

## Public Meeting Items and Actions

Item No.	Item Description	Meeting Date	App D Section	Assigned To	Actions(s)
4	NEI will look for more examples of how the guidance in NEI 96-07 can be used.	06/15/16 2)		NEI	<b>06/07:</b> Based on the various changes made to Appendix D during its review, this open item should be closed as it is no longer pertinent.
12	Identify what is adequate documentation (i.e., commercial grade dedication).	08/24/16 7)		NRC	The intent of this item was not to augment and supplement guidance of documentation related to commercial grade dedication (CGD). The intent NRC staff had was to describe adequate documentation of screenings and evaluations; that is, if a screening or evaluation uses information from CGDs, what level of summary descriptions are needed in the 50.59 documentation. <b>06/07:</b> Based on the various changes made to Appendix D during its review, this open item should be closed as it is no longer pertinent.
14	Provide examples of bounding of accidents of a different type. a) Discuss the term "related" use in the guidance for Question (V); b) Why does "bounding" apply to accident of a different type?	08/24/16 9)		NRC	<b>06/07:</b> Based on the various changes made to Appendix D during its review, this open item should be closed as it is no longer pertinent.
15	Discuss, for possible inclusion in Appendix D, what constitutes adequate documentation of technical work for justification of 10 CFR 50.59 screen and evaluation conclusions.	08/24/16 10)		NRC/NEI	<b>06/07:</b> Based on the various changes made to Appendix D during its review, this open item should be closed as it is no longer pertinent.
24	Are technical references being removed from Appendix D across-the-board (not just definitions)?	09/07/16 8)		NEI	This item will be kept in the open items list until overall technical guidance is resolved as part of overall review of Appendix D.
28	How are "Malfunctions" in the digital age not the same as "Failures" as understood in NEI 96-07 Rev. 1?	09/07/16 12)		NRC/NEI	<b>06/07:</b> Based on the various changes made to Appendix D during its review, this open item should be closed as it is no longer pertinent.
32	The NRC staff will identify the types of examples that should be developed to show how 10 CFR 50.59 can be used to change to digital instrumentation and controls.	09/21/16 4)		NRC	<b>06/07:</b> Based on the various changes made to Appendix D during its review, this open item should be closed as it is no longer pertinent.

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36	NRC staff will look to prioritize the open items.	11/2/16 4)		NRC	
40	NEI to review the NRC proposed words on the Definitions Section of Appendix D from the 11/02 meeting, and provide comments back to NRC.	11/2/16 8)	2.0	NEI	NEI to propose when this topic would be discussed.
43	The NRC staff will make the NRC commercial grade dedication team aware of the discussion on the Blue Comments on EMI/RFI and 10 CFR 50.59.	12/14/16 2)		NRC	<b>06/07:</b> Discussions on the concerns of EMI/RFI in Appendix D will be held as part of the June 21 2017 public meeting. This OI was generated as part of an older comment set, and as such should be considered closed going forward.
61	The NRC staff will provide feedback on additional input regarding what factors should be considered for accident frequency in the evaluation guidance.	03/08/17 4)		NRC	<b>06/07:</b> This OI was part of a comment made during the March 2017 public meeting, but based on the various changes made to Appendix D during its review, this open item should be closed as it is no longer pertinent.
64	NEI will look at clarifying all four items in Examples 4.1a and 4-1b of NEI 96-07, Appendix D, Section 3.	04/19/17 1)	3.0	NEI	
65	NRC staff and NEI will identify areas related to the use of modification in the human-system interface area where detailed discussions can be held at a future meeting.	04/19/17 2)		NRC	Discussions on the HSI concerns in Appendix D will be held as part of the June 21 2017 public meeting.
66	NRC staff and NEI will form a working group to hold telephonic interactions to establish what will be discussed in public meetings.	04/19/17 3)		NRC/NEI	
67	NEI will ensure that there is consistency in terms among the main body of NEI 96-07; NEI 96-07, Appendix D; and NEI 16-16 [Draft 2], "Guidance for Addressing Digital Common Cause Failure," which will be submitted by NEI in late April 2017.	04/19/17 4)		NEI	
68	NEI will consider providing a mapping between NEI 96-07, Appendix D and NEI 16-16 [Draft 2], to show how the two documents relate to each other.	04/19/17 5)		NEI	

