

# **Official Transcript of Proceedings**

## **NUCLEAR REGULATORY COMMISSION**

Title: Proposed Implementation Dates  
of the Draft MBDBE Final Rule

Docket Number: (n/a)

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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PROPOSED IMPLEMENTATION DATES OF THE  
DRAFT MBDBE FINAL RULE

+ + + +  
PUBLIC MEETING

+ + + +

THURSDAY

NOVEMBER 10, 2016

+ + + +

ROCKVILLE, MARYLAND

+ + + +

The Public Meeting was held at the Nuclear Regulatory Commission, Two White Flint North, Room T2B3, 11545 Rockville Pike, at 1:00 p.m., Timothy Reed and Eric Bowman, Moderators, presiding.

NRC STAFF PRESENT:

TIMOTHY REED, NRR, Moderator

ERIC BOWMAN, JLD, Moderator

HOWARD BENOWITZ, OGC

GREGORY BOWMAN, JLD

MOHAMED SHAMS, JLD

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## ALSO PRESENT:

PHILLIP AMWAY, Exelon  
JEFF BARKER, TVA Browns Ferry \*

KEVIN BRUCKER, TC2 Consulting  
RANDY BUNT, Southern Nuclear  
JOHN CAPUT, Bechtel Energy  
STEVEN DOLLEY, Platts \*  
DAVE DUSTELLE, Exelon \*  
AL ELMS, Dominion \*  
DON HARKER, Energy Compliance Consultants \*  
BRENDA KOVARIK, Indiana Michigan Power \*  
ANDREW MAUER, NEI  
BOB MEYER, Professional Reactor Operators Society \*  
JAMES RILEY, NEI  
KEVIN ROBB, Oak Ridge National Lab \*  
JONATHAN RUND, NEI  
RUSSELL THOMPSON, TVA \*  
JEFF THRESHER \*

\*Present via telephone

## 1 PROCEEDINGS

2 1:04 p.m.

3 MR. REED: Thank you. We're still trying  
4 to get the webinar up and running here. I expect  
5 we'll have it in a few minutes. Okay. So in the  
6 meantime, what I'll do is I'll get started here with  
7 some logistics and background, which doesn't really  
8 affect the webinar too much and we can get that going.

9 So just to get things going, we're here  
10 today to have a public meeting, a Category 3 public  
11 meeting to discuss cumulative effects of regulation,  
12 insofar as that pertains to the mitigation of beyond  
13 design basis events rulemaking. I'll start with a  
14 little bit of logistics here before we get into it.

15 I really appreciate folks in the room, if  
16 you could turn off your cell phones and minimize side  
17 conversations. We'd like for you to speak one person  
18 at a time, and please identify yourself when you're  
19 speaking, if you could identify, say your name,  
20 organization, comment or question.

21 If you're in the meeting room, please use  
22 the mics and they have a little thing in front you've  
23 got to push and once you see the light going green,  
24 you'll be on. Of course, be respectful to all the  
25 other meeting attendees, and if you're participating

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1 by the webinar, once we get that going, there's a  
2 chat function there to send questions. You can ask  
3 questions via the bridge line also at designated  
4 opportunities.

5 I plan to try to stop at each slide and  
6 then offer people the opportunity to chime in. So  
7 I'll be doing that throughout. We'd ask you to please  
8 mute your phone, put on \*6 when you're not speaking.  
9 If you're in the room, I think everybody's aware that  
10 there are copies of slides available for folks in the  
11 room, and there's an attendance sheet. Hopefully,  
12 you signed that attendance sheet when you came in.  
13 I'd appreciate if you could do that.

14 Also, if you want your attendance noted,  
15 you could send an email to me, and that would be my  
16 name timothy.reed at nrc.gov and I'll make sure that  
17 your attendance is noted. Also, you can certainly  
18 provide any feedback to me also, and there are also  
19 feedback forms in the room like to fill those feedback  
20 forms out.

21 Also, just one more piece of logistics  
22 here. The deadline for submittal of any kind of  
23 written feedback is tomorrow at 11:50, I guess one  
24 minute before minute tomorrow, Friday, November 11th.

25 MR. ERIC BOWMAN: That's a holiday.

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1                           MR. REED: Yeah, so you're going to have  
2 to work on -- you'll be working on Veterans Day if  
3 you want to do that. So that's the logistics. We're  
4 still working on getting the webinar up. Let me just  
5 go over what we plan to do here in terms of the agenda  
6 a little bit then.

7                           Next thing. I'm just going to give, like  
8 I just said, a little bit of an opening here and  
9 logistics, and maybe we'll go around the room,  
10 introduce ourselves in the room. We don't have a lot  
11 of people. I think we can do that. That might be  
12 very helpful.

13                          Then the plan would be to then go through  
14 the -- a little background and status, just to get  
15 everybody baselined on where we stand on this  
16 rulemaking effort. We're in the final rulemaking  
17 stage, so we'd just like to let everybody know what  
18 we're doing there.

19                          Then the focus of the meeting will be on  
20 the two parts of this rule, which are involved with  
21 the cumulative effects of regulation. The first one  
22 being Paragraph H, which is the implementation of  
23 requirements and the second one being paragraph 5,  
24 which is an effort to rescind orders and provide an  
25 administrative removal of license conditions that

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1           we've put in our draft final rule.

2                         So and then we'll wrap up. So it  
3 generally kind of goes in that, through that, in that  
4 flow. Still working on the webinar. So what I'll  
5 do now is I'll just start with a real high level of  
6 discussion of the rule, objective and the status here.  
7 Again, this isn't the substance of the meeting, so I  
8 don't think anybody on the web is missing anything.

9                         MR. ERIC BOWMAN: How about introducing  
10 yourself?

11                         MR. REED: Oh, and I just jumped over,  
12 just thank you very much. I'm project manager for  
13 this rulemaking. I'm Tim Reed. We're going to go  
14 around the room now and then I'll ask people on the  
15 phone. Go ahead, Eric.

16                         MR. ERIC BOWMAN: I'm Eric Bowman. I'm  
17 a special advisor on the Japan Lessons Learned  
18 Division in the Office of Nuclear Reactor  
19 Regulations.

20                         MR. RILEY: Jim Riley, NEI.

21                         MR. AMWAY: Phil Amway, Exelon.

22                         MR. MAUER: Andrew Mauer, NEI.

23                         MR. RUND: Jon Rund, NEI.

24                         MR. BUNT: Randy Bunt, Southern Nuclear.

25                         MR. BENOWITZ: Howard Benowitz, the NRC's

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1           Office of General Counsel.

2           MR. SHAMS: Mo Shams, JLD.

3           MR. GREG BOWMAN: Greg Bowman, JLD.

4           MR. REED: Do you guys want to -- okay.

5       If you're on the -- if you'd like to announce who you  
6       are on the phone, please feel free to do so.

7       Actually, I have to tell the operator to do that.

8           MR. ERIC BOWMAN: Ask the operator to  
9       open the lines.

10          MR. REED: Yeah. I think I have to --  
11       Operator, can you open the line if folks want to  
12       identify themselves?

13          OPERATOR: You would like all lines  
14       opened sir?

15          MR. REED: Yeah, so they can identify  
16       themselves if they choose to.

17          OPERATOR: All right, thank you. One  
18       moment. All lines are open.

19          MR. DOLLEY: This is Steven Dolley with  
20       Platz.

21          MR. MEYER: Bob Meyer, Professional  
22       Reactor Operator Society.

23          MR. DUSTELLE: Dave Dustelle, Exelon.

24          MR. ROBB: Kevin Robb, Oak Ridge National  
25       Lab.

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1                   MR.     HARKER:        Don    Harker,   Energy  
2                   Compliance Consultants.

3                   MR.     THOMPSON:       Russell   Thompson,  
4                   Tennessee Valley Authority.

5                   MR.     ELMS:    Al Elms, Dominion.

6                   MR.     CAPUT:   John Caput, Nextel Energy.

7                   MS.     KOVARIK:   Brenda Kovarik, Indiana  
8                   Michigan Power.

9                   MR.     BRUCKER:   Kevin Brucker of TC2  
10                  Consulting.

11                  MR.     THRESHER:   Jeff    Thresher  
12                  (inaudible).

13                  MR.     REED:    Okay. I think that's it then.  
14                  We're still trying to solve some logistics here on  
15                  the webinar. You can close out the lines, Operator.  
16                  So let me just go over a little bit of just basic  
17                  background on the rulemaking and where we stand on  
18                  the status.

19                  This is slide whatever, what is -- what  
20                  slide number we're on, six. One, two, three, four,  
21                  five, called "Meeting Objectives and Mitigation of  
22                  Beyond Design Basis Rule Status." For those folks  
23                  who -- most folks are probably aware of this. We  
24                  published this proposed rule on Friday, November the  
25                  13th, 2015. We did that for a 90 day public comment

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1 period.

2 That closed on I believe it was February  
3 11th. We've, you know, got 20 pretty substantial  
4 comments, submissions in response to that that we've  
5 been addressing. So the comment period is closed.  
6 We've addressed those comments. We're actually in  
7 what is referred to as a final rulemaking stage. In  
8 fact, we're actually in parallel office concurrence  
9 on the final rule.

10 That's why this -- we're having this  
11 meeting now. It affects the regulation. I'll talk  
12 about that process a little bit here in a second,  
13 some of the elements of that or how this fits into  
14 that process. Today, that's all we'll be focusing  
15 on, is cumulative effects of the regulation.

16 I want to emphasize that in rulemaking  
17 space the comment period is closed. That's very  
18 important. That's a statutory, Administrative  
19 Procedures Act, statutory requirements that we're  
20 following there, so we're not asking for comments on  
21 the rule.

22 So we're actually just looking for  
23 feedback to inform what we've done in our efforts to  
24 address cumulative effects regulation in our rule.  
25 So that's where this may well focus and only on those

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1 aspects of the rule that involved cumulative effects  
2 regulation.

