



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

October 20, 2022

MEMORANDUM TO: Philip J. McKenna, Chief  
Reactor Assessment Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

FROM: Kenneth Kolaczyk, Reactor Operations Engineer  
Reactor Assessment Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS  
BI-MONTHLY PUBLIC MEETING HELD ON SEPTEMBER 28, 2022

A handwritten signature in black ink, appearing to read "Kenneth Kolaczyk".

Signed by Kolaczyk  
on 10/20/22

On September 28, 2022, 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 representatives to discuss the staff's progress on initiatives related to the ROP and discussions regarding Frequency Asked Questions submitted to the NRC staff for consideration as part of the NRC Performance Indicator Program. The topics discussed during this meeting are described below.

**Significance Determination Process (SDP) Timeliness Review**

The NRC staff provided an update to an ongoing review of timeliness associated with potentially greater-than-Green findings in the SDP. The purpose of the review is to identify any common themes or trends associated with findings that exceeded the 255-day metric as defined in IMC 0307, Appendix A. Staff presented a list of nine ideas to improve metric and/or program guidance. Additional outreach is planned. Any recommendations related to changes to the metric or SDP guidance will be further reviewed and approved by NRC management. A summary of the review along with final recommendations will be documented in a publicly available report by the end of calendar year 2022.

Industry representatives provided several comments and questions during the meeting related to this review.

*Industry comment:* Upfront time performing work in support of a root cause analysis (e.g., component tests or failure modes and effects analyses) is important to help determine if there is a licensee performance deficiency.

CONTACT: Kenneth Kolaczyk, NRR/DRO  
(585) 773-8917

*NRC staff response:* The SDP affords licensees an opportunity to provide available information that may be useful to the staff in arriving at a best-informed decision within a reasonable time. Early communication between the licensee and the NRC regarding information that may be pertinent to the NRC staff determination of a performance deficiency should continue to occur. Consistent with existing guidance, the NRC staff will consider information presented later in the process (e.g., at a Regulatory Conference) that may influence the performance deficiency description if that information was not available during the development of the original performance deficiency.

*Industry comment:* Interactions between the licensee and NRC staff (e.g., NRC senior reactor analysts) are important and should occur early in the process.

*NRC staff response:* We agree, and our understanding and experience is that those conversations are happening early and often. Dialogue and information sharing supports the fundamental SDP attribute of transparency, and the NRC's Principles of Good Regulation. Communication between licensee staff and NRC staff is encouraged at all stages of the SDP.

*Industry comment:* NRC should take the time necessary to get to the right answer.

*NRC staff response:* Maintaining public credibility requires timely public notification of the existence of a potentially significant finding. To make effective decisions, appropriate consideration of uncertainty needs to be applied at all stages of the process. Ultimately, consensus regarding the final significance determination of a licensee performance deficiency is the responsibility of the Significance and Enforcement Review Panel.

*Industry comment:* Did the scope of the timeliness review analyze if there was a decision to exceed the metric and was that decision appropriate?

*NRC staff response:* No. For the potentially greater-than-Green findings studied as part of this review, the primary contributing cause was identified. Since the SDP timeliness metric measures the time from identification of a potential issue until final significance determination, it is not always evident until later in the process that the timeliness goal will be exceeded.

*Industry comment:* During the review, did the team members assess the final significance determination of each finding and concur with the result?

*NRC staff response:* This was not considered or scoped into the timeliness review. As part of the annual ROP self-assessment process, a similar review is conducted for greater-than-Green findings issued during the previous calendar year. The goal is to ensure reliable and predictable program implementation. See the description of Reliability and Performance Metric R-1, Predictability and Repeatability of Significance Determination Results, in IMC 0307, Appendix A, "Reactor Oversight Process Self-Assessment Metrics and Data Trending."

*Industry comment:* With fewer greater-than-Green and potentially greater-than-Green findings in the past several years, did the review team assess whether the uniqueness of these findings contributed to them taking longer to finalize?

*NRC staff response:* All findings are subject to the same timeliness goals regardless of the SDP appendix used to determine the safety or security significance. Some findings may be more complex than others and the staff strives to recognize those findings early. For example, when inspection findings do not initially screen to Green using the various SDP screening tools an Inspection Finding Review Board (IFRB) is typically convened. One of the objectives of the IFRB is to ensure there is early alignment on the scope, schedule and involved resources to support an efficient and effective preliminary significance assessment. A recently issued greater-than-Green security issue at Davis-Besse in NRC inspection report 05000346/2021405 was assessed by the review team. This was the first finalized greater-than-Green issue related to cyber security, and this first-of-its-kind nature may have partly contributed to missing the 255-day timeliness metric.

