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March 27, 2017

MEMORANDUM TO: Kevin Hsueh, Chief
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Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

FROM: Joseph J. Holonich, Senior Project Manager ***/RA/***
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SUBJECT: SUMMARY OF NOVEMBER 2, 2016, MEETING TO DISCUSS DRAFT APPENDIX D OF NEI 96-07, "SUPPLEMENTAL GUIDANCE FOR APPLICATION OF 10 CFR 50.59 TO DIGITAL MODIFICATIONS"

On November 2, 2016, U.S. Nuclear Regulatory Commission (NRC) staff met with representatives from the Nuclear Energy Institute (NEI). The purpose of the meeting was to continue discussions of topics and issues related to Draft Appendix D of NEI 96-07, "Supplemental Guidance for Application of 10 CFR 50.59 to Digital Modifications." Information related to the meeting can be found in the Agencywide Documents Access and Management System (ADAMS) package accession number ML16298A222.

At the beginning of the meeting, the NRC staff discussed the status of Items from previous meetings on NEI 96-07, Appendix D (Agenda Item: "Status of Parking-Lot Items…"). A copy of the list used at the meeting can be found in ADAMS Accession No. ML16301A221. As a result of discussions at the meeting, it was agreed that the list name would be changed to "Public Meeting Items and Actions." Subsequent to the meeting, the numbering in the left hand column was changed so as to be sequential (this memo uses the old numbering). As a result of discussions at the meeting, it was agreed that Items 1, 2, 5, 8, 15, 16, 21, and 26 were closed. In addition, a number of Actions for items on the list were identified. These included:

Item	Action
17	NEI will provide input related to this item at least a week before the December 14, 2016 meeting.
19	NRC staff will provide feedback on the item a week before the December 14, 2016 meeting.
22	NEI will provide information to the NRC staff on this item. NRC staff and NEI will discuss the information and identify things the NRC staff would want included in NEI 96-07, Appendix D. A status will be provided at the December 14, 2016, meeting.
27	NRC staff will clarify this item.

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Additional actions that were identified during this discussion but not related to any particular previous Items included:

1) NRC staff will provide information on graded approach before the December 14, 2016 meeting;
2) NRC will provide information on how digital instrumentation and control codes and standards can be relied upon if these codes and standards are not included in the Final Safety Analysis Report;
3) NRC staff will place an update of the open-item list in ADAMS as public and provide a copy to NEI a week before the December 14, 2016, meeting.
4) NRC staff will look to prioritize the open items.

Next, the NRC staff provided its perspective on the definitions used in NEI 96-07, Appendix D. A copy of the staff information can be found in the referenced ADAMS package. During its presentation, the NRC staff explained that when a definition is used in NEI 96-07, Appendix D, it should be tied to an authoritative source.

As a result of the information presented and the discussions, NEI agreed to look at the NRC staff proposed definitions. In general, NEI agreed to use the NRC staff proposal. However, after its review of the NRC staff proposal and additional public meeting discussions of the NEI 96-07, Appendix D process guidance, if NEI finds it appropriate to propose revisions to the definitions, those proposals will be provided a week before the next public meeting (see Item No. 8 below). Any NEI revisions would be based on authoritative source definitions or provide a basis to create a new definition for endorsement in NEI 96-07, Appendix D.

The NEI revisions to Section 3, “Screen Guidance,” (ADAMS Accession No. ML16259A005) were discussed. One area of detailed discussion was related to where a coping analysis belonged. It was agreed that a coping analysis may not belong in screening. NEI agreed to consider a revision to remove coping from the screening section(see Item No. 5 below).

Another topic discussed in the screening area was the use of design attributes to eliminate further consideration of software CCF as a screening criterion (e.g., meeting the criteria of Section 1.9 in BTP 7-19). The NRC staff also stressed that it was not appropriate to focus on the likelihood or probability of software CCF since there was no NRC accepted way to quantify software failure probability. It was agreed that there was a need for more discussion and the NRC staff agreed to take an action to provide additional clarification of the topic (see Item No. 6 below).

In discussions on how work in the common cause failure (CCF) group related to NEI 96-07, Appendix D, a question arose on coping and bounding analyses. It was asked how these two analyses could be used in a Title 10 of the Code of Federal Regulations, Section 50.59 (10 CFR 50.59) evaluation. It was agreed a working model on how to move forward on 10 CFR 50.59 and CCF was needed.

NRC staff took an action to ask the CCF Working Group define coping and bounding analyses and determine the scope (see Item No. 7 below). NEI stated that it had addressed the difference in coping and bounding analyses in NEI 96-07 with the feedwater malfunction example. Because NEI 96-07 had been endorsed by NRC staff, NEI stated its view was the NRC staff

had endorsed the difference between coping and bounding analyses. The question facing NEI now was how to move that into NEI 96-07, Appendix D.

The main question coming from this discussion was: When can NEI 96-07, Appendix D and CCF be worked together? Having a model on how to move forward would be needed before any joint meeting could be scheduled.

A series of CCF questions were identified that NEI recommended needed to be asked. They were (see Item No. 9 below):

a) How do you define coping or bounding?
b) What do we need to conduct this type of analysis?
c) What analysis technique do you need to build a coping strategy?
d) What is the scope of the analysis?

NEI stated that once these questions were answered, you could take them to the 10 CFR 50.59 evaluation.

The following additional actions were identified (numbering continued from above):

5) NEI will consider a revision to remove coping analysis from the screening guidance section.
6) NRC staff will provide additional clarification on the use of design attributes to eliminate further consideration of SW CCF.
7) NRC staff will have the CCF Working Group define coping and bounding analyses and determine the scope.
8) NEI to review the NRC proposed words on the Definitions Section of Appendix D from the 11/02 meeting, and provide comments back to NRC.
9) NRC (50.59 Team) to forward 11/2/16 meeting summary to NRC CCF Group so that is can address NEI Questions:
    a) How do you define coping or bounding?
    b) What do we need to conduct this type of analysis?
    c) What analysis technique do you need to build a coping strategy?
    d) What is the scope of the analysis?

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ADAMS Accession Nos.: Package (ML16298A222); Summary (ML16308A321); *via e-mail NRC-001

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DATE	11/23/2016	12/1/2016	12/8/2016	3/16/2017	3/27/2017

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