



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

October 19, 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 SEPTEMBER 23, 2021

On September 23, 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.

Follow-On COVID Lessons-Learned Activities

As a part of opening remarks, NRC management provided the COVID lesson learned working group charter to be discussed at the next ROP meeting monthly meeting ((Agencywide Document Access Management System (ADAMS) Accession No. ML21264A314). It was indicated during the meeting that the staff would consider industry input into the charter prior to issuance.

Industry Feedback on the 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"

NEI provided feedback on the ROP changes as result of the withdrawal of SECY-18-0113 and SECY-19-0067 (ADAMS Accession No. ML21266A065). Generally, NEI understands the rationale for the withdrawal of both SECY papers. However, NEI would like to continue discussion with the NRC technical staff on the scope of the triennial fire protection inspection. This topic will be discussed further at a future ROP meeting.

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301-415-6197

Status of 10 CFR 50.72(b), Nonemergency Reporting Requirements Rulemaking

The staff discussed the status of the 10 CFR 50.72(b) nonemergency reporting requirements rulemaking effort. The background for this effort was provided in the last ROP public meeting on August 26, 2021 (ADAMS Accession No. ML21252A414). The working group, comprised of experts across nine NRC offices and regions, are developing the regulatory basis¹ and plans to issue the draft regulatory basis by Federal Register Notice for public comment in Summer 2022. A public meeting is planned for November 2021 to solicit feedback from stakeholders on topics such as: 1) how organizations, licensees, and the public use non-emergency reports; 2) the specific burdens to licensees in providing these reports; 3) how changes to timing could impact the burden; and 4) other ideas on alternatives to non-emergency notifications. A cost benefit analysis will be performed for this rulemaking effort. Questions received from meeting participants included requests for more details on the cost benefit analysis, public outreach planned, and the staff's specific topics of interest when soliciting feedback. The staff will continue the discussion on this topic at the next ROP meeting.

Status on Problem Identification and Resolution (PI&R)

The NRC staff briefed plans to proceed with proposed changes to the PI&R inspection procedure (IP) 71152, documented in the Comprehensive Review of the Reactor Oversight Process Problem Identification and Resolution Inspection Program Report (ADAMS Accession No. ML20247J602). These changes will be carried out in an incremental fashion, with initial minor changes to be made in the next three months, and more substantive changes made in the next two years.

Status on Cross Cutting Issues and the Degraded Performance Column (Column 3) of the Action Matrix

The NRC staff provided a brief update on two previously completed ROP effectiveness reviews that assessed the Cross-Cutting Issues (CCI) program and the Degraded Performance Column (Column 3) of the Action Matrix. The CCI effectiveness review report is available under ADAMS Package Accession No. ML20239A806 and the Column 3 report is available under ADAMS as Accession No. ML21069A154. The staff briefly revisited the recommendations documented in the reports and discussed the current dispositioning of the recommendations for near-term action. Dispositioning of the CCI recommendations is available under ADAMS Accession No. ML21209A993 and disposition of the Column 3 recommendations is available under ADAMS Accession No. ML21209B001. An external stakeholder asked whether the staff had considered the decreasing trend in inspection findings, possible causes for it, and the impacts of it on the ROP. The staff acknowledged the concerns expressed and noted that, while at least partially outside the scope of the Column 3 review, they would be within the scope of a cumulative effects review that was approved for future action, as noted in the Column 3 dispositioning memo.

¹ The **regulatory basis** contains the justification for the rulemaking, describe the issues that must be addressed, provide the scientific, technical, legal, or policy information that supports the rulemaking, and provides a basis for informed decisions during the rulemaking process.

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

NEI provided status of their initiative to develop guidance on how to apply reporting requirements for licensees with risk-informed licensing basis. This draft guidance has been developed, and NEI will be incorporating feedback received from an industry tabletop meeting. NEI would like to conduct a workshop, in late Fall, to obtain NRC staff feedback on this guidance document.