[Presentation: Significance Determination Process Timeliness Review](#) – (ML22269A480)

### **Status of ROP Enhancement Activities**

The NRC staff provided an update of the status of the ROP Enhancement Commission SECY papers schedule (ADAMS Accession No. ML22025A132) that were last discussed in the July ROP Public Meeting. The 4th Quarter Performance Indicator (PI) Treatment and Greater-Than-Green PI Treatment SECY paper (SECY-22-0086) (ADAMS Accession No. ML22188A221) was submitted to the Commission on September 16, 2022. The Problem Identification and Resolution (PI&R) SECY paper (SECY-22-0087) (ADAMS Accession No. ML22252A161) was provided to the Commission on September 20, 2022. The White/Yellow Findings Definitions revision in Inspection Manual Chapter (IMC) 0609 is ready to be issued but will wait until a corresponding change to the Enforcement Policy is sent to the Commission in a SECY paper at the same time. This activity is projected to occur in about one to two months. The Emergency Planning (EP) Significance Determination Process (SDP) revision SECY (SECY-22-0089) (ADAMS Accession No. ML22189A201) was provided to the Commission on September 22, 2022. The EP Siren Performance Indicator Elimination SECY has been drafted and is projected to be issued in by the end of this calendar year.

### **COVID Lessons-Learned Status Update**

The NRC staff provided a status update of the conclusions and recommendations report developed by a working group tasked to review lessons learned, best practices, and challenges during the COVID-19 Public Health Emergency. The staff reported that the recommendations have been reviewed by the Division of Reactor Oversight and forwarded to the Office of Nuclear Reactor Regulation, for consideration.

### **Overview of Engineering Inspection Initiatives**

The NRC staff shared that the first 4-year engineering inspection program will begin in January 2023. The 4-year inspection cycle will include IP 71111.21M, "Comprehensive Engineering Team Inspection (CETI)," which combines the current IP 71111.21M, "Design Bases Assurance Inspection (Team)," with the triennial portions of IP 71111.07 "Heat Exchanger/Sink Performance", and IP 71111.17T "Evaluations of Changes, Tests and Experiments," and the three Focused Engineering Inspections (FEIs): IP 71111.21N.05 "Fire Protection Team Inspection," IP 71111.21N.03 "Commercial Grade Dedication," and IP 71111.21N.04 "Age-Related Degradation." The staff stated that IP 71111.21N.04 inspections will not begin until July 2023, and that the final inspection procedure will be completed and publicly available in December 2022. Staff also shared the draft objectives for 71111.21N.04. In addition, staff noted that first public meeting with industry to further discuss CGD inspection implementation was conducted on September 20, 2022. Staff responded to questions from the industry and listened to concerns regarding industry corporate shared resources in supporting simultaneous

inspections in multiple regions. NRC staff reemphasized that inspections will be conducted at each operating reactor licensee site.

[Presentation: Overview of Engineering Inspection Activities](#) – (ML22265A176)

### **Frequently Asked Question (FAQ) 22-02 - Diablo Canyon Scram**

A representative of the ROP Task Force distributed to the NRC staff a one-page paper that contained recommended or similar wording for the proposed resolution of FAQ 22-02 as described on page 5 of 7 of the FAQ. (ADAMS Accession No.ML22276A240). The NRC staff included the revised wording in the final write-up of the NRC's response to the FAQ. This FAQ has been closed.

[FAQ 22-02- Diablo Canyon Scram - Final Approved - \(ML22278A296\)](#)

### **FAQ 22-03 - Susquehanna Scram Proposed Response**

The NRC staff presented its preliminary conclusion regarding FAQ 22-03 related to an October 11, 2021, Susquehanna reactor plant scram. The guidance needing interpretation was Figure 2, "IE04 Unplanned Scrams with Complication – Flowchart," on page 29 of NEI 99-02, "Regulatory Assessment Performance Indicator Guideline," Revision 7, specifically establishing pressure control following the initial transient. After reviewing FAQ 22-03, the NRC staff concluded that the question "Was pressure control unable to be established following the initial transient?" should be answered "No." Following the initial transient, despite an EHC failure, pressure control was able to be established using the Main Steam Line Drains and the High-Pressure Coolant Injection (HPCI) in pressure mode as part of the pressure control system. Pressure was established without the automatic cycling of SRV(s) and without having failed open SRV(s). Therefore, this event should not be classified as an Unplanned Scram with Complications.

During the meeting, the NRC staff provided the following as background information for the topic:

FAQ 22-03 – Susquehanna Scram Proposed Response – (ADAMS Accession No. ML22278A766)

The FAQ was finalized and approved at the meeting:

[FAQ 22-03- Susquehanna Scram – Final Approved](#) – (ML22278A766)

### **PRA Configuration Control Review Update**

The NRC staff discussed preliminary results of three of eight PRA Configuration Control tabletops along with an update to the overall plan and path forward to the agency's framework, addressing the PRA Configuration Control oversight gap.

[Presentation: PRA Configuration Control Review](#) – (ML22263A477)

### **The Next ROP Meeting:**

The next ROP bi-monthly public meeting is tentatively scheduled as a hybrid meeting (NRC Commissioner Meeting Room and MS Teams) for Thursday, November 17, 2022.

