

July 23, 2010

MEMORANDUM TO: Tim Frye, Branch Chief
Construction Assessment, Enforcement, and Allegations Branch
Division of Construction Inspection
& Operational Programs
Office of New Reactors

FROM: Douglas Copeland, Reactor Operations Engineer **/RA/**
Construction Assessment, Enforcement, and All'egations Branch
Division of Construction Inspection
& Operational Programs
Office of New Reactors

PARTICIPANTS: Public, Industry, and NRC Staff

SUBJECT: SUMMARY OF JULY 1, 2010, NRC CONSTRUCTION
INSPECTION PROGRAM CATEGORY 3 PUBLIC MEETING
WITH THE INDUSTRY AND THE GENERAL PUBLIC

On July 1, 2010, the NRC, Office of New Reactors (NRO) held a public meeting to discuss various topics relating to new reactor construction (Agencywide Documents Access and Managements System (ADAMS) Accession Number ML101610600). The purpose of the meeting was to update and solicit feedback from members of the public on the progress made in various topics related to Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC), changes during construction, and on the progress of the Construction Reactor Oversight Process (cROP) working group.

Tom Kozak of the Division of Construction Inspection and Operational Programs (DCIP) presented an update on the Construction Reactor Oversight Process (cROP). This update included the progress made in the areas of issue screening, a Significance Determination Process (SDP) risk matrix, and a SDP flowchart (ML101820479). Mr. Kozak also mentioned that future meetings will cover performance indicators, construction action matrix inputs, safety culture approach, assessment program evaluation, and transitioning from the cROP to the Reactor Oversight Process. A Federal Register Notice (FRN) was issued on June 24 requesting feedback on cROP development. The FRN can be found at <http://edocket.access.gpo.gov/2010/pdf/2010-15321.pdf>. Category II Meetings with the NEI cROP Task Force are scheduled on July 14 and August 5. A Commission meeting discussing the Construction Inspection Program will be held on December 9, 2010.

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Carl Weber of DCIP presented on the topic of Pre-Combined License (Pre-COL) inspections (ML101800242). He presented a revision that would be made to Inspection Manual Chapter (IMC) 2502 to allow for inspection of items to support future ITAAC closure activities. The revision will change the timing of some ITAAC inspections to be pre-COL. Until the issuance of a COL, Inspection Procedure (IP) 35007, "Quality Assurance Program Implementation during Construction", will be used to carry out most of these inspections. This revision will allow for the inspection of in process work that would be considered ITAAC related if it were carried out after the issuance of a COL.

Next, Ian Spivack of DCIP presented an update (ML101750621) on the development status of Inspection Manual Chapters (IMC) and Inspection Procedures (IP). IMC 2501 is being revised to remove pre-Combined License (Pre-COL) audit activity. IMC 2505 is being revised to match the terminology used in the Reactor Oversight Program (ROP). IMC 2506, "Construction Reactor Oversight Process Basis Document" will be issued by September 2010, along with the revisions to IMC 2501 and 2505. IP 90001, 90002, and 90003 are currently in draft and will be issued in September 2010, October 2010, and fiscal year 2011, respectively. Russ Bell of the Nuclear Energy Institute (NEI) mentioned that NEI was planning on sending a letter containing comments on IP 40600, which was presented (ML101310202) at a Category 3 meeting on May 13, 2010.

Thomas Fredette of DCIP presented a summary (ML101790099) of the recent pilot inspection of Digital Instrumentation and Control (DI&C) Design Acceptance Criteria (DAC) conducted for South Texas Project (STP), including observations from the inspection and preliminary lessons learned. Observations included the importance of inspection team understanding and consensus on the scope of the inspection, organizational and documentation hierarchy, and interpretation of DAC-related ITAAC language (both design commitment and acceptance criteria). A key point that was communicated to stakeholders focused on the importance of complete consistency between DAC products and the ITAAC acceptance criteria attributes that the DAC product is intended to meet.

Thom Ray of Westinghouse presented on the topic of "Evaluation of Surge In ITAAC Submittals Near End of Construction." Mr. Ray's presentation (ML101820483) included an early estimate of when ITAAC closure letters would be submitted to the NRC during the construction of a new nuclear power plant. Mr. Ray also briefly discussed two types of ITAACs classified by Westinghouse that would be closed in the last two years of construction, Construction Inspection ITAAC and Pre-operational testing ITAAC.