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69	NRC staff and NEI will work to define the scope of questions 2 and 6 in Title 10 of the Code of Federal Regulations, Section 50.59 (10 CFR 50.59).	04/19/17 6)		NRC/NEI	
70	NEI will clarify the description and use of Updated Final Safety Evaluation Report in NEI 96-07, Appendix D.	04/19/17 7)		NEI	
71	NEI will determine if a new example is needed to further address the potential of indirect effects or if clarification is needed on the description of structures, systems, and components.	04/19/17 8)	3.0	NEI	
72	NEI will clarify in NEI 96-07, Appendix D where likelihood fits into credible and noncredible.	04/19/17 9)		NEI	
73	NRC staff and NEI will discuss at a future meeting whether electromagnetic/radio-frequency interference should be included in screening in NEI 96-07, Appendix D or if they are design considerations outside of NEI 96-07, Appendix D.	04/19/17 10)	3.0	NEI	Discussions on the concerns of EMI/RFI in Appendix D will be held as part of the June 21 2017 public meeting.
74	NRC Comment: Examples related to HSI are not adequate to screen or evaluate for HSI impacts. Plant UFSARs were not typically developed with HSI considerations such that a broad HSI assessment is required to properly screen and evaluate proposed changes. The examples provided are too limited and unrealistic to provide adequate guidance for HSI assessments.	06/21/17	Example 4-5 Example 4-6 Example 4-7 Example 4-8 Example 4-9 Example 4-10 Example 4-11 Example 4-16 Example 4-17 Example 4-18 Example 4-19	NEI	To be discussed as part of HSI Appendix D discussions on June 21 public meeting.  NRC recommends removing the examples identified or revising them to provide the broader HSI assessment considerations required for an adequate HSI assessment.
75	NRC Comment: Per item 1) in the Enclosure of the November 5, 2013, letter from NRC to NEI regarding concerns with NEI 01-01, the staff listed 7 specific terms used in NEI 01-01 that needed revision of the associated	06/21/17	Section 3.0	NEI	To be discussed as part of HSI Appendix D discussions on June 21 public meeting.  What is reason for not addressing these concerns in App. D?

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	definitions. In addition, one phrase, "simple devices," was singled out with particular concern for clarification.				
76	<p>NRC Comment:  This Example and the text preceding it (as well as the Examples in general) appear to perpetuate the concern described in Item 1) in the Enclosure of the November 5, 2013 letter from NRC to NEI regarding concerns with NEI 01-01. Specifically, Example 5.1 from NEI 01-01. The concern notes that the complexity of the new internal software is ignored in Example 5.1 with the focus being only on the inputs and outputs. The approach, in general, of this App. D seems to be to ignore the internal differences of new digital system as compared to the old analog control system.</p>	06/21/17	Example 4-1a (general comment)	NEI	<p>To be discussed as part of HSI Appendix D discussions on June 21 public meeting.</p> <p>The NRC staff continues to have concerns with this approach.</p>

## Closed items (as of 04/19/2017)

Closed Items					
No.	Item Description	Meeting Date	App D Section	Status	Comment
1	NEI would evaluate the relationship between Appendix D and the base document, NEI 96-07	4/28/16 1)		Closed on 11/02/16 meeting.	It was agreed that Appendix D would augment and supplement NEI 96-07 in the same manner as IEEE 7-4.3.2 does for IEEE 603; therefore the section numbering and naming would be identical for both NEI 96-07 and Appendix D.
2	NRC staff and NEI would schedule the next meeting in June with completion of initial NRC staff comments	04/28/16 2)	N/A	Closed.	Meeting held June 15, 2016
3	NEI will provide examples on how NEI 98-03, Guidelines for Updating Final Safety Analysis Reports,” can be used to answer questions related to Title 10 of the Code of Federal Regulations, Section 50.59.	6/15/16 1)		Closed on 11/02/16 meeting.	This item was closed because it was agreed that it was not needed.
5	NRC staff and NEI will finalize the schedule for biweekly GoToMeeting sessions to continue detailed discussions on the topics identified by each organization. The NRC staff will take the lead to coordinate the schedule.	06/15/16 3)	N/A	Closed	Biweekly meetings were scheduled previously since August 2016. Subsequently the NRC staff and NEI agreed that monthly meeting would be more appropriate.
6	In a future meeting, discuss an example demonstrating the use of coping analysis in Appendix D.	08/24/16 1)		Closed on 04/19/17 meeting	This item was closed, as discussions on the use of coping have been placed on hold to a later date.
7	NEI will look at revising Appendix D to use common terminology already defined in the regulations and guidance. Any new definitions such as “layers of design,” “variety,” “related,” and “unrelated” need to be discussed and the definitions agreed upon.	8/24/16 2)		Closed on 11/02/16 meeting	NEI and NRC both provided definitions, and it was agreed in the 11/2 meeting that this final list was good enough to begin work on the next section, and we should work on Screening for the next meeting.
8	Discuss where Appendix D addresses if the introduction of software is adverse (NEI 01-01).	08/24/16 3)		Closed on 04/19/17 meeting	This comment is a general concern on the effects of software being considered adverse. The March 16 NRC Formal Comments are related to this Open Item.

