, ITAAC notifications based on N0801 guidance, including description of methodology and key steps for performing the ITA and determining that the AC are met, will meet both the 52.99(c)(1) standard for ITAAC closure notifications (ICN), and the differing standard for c(3) uncompleted (UIN). We are prepared to discuss further with the staff whether there may be unusual ITAAC (eg, ITAAC with acceptance criteria options) that would require something more or different in a c(3) UIN vs. a c(1) ICN.

We are also prepared to modify NEI 08-01 to make it clear that the guidance is intended to satisfy both the c(1) and c(3) standard. Aside from meeting the regulations, this approach is good for the public because it assures a consistent level of information is provided on all ITAAC, and it is good for licensees and the NRC to have a single standard for both notifications, rather than leave the UIN standard somehow different, undefined and subjective.

- On parsing of completed vs. uncompleted ITAAC activities, we are concerned that the position the staff expressed on Aug. 16 would take us beyond the language and intent of the rule and would unduly complicate the UIN. Based on the Aug. 16 discussion, we are prepared to consider switching over to present tense for the UIN (like the FSAR). In combination with a general statement indicating when some but not all of the subject ITAAC activities are completed, we believe this will adequately assure that that closure status is clear to the public. The uncompleted portion of any ITAAC will be completed, and the associated ICN will be submitted, prior to fuel load. If the staff maintains its position that the UIN must specify which activities within a given ITAAC are complete vs. not, please provide reference to where the regulations require such parsing, and 2) explain the value of doing so that would justify the additional burden and complexity on licensees.
- On the staff proposal regarding documenting ITAAC findings in the UIN, we understand that the staff is proposing that licensees identify in the UIN ITAAC Findings that have been closed out (same info would appear in the ICN), and to include a general statement that other Findings (if any) would be resolved prior to ITAAC closure and addressed in the ICN. This item may warrant some further discussion with the staff following resolution of the level of detail and parsing issues.

Please let me know your schedule for providing the staff's comments on NEI 08-01 and if you have any questions.

Thanks

**Russ Bell**

Director New Plant Licensing

Nuclear Energy Institute  
1776 I Street NW, Suite 400  
Washington, DC 20006  
[www.nei.org](http://www.nei.org)

P: 202-739-8087

F: 202-533-0105

E: [rjb@nei.org](mailto:rjb@nei.org)