

NEI Presentation at Public NRC Workshop on Draft Regulatory Issue Summary 2004-XX

*Technical Guidance, Operability Determinations and Resolution of
Nonconformances of Structures, Systems, and Components*

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Introduction

- The new Part 9900 in draft RIS 2004-XX is a giant step.
 - Is it all in the right direction?
 - For the most part, yes.
 - Several topics need further discussion to standardize the interpretation of key terms and concepts

Discussion Topics

- The use of the new process in inspection space.
 - The new inspection manual chapter is “technical guidance” and not an “inspection procedure.”
 - Should the term “shall” be used in a guidance document?
 - Does the RIS add additional “requirements” beyond the previous Inspection Manual guidance on operability and degraded/nonconforming conditions?
- How well does the new Part 9900 balance flexibility with prescription? Is it too prescriptive?
- There are a number of scoping concerns with the draft RIS:
 - risk scope vs. maintenance rule scope
 - RIS functionality vs. Tech Spec functionality
 - RIS functionality vs. UFSAR/10CFR50.2 functionality

Discussion Topics (continued)

- Is the new Part 9900 consistent with other programs?
 - maintenance rule
 - reactor oversight process
 - risk-assessment insights
 - Standard Technical Specifications (e.g., Section 3.0, Applicability)
 - NEI Guidelines (50.59; UFSAR; Design Basis; Commitments)
- Which SSCs are within the scope of Operability (as distinct from being within the scope of a Corrective Action Program)?
 - Appendix B SSCs
 - Maintenance Rule SSCs
 - Safety related vs. non safety related SSCs
 - Tech Spec vs. non Tech Spec SSCs
 - Environmental Qualification (EQ) SSCs

Discussion Topics (continued)

- The separation of “operability” from “corrective action.”
 - Operability is a safety determination.
 - Corrective Action considerations should not delay operability determinations.
- The relationship between Operations and Engineering when making an operability determination, especially for technically complex issues.
- The draft “GL 91-18 Assistance Navigator” will need thorough review & comment.

Discussion Topics (continued)

- NEI needs volunteers to assist the NEI Licensing Action Task Force (LATF) in preparing a final comment letter to NRC.
- The NRC LATF should participate in resolving industry comments on RIS 2004-XX.
- Due to the importance of the processes described in the draft RIS, NEI recommends that NRC publish a revised draft RIS after resolution of the current round of comments.

Interpretation of Key Terms & Concepts

- How can we standardize the interpretation of key terms & concepts?
- What are the implications of invoking the definition of “current licensing basis” from the license-renewal regulation 10 CFR 54? (§3.1)
- How can we standardize the interpretation of “functionality?” (§3.4)
 - designated function
 - specified function
 - safety vs. non-safety function

Interpretation of Key Terms & Concepts

(continued)

- How do we decide what is “appropriate criteria in the CLB?” What is the threshold for performing an operability determination of a “degrading trend?” (§4.1)
- How does the concept of “quality” enter into the identification of a degraded condition? (§4.2)
- How is a “functionality determination” different from an “operability determination?” (§5.0)
- How do we achieve consistency between “immediate determination” (§5.2) and “presumption of operability?” (§5.7)

Interpretation of Key Terms & Concepts

(continued)

- Additional discussion is needed on the various “timing” determinations. (§5.2 and §5.3)
- How do we differentiate “immediate operability determination” from “prompt operability determination?” (§5.3)
- Is a “degraded or non-conforming condition” the only circumstance that requires an “operability determination?” (§5.5)
- How do we relate “operability” with “corrective actions to restore full qualification?” (§6.2.1)

Interpretation of Key Terms & Concepts

(continued)

- How can we use expand the use of risk assessment techniques when making operability determinations and resolving degraded/nonconforming conditions?” (§7.1)
- What is the meaning of “compensatory measures as defacto design changes?” (§7.2)
- What is the standard for calling an action a “compensatory measure?” (§7.3)
 - enhance the capability of SSCs
 - restore SSCs to an operable status
 - what else?

Proposed Schedule for NEI Comments

- 09/02/04 - NEI meeting to prepare a draft comment letter (redline/strikeout markup of draft RIS).
- 09/15/04 - NEI distribute the draft comment letter to NEI Administrative Points of Contact (APCs) and the NEI Licensing Contacts List (LCL).
- 09/20/04 - APC and LCL contacts provide additional comments to NEI.
- 09/28/04 - NEI prepare and distribute a final comment letter to APCs and the LCL.
- 10/01/04 - NEI prepare and distribute a final comment letter to NRC.