

From: Tappert, John
Sent: Thursday, October 08, 2015 3:45 PM
To: Talukdar, Priyam
Subject: FW: Path Forward on NCP Observations

From: Tappert, John
Sent: Wednesday, October 07, 2015 5:36 PM
To: Lubinski, John <John.Lubinski@nrc.gov>
Subject: Path Forward on NCP Observations

John

As we discussed, this email will document our path forward on providing context to the documented observations (ML14097A146 and ML14106A344) on non-concurrences NCP-2014-001 and NCP-2014-003 that are associated with the IEEE 603-2009 proposed rulemaking. These observations were developed in April 2014 by several Office of New Reactors (NRO) staff to document their perspectives on the non-concurrences and were shared with management as part of the Open Door Policy as the proposed rule went through the concurrence process. These observations were shared directly with the Commission on September 15, 2015, after the proposed rule was provided to the Commission for their review via SECY-15-0106, "Proposed Rule: Incorporation by Reference of Institute of Electrical and Electronics Engineers Standard 603-2009, "IEEE STANDARD CRITERIA FOR SAFETY SYSTEMS FOR NUCLEAR POWER GENERATING STATIONS" (ML113191143). I would note that observations in these documents are views of the authors and that the recommendations in SECY-15-0106 are the official positions supported by both NRO and the Office of Nuclear Reactor Regulation.

The authors of the observations informed me that they believed that these observation documents needed to be made public before sharing them with the Commission directly and were made publicly available on August 28, 2015. These observations were originally developed as attachments to memorandums (ML14106A315 and ML14097A384) which identified the authors and purpose of the observations. Without the context of the forwarding memorandums, it is not clear what was the origin and purpose of the observations. In consultation with the Office of General Counsel, I believe the best manner to provide context for the observations is to create a publicly available package that would include the observations, the two cover memos, as well as a copy of this email. Further, as you documented in your response to the non-concurrences, additional questions were added to the proposed Federal Register Notice to specifically solicit perspectives germane to the issues raised in the non-concurrences. If the Commission approves the proposed rule, the staff would plan to hold one or more public workshops to provide opportunities for all stakeholders, internal and external, to discuss and comment on the proposed rule.

Finally, I would emphasize that the NRC has a very talented and competent staff and they occasionally have different perspectives on any given issue. We strive to establish and maintain an environment that encourages all employees to promptly raise concerns and differing views without fear of reprisal and to promote methods for raising concerns that will enhance a strong safety culture and support the agency's mission.

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