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9	In a future meeting, discuss an example of combination of functions that would be adverse.	08/24/16 4)		Closed on 04/19/17 meeting	The March 16 NRC Formal Comment #16 seem related to this topic. As such, this item is closed.
10	Pointers are needed to show where Appendix D relies on the guidance in the main body of NEI 96-07.	8/24/16 5)		Closed on 11/02/16 meeting	Since Appendix D will follow the same outline as 96-07, pointers are not needed.
11	Check for clear guidance on use of existing UFSAR content to identify the level of detail needed in plant-specific analyses using Appendix D.	08/24/16 6)		Closed on 04/19/17 meeting	The March 16 NRC Formal Comment #9 seem related to this topic. As such, this item is closed.
13	Determine how to incorporate the subject of electromagnetic/ radiofrequency interference into Appendix D so that they are addressed in plant-specific analysis if they are not currently in the licensing basis.	08/24/16 8)		Closed on 01/11/17 meeting	Closed at the 01/11/17 meeting because of current language in App D that addresses adverse effects, which would include consideration of EMI/RFI concerns. Additional EMI/RFI related open item #43 is still open and should be coordinated with CGD WG#3.
16	Clarify the treatment of "Accidents" versus "Malfunctions" in NEI 96-07 and Appendix D.	08/24/16 11)		Closed on 04/19/17 meeting	The March 16 NRC Formal Comment #16 seem related to this topic. As such, this item is closed.
17	In a future meeting, identify where parking lot items will be discussed.	9/7/16 1)		Closed on 11/02/16 meeting	This list will track Open Items (formerly called parking lot items).
18	Change the format to be a meeting instead of a conference call. NEI will limit the number of in-person attendees. - NRC	09/07/16 2)		Closed	Meeting type changed in Public Meeting Notice System.
19	Identify tools on how to manage the issues and achieve better alignment.	09/07/16 3)		Closed on 11/02/16 meeting	This list is the tool that will be used to manage public meeting open items.
20	NEI to provide latest version of Screening Section of Appendix D to the NRC staff for review and comments.	09/07/16 4)	3.0	Closed on 12/14/16 meeting	NEI provided the staff with a new draft of the Screening section on 11/22/16.
21	Discuss aspects of Section 3, Screening Guidance.	09/07/16 5)	3.0	Closed on 04/19/17 meeting	Since NRC and NEI have held various public meetings to discuss the Screening section, this comment is closed.

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22a	NRC will draft comments and/or proposed redline/strikeout text for discussion on the Screening Section of Appendix D.	09/07/16 6)a.		Closed on 12/14/16 meeting	NRC staff provided feedback and comments on the Screening section of Appendix D at the 12/14/16 meeting.
22b	Provide the following information: b. Proposed redline/strikeout text for discussion	9/7/16 6)b		Closed, covered in another open item.	This action is captured in Open Item 22a above.
22c	Provide the following information: c. Prepare outline with revisions (i.e., redline/strikeout) to Appendix D for definition changes.	9/7/16 6)c		Closed on 11/02/16 meeting	List provided and discussed in 11/02/16 public meeting.
23	Work with NRC staff to identify how NEI will bin the NRC staff comments and address or not address.	09/07/16 7)		Closed on 01/11/17 meeting	NEI provided the binned comments to NRC on 11/10/16. The binned NRC comments were discussed during the 12/14/16 and 01/11/17 meetings. Closed at 01/11/17 meeting.
25	Why is "coping" terminology introduced into the screening process of Appendix D? What is the technical basis?	09/07/16 9)	3.0	Closed on 01/11/17 meeting	The use of "coping" terminology was removed from the most recent version from the Screening Section.
26	Discuss hazard analysis as a type of analysis vs. broad range of analyses.	09/07/16 10)		Closed on 01/11/17 meeting	NRC and NEI discussed and agreed that the use of "hazard analysis" would be removed from App D; therefore no further discussion is needed. NEI will verify that the term hazard analysis is not used in NEI 96-07, Appendix D. This item was closed.
27	Discuss Variety and Layers of Design vs. Diversity & Defense in Depth. If these terms are to be removed from Appendix D, what will be used in place of these terms?	9/7/16 11)		Closed on 11/02/16 meeting	These specific terms have been removed from Appendix D. Plain language or industry standard definitions will be used instead.
29	NRC staff to address what it means when it says a CCF is beyond the design basis.	09/21/16 1)		Closed on 12/14/16 meeting	NRC staff discussed this topic in a presentation during the 12/14/16 public meeting.
30	Include three agenda in a future meeting to: 1) present examples related to NEI 98-03; 2) discuss Concern 12 (ML14255A059); and 3) make a NRC staff proposal on what is a graded approach could be.	09/21/16 2)		Closed	Added to agenda for Oct 19, 2016, all-day meeting. Parts 2) and 3) of this item were converted into separate open items #33 & 34.

