



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

September 9, 2021

MEMORANDUM TO: Anthony D. Masters, Chief  
Reactor Assessment Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

FROM: Tekia V. Govan, Project Manager */RA*  
Reactor Assessment Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS MONTHLY  
PUBLIC MEETING HELD ON AUGUST 26, 2021

On August 26, 2021, the U.S. Nuclear Regulatory Commission (NRC) staff hosted a public meeting with the Nuclear Energy Institute's (NEI's) Reactor Oversight Process (ROP) Task Force executives, and other senior industry executives, to discuss the staff's progress on the ROP initiatives. The topics discussed during this teleconference are described below.

**Withdrawal of SECY-18-0113, "Recommendations for Modifying the Reactor Oversight Process Engineering Inspection" and SECY-19-0067, "Recommendations for Enhancing the Reactor Oversight Process"**

The NRC staff's presentation ((Agencywide Document Access Management System (ADAMS) Accession No. ML21236A306) on this topic was divided into three sections: Background, SECY-18-0113, and SECY-19-0067.

***Background***

On August 5, 2021, the NRC Commission approved the staff's request to withdraw SECY-18-0113 and SECY-19-0067 (ADAMS Accession No, ML21217A284). These SECY papers were requested to be withdrawn because of new information and additional staff activities that are relevant and were not considered in developing the basis for several of the recommendations in the SECY papers. The staff intends to reevaluate the basis for the previous recommendations and reengage internal and external stakeholders, including regional inspection staff, members of the public, and the nuclear industry, on these and any other proposed changes to the ROP baseline engineering inspections, as appropriate. The staff will engage the Commission, as appropriate, with any new recommendations depending on the outcome of the updated staff

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evaluation. However, the staff will not address the following items in these papers:

- Items completed (e.g., revisions to inspection procedures and inspection manual chapters)
- Items no longer being pursued (e.g., licensee self-assessments)
- Items not requiring Commission approval per management Directive 8.13, “Reactor Oversight Process”

### **SECY-18-0113**

The recommendations contained in SECY-18-0113 (ADAMS Accession No. ML18144A567) included: 1) the development of a Combined Engineering Team Inspection (CETI) which combine Design Basis Assurance Inspection (DBAI) – “Teams” Inspection (21.M), 50.59, and heat sink procedures; 2) a 4-year engineering inspection cycle (with options of a 3-year or 5-year cycle), where licensees receive one engineering inspection each year during the cycle; and 3) the staff’s consideration of whether a licensee self-assessments can be used in-lieu of one of the focused engineering inspections per cycle.

During the meeting, the staff presented a preliminary path forward on how they planned to address applicable engineering inspection recommendations while considering recent operating experience, COVID-19 pandemic lessons learned, and stakeholder feedback. As such, the staff identified there was one recommendation that they wish to pursue that would require Commission approval. This recommendation consists of a one-year engineering inspection cycle. The staff indicated that they would proceed with the FE and CET inspections as identified in SECY-18-0113 and will evaluate its effects and timing of the next inspection. The FE and CET recommendation will require Commission notification. The staff also indicated that they will no longer pursue licensee self-assessment as a recommendation. The staff feels that this recommendation is no longer supported by the staff or industry and has previously notified the Commission of this change in direction.

The staff plans to continue to engage stakeholders on the withdrawal of SECY-18-0113 and any engineering inspection recommendations moving forward.

### **SECY-19-0067**

The recommendations contained in SECY-19-0067 (ADAMS Accession No. ML19070A036) included: 1) eliminating the four-quarter requirements for greater-than-green (GTG) inspection findings to remain open and instead close them upon completion of the supplemental inspection; 2) revising the treatment of GTG PIs in the Action Matrix to be consistent with GTG findings by remaining a GTG input until supplemental inspection completion; 3) revising sample sizes and resource estimates for baseline inspection procedures; 4) revising problem identification and resolution (PI&R) inspection frequency from biennial to triennial; 5) revising Emergency Preparedness (EP) Significance Determination Process (SDP) to limit potential GTG findings to only planning standard functions that can impact public health and safety; and 6) revising the enforcement policy to support implementation of revised labels/descriptors for White and Yellow assessment inputs.