Status of IMC 0609, Appendix D

The NRC staff provided a status update regarding the revision of the Public Radiation Safety Significance Determination Process (SDP) documents: 1) Inspection Manual Chapter (IMC) 0609, Appendix D, "Public Radiation Safety Significance Determination Process;" and 2) IMC 0308, Attachment 3, Appendix D, "Technical Basis for Public Radiation Safety Significance Determination Process." Staff communicated that with this update to the Public Radiation Safety SDP and basis documents, guidance would be added to enable staff to disposition violations of 10 CFR Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material," under the ROP. The staff recently communicated with the Commission on the proposed update to IMC 0609, Appendix D, on July 16, 2021 via COMSECY-21-0010 (ADAMS Accession No. ML21144A140). The intent of the COMSECY was to request Commission approval to add guidance in the SDP and basis documents for dispositioning 10 CFR Part 37 issues. In addition, the COMSECY also notified the Commission of the proposed SDP and basis document updates for the inclusion of additional guidance for dispositioning transportation related issues. The Commission recently approved the staff's proposed update to IMC 0609 on August 19, 2021, via SRM-COMSECY-21-0010 (ADAMS Accession No. ML21231A250). During the meeting the staff noted that they are working to issue the updated SDP soon. Following the public meeting, on September 24, 2021, the updated IMC 0609, Appendix D (ADAMS Accession No. ML20346A515) and IMC 0308 Attachment 3, Appendix D (ADAMS Accession No. ML20346A502) were issued.

Meeting Action Items

No action items.

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. 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.: ML21292A142

*** = via email**

OFFICE	NRR/DRO/IRAB/PM	NRR/DRO/IRAB/BC	NRR/DRO/IRAB/PM
NAME	TGovan*	AMasters*	TGovan*
DATE	10/18/2021	10/19/2021	10/19/2021

OFFICIAL RECORD COPY

LIST OF ATTENDEES

REACTOR OVERSIGHT PROCESS MONTHLY PUBLIC MEETING

September 23, 2021, 10:00 AM to 12:00 PM

Name	Organization²	Name	Organization
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
Marty Murphy	Xcel	Nicole Fields	NRC
Tony Zimmerman	Duke Energy	Douglas Bollock	NRC
Robin Ritzman	Curtiss-Wright	Julio Lara	NRC
Steve Catron	NextEra	Shakur Walker	NRC
Jonathan Johnson	TVA	Tekia Govan	NRC
Venna Gubbi	DEP	Caty Nolan	NRC
Rob Burg	EPM	Christopher Regan	NRC
Ken Heffner	Certrec	Ross Telson	NRC
Tim Riti	NEI	Jeffrey Bream	NRC
Carlos Sisco	Winston and Strawn	Anthony Masters	NRC
Jacob Fakory	DEP	Robert Kahler	NRC
Russell Thompson	TVA	Lisa Regner	NRC
Christopher Pupek	Exelon Nuclear	Don Johnson	NRC
Bob Murrell	NextEra	Dariusz Szwarc	NRC
Brett Titus	NEI	Bridget Curran	NRC
Alan Campbell	NEI	Charles Murray	NRC
Adam Goodman	Fleet Regulatory Affairs	Chris Speer	NRC
Ozzie Vidal	Unknown	Patricia Pelke	NRC
Andrew Mauer	NEI	Paul Rades	NRC
Julie Winslow	Unknown	Ray Keller	NRC
Christian Williams	Exelon Nuclear	Paul Goldberg	NRC
Melody Rodriguez	Unknown	Christopher Cauffman	NRC
Mark Unruh	Unknown	David Aird	NRC
Edwin Lyman	Union of Concerned Scientists	Alex Garmoe	NRC
John Hughey	NRC	Eric Duncan	NRC
Joylynn Quinones-Navarro	NRC	Tony Nakanishi	NRC
Jonathan Fiske	NRC	Kimyata Morgan-Butler	NRC
Ty Ospino	NRC	Frances Ramirez	NRC

² Unknown organization indicates that the participant's affiliation was not provided by the issuance of this meeting summary.

Name	Organization	Name	Organization
		Ray Azua	NRC
		Laura Kozak	NRC
		Thomas Hipschman	NRC
		Kevin Hsueh	NRC