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31	NRC staff and NEI will establish a mechanism to report on the status of parking lot and actions from meetings.	09/21/16 3)		Closed	This list completes the action.
33	NRC staff will provide information on graded approach before the December 14, 2016 meeting;	11/2/16 1)		Closed on 12/14/16 meeting	NRC staff discussed this topic in a presentation during the 12/14/16 public meeting.
34	NEI will provide information on how digital I&C codes and standards can be relied upon if these codes and standards are not included in the Final Safety Evaluation Report.	11/2/16 2)		Closed on 04/19/17 meeting	The March 16 NRC Formal Comment #9 seem related to this topic. As such, this item is closed.
35	NRC staff will place an update of the open-item list in ADAMS as public and provide a copy to NEI a week before the December 14, 2016, meeting.	11/2/16 3)		Closed on 12/14/16 meeting	NRC staff provided an updated list of open items prior to the 12/14/16 public meeting.
37	NEI will consider a revision to remove coping from the screening analysis.	11/2/16 5)		Closed on 12/14/16 meeting	The use of "coping" terminology was removed from the most recent version from the Screening Section. This items was agree as closed by NEI/NRC based on the latest version of the Screening section.
38	NRC staff will provide additional clarification on the use of design attributes to eliminate further consideration of SW CCF.	11/2/16 6)		Closed on 12/14/16 meeting	NRC staff discussed this topic in a presentation during the 12/14/16 public meeting.
39	NRC staff will have the CCF Working Group define coping and bounding analyses and determine the scope.	11/2/16 7)		Closed on 04/19/17 meeting	This item should be closed where related to the review of Appendix D, as discussions on the use of coping and bounding have been placed on hold to a later date.
41	NRC (50.59 Team) to forward 11/2/16 meeting summary to NRC CCF Group so that is can address NEI Questions: a) How do you define coping or bounding? b) What do we need to conduct this type of analysis? c) What analysis technique do you need to build a coping strategy? d) What is the scope of the analysis?	11/2/16 9)		Closed on 04/19/17 meeting	This item should be closed where related to the review of Appendix D, as discussions on the use of coping and bounding have been placed on hold to a later date.
42	NRC staff and NEI will determine when to discuss Blue Bin Comments from the Screening section at a future meeting.	12/14/16 1)		Closed on 01/11/17 meeting	This item was closed. Blue bin comment were discussed during the 12/14 and 01/11 meetings.



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44	NRC staff will relook at its comments on NEI 96-07, Appendix D and provide a revision before the January 11, 2017, meeting.	12/14/16 3)		Closed on 01/11/17 meeting	NRC staff provided comments for the Jan 11 meeting.
45	NEI will provide a revised screening Section of Appendix D before December 25, 2016	12/14/16 4)	3.0	Closed on 01/11/17 meeting	NEI provided a revised Screening section to NRC on 12/21/16.
46	NRC staff will provide NEI comments on the April 2016 version of Appendix D, evaluation Section before December 25, 2016.	12/14/16 5)	4.0	Closed on 01/11/17 meeting	NRC provided comments to NEI on 12/20/16.
47	NEI to provide binned comments to NRC Staff regarding evaluation Section of Appendix D by January 20th, 2017.	12/14/16 6)	4.0	Closed on 01/11/17 meeting	NEI provided binned comments on 01/10/17.
48	NEI will provide revised evaluation Section of Appendix D by January 20 <sup>th</sup> 2017.	12/14/16 7)	4.0	Closed on 04/19/17 meeting	NEI provided this revision and it was discussed during the January 11, 2017 public meeting. NEI has since provided a newly revised Screening and Evaluation section on March 29, 2017. This item is closed.
49	NEI will be prepared to discuss revised screening Section for the January 11th, 2017 public meeting.	12/14/16 8)	3.0	Closed on 01/11/17 meeting	Continued discussions on the Screening section were held at January 11 meeting.
50	NEI will be prepared to discuss revised evaluation Section of Appendix D for the February 8th, 2017 public meeting.	12/14/16 9)	4.0	Closed on 04/19/17 meeting	This discussion of the Evaluation section was held at the March 8, 2017 public meeting. As such, this item is closed.
51	NEI to remove the term "reliability" from the screening Section of NEI 96-07 Appendix D	12/14/16 10)	3.0	Closed on 01/11/17 meeting	It was discussed and agreed on that the term "reliability" would be removed from the Screening section.
52	In NEI 96-07, Appendix D, NEI will: a) Clarify the language on the screening section discussing "introduction of software" as adverse; b) Clarify the concept of combination of components; c) Review and add clarification on the logic of examples; d) In Appendix D, use the exact words from the main body of NEI 96-07, Revision 1;	01/11/17 1)	3.0	Closed on 04/19/17 meeting	The following bulleted items are related to the NRC March 16 Formal comments as follows: a) This was a general comment. b) Formal Comment #13, 15 and #16 c) This was a general comment on all examples. d) This was a general comment. e) Formal Comment #4 and #5 f) Formal Comment #10 g) Formal Comment #5