3 So this of course, as I mentioned we're  
4 in final concurrence of office concurrence, and that  
5 means are subject to change, of course, as we go  
6 along. So you've got to keep that in mind. If you  
7 don't already know, all the documentation associated  
8 with this rulemaking is at regulations.gov. The  
9 website is regulations.gov and it's on Docket ID NRC-  
10 2014-0240. So you can find basically everything  
11 there on that website.

12 Just to get -- so I guess we've got the  
13 webinar up and going, good. So I just went through  
14 this slide. A little background on status, where  
15 we're at currently. We said parallel office  
16 concurrence. So I'll be going to the next slide here  
17 and talk a little bit about cumulative effects  
18 regulation.

19 Just to give people an idea of what am I  
20 talking about, this is something that we put in place  
21 about five years ago on SECY-11-0032 as a matter.  
22 It's a way of really disciplined rulemaking, as well  
23 as addressing what we term cumulative effects of  
24 regulation, and it's a term that NRC uses to refer to  
25 as we state there, the challenges of the licensees

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1 and other impacted entities like the states who have  
2 to interact with, faced while implementing, multiple  
3 regulatory actions, some of which can be very complex  
4 and strain their resources, and in fact distract those  
5 resources.

6                   And so it's a real, certainly a very real  
7 thing. It's something we're concerned about. We  
8 try to address it when we can. This is part of that  
9 process. This final rulemaking builds upon that  
10 process.

11                  I mentioned the process really has two  
12 elements to it, one doing disciplined rulemaking,  
13 make sure that that rulemaking has a solid regulatory  
14 basis, that the requirements are only what they need  
15 to be if they need to be requirements.

16                  But in addition to that, we also request  
17 feedback on cumulative effects regulation. As the  
18 proposed rule states, we have explicit questions that  
19 we ask from that feedback, and in this case in our  
20 rule we actually asked in addition to CER questions,  
21 we knew that we had some issues and we actually  
22 explicitly requested feedback that would help us  
23 address our implementation of this rule.

24                  So we actually did more than just CER,  
25 and this is the final aspect of this process

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1 enhancement, the QCER process enhancement, the final  
2 rule stage public meeting where we take an effort, we  
3 make an effort to address that feedback that we got  
4 on the proposed rule. We built it into our final  
5 rule.

6 Today, we're really looking and saying.  
7 Did we hit the mark? Did we miss the mark? Can we  
8 make -- can we do something better, can we change it,  
9 make it, you know, improve it, whatever. That's what  
10 we're trying to do here, really inform our efforts on  
11 how we've attempted to address your CER feedback. So  
12 that's the CER slide.

13 So now we actually -- the CER feedback  
14 implementation. Jump, yeah there. This is actually  
15 getting now into the real substance of this meeting.  
16 So let me just stop and see if anybody's got any  
17 questions, comments or anything before we actually  
18 get into the real meat of the meeting.

19 OPERATOR: Sir, would you like all lines  
20 open for that or --

21 MR. REED: Yes, please. Thank you.

22 OPERATOR: All right, one moment. All  
23 right. All lines are open if you have a question or  
24 want to give feedback.

25 (No response.)

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1                   MR. REED: Okay, thank you very much.

2                   We'll move this -- we'll move along then into the  
3                   actual substance of the meeting. So we -- our  
4                   proposed mitigation of beyond design basis events  
5                   rule, it had a proposed compliance schedule of two  
6                   years. We knew that was going to be a challenge. We  
7                   actually explicitly requested feedback in this  
8                   regard.

9                   We got feedback and that suggested that  
10                  two years would not adequately account for the  
11                  implementation status of ongoing activities to  
12                  address specifically the reevaluated seismic and  
13                  flooding hazard information.

14                  So that -- there's obviously the feedback  
15                  also indicated there's a significant variation with  
16                  regard to the status of those activities, that they're  
17                  ongoing across the nuclear industry and most  
18                  importantly probably for the seismic reevaluated  
19                  hazard information.

20                  We understood that. We got that  
21                  feedback. That wasn't too surprisingly. We also  
22                  got feedback that suggested that we should get  
23                  consideration to a flexible scheduling provision.  
24                  This is something that has been done in the past, so  
25                  this is certainly something we can do. I thought

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1           that was a very good suggestion.

2                   So far it's one that we think is a sound  
3                 approach. We have it in fact in the draft final rule  
4                 language as it exists currently, and you can see that  
5                 in 50.155(h) (2). We're actually going to put that  
6                 up on the next upcoming slide and see what those  
7                 provisions look like.

8                   So that was part of it. We've heard --  
9                 another part that we've heard we'll talk about here  
10                in a second. But we'll start with the flexible  
11                scheduling feedback and the provisions with that. So  
12                if you go to the next slide then, I guess I should  
13                stop before we go to the next slide and see if we  
14                have any comments, any feedback before I go to that.

15                   OPERATOR: The lines are open.

16                   MR. REED: Thanks.

17                   (No response.)

18                   MR. REED: Okay. Why don't we just move  
19                 on then to the next two slides will go into 50.54(h)  
20                -- I mean 50.155(h) (1) and (h) (2). Flashbacks to the  
21                prior reactor security rulemaking efforts. So the  
22                first slide is 50.155(h) (1), and you'll note that  
23                there that we've done is combined two provisions of  
24                the proposed rule into one.

25                   These are what I call the default

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1 compliance date, the two-year default compliance  
2 dates for both operating licensees under Part 50 as  
3 well as combined license holders under Part 52. So  
4 you see those provisions right there. That is in  
5 fact the provision that drives the issue in terms of  
6 CER, as I just mentioned the difficulty perhaps in  
7 addressing the reevaluated hazard information within  
8 the two-year implementation period.

9 So I wanted to note just first of all,  
10 that is in the final rule as it stands today. It's  
11 still there as (h)(1), so that's there.

12 The next slide then is the one of much  
13 more interest I'm sure to folks.

14 MR. ERIC BOWMAN: Before you go too much  
15 further, for the (h)(1) that sets the baseline, if  
16 you will, for the implementation time frame, this is  
17 Eric Bowman by the way. The date that it's referenced  
18 from you saw on that slide that it's insert a date  
19 two years after the effective date of the rule. We  
20 are providing the draft final rule to the Commission  
21 in December.

22 We'll be having a meeting with the  
23 Commission some time in the spring. I don't, I'm not  
24 sure if they've selected a date yet, but we would  
25 anticipate the earliest effective date of the rule

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1           being some time in the summer of 2017. So for the  
2       (h) (1) provision, we'd be looking at a requirement  
3       for compliance with the new section two years after  
4       that.

5                   So summer of 2019, perhaps later,  
6       depending on how long it takes to go through the  
7       regulatory processes with the Commission, to get  
8       permission to publish the final rule and make whatever  
9       changes that are necessary as a result of Commission  
10      direction on it.

11                  MR. REED: Thanks. So as Eric said,  
12       probably likely around August to September of 2017  
13       the rule will go effective, and then it will be about  
14       two years following that in 2019 that it would be the  
15       two year compliance date. That's (h) (1). Then going  
16       to (h) (2), now this is the proposed or draft final  
17       flexible scheduling provision. As you can -- as you  
18       see it there, it's saying basically if you cannot  
19       achieve compliance with paragraph (b) (2), and so  
20       that's 50.155(b) (2).

21                  That's the requirements in the current draft  
22       final rule that require licensees to address the  
23       reevaluated hazard information. Those are the  
24       licensees who received the March 12th, 2012 request  
25       for information under 50.54(f).

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1                   And so those folks received that.  
2       They're addressing that information as part of our  
3       rule. They would be -- right now it's focused  
4       entirely on those folks, 50.155(b)(2) is focused  
5       entirely on those. As you read there, it says that  
6       essentially what you have to do is show good cause  
7       for -- I think it's saying it in there, but show good  
8       cause for why you can't meet the compliance date of  
9       two years, and then given that, provide a  
10      justification for why, for your schedule, your  
11      suggested schedule extension, okay.

12                  So that's -- it's set up in that manner.  
13       It's also set up to try to minimize the impact on  
14       everybody's resources. So you see it constructed in  
15       such a way, it says "Unless you're notified to the  
16       contrary, the submitted request to revise the  
17       compliance date can be required or will be required,  
18       as approved by the Commission, 120 days after  
19       submission to the Commission."

20                  So there's an effort to reduce that  
21       resource, potentially resource intensive request and  
22       review. So this was our effort. We got feedback.  
23       Of course, we said we understood that there was a lot  
24       of difference out there, a variation out there, and  
25       this amount allows that to be accommodated through

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1       the flexible scheduling provisions. So I'll come to  
2       full -- do you want to add anything on this, Eric?

3                    MR. ERIC BOWMAN: No, I don't. I think  
4       it would be appropriate to ask for feedback from  
5       participants in the room first, and then we'll go to  
6       the phones.

7                    MR. REED: Okay. So that will -- we'll  
8       ask around. First go around the room here and we'll  
9       get some feedback from folks in the room, and then  
10      we'll go to the phones. So why don't we start with  
11      the room?

12                  MR. RILEY: I'd like to say -- this is  
13      Jim Riley at NEI. When we provided our comments on  
14      the initial rulemaking package when it was out a year  
15      or so ago, we had suggested a flexible implementation  
16      being more broadly applied than just flooding and  
17      seismic reevaluations. We see what you've got here.

18                  We've got some input to you on them, why  
19      that might be a good idea, and I'd like to let Randy,  
20      if you don't mind, talk a little about the specific  
21      area where we think there might be some need for  
22      extending this beyond just flooding and seismic.

23                  MR. BUNT: Yes. It's Randy Bunt,  
24      Southern Nuclear. The area that we can identify that  
25      has a significant problem or a potential problem for

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1       this one would be the BWR fleet that had got the  
2       extended FLEX implementation dates as late as 2018  
3       for their final integrated plan to be submitted, and  
4       the sites will be working on their final integrated  
5       plan for FLEX up to that point, which could be into  
6       2018. It definitely will be into the fall of 2017  
7       for several plants.

