

July 17, 2012

MEMORANDUM TO: Shana R. Helton, Chief  
Rulemaking Branch  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

FROM: Richard F. Dudley, Senior Project Manager */RA/*  
Rulemaking Branch  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE JUNE 20, 2012 CATEGORY 3  
PUBLIC MEETING TO DISCUSS THE FUKUSHIMA  
NEAR-TERM TASK FORCE RECOMMENDATION 1 ON  
REGULATORY FRAMEWORK

The Nuclear Regulatory Commission (NRC) held a Category 3 public meeting on June 20, 2012, to (1) provide external stakeholders with the NRC staff's preliminary thoughts on regulatory framework alternatives being evaluated to provide a recommended approach to the Commission regarding the Fukushima Near-Term Task Force (NTTF) Report Recommendation 1 on regulatory framework improvements and (2) afford external stakeholders an opportunity to ask the NRC staff clarifying and amplifying questions on the Recommendation 1 effort. Details on NTTF Recommendation 1 can be found in the *Near-Term Task Force Recommendations for Enhancing Reactor Safety in the 21<sup>st</sup> Century Report*, issued July 12, 2011, in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML111861807.

The meeting was held at an NRC facility in Rockville, Maryland and was attended by 39 people. Approximately 35 additional individuals remotely participated in the meeting through webinar and audio teleconferencing. The attendee list is provided as Enclosure 1. Since the NRC was not accepting public comments at the meeting, a transcript of the meeting was not obtained. The audio portion of the discussion was recorded and is available on CD by request to the meeting contact, Richard F. Dudley.

The notice and agenda for the meeting can be found in ADAMS under Accession No. ML12152A014. The NRC staff provided a presentation describing the status of its ongoing efforts regarding NTTF Recommendation 1. The slides for the presentation are provided as Enclosure 2.

CONTACT: Richard F. Dudley, NRR/DPR  
301-415-1116

## NRC Staff Presentations

Opening remarks for the meeting were provided by Richard F. Dudley, NRC Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation. Mr. Dudley discussed the NTTF Framework Recommendations and Commission direction. Mr. Dudley also presented an overview of the NRC staff's approach to developing the Commission paper and the basic options being considered. Mr. Dudley noted that there will be future opportunities for stakeholder interaction as the NRC staff moves forward.

Mr. Dudley then discussed the NRC staff's thoughts for evaluating framework options and the scope of a regulatory framework. Following Mr. Dudley's presentation, Mary Drouin, Division of Risk Analysis, Office of Nuclear Regulatory Research, led a discussion of the NRC staff's concept of defense-in-depth.

Following Ms. Drouin's presentation, Mr. Dudley led a discussion of Options 1 and 2 for a regulatory framework response to NTTF Recommendation 1.

Option 3 involved new framework alternatives and consists of four alternatives. Mr. Dudley provided an overview of the four alternatives and presented information on Option 3.1, creation of an extended design basis framework as described by NTTF (adding a new extended design basis category). Mr. Michael Snodderly, Senior Reliability and Risk Analyst, Office of Nuclear Regulatory Research, presented information on Option 3.2, implementation of the Risk Management Task Force framework approach. Mr. Dudley presented information on Option 3.3, development of a new category-based framework. Ms. Drouin presented information on Option 3.4, development of a new framework utilizing NUREG-1860 (using a technology-neutral approach).

Throughout the presentation, there was interaction with stakeholders and opportunities for stakeholders to ask questions about the NRC staff's approach to Recommendation 1 and Options 1-3. A summary of key points raised by stakeholders is provided as Attachment 3.

The NRC strongly encouraged feedback, indicating that all input regarding additional framework options must be received by July 15, 2012, via email to [NRR\\_JLD.Resource@nrc.gov](mailto:NRR_JLD.Resource@nrc.gov). However, a key comment received during the meeting was that comments submitted to this email address are not available to be reviewed by external stakeholders. In response to this concern, the NRC has opened a docket (Docket NRC-2012-0173) on [www.regulations.gov](http://www.regulations.gov). Additional information related to Fukushima Recommendation 1 will be posted on [www.regulations.gov](http://www.regulations.gov) in Docket ID NRC-2012-0173. Regulations.gov allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: 1) navigate to the docket folder, Docket NRC-2012-0173; 2) click the "E-mail Alert" link; and 3) enter your e-mail address and select how frequently you would like to receive e-mails (daily, weekly or monthly).

The NRC staff concluded by discussing the schedule for future stakeholder interactions, including a public meeting anticipated for Fall 2012 to discuss the pros and cons of regulatory framework options.

Enclosures:

1. Attendee List
2. NRC Presentation Slides
3. Summary of Discussion and Feedback

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Enclosures:

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OFFICE	NRR/DPR/PRMB	NRR/DPR/PRMB: PM	NRR/DPR/PRMB:BC
NAME	CEngland (RDudley for)	RDudley	SHelton
DATE	7/16/2012	7/16/2012	7/17/2012

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**List of Meeting Attendees, June 20, 2012 Public Meeting  
on NTTF Recommendation 1**