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	e) Remove the word “fundamental” when discussing a “fundamental change;” f) Remove the language on “graded approach” in the screening section and consider placing it into the evaluation section; and Delete or consider moving examples 3-1 and 3-2 from the 3.1 “Introduction” subsection of the screening section.				The March 16 NRC Formal Comments are related to the various items in this Open Item. At the April 19, 2017 public meeting, NRC staff and NEI discussed and decided all of these comments had been addressed or captured elsewhere and as such this closed this item.
53	The NRC staff will provide a date by which NEI will get the formal comments.	01/11/17 2)	3.0	Closed on 04/19/17 meeting	NRC provided formal comments on the Screening Section to NEI on March 16, 2017. This item is closed.
54	NRC staff will coordinate with the human-factors engineering group to review any HSI-related comments on the screening section.	01/11/17 3)	3.0	Closed on 04/19/17 meeting	NRC staff coordinate with HFE engineers to provide formal comments on the Screening Section to NEI on March 16, 2017. This item is closed.
55	Schedule a meeting on the technical aspects of the NRC staff ISG in March.	02/08/17 1)		Closed on 04/19/17 meeting	The NRC staff has since halted work on this ISG. As such, this specific item is closed.
56	Schedule a meeting on 10 CFR 50.59 questions 2 and 6. Also, NRC has an action to get back with NEI to provide an update on resolution of question 2 and 6 before the scheduled meeting in March.	02/08/17 2)		Closed on 04/19/17 meeting	NRC staff provided NEI with an updated path forward to resolve these questions. NRC is in the process of developing and issuing a RIS to address this concerns. A public meeting was also held on March 30, 2017 to discuss this path forward. As such, this item is closed.
57	The NRC staff will provide its comments on NEI 16-16 a week before the scheduled meeting.	02/08/17 3)		Closed on 04/19/17 meeting	This action items is not applicable to 50.59, and will be closed for the purposes of this 50.59 Public Meeting Items list. A public meeting with NEI to discuss NEI 16-16 was held on March 29, 2017.
58	Clarify the use of attributable, discernable, and negligible in the Evaluation Section of NEI 96 07, Appendix D.	03/08/17 1)		Closed on 04/19/17 meeting	NEI discussed this at the April 19, 2017 public meeting.
59	NEI will add examples for auxiliary and support systems which are not included in a UFSAR accident analysis in NEI 96-07, Appendix D to clarify the evaluation guidance to illustrate the	03/08/17 2)		Closed on 04/19/17 meeting	NEI discussed this at the April 19, 2017 public meeting.

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	concepts of attributable, discernable, and credibility.				
60	NEI will provide clarification on plant-level performance versus component-level in the Evaluation Section of NEI 96 07, Appendix D.	03/08/17 3)		Closed on 04/19/17 meeting	NEI discussed this at the April 19, 2017 public meeting.
62	The NRC staff will detail its schedule for issuing the RIS clarification.	03/08/17 5)		Closed on 04/19/17 meeting	This item was addressed at the April 20, 2017 public meeting.
63	Identify a path forward for the evaluation section once a revised version is provided to the NRC staff. A revision of the Evaluation Section should be provided to the NRC staff by March 29, 2017.	03/08/17 6)		Closed on 04/19/17 meeting	A revision of the Evaluation section was received by NRC on March 29, 2017. This item is closed as part of the path forward discussions in the April 19, 2017 meeting.