8                   We believe that's about roughly half the  
9       sites within the BWR fleet will be in that mode of  
10      not having submitted their FIP yet, their Final  
11      Integrated Plan. So they will be working as your  
12      cumulative Commission definition was, they'll be  
13      working on the requirements of the FLEX order. At  
14      the same time, they would be under the first year and  
15      a half of the compliance for the rule.

16                  So that is the definition that's shown  
17      earlier of cumulative impact. So that appears to be  
18      an area. What we would suggest is to say the  
19      effective date of the final rule, two years after  
20      that are your compliance date for the site, for the  
21      mitigating strategies rule and order, so that you  
22      have effectively two years beyond the time, because  
23      the core assumption that went into the rule was that  
24      everybody had already submitted their FIP by the time  
25      the rule would be out and be effective.

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1                   Now there are sites that won't have  
2 submitted that Final Integrated Plan, and they'll  
3 have the work, still working on their final logistics  
4 of how they're communicating, how they're documenting  
5 their procedures and compliance and all up until they  
6 send that Final Integrated Plan in, and they'll be at  
7 the same time running their clock on their two-year  
8 implementation window.

9                   A lot of the -- and also the four-year  
10 implementation window on drills and exercises. So  
11 those plants that are doing that will only have  
12 possibly two and a half years to implement the drill  
13 portion of it, and a half year to a year, depending  
14 on which, where they fit in their schedule to do that.

15                  MR. ERIC BOWMAN: Could we go over that  
16 a little bit more, Randy. This is Eric Bowman. It's  
17 turned on. Thanks Howard. Do you anticipate that  
18 these licensees, the BWR licensees will be needing to  
19 revise their Final Integrated Plans for the rule, as  
20 opposed to the order?

21                  Because I would think the way we have it  
22 set up, coming into compliance with the mitigating  
23 strategies order as supported by the hard containment  
24 venting system order would in effect bring them into  
25 compliance with those particular elements of the

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1 rule.

2 So I don't really see what the additional  
3 two years is needed for, if they come into compliance  
4 with the mitigating strategies order. There is a  
5 delta between the order and the rule, that delta being  
6 the reevaluated hazards. Why would we need to  
7 provide additional time to come into compliance with  
8 something they've already come into compliance with?

9 MR. BUNT: Well that's an inherent part  
10 of this rule first of all is one reason. You're  
11 giving two years to the industry is what the rule  
12 says. So we would think that should apply across the  
13 board to the industry to have two years.

14 But specifically to talk about topics is  
15 the sites can be at any various revision level of  
16 1206 to comply with the order, whereas to comply with  
17 the rule they're going to likely need to be at Rev.  
18 3 or Rev. 4 of that, and incorporate those elements,  
19 which would be potentially some different  
20 documentation and validation of verification  
21 processes, some different ones in interpretation of  
22 some of the elements that went into FAQ items, and  
23 their program is going to be based on where they are  
24 with their compliance structure they've been working  
25 on since 2013, when they submitted their first

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1 integrated plan.

2 I'm not sure they've actually already  
3 gone and incorporated those or they already have the  
4 processes in place, and now they would be going and  
5 looking at those. So they would have some of the  
6 same key elements of some plants that are complaint  
7 now would have. So those are things that come to the  
8 top that have been talked about for different sites  
9 at the time.

10 MR. GREG BOWMAN: So Randy, this is Greg  
11 Bowman. You may have mentioned this, so maybe I  
12 missed it. But what I thought I heard you say is  
13 that you would offer that the -- in your view, we  
14 ought to tie the mitigating strategies, or I'm saying  
15 the MBDBE rulemaking compliance with the compliance  
16 date for the mitigating strategies order for those  
17 sites.

18 But I thought that the -- I thought that  
19 the last a site could come into compliance with the  
20 mitigating strategies order was in the early 2018  
21 time frame.

22 MR. BUNT: Correct.

23 MR. GREG BOWMAN: So how does that -- I'm  
24 not following how that doesn't fit in with the  
25 compliance dates we have set up within the two year

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1 period. I guess I'm not --

2 MR. BUNT: So, okay. So when that site  
3 comes into -- it's taking a year of those two years  
4 away, because right now we're anticipating summer or  
5 fall of 2017 as when the rule would come in. You  
6 would have two years from the summer or fall of 2019.

7 MR. GREG BOWMAN: Right.

8 MR. BUNT: Whereas if I came into  
9 compliance at my plant site in 2018, I would have one  
10 year, the summer of 2018. I would have one year  
11 instead of two years.

12 MR. GREG BOWMAN: Okay. So I guess --  
13 so I guess -- so if you could choose the words that  
14 would go in the rule, what would they say --

15 MR. BUNT: They would say within two  
16 years of the effective date of the final rule or  
17 within two years of the site reaching compliance with  
18 049, whichever is later.

19 MR. GREG BOWMAN: I understand. That  
20 helps. I misunderstood your first comment.

21 MR. BUNT: I'm sorry. I probably didn't  
22 state it quite clearly.

23 MR. SHAMS: Randy, following up. This  
24 is Mo Shams. Following up on Eric's point, so we  
25 understood the hardship that the BWR plants had to

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1 develop their vents, and therefore they got the  
2 extension. But the scope of the development of that  
3 FIP, and it's not different than any other site that  
4 ended up complying with mitigating strategy by the  
5 end of '16.

6 MR. BUNT: Correct.

7 MR. SHAMS: So I'm just, you know,  
8 struggling with the fact that although they have a  
9 year as it is between when they comply with the vent  
10 order by the end of -- some time in the spring of '18  
11 and when we think that they should comply with the  
12 rule, some time in the middle of '19.

13 I think you're looking at from just -- if  
14 I'm working on something, don't ask me to work on  
15 something else at the same time. That's  
16 understandable, but you were provided an extra year  
17 along the way to work on the same thing that everybody  
18 else did within two, so you had three to do it.

19 MR. BUNT: No, I disagree with you. We  
20 did not get an extra year to work on exactly the same  
21 thing. We got an extra order that had to be  
22 implemented. We had extra criteria. There's a 300  
23 page guidance document that goes along with that order  
24 that had to be done. So I disagree. I think it  
25 falls right into the definition of cumulative effects

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1 here.

2 I am -- the challenges of the licensees  
3 are rather impacted, each of these faced while  
4 implementing multiple regulatory actions within a  
5 limited implementation period with limited available  
6 resources. That's exactly what we're talking about  
7 here. I've got limited resources. I haven't  
8 completed my Final Integrated Plan.

9 As you just mentioned, everybody else did  
10 their Final Integrated Plan so they've now got over  
11 two years to address the rule. These plants are not  
12 going to have two years to address the rule, or two  
13 and a half if you look at the draft rule, because  
14 they're still working on complying with orders. They  
15 still have staff, designers, operators working on  
16 complying with the 109 order, which is an extension  
17 of a FLEX order for half of the 109 elements. So  
18 they are in the same boat.

19 MR. GREG BOWMAN: So the impact is on all  
20 those things that go beyond what's in the vent order  
21 and the mitigating strategy. Are those things that  
22 -- the things that we're adding in the rule, that's  
23 really what your impact is?

24 MR. BUNT: That are common, right. I  
25 mean what we said when we were doing the extension,

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1       that we're saying there's training needs, that if we  
2       did it in 2016 or earlier, that we would have to redo  
3       one cycle later. So now we're only going to do  
4       those training of operators in the cycle that goes  
5       with the 109 order.

6                   We said procedure revisions. We don't  
7       want to do them twice and train operators and have an  
8       error-likely situation, having two different  
9       trainings that close together. So we wanted to train  
10      after we had the compliance in. We had our hardware  
11      module. We wanted to have the more advanced or more  
12      enhanced vent to work with FLEX at the same time.

13                  Now we had to get certain elements of the  
14      049 order compliant by the end of 2016, so we -- and  
15      we all have the capability to vent and we all have  
16      history of venting piping. But according to the way  
17      that that was worked out is it said that your FLEX  
18      elements don't have to be in until this time.

19                  So we're going to continue working on the  
20      full compliance of that order until that time period.

21                  MR. GREG BOWMAN: Are you doing the  
22      procedure modifications and the training and all that  
23      once Phase 2 is complete, or are you doing that  
24      bifurcating thing --

25                  MR. BUNT: Bifurcating, to some extent.

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1 I mean they'll be both, but what you'll do is you'll  
2 do the ones with the Phase 1 of the 109 to support  
3 the 109, to support the flood stage, which will be  
4 the Phase 1 extension, which is why we're only going  
5 to 2018 instead of going all the way to 2019, because  
6 then it would really be a conflict because they  
7 wouldn't even be there yet possibly.

8 MR. GREG BOWMAN: Yeah, okay.

9 MR. BUNT: If you look at the sites,  
10 there's probably about six or seven units that are in  
11 fall of '17, spring of '18. But the FIP and the full  
12 thing that go with that site go with the last unit.  
13 So while they may have had a unit or two earlier, the  
14 whole site. That's why I'm saying it's about half  
15 the fleet, depending, that would be there.

16 So it's not that many sites, but it's  
17 that many elements, and if you look at the sites still  
18 working to finish everything.

19 MR. REED: Does this simplify to one more  
20 year basically for --

21 MR. BUNT: Yes. No more than one more  
22 year.

23 MALE PARTICIPANT: Right, for some.

24 MR. REED: Yeah. I'm just trying --

25 MR. BUNT: Some it may be six months.

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1 MR. REED: I'm not suggesting that we're  
2 able, you know, what we will do --

3 (Simultaneous speaking.)

4 MR. REED: But I'm just suggesting that  
5 when we have something like this, where everybody has  
6 a different date and it becomes a spreadsheet  
7 accounting nightmare, I'm just looking.

