



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

April 24, 2019

MEMORANDUM TO: Gregory T. Bowman, Chief
Reactor Assessment and Human Factors Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

FROM: Tekia V. Govan, Project Manager **/RA/**
ROP Support and Generic Communication Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS MONTHLY
PUBLIC MEETING ON MARCH 27, 2019

On March 27, 2019, 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 enhancement initiative. The meeting was webcast live and can be accessed at the following web address: <https://video.nrc.gov/>.

In opening remarks, NRC management discussed the goals and objectives of the initiative and stressed the importance of the project for improving the ROP. The NRC reiterated from the November 15, 2018, January 17, 2019, and March 7, 2019, public meetings that the fundamentals of the ROP are sound and that the ROP enhancement initiative is not looking to rebuild the foundation of the ROP, but rather to make changes to better risk-inform and performance base the ROP and improve its efficiency and effectiveness while taking into account the NRC's Principles of Good Regulation (independence, clarity, openness, reliability and efficiency). The staff is preparing a Commission paper outlining nearer-term proposed changes to the ROP, scheduled to be completed in June 2019.

The NRC staff continued the meeting by providing background information on project infrastructure, guiding principles, and NRC regional involvement for ROP enhancement. The focus of the meeting was on three major themes that the staff plans to submit to the Commission as areas for recommended changes requiring their approval. These themes are:

- NRC response to White inspection findings
- Baseline Inspection Program enhancements
- Significance Determination Process (SDP) improvements

CONTACT: Tekia V. Govan, NRR/DIRS
(301) 415-6197

For each major theme, the staff presented how the NRC was addressing specific recommendations made by both internal and external stakeholders on how the ROP could be enhanced and what the NRC was doing to address the recommendations. All the recommendations made to the staff to enhance the ROP can be accessed in the Agencywide Documents Access and Management System (ADAMS) at Accession Nos. ML18292A594 and ML18262A322.

The staff also presented more specific proposed changes for each theme that would require Commission approval which included the following:

- Eliminate the 4-quarter requirement for greater-than-Green (GTG) inspection findings, with an option to revise treatment of GTG performance indicators
- Optimize the baseline inspection program
- Better risk inform the emergency preparedness significance determination process

The staff also presented longer-term activities under consideration for enhancing the ROP, which included:

- Evaluate revisions to performance indicators
- Perform holistic review of problem identification and resolution inspections
- Re-evaluate the Cross-Cutting Issues (CCI) Program
- Optimize Independent Spent Fuel Storage Installation inspections
- Optimize radiation protection inspections
- Evaluate SDP infrastructure improvements
- Assess additional actions identified in emergency preparedness focused self-assessment

The staff also discussed several activities planned for 2019 and beyond which included,

- Commission paper concurrence (April – June 2019)
- Implement Commission-approved recommendations
- Assess actions for next phase of the ROP enhancement project
- Perform a lessons learned evaluation on the ROP enhancement project
- Meet with industry, as needed, during routine ROP monthly meetings

During discussions with the industry and other external stakeholders, including general members of the public on the above information, several views were presented, which are highlighted below.

Human Reliability Assessment

The industry expressed a view that the NRC should continue to address what they consider NRC's overly conservative treatment of assessing human errors while performing detailed risk evaluations for more significant inspection findings. The industry stated that the methodologies being used by NRC may not take into account advances in assessing the significance of human errors. The industry offered to provide examples of situations where the application of human reliability assessments was problematic. The staff stated that they would continue dialogue with industry in future meetings on this topic.

Press Releases for White Inspection Findings

The staff presented that it considered this issue to be closed and that no additional action would be taken on the industry's recommendation to terminate press releases for White inspection findings. The staff had already taken action, working with NRC's Office of Public Affairs (OPA), to ensure that existing guidance on issuing press releases be followed. In previous public meetings on this issue, NRC staff suggested that interested industry representatives should contact OPA for any further questions. One industry representative stated that it was industry's intention to contact OPA for further dialogue.

A member of the public stated that the NRC should continue to be open with the public on its communications with the public and stated that the NRC should not conduct meetings with industry on this issue unless it was in the public domain. The staff and industry stated that any communications, whether letters or meetings, on this issue would be in the public domain.

Revising White and Yellow Inspection Finding Labels

One member of the public from the Union of Concerned Scientists stated that NRC appeared to be reducing the significance of White and Yellow inspection findings by taking this action and did not agree with the proposed action, including the staff's proposed action to remove the requirement to notify State governors on the issuance of White findings. The staff pointed out that the change would not reduce their significance, rather the change would make the descriptions more consistent with other program elements and would add clarity.

NRC's Supplemental Response to White Findings

The industry expressed appreciation for the staff's plans to revise Inspection Procedure (IP) 95001, "Supplemental Inspection Response to Action Matrix Column 2 Inputs," to not require a root cause for White findings and to adjust the number of inspection hours to less than the current resource estimate. The industry, however, would like for the staff to take a broader view of the NRC's response to improve communications, expectations, and predictability. The industry noted that their preparations and response to IP 95001 is a significant resource burden that is oftentimes not commensurate with the safety significance of the issue.

