

October 30, 2015

MEMORANDUM TO: Greg A. Casto, Chief
Balance of Plant Branch
Division of Safety Systems
Office of Nuclear Reactor Regulation

FROM: Todd Keene, Project Manager */RA/*
Generic Communications Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

SUBJECT: PUBLIC MEETING BETWEEN U.S. NUCLEAR REGULATORY
COMMISSION STAFF AND STAKEHOLDERS TO DISCUSS
ENFORCEMENT DISCRETION FOR TORNADO-GENERATED
MISSILE PROTECTION

On September 10, 2015, a Category 2 public meeting was held between the U.S. Nuclear Regulatory Commission (NRC) staff, utility groups, and other stakeholders at NRC headquarters, Three White Flint North, 11601 Landsdown Street, Rockville, MD 20852 to discuss issues identified by stakeholders during the review and application of Enforcement Guidance Memorandum EGM 15-002, "Enforcement Discretion for Tornado-Generated Missile Protection Noncompliance" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15111A269). The public meeting notice was issued on August 31, 2015, and was posted on the NRC's external (public) web page (ADAMS Accession No. ML15240A217).

There were 9 industry representatives and 5 staff representatives in attendance locally, and 45 teleconference lines were available for remote attendees. The list of attendees is provided in the enclosure. The list of teleconference attendees only reflect parties that provided positive confirmation that they were on-line during the meeting or requested the teleconference number.

NRC staff members in the Office of Nuclear Reactor Regulation (NRR) Balance of Plant Branch (DSS/SBPB) provided an overview of EGM 15-002 and draft Interim Staff Guidance (ISG) that will provide clarification to issues and questions raised by staff and stakeholders concerning the implementation of EGM 15-002. The proposed ISG will address issues concerning acceptable compensatory measures and acceptable dispensation of noncompliant equipment in conjunction with long-term compensatory actions to allow maintenance and surveillance of equipment as required by the plant's technical specifications.

The presentation used by the staff is available under ADAMS Accession No. ML15260B094. After the staff presentations, attendees had the opportunity to present comments and questions.

The following comments/questions are provided as a brief summary of the meeting.

- The Nuclear Energy Institute (NEI) spokesperson stated that NEI believes that the draft ISG presented will be a very good document. He provided two examples of terminology that he felt could be revised to improve clarity, but overall felt that the document will satisfy the objectives.
- Licensee and NRC staff used the public meeting as an opportunity to provide input and editorial suggestions for the development of the ISG.
- A member of the public had raised two issues concerning the ISG and EGM. The first comment was concern over the potential abuse of the allowances of the EGM that would allow a licensee to implement the EGM at any time in the future. The second comment was a general statement of concern since compliance issues were still being identified after many years of operation.

During the meeting the attendees were reminded that although their comments were discussed with the staff, no decisions would be made at the meeting. Attendees were also informed that the staff intended to publish the ISG in the *Federal Register* to provide stakeholders an opportunity to submit written comments to the proposed staff guidance.

Enclosure:
List of Attendees

The following comments/questions are provided as a brief summary of the meeting.

- The Nuclear Energy Institute (NEI) spokesperson stated that NEI believes that the draft ISG presented will be a very good document. He provided two examples of terminology that he felt could be revised to improve clarity, but overall felt that the document will satisfy the objectives.
- Licensee and NRC staff used the public meeting as an opportunity to provide input and editorial suggestions for the development of the ISG.
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During the meeting the attendees were reminded that although their comments were discussed with the staff, no decisions would be made at the meeting. Attendees were also informed that the staff intended to publish the ISG in the *Federal Register* to provide stakeholders an opportunity to submit written comments to the proposed staff guidance.

Enclosure:
List of Attendees

DISTRIBUTION:

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EXTERNAL DISTRIBUTION:

Dave Lochbaum - dlochbaum@ucsusa.org

Meeting Notice ML15240A217

Meeting Summary ML15278A330

Handouts ML15260B094

*Via e-mail

TAC: MF6710

OFFICE	PM:NRR/PGCB	LA:NRR/PGCB*	BC:NRR/PGCB	BC:NRR/SBPB	PM:NRR/PGCB
NAME	TKeene	ABaxter	SStuchell	GCasto	TKeene
DATE	10/06/2015	10/08/2015	10/16/2015	10/30/2015	10/30/2015

OFFICIAL RECORD COPY

ATTENDANCE LIST

PUBLIC MEETING BETWEEN U.S. NUCLEAR REGULATORY COMMISSION
STAFF AND STAKEHOLDERS TO DISCUSS ENFORCEMENT DISCRETION FOR
TORNADO-GENERATED MISSILE PROTECTION

SEPTEMBER 10, 2015, 9:00 A.M. – 10:00 A.M.
U.S. NUCLEAR REGULATORY COMMISSION
THREE WHITE FLINT NORTH, 1ST FLOOR
11601 LANDSDOWN STREET
ROCKVILLE, MD 20852

NAME	AFFILIATION
BRUCE MONTGOMERY	NUCLEAR ENERGY INSTITUTE (NEI)
JACK GROBE	EXELON
GUY DAVANT	ENTERGY
DARANI REDDICK	EXELON
DAVID GUDGER	EXELON
JORDAN VAUGHN	DUKE ENERGY
MARSHA MCCARTHY*	DUKE ENERGY
KEN LOWERY	SOUTHERN NUCLEAR
KEN MCELROY *	SOUTHERN NUCLEAR
ANDREW PATKO *	SOUTHERN NUCLEAR
COLLIN KELLER	FIRST ENERGY NUCLEAR OPERATING COMPANY (FENOC)
RICHARD BAIR	FENOC
JEREMY SCHUDEL *	FENOC
THOMAS LENTZ	FENOC
ATANYA LEWIS	NEXTERA
WILLIAM CROSS *	NEXTERA
ALLEN MOLDENHAUER*	DOMINION
JAMES PAK*	DOMINION
BRYAN NEVIUS*	DOMINION
PETER SWANSON*	PACIFIC GAS AND ELECTRIC (PG&E)
FREDRICK MASHBURN*	TENNESSEE VALLEY AUTHORITY (TVA)
PARTHA GHOSAL *	TVA
BRIAN THOMAS*	PUBLIC SERVICE ENTERPRISE GROUP (PSEG)
ROBIN SAVAGE *	SOUTH TEXAS PROJECT
LARRY PARKER *	STARS ALLIANCE
STEPHEN MEYER *	STARS ALLIANCE
RICHARD ROGALSKI *	ENERGY NORTHWEST
LARRY NICHOLSON	FLORIDA POWER AND LIGHT (FPL)
MIKE MULLIGAN*	PUBLIC
TIM MCGINTY	NRC
ABY MOHSENI	NRC
GREG CASTO	NRC
CHRISTINA LIPA*	NRC
MICHAEL JONES*	NRC
AMI PATEL	NRC
ARON LEWIS	NRC
TODD KEENE	NRC

* TELECONFERENCE ATTENDEE

Enclosure