In the afternoon, Earl Libby of the Division of New Reactor Licensing (DNRL) introduced the topic of "Changes during Construction". Kimberly Keithline of the Nuclear Energy Institute (NEI) gave a presentation (ML101820489) on industry concerns with the current new construction change processes. The NEI presentation contained three problem statements detailing the concerns that the industry has identified with the current new construction change process and outlining an action plan for working through those concerns with the NRC. The three problem statements dealt with the issues involving 1) the extent of construction-related activities that may continue in parallel during NRC review of license amendment requests; 2) the LWA change process; 3) proposed industry guidance for the "50.59 like" change process in the Section VIII design certification rules.

Jerry Wilson of DNRL followed with a presentation (ML101820498) on the changes during construction working group. Mr. Wilson talked about the members of the working group,

problem statements the working group was working on, and the current NRC position on changes during construction. The problem statements in the presentation included:

- Determine the extent of permitted activities during construction when a license amendment has been submitted for approval
- determine if any changes are needed to be made to the enforcement policy to provide for enforcement discretion during new plant construction
- determine the applicability of existing 50.59 guidance for new plants under construction, and
- establish guidance that should be used for evaluating changes to the severe accident design features (VIII.B.5.c) of each design certification rule (construction & operation).

Mr. Wilson also led a short question and answer session on changes during construction. During the session, it was requested that the NRC explain the legal basis for its current position on changes during construction.

T. Frye

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A list of meeting attendees is attached. The next Category 3 public meeting will be held on August 19, 2010 from 8 a.m. to 4 p.m. in the Two White Flint North Auditorium, in Rockville MD.

The planned dates for CIP Category 3 public meetings for the remainder of calendar year 2010 are:

- August 19;
- October 7; and
- December 9.

Members of the public were in attendance and Public Meeting Feedback forms were distributed with none returned, or submitted according to standard protocols. Please direct any inquiries to Nick Karlovich at 301-415-6772, or Nicholas.Karlovich@nrc.gov.

Enclosures:
As Stated

cc w/encl: See next page

T. Frye

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As Stated

cc w/encl: See next page

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ADAMS Accession Number: **ML102000601**

NRC-001

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NAME	D. Copeland	W. Burton	T. Frye
DATE	07/21/10	07/21/10	07/23/10

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Attendance List
Category 3 Public Meeting (NRO)
Two White Flint North
July 1, 2010

Attendance List

Name	Organization
Albuquerque, Paulo	SNC
Aponte, Chris	MNES
Arnold, Larry	STPNOC
Barss, Dan	NRC
Bell, Russ	NEI
Blamey, Alan	NRC
Boch, Daniel	MNES
Bryant, Barry	Dominion
Burton, William	NRC
Campbell, Patricia	GEH
Cottingham, Anne	NEI
Dube, Donald	NRC
Duncan, Emily	Winston and Strawn
Eastman, Constance	Kiewit
Fay, Thomas	TANE (Toshiba)
Frantz, Stevin	Morgan Lewis
Fredette, Thomas	NRC
Frye, Tim	NRC
Gardner, George	NRC
Gaslevic, James	NRC
Grant, Eddie	Excel NuStart
Greene, Jon	Unistar
Head, Scott	STPNOC
Houghton, Tom	NEI
Infanger, Pavl	UniStar
Janosko, Gary	PSEG
Jardaneh, Mahmoud	NRC
Jenkins, Ronaldo	NRC
Johnson, Andrea	NRC
Karlovich, Nick	NRC
Keithline, Kimberly	NEI
Kerr, Chris	Exelon
Kozak, Thomas	NRC
Lanksbury, Roger	NRC

ENCLOSURE

Libby, Earl	NRC
Lorin, Leonard	EPRI
Mahan, Howard	SNC
Maher, Bill	FPL
Mattern, Kevin	NRC
Oddo, John	SHAW Group Inc.
Oesterle, Eric	NRC
Ogle, Charles	NRC
Ratcliff, Daniel	Kiewit
Ray, Thom	Westinghouse
Schlaseman, Caroline	MPR/TANE
Simms, Norman	Duke Energy
Sinks, Donna	NRC
Sisk, Rob	WEC
Spivack, Ian	NRC
Szoch, Richard	Unistar
Tappert, John	NRC
Taylor, Larry	Progress Energy
Temple, Robert	Haynes and Boone
Torres, Alan	SCE&G
Uchiyama, Junichi	Mitsubishi
Waites, Brandon	Southern Company
Walters, Doug	NEI
Waters, David	Progress Energy
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Weber, Carl	NRC
Wilson, Anthony	NRC
Wilson, Jerry	NRC
Zinke, George	Entergy

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(Revised 6/15/2010)

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