<b>Name</b>	<b>Organization</b>
Richard Dudley	NRC/NRR
Tara Inverso	NRC/NRR
Daniel Doyle	NRC/NRR
Keith Woodard	ABS Consulting
N. P. Kadambi	Self
Emily Maguire	PSEG
David Lange	LightBridge
Vince Gilbert	EXCEL
Mark Campagna	ABS Consulting
Shana Helton	NRC/NRR
Margaret Tobin	NRC/RES
Hanh Phan	NRC/NRO
Doug True	ERIN
Steven Mirsky	NuScale Power
Steven Dolley	Platts
Edward Burns	Westinghouse
Richard Groff	Exelon
Geary S. Mizuno	NRC/OGC
Don Dube	NRC
Tim McGinty	NRC/NRR
Dennis Damon	NRC
Nashan Siu	NRC/RES
Janet Schlueter	NEI
Christina England	NRC/NRR
David K. White	AREVA
Stephen Campbell	NRC/NRR
Bob Lutz	Westinghouse
Joe Rivers	NRC
Jonathan DeJesus	NRC
Stephen Dinsmore	NRC
Michael Snodderly	NRC
Stanley Levinson	AREVA
Nissia Sabri	AREVA
Amir Afzale	SNC
Jason Zorn	NEI
Biff Bradley	NEI
Victoria Anderson	NEI
TaKao Ikeuchi	Japanese News Media
Bruce Bevand	ORNL
Ed Lyman	UCS
*Agee, Stephanie	Southern Nuclear
*Bockelman, Tony	Black and Veatch
*Brandon, Lisa O.	Geosyntec Consultants

ENCLOSURE 1

<b>Name</b>	<b>Organization</b>
*Casadevall, Steve	ASCO Valve
*Chapman, Nancy G.	Bechtel SERCH
*Fisher, Allison	Public Citizen's Energy Program
*Frantz, Steven P.	Morgan, Lewis, and Bockius
*French, Dominique	Nuclear Information & Resource Service
*Gilles, Nanette	NRC/OCM
*Haeger, Al	Certrec Corp.
*Kinsey, Jim	INEL/NGNP
*Kloosterman, James	Tetrattech
*Kreider, Leroy	Engineering Planning and Management, Inc.
*Kriner, Jeffrey B.	Areva – Bellefonte NPP
*Lanese, Lou	NuScale Power
*Lewis, Stuart	EPRI
*Lowry, Peter P	PNNL
*Mays, Gary T.	Oak Ridge National Lab
*Ohlemacher, Glen	DTE Energy (Fermi 2)
*Pandi, Nico	Jiji Press news agency
*Patton, Daniel	Bechtel
*Praus, Stephanie	International Technology & Trade Associates
*Rebstock, Paul	RES/NRC
*Seeley, Linda	self
*Settles, Alwyn C.	Illinois Bureau of Nuclear Facility Safety
*Shahrokhi, Farshid	AREVA
*Sharoff, Mark	U.S. GAO
*Sloane, Barry D.	ERIN Engineering
*Spink, Thomas E.	TVA/Bellefonte Licensing
*Stokes, Tracey	NRC
*Swanek, Thaddeus	NEI
*Traynor, John M.	R.E.Ginna Nuclear Power Plant
*Van Buiten, Lee A.	Duane Morris
*Wong, Michelle R.	Analyst, U.S. Government Accountability Office
*Zohner, Nathan L.	INPO

\*Participated via webinar or teleconference

**Summary of Discussion and Feedback at the June 20, 2012 Public Meeting**  
**on NTTF Recommendation 1**

Some key areas of stakeholder interest and feedback received at the meeting include:

- A stakeholder recommended against the use of Probability Risk Assessments (PRAs) in potential frameworks because UCS believes that current PRAs are defective and are too far from reality.
- A commenter observed that the use of PRAs for determining adequate protection and defense-in-depth could inadvertently remove the public from the process because PRAs are highly technical, not transparent, and are typically considered proprietary.
- A commenter expressed industry concern that using PRAs in a regulatory framework could make the PRA part of the licensing basis and potentially make it subject to Appendix B requirements.
- A commenter expressed industry concern that the Recommendation 1 effort seemed to be focused only on adding new requirements and not also reducing unnecessary requirements.
- One commenter was concerned that limiting the scope of Recommendation 1 framework to operating reactors and evolutionary light water reactors (LWRs) could result in a higher regulatory hurdle for other advanced reactor designs and preferential treatment for specific reactor types.
- There was a question on whether the NRC will integrate the Recommendation 1 effort with its draft plan for retrospective review of regulations and the initiative on the cumulative effects of regulations. The NRC staff responded that the Recommendation 1 effort will be coordinated with both the retrospective review and cumulative effects of regulations initiative.
- A stakeholder suggested that the NRC establish quantitative evaluation criteria for selecting an option to recommend to the Commission.
- A stakeholder recommended that the NRC's evaluation of defense-in-depth should consider the background information in the Statement of Considerations for the PRA Policy Statement.
- An industry representative recommended that the NRC consider past experience regarding the successfulness of other NRC risk-informed initiatives.
- A vendor was concerned that if we start with a new baseline, something will happen afterwards that will cause the NRC to think that something was put in the wrong place. The commenter continued, noting that regulation, by its nature, will be patchwork as you learn new things – either operational or regarding new reactors. Because of the unknown unknowns, regardless of the framework, there will still be some patchwork items as time progresses.
- A stakeholder suggested that the NRC consider the assessment of risk methods used by other agencies (e.g., NASA, chemical industry).
- An industry representative raised concerns about future opportunities for stakeholder engagement since the NRC had established a deadline of July 15 (3 weeks away) for suggestion of new options for the NRC to evaluate. The NRC noted that three ACRS meetings are planned (Aug./Dec.-Jan./Feb.-March) to ensure stakeholder involvement. The NRC staff emphasized that the planned meeting this Fall will be more focused on obtaining feedback on the pros/cons of each option.

ENCLOSURE 3

- An industry representative raised a concern regarding the visibility of comments received via the JLD mailbox, noting that commenters cannot see the comments of others. In response, the NRC staff decided to open a docket on [www.regulations.gov](http://www.regulations.gov) for NTTF Recommendation 1.



Enclosure 2  
Presentation Slides  
Meeting Summary of the 06/20/2012 Meeting with  
NRC/Stakeholders  
Dated: July 17, 2012