8 MR. BUNT: Just make it three years.

9 MR. REED: Well, that would be simple  
10 thing.

11 MR. BUNT: Right.

12 MR. REED: I'm just -- I just want to  
13 understand this. It sounded like that's what you  
14 were just saying.

15 MR. ERIC BOWMAN: Or it could be make it  
16 three years for BWR Mark I and Mark II licensees.

17 MR. BUNT: Yeah.

20 MR. BUNT: You could, you could -- I mean  
21 if you could make it simple like Eric said, you could  
22 just say it's two years for BWRs and it's three  
23 years -- for PWRs or Mark IIIs it's two years. For  
24 Mark Is and IIs, it's three years.

That no later than three years. I mean

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1       that would be -- I hadn't even thought about that  
2       option, but that's a very simple way to do it instead  
3       of tying it to anything else. I mean --

4                    MR. REED: Okay.

5                    MR. BUNT: Good suggestion, Eric.

6                    MR. ERIC BOWMAN: I just think it makes  
7       it really difficult to set it out in a way that  
8       everyone, not just licensees, can understand when the  
9       rule comes into effect.

10                  MR. BUNT: Correct. It's much more  
11       transparent and not have to understand other  
12       schedules all other interactions. Effectively does  
13       the same thing.

14                  MR. REED: Okay. Is there -- were there  
15       any other --

16                  MR. ERIC BOWMAN: Just BWRs. Are those  
17       the ones -- BWRs and --

18                  MR. BUNT: Those are the ones that I know  
19       of. I don't know -- I don't know of anything else.  
20       There may be a handful of others for similar reasons,  
21       but I don't know right now off the top of my head.

22                  MR. RILEY: This is Jim Riley. We  
23       haven't heard of any other reasons other than the one  
24       that Randy's talking about.

25                  MR. BUNT: No, the other item, and it's

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1 more -- maybe more personal, is if you look at the  
2 dates on the slide that's on the screen right now, we  
3 are taking away over 25 percent of the implementation  
4 window before a site would know whether or not they're  
5 acceptable to delay it. So that is a pretty  
6 significant amount of the implementation window that  
7 we're taking away there.

8 I don't know how we get there from that,  
9 but that is just a realization, that we are talking  
10 about seven, seven and a half months from that time.

11 MR. GREG BOWMAN: Can you understand  
12 that? Can you explain that a little better?

13 MR. MAUER: Yeah, I was going to -- I was  
14 actually going to say the same thing. So you know,  
15 obviously the licensees have 90 days to submit an  
16 alternative combined schedule and then I think we had  
17 agreed that you lay out an efficient process with  
18 negative consent essentially, to move forward within  
19 120 days after that.

20 So that gives you the seven months.  
21 Obviously, it's to the licensee's benefit to submit  
22 something in less than 90 days, to not eat into that  
23 time frame. But I think what we're asking is if  
24 there's any opportunity to provide any further  
25 reduction within the 120 days, to maximize the

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1       implementation schedule in case there is a concern  
2       with it.

3                    MR. BUNT: Because you'd think you'd be  
4       in that feedback loop. If you comment within the 100  
5       days, say you comment in 100 days, you could still be  
6       in another 60 days after that before you get your  
7       final letter. So that's just the concern, is that  
8       it does eat up a large period of time.

9                    MR. BENOWITZ: This is Howard Benowitz  
10      with OGC. I mean it's really more than 90 days after  
11      the effective date that you'll have -- you'll have  
12      notice of this when the Commission's SRM is issued.

13                  MR. BUNT: Right.

14                  MR. BENOWITZ: So it's -- you'll have  
15      more than 90 days.

16                  MR. MAUER: Absolutely. So that's why  
17      I'm confident that, as I said, it's in the licensee's  
18      interest to submit as early as possible, you know.

19                  (Simultaneous speaking.)

20                  MR. ERIC BOWMAN: It's also in their  
21      interest to speak with us. It's also in their  
22      interest to speak with the agency.

23                  MR. BUNT: Not just wait on the 120 days.  
24      I agree now.

25                  (Simultaneous speaking.)

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1                   MR. REED: What I'm still concerned about  
2                   is do they actually know -- I'm thinking Mark I and  
3                   Mark II and the reevaluate hazards people. Do they  
4                   actually understand the lay of the land well enough  
5                   in that time frame to lay out a schedule that they're  
6                   fairly comfortable with? Have you guys thought about  
7                   that?

8                   MR. BUNT: By the end of 2017 is what  
9                   we're talking about, right?

10                  MR. REED: Yeah. I mean some of the  
11                  seismic stuff can go off for a while. I don't know  
12                  how well they've --

13                  MR. MAUER: You know, I think to get into  
14                  the level of detail a little bit more on that, I  
15                  think, you know, the kind of schedule that I'm  
16                  contemplating relative to this is, you know, sort  
17                  of the worse case, where if you were -- if you end up  
18                  going through your mitigating strategy assessment and  
19                  you identify plant modifications that require an  
20                  outage, you know, you may need more time and you could  
21                  indicate that.

22                  If you identify through your assessment  
23                  that you identify those changes, here's how much time  
24                  you'll need. But you may have a different date in  
25                  there that's well in advance of that if you go through

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1                   the assessment and don't identify that.

2                   So I think we won't know which of those  
3                   dates, but we'll have a backstop with a date, sort of  
4                   the worse case if modifications are identified and,  
5                   you know, an earlier compliance date if they're not.

6                   MR. ERIC BOWMAN: Yeah. This is Eric.  
7                   The one thing I highlight on this subject is that  
8                   this provision does not foreclose the opportunity for  
9                   an exemption request under 50.12, if it's appropriate  
10                  and we have one or two licensees that as  
11                  implementation is going, discover that they need to  
12                  make a modification and need to ask for another change  
13                  to their implementation date.

14                  We can with it as the scheduling requires  
15                  later on. The reason for having this here is to  
16                  minimize the amount of times we have to go and use  
17                  the exemption process in order to do this. But that  
18                  process will still be available.

19                  MR. REED: Yeah. It should for a very  
20                  few cases, and that's what 50.12 is really reserved  
21                  for. So what, when we're looking at it, we're seeing  
22                  a bunch of facilities. We're trying to factor that  
23                  in right now. So that was -- I was worried that you  
24                  may not even be on schedule.

25                  MR. MAUER: To answer your question, if

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1       you look at the entire fleet, there's -- we don't  
2       envision too many sites that are going to be in this  
3       category. I don't think we're talking about a large  
4       set of licensees. So I think we'll get through that  
5       and, you know, there will be a limited number from  
6       what we're expecting right now.

7                    MR. ERIC BOWMAN: Do you mean for the  
8       reevaluated hazards, because we've already --

9                    MR. MAUER: I do, I do, and I talking to  
10      the reevaluated seismic hazard, but I think that's  
11      consistent too for --

12                  MR. ERIC BOWMAN: Yeah. What I've  
13      determined from -- I've gotten back information from  
14      almost all the sites, that the seismic is going to be  
15      the driver here. I think for flooding reasons, most  
16      of the sites will probably be good and be able to  
17      complete it within the two year effective date. But  
18      --

19                  MR. MAUER: With, and I'll just add one  
20      caveat. To the extent that a site has both seismic  
21      mitigating strategy assessment and a flooding  
22      mitigating strategy assessment, they are going to  
23      consider what they need to do in an integrated manner,  
24      and not just work towards independent schedules to  
25      meet --

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1 MR. ERIC BOWMAN: Right, yeah.

2 (Simultaneous speaking.)

3 MR. MAUER: --and they need to look at  
4 how they address that. So I mean hopefully I that  
5 helps you, I mean but just, you know, going back to  
6 where we started with the feedback was is there  
7 anything you can do to look at the 120 days, it would  
8 certainly be appreciated.

9 MR. REED: I'm not a lawyer. I don't  
10 even play one on TV --

11 (Laughter.)

12 MR. REED: But I mean although we're  
13 giving you basically, you know, regarding it is  
14 approved in 120 days, there's also got to be time if  
15 we don't like something. I mean obviously for us to  
16 take -- say somebody comes up with a schedule that we  
17 don't like, then we would actually have to process an  
18 action. So there's some time there to allow us on  
19 our side in case that -- in case we have to do that.

20 So there's a practical scheduling part on  
21 our side too. So that's what you're seeing a little  
22 bit of going on there. We try to work out -- we'll  
23 give you enough time to figure out what you have to  
24 do, send it to us.

25 Then we have to have enough time to make

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1       that with as least resources as possible. But then  
2       if we have to take corrective action, can we do it  
3       and get it probably all the way to the Commission.  
4       So that's a hard thing for us to do too so --

5                    MR. BUNT: So what I heard Andrew say is  
6       that you'll likely see a tiered approach in that  
7       request for several sites, is they'll say I'm going  
8       to ask for an extension to submit this, just pick a  
9       number, by summer of 2020 for the first report. If  
10      I've got to do mods, it will be 2022.

11                  If I've got to do an outage-related one,  
12       it may be as far as a 2023 type thing and you'll see  
13       a tiered approach in saying depending on what the  
14       results are, we'll dictate which one -- how far we  
15       go. But these are the milestones along the way.

16                  That's what we would expect some of the  
17       sites may do, because they may not be far enough along  
18       to tell you which one has tiers. We don't think  
19       you'd want one that just says 2023, period.

20                  MR. ERIC BOWMAN: Gotcha.

21                  MR. BUNT: Or would you rather have that  
22       and just be hard and fast?

23                  MR. REED: I don't know. I mean actually  
24       right now I like the tiered thing, first of all  
25       because I like to understand --

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1 MR. BUNT: The basis.

2 MR. REED: I like more granularity.

3 MR. ERIC BOWMAN: Personally, I don't  
4 know. It strikes me as something that would be a  
5 better attempt to demonstrate good cause for an  
6 alternate compliance date, and you're talking maybe  
7 five or six licensees out of the whole fleet?