The staff informed the meeting participants that there were recommendations identified in SECY-19-0067 that did not require Commission approval. As such, the staff has already completed some of the activities prior to the withdrawal of SECY-19-0067. Specifically, the staff

has eliminated the redundant “Summer Readiness” sample from Inspection Procedure (IP) 71111.01, Adverse Weather Protections.” This action resulted in the staff providing notification to the Commission. The recommendations that did not require NRC Commission approval or notification included: 1) coordinating with the Office of Public Affairs on reinforcement of existing guidance regarding press releases for White findings; 2) revising IP 95001 to clarify expectations related to inspection of causal evaluations; 3) clarifying guidance in Inspection Manual Chapter (IMC) 2515 related to modifications to inspection resource estimates; 4) revising SDP for beyond-design-basis events; 5) incorporating lessons learned and program efficiencies into security baseline inspections; and 6) evaluating independent spent fuel and storage installation (ISFSI) inspection program and making appropriate changes. The final recommendation to revise the requirements to notify Governors of a transition to Column 2 using established protocols will be reviewed and if recommended to proceed with be evaluated in accordance with MD 8.13 for Commission notification or approval.

During the meeting, the staff presented a preliminary path forward on how they planned to address applicable ROP enhancement recommendations while considering recent operating experience, COVID-19 pandemic lessons learned, and stakeholder feedback. As such, the staff identified five recommendations that if they wish to pursue may require Commission approval. These recommendations include: 1) EP SDP revisions; 2) treat GTG PIs consistent with GTG findings; 3) removal of 4-quarter requirements; 4) revise biennial problem identification and resolution (PI&R) to triennial; and 5) revise description of White and Yellow inputs. The recommendation to revise sample sizes and resources for several baseline IPs can be completed with Commission notification.

The staff plans to continue to engage stakeholders on the withdrawal of SECY-19-0067 and any ROP enhancement recommendations moving forward.

As documented as next steps in SECY-19-0067, the staff continued with further assessments in the areas of PI&R and Cross Cutting Issues (CCI) while the paper was with the Commission. Below is what was provided as the status of the staff assessment in these two areas.

#### *PI&R*

The staff indicated that they have completed the PI&R comprehensive review (ADAMS Accession No. ML20274A133). The staff provided several options to NRC management to enhance IP 71152. Of those options NRC management chose, option 1 (Procedure) and option 3 (Assessment).

Option 1, “Current Inspection Requirements with Small Enhancements,” provides some useful considerations of changes that may improve this inspection with a relatively low impact on the NRC and licensee resources. Option 1 addresses stakeholder feedback regarding the need for clear and consistent inspection guidance. Additionally, this option redistributes inspection resources in a more risk-informed manner.

Option 3, “Qualitative Evaluation of PI&R Areas,” is an evaluation of how the corrective action program is working at a site. This information is assessed and communicated in many ways. Currently, the results of the inspection are documented and provided for consideration to decision makers during various portions of a yearly assessment cycle. This includes robust discussions at end of cycle meetings where inspection plans are adjusted to address specific performance issues for each site.

Options 1 and 3 do not require Commission approval.

### CCI

The staff indicated that they have completed the CCI effectiveness review report recommendations and management disposition (ADAMS Accession No. ML20239A806). The following two recommendations have been approved for the staff to move forward: 1) provide more detailed discussion of CCI insights and decisions in assessment letters; and 2) CCI follow-up can be scoped into an existing planned supplemental inspection.

### **Follow-On COVID Lessons-Learned Activities**

The NRC staff stated that as a result of the COVID-19 lessons-learned, an internal working group has been established to develop additional best practices for use during inspections. The staff will provide additional updates on this effort at a future ROP monthly meeting.