### **Communicating With The NRC Staff**

At the start of all ROP public meetings, the meeting organizer provided contact information for the participants to use to provide their name as a participant in the meeting. This contact information was also provided for submitting questions and comments to the NRC technical staff. Please note that any questions and/or comments pertaining to the ROP can be sent to [Kenneth.Kolaczyk@nrc.gov](mailto:Kenneth.Kolaczyk@nrc.gov). Questions and/or comments will be forward to the appropriate NRC staff.

### **Conclusion**

At the end of the meeting, NRC and industry management gave closing remarks. The industry representatives 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

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS BI-MONTHLY PUBLIC MEETING HELD ON SEPTEMBER 28, 2022, DATED OCTOBER 20, 2022

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**ADAMS Accession No.: ML22286A238**

**NRR-106**

<b>OFFICE</b>	<b>NRR/DRO/IRAB</b>	<b>NRR/DRO/IRAB/BC</b>	<b>NRR/DRO/IRAB</b>
<b>NAME</b>	KKolaczyk*	PMcKenna*	KKolaczyk*
<b>DATE</b>	10/18/2022	10/19/2022	10/20/2022

**OFFICIAL RECORD COPY**

## LIST OF ATTENDEES

### REACTOR OVERSIGHT PROCESS BI-MONTHLY PUBLIC MEETING

**September 28, 2022, 9:30 AM to 12:00 PM**

<b>Name</b>	<b>Organization<sup>1</sup></b>	<b>Name</b>	<b>Organization</b>
James Morris	PG&E	David Aird	NRC
Steve Catron	NextEra	Philip McKenna	NRC
Bob Murrell	NextEra	Meena Khanna	NRC
James Slider	NEI	James Drake	NRC
Tim Riti	NEI	Jonathan Fiske	NRC
Tony Brown	NEI	Zachary Hollcraft	NRC
Larry Nicholson	Certrec	Marc Ferdas	NRC
Nicole Good	Stars Alliance	Ty Ospino	NRC
David Mannai	PSE&G	Kenneth Kolaczyk	NRC
Melody Rodriguez	NEI	Antonios Zoulis	NRC
Carol Seipp	Xcel	Ray Azua	NRC
Roy Linthicum	Constellation Energy	Ashly Demeter	NRC
Martin Murphy	Xcel	Don Johnson	NRC
Andrew Mauer	NEI	Ronald Cureton	NRC
James Orr	Constellation Nuclear	Laura Kozak	NRC
Stuart Loveridge Rymer	TVA	Julie Winslow	NRC
Naeem Iqbal	NRC	Avinash Jaigobind	NRC
Kenneth Mack	NextEra	Amy Hardin	NRC
Michael Richardson	PG&E	Matthew Humberstone	NRC
Jack Hicks	Luminant	Natasha Green	NRC
Linda Dewhirst	NPPD	Jennifer Cheung	NRC
Charles Murry	NRC	Hang Vu	NRC
Tony Zimmerman	Duke Energy	Julio Lara	NRC
Alison Rivera	NRC	Brian Benny	NRC
Charlene N Chotalal	Dominion	Andy Rosebrook	NRC
Ramakrishna Thatipamala	PG&E	Doug Bollock	NRC
Russell Thompson	TVA	Daniel Merzke	NRC
Stephanie Pyle	Entergy	Lundy Pressley	NRC
William Schaup	NRC	Laura Pearson	NRC
Chris Miller	NRC	Jen Whitman	NRC
Ayesha Athar	NEI	Charles Murray	NRC
Toni Nakanishi	NRC	Edgardo Torres	NRC
Victoria Anderson	NEI	Brian Hughes	NRC
Robin Ritzman	Curtis Wright	John Hughey	NRC
Ken Heffner	Unknown <sup>1</sup>	Dariusz Szwarc	NRC
Melody Rodriguez	NEI	Deann Raleigh	NEI
Keri Osborne	Southern	Ekaterina Lenning	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<sup>1</sup></b>	<b>Name</b>	<b>Organization</b>
Jonathan Thomas	Duke	Alex Garmoe	NRC
David Garmon	NRC	Laura Peterson	NRC
Katie Brown	Talen Energy	Thomas Dashiell	NRC
Scott Burnell	NRC	David Hills	NRC
Robert Krsek	NRC	Mathew Leech	NRC
David Curtis	NRC	Shawn Lichvar	NRC
Shakur Walker	NRC	Lou McKown	NRC
Richard Stadtlander	Xcel	Eric Bowman	NRC
Dante Johnson	NRC	Jennie Rankin	NRC
Jonathan Grieves	NRC	Sara Scott	Xcel
Nicolas Taylor	NRC	Patricia Vossmar	NRC
John Lane	NRC	Darlene Delk	TVA