8 MR. BUNT: Correct.

9 MR. ERIC BOWMAN: Okay. Just so we  
10 understand it can fully --

11 (Simultaneous speaking.)

12 MR. BUNT: 10 to 15 percent at most.

13 MR. MAUER: I think the NRC has a good  
14 understanding of the schedule for the seismic PRA  
15 submittals which drive this, and with the population  
16 of licensees that are in there on that schedule so -  
17 -

18 MR. REED: Okay.

19 MR. AMWAY: Yeah. Just one  
20 clarification. This is Phil Amway, Exelon. Eric  
21 under -- if we resolve the comment Randy discussed by  
22 having the time frame of implementation of two years  
23 for all licensees except Mark I, Mark II, AB III,  
24 paraphrasing there obviously, that would simply go  
25 under Section Hotel 1; correct?

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1 MR. ERIC BOWMAN: Correct.

2 MR. AMWAY: Okay.

3 MR. ERIC BOWMAN: That becomes the  
4 default compliance, and then your FLEX schedule  
5 reverts right back to pretty much what it is now for  
6 reevaluate hazards.

7 MR. AMWAY: Okay, thank you.

8 MR. ERIC BOWMAN: Yep.

9 MR. BUNT: Any consideration for in the  
10 drills and exercise 1-2 would be 4 and 5 also?  
11 Because I notice that's four years, actually the  
12 implementation of it, and that's actually where a  
13 significant part of the work is, and the vent --  
14 having the correct vent in it, you don't -- you're  
15 not going to be doing it until you get done with that  
16 so just a consideration.

17 MR. ERIC BOWMAN: Uh-huh. We'll have to  
18 look at it.

19 MR. REED: Anybody else in the room then?  
20 Operator, can you open up the phone lines, so we can  
21 see if anybody on the phone has any feedback? Is  
22 there anybody on the chat? Do we have anybody on the  
23 chat function?

24 MR. DOLLEY: Hello?

25 MR. REED: Hello, you're on.

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1                   MR. DOLLEY: Yes, thank you. Staff plans  
2 to resolve the scheduling questions and proposals  
3 that you just discussed before sending the proposed  
4 final rule to the Commission in was it December?

5                   MR. REED: Correct.

6                   MR. ERIC BOWMAN: Could you identify who  
7 you are please?

8                   MR. DOLLEY: I did, and I guess it didn't  
9 come across. This is Steven Dolley with Platz.

10                  MR. ERIC BOWMAN: Okay. I thought it  
11 was you. Sorry Steve, I didn't hear it and I wanted  
12 to be sure we had it on the transcript.

13                  MR. DOLLEY: Sure thank you, and we  
14 appreciate it when y'all do that on the other end  
15 as well. So this will be part of the outstanding  
16 issues resolved before this goes up in December?

17                  MR. REED: Correct.

18                  MR. ERIC BOWMAN: That's correct.

19                  MR. DOLLEY: Okay, thank you.

20                  MR. REED: Yeah. We would factor it into  
21 our proposal to the Commission and of course it's the  
22 Commission's decision. Does anybody else on the line  
23 that has any feedback or comments?

24                  (No response.)

25                  MR. REED: Okay. Hearing none, then I

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1 guess I'll move on then.

2 MR. BARKER: Jeff Barker with TVA Browns  
3 Ferry. Can I make this one quick comment?

4 MR. REED: Sure.

5 MR. ERIC BOWMAN: Could you say your name  
6 again please? We're having a little trouble hearing  
7 you.

8 MR. BARKER: Jeff Barker, B-A-R-K-E-R.  
9 Sorry, I had some dental work done this morning. My  
10 mouth is a little smooshy, so I think the three year  
11 agreement that you all spoke to, I think that would  
12 work out for us, with three units and three hard  
13 containment vents to put on and complying with the  
14 new rulemaking. I think that would be a good  
15 compromise for us.

16 MR. ERIC BOWMAN: Okay, appreciate that.

17 MR. REED: Anybody else on the line?

18 (No response.)

19 MR. REED: Okay, then I guess I'll move  
20 on to the next slide then.

21 MR. ERIC BOWMAN: Do you want to close  
22 the lines?

23 MR. REED: Yeah. Operator, could you  
24 please close the lines? Thanks.

25 OPERATOR: I will close them, sir.

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1                   MR. REED: Okay. So we had CER feedback  
2 with regard to probably conflicting is not really the  
3 right way to call it, but --

4                   MR. ERIC BOWMAN: Redundant.

5                   MR. REED: --multiple redundant --  
6 actually exactly, redundant requirements is probably  
7 the much better way of saying this, and what we're  
8 talking about here is, as I'm sure everybody's very  
9 well aware, we're making generically applicable the  
10 ongoing post-Fukushima regulatory actions, most  
11 notably of course the mitigating strategies order,  
12 EA-12-049, and the spent fuel pool instrumentation  
13 order, EA-12-051.

14                  There's been adjustments made of course  
15 for lessons learned and implementation stakeholder  
16 feedback. That's why we say generically applicable.  
17 But then of course, you know, we have -- we have those  
18 going in place. We have -- we have -- those are the  
19 words. We have the rule and then we also have license  
20 conditions that have been imposed on combined license  
21 holders.

22                  MR. ERIC BOWMAN: And so in addition to  
23 those, another part of the order is a movement of the  
24 requirements of 10 C.F.R. 50.44(hh) (2), which was the  
25 culmination of the agency's post 9/11 efforts known

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1 as the B.5.b strategy requirements, that had two  
2 different orders and potentially two different sets  
3 of license conditions that were imposed on licensees,  
4 that we'll also addressing in paragraph 5.

5 MR. REED: So it ends up being, you know,  
6 the post-Fukushima orders. We have some orders from  
7 post-9/11 essentially. We have conditions and B.5.b  
8 conditions. We have conditions on new reactors. So  
9 we have a lot of different regulations or requirements  
10 I should say, and basically our intent is to  
11 reestablish one set of regulations in 50.155 that are  
12 basically the same set as those, and clear the board,  
13 if you will, make it very clear, just one set.

14 So that's only a ten here, and we  
15 understood the feedback that this can be considerably  
16 confusing, trying to understand what applies, what  
17 the requirements are. It can be a distraction. It's  
18 clearly in my view a cumulative FLEX regulation. So  
19 trying to resolve this issue we thought was a good  
20 thing to do.

21 So our attempt at it is if you go to the  
22 next slide, paragraph five. We've drafted --

23 MR. BENOWITZ: Howard Benowitz of the  
24 OGC. Just to be clear, we're not changing any  
25 requirements here. We're just the same requirements

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1       that are either already in our regulations through  
2       50.54(hh)(2), or that will be in our regulations  
3       through this rulemaking, those requirements already  
4       exist through license conditions or orders.

5                   So we're just cleaning up, really  
6       eliminating the orders and license conditions because  
7       the same substantive requirements are or will be in  
8       the regulation. So none of the requirements will be  
9       changing.

10                  MR. REED: Thank you. Yeah, it's  
11       basically just changing the form. The requirement  
12       is the same. So that's the idea here. So if you go  
13       to -- if you look at the slide here, we have right  
14       now a draft, you know, a draft final rule, a final  
15       paragraph, paragraph five, where we are trying to  
16       rescind orders and basically facilitate the  
17       administrative removal of license conditions in here.

18                  It's broken apart into multiple sections  
19       there. The first thing it's looking at is rescinding  
20       the mitigation strategies order, ARE-12-049 of  
21       course, the spent fuel pool instrumentation orders  
22       and EA-12-063 and all those would be rescinded two  
23       years after the effective date of the rule.

24                  So that would be of course when you would  
25       be coming in compliance with the rule, then those

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1       would be rescinded. So there's -- one of the things,  
2       and I'm sure Eric will jump in here in a second but  
3       I will cover, is what we can't do when we're doing  
4       this is have a regulatory gap.

5                   So we have to have regulatory coverage at  
6       all times. We have to ensure that, you know, while  
7       we get to that end state where basically we're putting  
8       in one set of requirements now instead of having  
9       multiple sets is the same thing, we can't have a gap  
10      anywhere in there. So this is a challenge,  
11      especially with regard to what we're talking about,  
12      flexible schedules we just talked about.

13                  So it's going to be somewhat complex, but  
14      that's what we're attempting to do. So the first set  
15      there you talk about, we show this first set of  
16      orders. Now EA-06-137 is an order modifying licenses  
17      in, and I can't speak too much to this Eric, but you  
18      can. That rule we can rescind on the effective date  
19      of the rule. I don't feel I can say anything more.

20                  MR. ERIC BOWMAN: Yeah. EA-06-137 was  
21      an order that was issued to certain specific  
22      licensees, and it covered certain of the mitigating  
23      strategies that became part of the B.5.b license  
24      condition. So it is fully covered by the mitigating  
25      strategies license condition, or Section 50.54(h) (2)

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1 of the Title 10.

2 MR. REED: So then that brings us to the  
3 actual license condition, the B.5.b license  
4 conditions, which Eric just mentioned. Those license  
5 conditions would be removed on the effective date of  
6 the rule, because of course, as you guys are well  
7 aware, 50.15(b)(3) now becomes the regulation for  
8 doing the exact same thing. So that's why that can  
9 be done at that time.

10 Then we have the license conditions with  
11 the order that Eric just mentioned. They can be  
12 removed on the effective date of the rule of course  
13 also, because they are, as you just said, really  
14 subsumed by the B.5.b license conditions. Then we  
15 have provisions in 539 which go to new reactors. As  
16 we were reviewing new reactors, of course this rule  
17 was not in place.

18 So they looked at, depending on where you  
19 are in the process, where you got the order, Vogtle  
20 got an order. I think everybody else got -- mostly  
21 everybody else got license conditions. What they  
22 were attempting to do was put the Fukushima  
23 requirements on them following whatever regulatory  
24 toll we had available to us.

25 So we have a number of -- I can see there

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1       plants then that would have license conditions on  
2       them that we -- where we're looking at removing those  
3       license conditions, and of course the rule, 50.155,  
4       becomes the set of regulations for them also. That's  
5       on the next slide.