### **Plans for Reporting Guidance Applicable to Plants with Risk-Informed Licensing Bases**

NEI provided an overview of an initiative looking at reporting related guidance for plants with risk informed license applications such as 10 CFR 50.69 & TSTF-505. The guidance would be used to provide examples on how to meet the requirements of 10 CFR 50.72 and 10 CFR 50.73 reporting requirements similar to what is currently contained in NUREG-1022. The draft guidance is currently being reviewed and discussed internally and NEI plans to engage the NRC staff at a future date. NEI has not decided how the guidance will be shared with the NRC or issued to the industry.

### **Status of ANS-PI during the processing of ERFER PI FAQ 21-03, Revision 1**

During this meeting, the NRC staff supported and approved the transition of FAQ 21-03, Revision 1, "Reporting ANS Data Following a Transition to IPAWS," (ADAMS Accession No. ML21216A115) to final status. The staff also informed NEI that they were still reviewing their Whitepaper "Proposal to Replace the ANS PI with an ERFER PI" (ADAMS Accession No. ML21208A021).

### **Status of 10 CFR 50.72(b) Rulemaking**

The staff provided information on a recently issued Staff Requirement Memorandum (SRM) from the Commission (ADAMS Accession No. ML21209A947) directing the NRC staff to assess in the rulemaking process potential modifications to the rule at 10 CFR 50.72(b). These requirements are for nuclear power plants and involve the immediate notification to the NRC for those significant events that are not emergencies. The SRM was in response to a SECY paper (ADAMS Accession No. ML20073G004) submitted to the Commission by the NRC staff responding to a Petition for Rulemaking (ADAMS Accession No. ML18247A204) from the NEI. The NRC is currently forming a working group and preparing an action plan to develop and deliver a draft regulatory basis document to the Commission by May 31, 2022. This draft regulatory basis is an early step in the rulemaking process to ensure the NRC staff and Commission are aligned on the justification for the rulemaking, to describe the issues that must be addressed, and to provide the scientific, technical, legal, or policy information that supports the rulemaking. It will then be published for public comment in a Federal Register Notice. The staff plans to conduct public outreach during its development of the regulatory basis. The staff

received questions and comments from external stakeholders on the cost-benefit analysis, public outreach efforts, risk informing reporting requirements, and the necessity of reporting requirements under 10 CFR 50.72(b).

### **Meeting Action Items**

1. At the next ROP meeting, the NRC staff would like to get industry feedback on the withdrawal of SECY-18-0113 and SECY-19-0067.
2. NEI will provide additional information on their plans for reporting guidance applicable to plants with risk-informed licensing bases.

### **Communicating with the NRC staff**

At the start of all ROP public meetings, the project manager provides contact information for the public to use to provide their name as a participant in the meeting. This contact information is also provided for submitting questions and comments to the NRC technical staff. Please note that any questions and/or comments pertaining to the ROP project can be sent to [Tekia.Govan@nrc.gov](mailto:Tekia.Govan@nrc.gov). Questions and/or comments will be forward to the appropriate NRC staff. The staff also mentioned the role out of the "Contact Us about ROP" page on the new ROP website, which can also be used to submit questions and comments regarding the ROP initiative (<https://www.nrc.gov/reactors/operating/oversight/contactus.html>).

### **Conclusion**

At the end of the meeting, NRC and industry management gave closing remarks. NEI expressed appreciation for the open dialogue and willingness of NRC staff to hear industry views. The NRC management stressed the importance of the NRC being focused on providing reasonable assurance of public health and safety when considering changes to the ROP.

The enclosure provides the attendance list for this meeting.

