

November 12, 2008

LICENSEES: PROGRESS ENERGY CAROLINAS, INC (PEC)
DUKE ENERGY CAROLINAS, LLC (DUKE)

FACILITIES: SHEARON HARRIS NUCLEAR PLANT, UNIT 1
OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3

SUBJECT: SUMMARY OF OCTOBER 3, 2008 CATEGORY 2 PUBLIC MEETING
HELD TO DISCUSS NATIONAL FIRE PROTECTION ASSOCIATION
STANDARD 805 PILOT PLANT PROCESS: CURRENT LESSONS
LEARNED FROM THE PILOT LICENSE AMENDMENT REQUEST
REVIEWS (TAC NOS. MD8807, MD8832, MD8833, AND MD8834)

On October 3, 2008, U.S. Nuclear Regulatory Commission (NRC) staff met with PEC and Duke (the pilot plant licensees), industry stakeholders, and the public. The purpose of the meeting was to discuss lessons learned from the NRC staff's reviews of the pilot plants' license amendment requests (LARS). The meeting handouts are available in the Agency-wide Documents Access and Management System (ADAMS) under ML082830934. A list of attendees is provided as Enclosure 1.

The NRC staff presented several technical and regulatory issues pertinent to the LAR for the two pilot plants, the draft Standard Review Plan (SRP) Section 9.5.1b, "Risk-Informed, Performance-Based Fire Protection," and the update to Regulatory Guide (RG) 1.205, "Risk-Informed, Performance-Based Fire Protection for Existing Light-Water Nuclear Power Plants." The issues discussed are as follows:

- The NRC staff emphasized the need for licensees to minimize the duration of non-compliance during the transition period. The NRC staff informed licensees that major commitments made by the licensee in their LARs (e.g., design modifications) will be incorporated as license conditions. The NRC will expect licensees to complete those commitments on a high priority schedule.
- The NRC staff stated that an audit plan was being developed for regulatory audits that may be conducted as part of the review of a given licensee's LAR to implement a risk-informed, performance-based fire protection program. The staff stated that such audits would be conducted of the pilot plants; audits of non-pilot plants would be conducted as deemed necessary to support the staff's review. Industry representatives requested the opportunity to comment on the LAR Site Audit Plan, which the staff plans to use before issuing the safety evaluations for the pilot plants. The NRC staff stated that NRC will consider industry's request.

- The participants discussed the schedule implications with respect to finalizing the SRP and the Revision 1 to RG 1.205 since they rely on industry documents such as Nuclear Energy Institute (NEI) documents NEI-04-02 and NEI-00-01, which are undergoing revision. The NRC staff stated that it will explore the possibility of making adjustments to the schedule for the revision of RG 1.205.
- Industry requested clarification on the schedule of enforcement discretion extension periods. Specifically, they requested that documentation be provided for the start of the 6 month extension period. The NRC staff stated the schedule for the pilot plant LAR reviews will be published.
- Industry representatives raised questions with respect to enforcement discretion in the event a non-pilot LAR is rejected based on the acceptance review performed under the recently published Office of Nuclear Reactor Regulation (NRR) Office Instruction, LIC-109 "Acceptance Review Procedures." The NRC staff provided its views and committed to providing a formal position upon receiving a formal request from industry representatives.
- Participants discussed the self-approval process of fire protection program changes. Industry representatives requested that the NRC clarify the process by which methods for performing change calculations will be approved for industry-wide use. The NRC staff stated that Topical Report process is the preferred method for approving generic change calculation methods and committed to provide additional guidance on this issue.
- The NRC staff presented a proposed revision to the sample license condition in the current revision of RG 1.205. In reference to that proposal, the industry representatives queried the justification for the threshold risk for self-approval, $1E-7$ for individual changes; especially in light of the requirement to use NRC's approved change calculation methods. The NRC staff stated that the proposed threshold would provide reasonable assurance that the cumulative risk of such changes remains acceptable and would obviate the need to track the cumulative risk for self-approved changes.
- Industry representatives requested clarification on the definition of an individual change in relation to the change evaluations required for tracking cumulative risk. Industry representatives stated that it will be important in the long term to have a flexible method to address the bundling of individual changes for cumulative plant change evaluations. The NRC staff agreed to provide additional clarification on this issue.
- The NRC staff proposed an interpretation of the phrase "primary control station" that is used in the definition of "recovery action" in National Fire Protection Association (NFPA) standard NFPA 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants" which is relevant to defining the scope of risk calculations required in a LAR. Industry representatives stated that a new interpretation at this point could result in the need for re-work.

- NRC staff stated that preliminary feedback on the draft SRP is welcome and that the public can expect the draft SRP to be published for formal comment in a few months.

Sincerely,

/RA/

Leonard Olshan, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

/RA/

Margaret Stambaugh,
Fire Protection Branch
Division of Risk Assessment
Office of Nuclear Reactor Regulation

Docket Nos. 50-400, 50-269, 50-287, and 50-270

Attachments:

1. List of Attendees

cc w/atts: See next page

LIST OF ATTENDEES

OCTOBER 3, 2008 MEETING WITH PROGRESS ENERGY CAROLINAS, INC. (PEC)

AND DUKE ENERGY CAROLINAS, LLC (DUKE) TO DISCUSS

NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805

NRC

D. Szwarc
F. Saba
G. Parry
H. Barrett
L. Olshan
M. Cunningham
M. Stambaugh
P. Lain
R. Gallucci
R. Nease (RII)
R. Rodriguez (RII)
S. Dinsmore
S. Laur
S. Walker (RII)
S. Weerakkody
W. Rodgers (RII)

OTHER

A. Cribb (V.C. Summer)
A. Ratchford (KGRS)
B. Najafi (SAIC/EPRI)
D. Carlett (PE)
D. Goforth (Duke)
D. Raleigh (Reg Service)
F. Peralta-Meister (Tri-En)
J. Arias (XCEL Energy)
J. Bollinger (AMERGEN/Callaway)
J. Bonanna (NEI)
J. Ertman (PE)
J. Riley (NEI)
J. Walker (Entergy)
J. Waters (AED)
K. Halliday (First Energy)
K. Zoo (ERIN)
M. Cooper (App R Solutions)
M. Fletcher (AMERGEN/Callaway)
M. Giles (Entergy)
M. Schoffman (NEI)
P. Boulden (ARS)
R. Bashall (Areva NP)
R. Bertucio (Sciencetech)
R. Gangrell (Duke)
R. Oates (ARS)
S. Dalloy (Platts)
S. Hutchins (NEI)
S. Pyle (Entergy)
S. Savar (UTR)
S. Short (PNNL)
T. Blackburn (PNNL)
T. Jutras (EPM Inc.)
V. Rubano (FPL)

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Leonard Olshan, Project Manager
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ADAMS Accession No. ML083090074

OFFICE	NRR/LPL2-1/PM	RES/DE/CIB	NRR/LPL2-1/BC
NAME	LOlshan	MStambaugh	MWong
DATE	11/4/08	11/12/08	11/12/08

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