6                   These are a fairly extensive list of all  
7       the specific license conditions that relate directly  
8       to what we're doing here with the post-Fukushima  
9       regulatory actions.

10                  MR. ERIC BOWMAN: The slide is admittedly  
11       an eye chart. It's unfortunate, but that's because  
12       we've got all the numbers on there. If we've got any  
13       numbers that people have an issue with, you know, we  
14       just want to be sure we get it right. This is Eric  
15       Bowman by the way, and if you go through the numbers  
16       and the words that are on this portion for the removal  
17       of license conditions from the new reactor combined  
18       license holders, you'll see that there are some  
19       exceptions.

20                  Those are exceptions for elements of the  
21       license conditions that are not fully covered by the  
22       -- what will be 50.155, things like for example  
23       determining the as-built battery capacities and  
24       things like that. We're leaving in place those  
25       particular license conditions. They'll have to be

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1 satisfied as a part of building those reactors when  
2 they actually do get built. Tim.

3 MR. REED: Yeah. So that slide, and then  
4 actually the next two slides after that actually show  
5 you the regulatory language that accomplishes what we  
6 just had in these two previous slides, and you'll see  
7 it in the actual regulatory language now --

8 MR. GREG BOWMAN: Can I --

9 MR. REED: Yes sir.

10 MR. GREG BOWMAN: So this Greg Bowman.  
11 I real quick question on 51.55(i), we have essentially  
12 a rescission of the order two years from the date of  
13 -- the effective date of the rule. For the licensees  
14 that need more time than two years, how does that get  
15 factored into this? Like if we give a BWR another  
16 year, does this language need to be modified to  
17 conform that with the flexible implementation  
18 schedule?

19 MR. ERIC BOWMAN: Very likely if we do  
20 wind up making a generic change in the scheduling for  
21 a class of licensees like the BWR Mark I and Mark II  
22 containment licensees, we would modify this to make  
23 it, yeah, three years from the effective date of the  
24 rule for that class of licensees.

25 For the other ones in the statement of

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1       considerations regarding the flexible scheduling  
2       provision, we've given a little more detail to what  
3       we would like to see in a request for a new compliance  
4       date that would cover what the licensee will come  
5       into compliance with.

6                 Since we've separated out three of the  
7       reevaluated hazards from in subparagraph (b) (2) from  
8       the (b) (1) requirement for the mitigating strategies  
9       order equivalent stuff, a licensee can, in their  
10      request, specify on the effective date of the rule I  
11      will be in compliance with (b) (3), which is merely  
12      all the B.5.b requirements. On the date two years  
13      from the effective date of the rule, I will be in  
14      compliance with (b) (1). But I need an additional one  
15      or two years to come into compliance for (b) (2).

16                 So that would close any potential  
17       regulatory gap because the proposed new compliance  
18       schedule would show that they come into compliance  
19       with (b) (1) and whatever the supporting requirements  
20       for (b) (1) are on that date, which is when the  
21       mitigating strategies order would be rescinded. And  
22       then we've only the elements of the rule that they  
23       truly need an extension for or an alternate compliance  
24       date, not really an extension.

25                 MR. GREG BOWMAN: So if I could

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1 summarize, what I understood that is once we figure  
2 out the specifics of the flexible implementation  
3 date, we will work out the words such that there's a  
4 continuity of requirements for the mitigating  
5 strategies order to the MBDBE rule compliance. Is  
6 that an accurate --

7 MR. ERIC BOWMAN: Right. It would not  
8 be, in my opinion, good cause to ask for a different  
9 compliance date if you -- if your schedule doesn't  
10 show continued compliance with a requirement for the  
11 orders that were imposed post-Fukushima.

12 MR. GREG BOWMAN: I just want to make  
13 sure we have continuity.

14 MR. REED: Okay, that's good. That's  
15 pretty good for everybody to understand. So  
16 absolutely as I mentioned, we can't have -- we tried  
17 to stretch this out to have regulatory gaps and, as  
18 Eric said, I'm certain that if somebody had a  
19 proposal, that whether they intended to or not had a  
20 regulatory gap, that wouldn't be something that we  
21 would accept either. So yes sir.

22 MR. RILEY: I'm sorry. This is Jim  
23 Riley. Just because I want to make sure I got this  
24 clearly, let me -- can I restate what I think I heard  
25 and make sure that I for one understand.

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1                   So what I think I'm hearing is that you  
2 would, if you change the words in (h)(1) along the  
3 lines of what we've been discussing, two years for  
4 everybody except BWR Mark I and IIs, and three years  
5 for them, just assume they do that for a minute, you  
6 would probably use those same words then in the  
7 rescission section.

8                   MR. REED: Oh, we definitely would.

9                   MR. RILEY: But otherwise, the reason  
10 this rescission section works is the orders are  
11 specifically related to (b)(1), not (b)(2), and by  
12 saying that the order goes away two years after the  
13 effective date, (b)(1) would count unless you asked  
14 for something specifically different on (b)(1).  
15 Paragraph (b)(1) would be then taking over from where  
16 the order left off and you'd have no gap, and the  
17 order didn't relate to (b)(2), because that was a  
18 reevaluated hazard that wasn't associated with the  
19 FLEX order.

20                  So whatever you do with respect to  
21 flexible implementation on (b)(2) for the reevaluated  
22 hazard is not affected by this rescission. Am I  
23 right?

24                  MR. ERIC BOWMAN: That's almost entirely  
25 right. There's one thing that I want to be sure

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1       we're all in understanding on. Could you go back to  
2       the slide that has (h) (1) on it. Some of these  
3       orders, as we said before, are related to the B.5.b  
4       orders and some of the license conditions are related  
5       to B.5.b. But Section B.5.b of the old order, EA-  
6       02-026 and also the order EA-06-137 which was not  
7       given to everyone.

8                 If you look at the wording on this slide,  
9        "Holders of operating licenses shall continue to  
10      comply with the provisions of paragraph (b) (3)."  
11      Sorry, I shouldn't have rolled away from the  
12      microphone. But it requires continued compliance  
13      with the provisions of paragraph (b) (3), which is  
14      what in this rule takes the place of the current  
15      50.54 (hh) (2).

16                 So as soon as this rule becomes  
17      effective, this is where you find the requirement.  
18      (hh) (2) is eliminated by this rulemaking as its set  
19      up now, and on that same date we deem removed the  
20      license conditions that were related to that Section  
21      B.5.b of Order EA-02-026, which rescinded in November  
22      of 2011, and we're cleaning up Order EA-06-137 by  
23      rescission in this rulemaking. That one had not been  
24      rescinded.

25                 MR. REED: So that specifically it so

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1 make sure there's no gap, there's a continuance?

2 MR. ERIC BOWMAN: Yes.

3 MR. REED: So that's basically -- that  
4 same principle, we would apply that principle across  
5 the board. So if would make adjustments to three  
6 years out, you'll see the exact same thing. And  
7 likewise when a licensee makes a proposal for a  
8 schedule, they're going to have to -- they're going  
9 to have to show us a road map of how there's no gaps,  
10 and we're going to have to make that conclusion too.

11 MR. ERIC BOWMAN: Yeah. Our intent is  
12 to avoid the unnecessary administrative regulatory  
13 burden of having to go through the license amendment  
14 process to remove license conditions or rescind  
15 orders when there's no need for them anymore, because  
16 the requirements are now in the regulations.

17 MR. RILEY: You know this discussion to  
18 me at least makes -- provides some additional backing  
19 for why this idea of two years for everybody, three  
20 years for the BWR and then say the same thing. The  
21 rescission section makes it easier for you folks,  
22 because if you don't and you've got some kind of  
23 language in (h) (2) regarding for allowance for coming  
24 into compliance with FLEX, now this rescission  
25 section no longer really works the way it used to.

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1                   MR. ERIC BOWMAN: It gets more  
2 complicated.

3                   MR. RILEY: Yeah, much more complicated.

4                   MR. ERIC BOWMAN: And harder for everyone  
5 to understand.

6                   MR. RILEY: Yeah, yeah. Well, the two  
7 to three year thing seems to really be a simple way  
8 to do it.

9                   MR. ERIC BOWMAN: Yeah.

10                  MR. BUNT: This is Randy Bunt. There's  
11 another question that this brings up to me from an  
12 implementation standpoint, is right now the schedule  
13 has plants having their 049 and 051 order inspections  
14 six months to a year after their compliance. If that  
15 schedule were to slip some, you're going to have  
16 plants that are going to be scheduled for an  
17 inspection for a rescinded order.

18                  MR. ERIC BOWMAN: Well, you should  
19 probably consider it scheduled for an inspection for  
20 meeting the requirement for mitigating strategies.

21                  Whether that requirement is under the  
22 rule or under the order doesn't matter, and we will  
23 no doubt at the appropriate time update what the  
24 temporary instruction 2515/191, which is the  
25 inspection procedure for that inspection says, what

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1           it points to for the requirements.

2                   MR. BUNT: Okay. So there might be a  
3                 different inspection that happens for sites that  
4                 weren't inspected under 049/51, to be inspected under  
5                 the 151 umbrella. It will look very much the same,  
6                 but it will -- in other words, if you have an  
7                 inspection in 2015, your inspection for the 155 will  
8                 be more -- would credit some of that inspection.

9                   MR. GREG BOWMAN: This is Greg Bowman.  
10                 If I could just add, I think we need to go back and  
11                 look at the rule language and what it says on the  
12                 flexible implementation dates. There needs to be in  
13                 my view a continuity of requirements from the order  
14                 to the rulemaking, and there can't be a gap.

15                 So when we do an inspection under TI-191,  
16                 there will be a requirement in place that we're  
17                 inspecting to. It can't be to -- there can't be a  
18                 gap where we're doing an inspection, that this is not  
19                 how we inspect.