Eliminating 4 Quarter Requirement for Greater-than-Green (GTG) Inspection Findings and Revising NRC Treatment of GTG Performance Indicators

Although industry stated their support for eliminating the 4-quarter requirement for inspection findings to remain on the Action Matrix, they stated that they are not aligned with NRC's proposed recommendation to revise the treatment of GTG performance indicators (PIs). The industry's view is that PIs should be treated fundamentally differently than inspection findings because: (1) PIs are indicative of real-time plant performance and (2) treating PIs like inspection findings would convey "unreal or non-existent safety implication." The industry was unclear as to what problem the staff is attempting to correct. The staff stated that the problem, as data supports, is that industry's correction of GTG PIs is generally not as timely as it should be. The staff agreed to show the supporting data at the upcoming April 2019 public meeting to facilitate further dialogue.

Optimizing the Baseline Inspection Program

Although the industry is aligned with NRC efforts to re-examine various elements of the baseline inspection program, they believe that it would be prudent for NRC to share the basis for changes being proposed and specific changes to number of inspection samples and inspector hours expended. The staff agreed to share more information at the next ROP public meeting scheduled for April 2019. The staff also expressed its intentions to perform a holistic review of the problem identification and resolution program later in 2019.

Combining the Mitigating Strategies SDP and At-Power SDP

The staff briefly stated its plan to combine the Mitigating Strategies SDP (IMC 0609, Appendix O) with the SDP used for at-power inspection findings (IMC 0609, Appendix A). The industry stated that they continue to be of the view that Appendix O should be combined with the SDP used for B.5.b inspection findings (IMC 0609, Appendix L). The staff explained that inspection findings for mitigating strategies and at-power conditions have a more natural fit in terms of assessing significance, while the circumstances for B.5.b inspection findings (i.e., fire, explosions) are more unique in nature and would be better served by a standalone SDP. The staff plans to issue the revised Appendix A SDP procedure by summer 2019.

Re-evaluation of the Cross-Cutting Issues Program

The staff stated that they plan to assess the CCI Program to examine its effectiveness and to determine if there were oversight gaps in the current ROP. The staff discussed whether the ROP and its program elements were adequate to address plants that are considered to be performance outliers. The industry expressed much interest in this topic and requested to be closely involved in any possible changes to be considered to the ROP. A point made by industry was NRC's rather limited use of the ROP deviation process – a process that is available to the staff when the ROP does not adequately address certain oversight situations, such as licensees that might be considered performance outliers.

Conclusion

At the end of the meeting, NRC and industry management gave closing remarks. NEI expressed that any changes made by the staff be fact-based and that changes should consider the industry's view that industry performance has improved since the ROP began. Also mentioned, was the need for NRC oversight be safety focused. NRC management stressed the importance of NRC being focused on providing reasonable assurance of public health and safety for changes to the ROP considering other aspects of NRC mission, including plant design and licensing activities. NEI committed to providing a letter to the NRC which documents their views about certain topics discussed during the meeting. The NRC staff expects to receive this letter prior to the next ROP meeting on April 24, 2019.

The enclosure provides the attendance list for this meeting.

Enclosure:
As stated

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ADAMS Accession No.: ML19113A034

*OFFICE	NRR/DIRS/IRGB/PM	NRR/DIRS/IRAB/TR	NRR/DIRS/IRGB/LA	NRR/DIRS/IRAB/BC
NAME	TGovan	RGibbs	BCurran	GBowman
DATE	04/16/2019	04/23/2019	04/23/2019	04/24/2019

OFFICIAL RECORD COPY

LIST OF ATTENDEES

REACTOR OVERSIGHT PROCESS MONTHLY PUBLIC MEETING

March 27, 2019, 1:00 PM to 4:00 PM

**NRC One White Flint North
Commission Hearing Room
11555 Rockville Pike
Rockville, MD**

<u>Name</u>	<u>Organization</u>
1. David T. Gudger	Exelon
2. Ho Nieh	NRC
3. Tony Brown	TVA
4. Justin Wearne	PSEG
5. Pete Sena	PSEG
6. Ken Heffner	Certrec
7. James Hegger	Duke Energy
8. Marty Murphy	Xcel
9. Greg Halnon	First Energy
10. Eric Bowman	NRC
11. Geoff Miller	NRC
12. Mohammed Shuaibi	NRC
13. Alex Garmoe	NRC
14. Robert Kahler	NRC
15. Andrea Mayer	NRC
16. Jennifer Uhle	NEI
17. Mike Franovich	NRC
18. Maggie Staiger	NEI
19. Erin Henderson	TVA

20. Tony Zimmerman	Duke Energy
21. Chris Earls	NEI
22. Deann Raleigh	Curtiss Wright
23. Joel Munday	NRC
24. Ross Telson	NRC
25. Robert Krsek	NRC
26. Mike Montecalvo	NRC
27. Russell Gibbs	NRC
28. Tom Hipschman	NRC
29. Clay Johnson	NRC
30. Tom Fredette	NRC
31. William Orders	NRC
32. Jimi Yerokun	NRC
33. James Slider	NEI
34. Daniel Merzke	NRC
35. Kevin Hsueh	NRC
36. David Aird	NRC
37. Tekia Govan	NRC
38. Carla Roque Cruz	NRC
39. Chris Miller	NRC
40. Billy Dickson	NRC
41. Gregory Bowman	NRC
<u>Participated via conference line</u>	
42. Mary Anderson	NRC
43. Tara Inverso	NRC
44. Jerry Bonanno	NEI

45. Larry Parker

Star Alliance

46. Rob Burg

Engineering Planning and
Management

47. Robin Ritzman

FENOC