Enclosure:  
As stated

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**ADAMS Accession No.: ML21252A414**

**\* = via email**

<b>OFFICE</b>	<b>NRR/DRO/IRAB/PM</b>	<b>NRR/DRO/IRAB/BC</b>	<b>NRR/DRO/IRAB/PM</b>
<b>NAME</b>	TGovan*	AMasters*	TGovan*
<b>DATE</b>	09/08/2021	09/09/2021	09/09/2021

**OFFICIAL RECORD COPY**

## LIST OF ATTENDEES

### REACTOR OVERSIGHT PROCESS MONTHLY PUBLIC MEETING

**August 26, 2021, 10:30 AM to 12:00 PM**

<b>Name</b>	<b>Organization<sup>1</sup></b>	<b>Name</b>	<b>Organization</b>
Nicole Good	Star Alliance	Micheal Smith	NRC
Nathan Zohner	INPO	Stephen Campbell	NRC
Jim Slider	NEI	Robert Krsek	NRC
Deann Raleigh	Unknown	Zachery Hollcraft	NRC
Daniel McGinnis	Dominion Energy	Scott Burnell	NRC
Marty Murphy	Xcel	Douglas Bollock	NRC
Jeffrey Deal	Unknown	Julio Lara	NRC
John Giddens	Entergy	Shakur Walker	NRC
Robin Ritzman	Curtiss-Wright	Tekia Govan	NRC
Steve Catron	NextEra	Chris Miller	NRC
Bob Post	Dominion Energy	Antonios Zoulis	NRC
Tony Zimmerman	Duke Energy	Ross Telson	NRC
Jared Justin	Unknown	Jeffrey Bream	NRC
Carlos Sisco	Winston and Strawn	Anthony Masters	NRC
Larry Nicolson	Certrec	Daniel Merzke	NRC
Jason Zorn	Unknown	Lisa Regner	NRC
David Gudger	Exelon	Don Johnson	NRC
Jeffrey Stone	Exelon	Michelle Kichline	NRC
Rob Burg	EPM	Edgardo Torres	NRC
Ken Heffner	Certrec	Charles Murray	NRC
Tim Riti	NEI	Chris Speer	NRC
Peg Offerle	Fermi 2 Nuclear	Patricia Pelke	NRC
Lisa Zurawski	Exelon	Ronald Cureton	NRC
Ronnie Gene Surber	Unknown	Ray Keller	NRC
Drew Richards	Unknown	Jamie Heisserer	NRC
Bob Walpole	Fleet Regulatory Assurance	Christopher Cauffman	NRC
Keith Brown	Unknown	Samantha Lav	NRC
Russell Thompson	TVA	Alex Garmoe	NRC
Roy Linthicum	Exelon	Eric Duncan	NRC
Marty Vonk	Unknown	Tony Nakanishi	NRC
Brett Titus	NEI	Kimyata Morgan-Butler	NRC
Cheryl Ann Gayheart	Unknown	Todd Keene	NRC
Adam Goodman	Unknown	Shilp Vasavada	NRC
Margaret Offerle	Unknown	Russell Felts	NRC

<sup>1</sup> Unknown organization indicates that the participant's affiliation was not provided by the issuance of this meeting summary.

<b>Name</b>	<b>Organization</b>	<b>Name</b>	<b>Organization</b>
Andrew Mauer	NEI	Laura Kozak	NRC
Matthew Euten	Unknown	George Smith	NRC
Gary DeMoss	Unknown	Mark King	NRC
Monica Ray	Unknown	Glenn Dentel	NRC
Christian Scott	Unknown	Billy Dickson	NRC
Maggie Staiger	Unknown	Thomas Hipschman	NRC
David Thompson	Unknown	Ken Kolaczyk	NRC
Mark Unruh	Unknown	Kevin Hsueh	NRC
Steven Dolley	S&P Global Platts	Marc Ferdas	NRC
Edwin Lyman	Union of Concerned Scientists	Michael Kunowski	NRC
Jordon Glisan	NRC	Jay Robinson	NRC
Amy Hardin	NRC	Catherine Kanatas	NRC
Jonathan Fiske	NRC	Michael Webb	NRC
Jack Bell	NRC	John Nakoski	NRC
Nick Taylor	NRC	David Curtis	NRC
James Mejia	NRC	David Aird	NRC
Karla Stoedter	NRC	Mike King	NRC
Molly Marsh	NRC	Ching Ng	NRC
Bryan Edwards	NRC	Jason Reed	NRC