20                 MR. BUNT: I understand. That's just a  
21                 question. If there is some slippage or if something  
22                 happens somewhere between this gets affected and when  
23                 that two years is up, there appears to be a potential  
24                 that some inspections may not have been completed at  
25                 that time against the order.

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1                   MR. GREG BOWMAN: And I agree based on  
2                   the language that's in there now, that I haven't --  
3                   it appears.

4                   MR. BUNT: For the gap.

5                   MR. REED: Yeah. So we need to go back  
6                   and look at a little bit more.

7                   MR. BUNT: Correct. I mean if we all hit  
8                   our scheduling and everything else, there shouldn't  
9                   be an issue. It goes back to the BWR question.  
10                  Again, it makes that even cleaner, because you are  
11                  going to want time to do your inspection against the  
12                  order compliance for that order, for the 049 order,  
13                  and you would be possibly in that extension time  
14                  period if you left it as it is currently.

15                  MR. REED: Okay.

16                  MR. BUNT: The other question is kind of  
17                  just a paper work/logistics question. Has there been  
18                  consideration that instead of eliminating 54(hh) (2)  
19                  is just leave it there and put a pointer to 155 Bravo  
20                  3, so that a lot of paper work at the plant sites  
21                  don't have to change, because there's paper work now  
22                  and different documents reference 54(hh) (2), and as  
23                  you said many of those -- the intent is to just be an  
24                  across the board moving to the other location.

25                  Is there a way to make that cross-

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1 reference so the sites could reference either one.  
2 In new documents we'd reference the new one, but in  
3 old documents they wouldn't be revised just to make  
4 that reference change. Consideration. Not making,  
5 I don't know how that actually would work in  
6 legalistic space, but it is a -- it doesn't provide  
7 any safety benefit to me that (inaudible).

8 MR. GREG BOWMAN: We'll take that into  
9 consideration.

10 MR. BUNT: Yeah, I'm not -- yeah, I  
11 understand.

12 MR. RUND: Jon Rund, NEI. I mean on one  
13 of those points I know you've seen regulations in the  
14 past where something's been moved or reserved, and so  
15 it's not exactly the same situation. But it's sort  
16 of analogous to cut down on some unnecessary paper  
17 work potentially, and help plants out a little bit on  
18 having to do that shuffle.

19 Just one, I guess question or  
20 clarification from something. I thought I heard,  
21 completely agree. We don't want to be in a situation  
22 where there's regulatory gaps from rescinding an  
23 order. But as far as the justification for the (b) (2)  
24 requirement, I thought I heard somebody say that  
25 there's no gap there because that wasn't a requirement

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1           that arose from the order.

2                   I mean my understanding was there was no  
3               backfit or any analysis done for that requirement is  
4               because the order was interpreted or reinterpreted to  
5               require essentially what was being required by  
6               (b) (2). So you know, there's -- I don't see a gap,  
7               by the way, the way these things are happening,  
8               because you're going to either require -- you're  
9               either going to comply by the effective date or two  
10               years after the effective date, or you're going to  
11               get an approval or a tacit approval from the NRC.

12               So I don't see a gap there. But I just  
13               wanted to get some -- make sure the record was clear.

14               MR. ERIC BOWMAN: Well they're -- I  
15               believe the best reference to look at for the  
16               inclusion of (b) (2) and the addressal of the  
17               reevaluated hazards within the rule is the  
18               Commission's direction in their SRM to us, COMSECY-  
19               14-0037.

20               MR. REED: Basically that direction is  
21               what we're using to develop this final rule proposal,  
22               okay, that will then be provided to the Commission  
23               for them to determine whether I follow --

24               We all followed that direction, and we  
25               understand the direction correctly. Then they say

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1       yep, this is what we meant when we did that and you've  
2       done it correctly. It will be up to them, of course,  
3       at that point in time to say whether we've done that.  
4       But that's the idea.

5                    MR. RUND: That's helpful. That was my  
6       understanding. I just wanted to make sure I didn't  
7       hear something contrary to the COMSECY.

8                    MR. REED: Yes.

9                    MR. BUNT: Randy Bunt again. Another  
10      question that's potentially out there is again that  
11      overlap or possibly gap between the 103(g) and the  
12      rescission of the orders, if the 103(g) references  
13      the order but the actual, when it comes online is  
14      after the order is rescinded. Is that a conflict or  
15      has that been thought about?

16                  MR. ERIC BOWMAN: Well, 103(g) for what?

17                  MALE PARTICIPANT: Vogtle.

18                  MR. BUNT: For Vogtle.

19                  MR. ERIC BOWMAN: For Vogtle.

20                  MALE PARTICIPANT: That's in that --

21                  MR. BUNT: So we're going to get -- but  
22      if you look at it, it appears that the 103(g) would  
23      reference closure of the 049 and 051 order.  
24      Especially for Vogtle 4 that order will have been  
25      rescinded by the time we come on line. So would the

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1       104, 103(g) need to be revised or is it going to be  
2       applicable or is it going to be a crossover to the  
3       155, inherently because of what's in this language?

4                 I don't -- I don't think we know the right  
5       answer to that, and I'd just throw that out there.  
6       That's again the same type of question, not being a  
7       part --

8                 MR. REED: Under (a)(1) of the rule,  
9       you'll have to comply with the rule under (a)(1) I  
10      believe, am I right?

11                MR. BUNT: What I'm really asking is, you  
12      know, the documentation --

13                MR. ERIC BOWMAN: I'm not -- we aren't  
14      the right people to answer that question.

15                MR. BUNT: I understand. That's why I  
16      didn't really --

17                 (Simultaneous speaking.)

18                MR. ERIC BOWMAN: --those guys, and I'm  
19      not certain of what documentation has gone into  
20      setting the acceptance criteria for the 103(g) for  
21      Vogtle.

22                MR. BUNT: I haven't either. Just that  
23      gap potential showed up.

24                MR. ERIC BOWMAN: My understanding,  
25      however, is that 103(g), Section 52.103(g) is based

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1       on meeting the acceptance criteria in the combined  
2       license and the only operational program that's in  
3       the acceptance criteria for a combined license is  
4       emergency preparedness.

5                   So I don't anticipate that the Order EA-  
6       12-049 would be an element considered under the 103(g)  
7       finding. But that's something that you'd have to  
8       talk to --

9                   MR. REED: Once you achieve 103(g)  
10       finding, you fall under the rule and it becomes  
11       applicable under (a)(1). So you'll be in a weird  
12       state.

13                  MR. BUNT: Correct. That's the whole  
14       question.

15                  MR. REED: Yeah.

16                  MR. BUNT: I mean as long as -- we believe  
17       for Unit 3 that wouldn't be an issue, the time would  
18       be okay. But for Unit 4, with the 103(g), independent  
19       with references and as I remember it, I was thinking  
20       in one of the appendices for 1206 it talks about the  
21       103(g) as part of the 049 specifically in there.

22                  MR. ERIC BOWMAN: I'd have to look again.  
23       I don't know whether --

24                  MR. BUNT: It's not -- but it's just a  
25       topic that we need to consider, and it may be an area

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1       that we -- that an exemption would be the right  
2       approach, because are talking a limited number of  
3       plants.

4                    MR. REED: That's it. I think you're  
5       the --

6                    MR. BUNT: Correct, and I'm not saying  
7       there is a conflict. It's just when you look at this  
8       and you look at the dates, they seem to be very, very  
9       close there.

10                  MR. REED: I think they're close and I  
11       don't think -- I'm not a lawyer again and don't know  
12       Part 52, so here we go. I think something's going  
13       to be applied to you. It may be more than one thing  
14       at a time actually.

15                  MR. BUNT: Correct. That's my  
16       interpretation too. We just need to make sure that  
17       we don't create that gap or this overlap.

18                  MR. REED: Which is -- I understand that,  
19       exactly.

20                  MR. BUNT: It may be that okay, it's  
21       going to be inevitable and we just understand there  
22       will be appropriate documentation submitted at the  
23       right time to address that. That's perfectly fine.  
24       I just wanted to -- I don't believe there's a clean  
25       seamless solution that I can see for this, because it

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1       is involving a significant number of moving parts,  
2       and again it is also a very, you know, it's two units.

3                    MR. REED: No one's done it yet too. I  
4       mean that's also a truth.

5                    MR. BUNT: Yeah. So I mean that's why  
6       the extension process is there. I just wanted to  
7       bring it up as an awareness more than anything, just

8       --

9                    MR. ERIC BOWMAN: Yeah, okay. We should  
10      probably go to the phone line for comments.

11                  MR. REED: Okay Operator, would you  
12      please open the phone lines to see if any folks on  
13      the phone would like to provide some feedback on  
14      paragraph (i).

15                  OPERATOR: Yes. It will take just a  
16      moment, sir. All right. Lines are open.

17                  MR. THOMPSON: Yeah, this is Russell  
18      Thompson with TVA. I guess I had a question around  
19      Attribute 3 on the removal of the mitigation  
20      strategies license conditions. To actually end up  
21      as a licensee with a clean copy of my license without  
22      that condition listed in it, will I still have to  
23      make a submittal to the staff referencing the rule  
24      language? Does the staff intend to just issue me an  
25      updated license without that license condition in it,

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1       with the next amendment after the effective date or  
2       has that been thought through?

3                    MR. ERIC BOWMAN: We've thought that  
4       through and we've addressed it in the statement of  
5       considerations, explaining the meaning and intent of  
6       subparagraph (i). Currently the way we have it set  
7       up is for the agency, not TVA but the NRC, to issue  
8       an administrative amendment to the license and send  
9       the new pages to the licensees.

10                  This of course hasn't been to the  
11       Commission yet, so it could change. But our plan is  
12       try to avoid imposing a burden on the licensees and  
13       their ratepayers to do the paper work shuffle of  
14       processing a license amendment, when there is going  
15       to be absolutely no effect on safety.

16                  MR. REED: And so you would not have to  
17       request a license amendment under 50.90. If it came  
18       to that, then what we're doing here isn't saving a  
19       whole heck of a lot. I mean it could probably still  
20       save some effort.

21                  Let's say the Commission says no, I don't  
22       want to do this. They may agree with the concept.  
23       We could, for example, this is -- I could see the  
24       possibility.

25                  We would then put it in, all of this in

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1       the statement of considerations and make that a very  
2       trivial license amendment. But right now, we're  
3       actually trying to make it as little as possible and  
4       then NRC taking the action. I think that's what we  
5       see as the least resource impact. So that's our  
6       intent.

7                    MR. THOMPSON: And I appreciate that.  
8       Thank you.

9                    (No response.)

10                  MR. ERIC BOWMAN: But it will be laid out  
11       in the statement of considerations in the end. So  
12       you will know and talk to your project manager in the  
13       Division of Operator Reactor Licensing in the end to  
14       determine how it gets resolved.

15                  MR. THOMPSON: Thanks.

16                  MR. ERIC BOWMAN: Is there any other  
17       comments on the line or questions on subparagraph  
18       (i)?

19                  (No response.)

20                  MR. RUND: Just here in the room. Jon  
21       Rund, NEI. I mean I really see two benefits from the  
22       way this provision is structured now. I mean one  
23       it's the clarity piece of it, that we know that  
24       there's not an intent to maintain two or three  
25       different, or the same requirements, and you don't

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1 get the confusion of well, if you've got three  
2 different requirements that all seem the same, is  
3 there an intent that one of them means something  
4 different than the other.

5 So there's the clarity piece of it. That  
6 is important, and then as you mentioned, the second  
7 piece of it is the administrative burden, of not  
8 having to do an administrative license amendment,  
9 which really doesn't help anybody out or do anything.  
10 I mean so I think from -- if the Commission was going  
11 to not require administrative license amendment that  
12 really doesn't do anything.

13 I mean I think there's still an important  
14 piece of having it in the regulations, the rescission,  
15 the basis for that amendment is there. Obviously,  
16 we think it's important to keep it the way it is.

17 MR. REED: I agree completely. Even if,  
18 for example, they don't support the second part, I  
19 think one set of words mean one thing and a whole lot  
20 of set of words supposedly meaning the same thing,  
21 that's a much better situation. That's what we're  
22 trying to get to.

23 That's just fundamental regulation and  
24 this is really what we're doing. These are the same  
25 requirements. We want one set of words to mean the

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1 same thing for everybody, for a power reactor  
2 licensee. So that's exactly the end state we're  
3 trying to get to.

4 MR. ERIC BOWMAN: We were waiting for  
5 people on the phone.

6 MR. REED: Well, does anybody else on the  
7 phone would like to chime in?

8 OPERATOR: Lines are still open.

9 (No response.)

10 MR. REED: Okay, I'll move on then to my  
11 next slide, Next Steps. We've got lots of good  
12 feedback here first of all today. I really  
13 appreciate it, some thoughts that we haven't had. So  
14 that will help us a lot. Hopefully, we can get these  
15 provisions to work better and serve that end state of  
16 reducing the cumulative effects of regulation.

17 We'll factor all that in. We have to  
18 think through a lot of stuff here and make some  
19 changes or address it in the draft final rule package.  
20 Then of course we'll provide that to the Commission.  
21 Obviously, it's the Commission's decision, as  
22 everyone here is well aware.

23 Our schedule is to provide this draft  
24 final rule to the Commission actually on December  
25 16th exactly. So that's a very, very aggressive

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1 schedule. We're working very hard to make that. So  
2 we have, I think, sufficient time to address this and  
3 try to get this package, reflect the feedback here  
4 today.

5                   Then we would expect that as we  
6 mentioned, as Eric was talking about, it's really  
7 out of our hands at that point, because the Commission  
8 has to -- and they will I'm sure have a briefing.  
9 We'll have to brief them on this final rule package  
10 and deliberate on it, vote on it. We've got to get  
11 an SRM, that we have to address an SRM and send it to  
12 the *Federal Register* and then it will become  
13 effective.

14                   So that the way it works in 2017. So I  
15 mean it goes with what's norm, what we normally do in  
16 rulemaking. That would probably be like summer to  
17 early fall, and then as we said it will be a two year  
18 or three year, depending on how we address this  
19 feedback on compliance date.

20                   And another important component to this  
21 is to recognize that we have a CR process. We have  
22 to issue our guidance with the final rule. We're  
23 working on that guidance as you folks are well aware  
24 right now, and I believe the comment period ends on  
25 the 12th, I think, of December. So we'll factor that

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1       in. I see, as you well know, that influences  
2 significantly Reg Guide 1.226. That is the guidance  
3 for mitigation strategies, which is frankly about 95  
4 percent of this rule.

5                   So we'll work that and make sure that  
6 that reflects all that feedback, so that when we do  
7 go through the Commission deliberation process and  
8 they do deliberate, that that guidance is complete  
9 and ready to go and be issued at the same time. So  
10 that's the idea, that they go out at the same time.

11                  So that's the next steps. Am I  
12 forgetting anything anybody? Again, we have I think  
13 outstanding feedback here today, and it's going to  
14 take some effort on our part to address it. I think  
15 you've got an idea for the complexity of (h) and (i)  
16 and how they work together and all the different  
17 moving parts. It's not as easy to do this, especially  
18 the rescission stuff and the removal of the license  
19 conditions is proving to be pretty difficult. Trying  
20 to do the right thing has been pretty hard.

21                  So we do appreciate all the feedback. I  
22 don't know if anybody else in the room has anything  
23 they'd like to say before we --

24                  MR. BARKER: I've got -- this is Jeff  
25 Barker again from TVA Browns Ferry. I'd just like

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1 just a comment, that during this time also we're  
2 implementing a lot of BWR changes with Revision 4 of  
3 the EPCs, and we're trying to weave that into all  
4 these regulatory changes as well. So that's another  
5 thing to think about, as far as the industry goes.

6 MR. REED: Okay, thank you.

7 MR. BUNT: One thing, Tim. In the  
8 overall package that we submit, it would be good to  
9 reference the reg guide that covered 54(hh)  
10 originally, even though we know it's not changing.  
11 We are moving it, and that would be the applicable  
12 reg guide that still would apply, right?

13 MR. ERIC BOWMAN: Which package are you  
14 talking about?

15 MR. REED: Should we as part of our  
16 rulemaking have the regulatory guidance referenced  
17 for 50.54(hh) too since it's moving over to 51?

18 MR. ERIC BOWMAN: We do have it  
19 referenced, I believe.

20 MR. BUNT: Okay. I didn't see it  
21 referenced.

22 MR. ERIC BOWMAN: It's not a reg guide.  
23 It's a Section 19.4 of the standard review plan.

24 MR. BUNT: Okay.

25 MR. ERIC BOWMAN: NUREG-0800 is the

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1 guidance for that, and that combined with NEI Document  
2 06-12.

3 MR. BUNT: 06-12, okay. I know I saw  
4 part of it. I just didn't know that there was --

5 MR. REED: So are we okay?

6 MR. ERIC BOWMAN: I'm pretty sure that's  
7 in the --

8 MR. REED: Yeah, I think you're -- I  
9 think so.

10 MR. BUNT: Okay.

11 MR. AMWAY: Which section was that again?

12 MR. ERIC BOWMAN: Section 19.4 of the --

13 MR. REED: And it's NEI 06-12.

14 MR. ERIC BOWMAN: Right.

15 MR. REED: That's not an accident that  
16 it's close to NEI 12-06, because you can look at --  
17 this is the numerologist right there. So I also like  
18 50.155 is like 1.155. It's a troublemaker right  
19 there. Anyway, so any other comments?

20 (No response.)

21 MR. REED: Anybody on the phone have any  
22 last -- additional feedback before we adjourn here?

23 OPERATOR: All lines are still open.

24 MR. THRESHER: Hey Tim, Jim Thresher. Do  
25 you have the ADAMS number for the slides that we used

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1           in today's presentation?

2           MR. REED: I personally don't have the  
3           ADAMS number for the slides, and to be honest --

4           MR. ERIC BOWMAN: If you email Tim, he  
5           can email the ADAMS number to you.

6           MR. REED: Yeah.

7           MR. THRESHER: Will do, thank you.

8           MR. THOMPSON: This is Russell Thompson.

9           MR. REED: Yeah. You have my email there  
10          on the last slide. Just shoot me an email and I'll  
11          give you the ADAMS. I'll probably just -- I'll  
12          probably just send you the slides right back attached  
13          to it. How's that?

14          MR. THRESHER: That would be great.

15          Thank you.

16          MR. THOMPSON: This is Russell Thompson.  
17          The ML number is on the meeting notice on the public  
18          meeting web page now on nrc.gov.

19          MR. REED: Okay, thank you Russell.

20          MR. THOMPSON: You're welcome.

21          MR. REED: And you can always email me  
22          anyway. What with everybody else in the NRC emailing  
23          me ever day.

24          MALE PARTICIPANT: There's nothing else  
25          going on.

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1                   MR. REED: There's nothing else going on.

2                   Is there any other remarks or thoughts before we  
3 adjourn?

4                   (No response.)

5                   MR. REED: Thank you. Paulette, did you  
6 want to check just if there's anybody on the chat.

7                   There hasn't been. Is there anybody on the chat?

8                   FEMALE PARTICIPANT: Nope. They would  
9 have a little bubble with a question mark.

10                  MR. REED: Oh, okay. So we're all good.  
11                  So with that, I think I want to thank everybody again  
12                  for coming here today and all the feedback we've  
13                  gotten, both in the room and on the phone, and we'll  
14                  adjourn the meeting. Thank you very much.

15                  OPERATOR: This will conclude today's  
16                  conference. Thank you all for your participation.  
17                  The parties may disconnect their lines at this time.

18                  (Whereupon, the above-entitled matter  
19                  went off the record at 2:26 p.m.)

20

21

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