

October 23, 2018

MEMORANDUM TO: Bo M. Pham, Chief
ROP Support and Generic Communications Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

FROM: Tekia V. Govan, Project Manager **/RA/**
ROP Support and Generic Communications Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF A CATEGORY 2 PUBLIC MEETING HELD WITH THE
NUCLEAR ENERGY INSTITUTE TO PROVIDE AN OPPORTUNITY TO
DISCUSS THE STATUS OF THE NRC STAFF'S REVIEW OF THE
DRAFT NEI 96-07, APPENDIX D

On August 30, 2018, the U.S. Nuclear Regulatory Commission (NRC) staff held a Category 2 public meeting with the Nuclear Energy Institute (NEI) in Rockville, Maryland. The purpose of the meeting was to discuss the status of the draft NEI 96-07, Appendix D, "Supplemental Guidance for Application of 10 CFR 50.59 to Digital Modifications," which is being developed to assist licensees in the performance of 10 CFR 50.59 reviews for activities involving digital modifications. This meeting provided an opportunity for NRC staff and NEI to discuss the current draft NEI 96-07, Appendix D.

Background

On July 16, 2018, NEI submitted to the NRC, NEI 96-07, Appendix D, Revision 0f (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18199A647) for review and comment. To support the discussion of this Category 2 meeting, the NRC staff made its comments on NEI 96-07, Appendix D publically available (ADAMS Accession No. ML18235A165).

Meeting Summary

The NRC made brief opening remarks, and introductions were made by all in attendance. The NRC staff began the meeting with a slide presentation (ADAMS Accession No. ML18253A093) on the format of their comments on NEI 96-07, Appendix D, the structure in which the staff would discuss the comments and the goals of the meeting.

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The NRC staff provided their comments using two categories: Corrections and Enhancements. Correction comments are: 1) comments that were discussed at the June 26, Category 2 public meeting with NEI (ADAMS Accession No. ML18234A534); or 2) comments that document instances in the guidance where there exists a potential incorrect interpretation of referenced guidance (e.g., NEI 96-07 or RIS 2002-22) or regulation (such as 10 CFR 50.59). During the meeting, the NRC staff stressed how essential it is that these comments be addressed since, as written, they would result in situations of licensing uncertainty for both the licensees and inspectors. The second category, Enhancement, consisted of comments that document potential points of uncertainty where the staff believes the guidance could be clarified. The NRC staff's comments on NEI 96-07, Appendix D with the documented notes from the meeting can be found under ADAMS Accession No. ML18282A103.

The NRC staff comments on NEI 96-07, Appendix D were made publically available prior to this meeting. NEI used the pre-meeting comments to develop a color coded system to discuss the comments with the NRC staff (ADAMS Accession No. ML18282A141). The comments were color coded as follows:

- Green – NEI is aligned with the NRC staff's comment and will revise NEI 96-07, Appendix D as requested by the comment.
- Yellow – NEI will address the NRC staff's comment, but the revision may not be exactly what was recommended by the NRC staff.
- Blue – NEI needs clarification before the comment can be addressed.
- Red – NEI/NRC alignment is needed.

Per the request of NEI, this meeting focused on the identification of the green comments, gaining an understanding of the blue comments and discussing the challenges of the red comments.

Meeting Conclusion

The NRC staff documented comments where there was alignment with NEI, provided clarification on comments to facilitate comment resolution and started the discussion of comments noted by NEI as a potential challenge. The next public meeting, scheduled for September 11, 2018, will continue this discussion and focus the red comments not addressed during this meeting and the yellow comments. The NRC staff took note of all action items developed during this meeting and will continue the documentation of such action items during the September 11th meeting. All action items will be addressed during a follow-on meeting on October 11, 2018.

Enclosure:

1. Meeting Agenda
2. List of Attendees

SUMMARY OF A CATEGORY 2 PUBLIC MEETING HELD WITH THE NUCLEAR ENERGY INSTITUTE TO PROVIDE AN OPPORTUNITY TO DISCUSS THE STATUS OF THE NRC STAFF'S REVIEW OF THE DRAFT NEI 96-07, APPENDIX D, Date: October 23, 2018.

ADAMS ACCESSION NO.: ML18282A216

OFFICE	NRR/DIRS/IRGB/PM	NRR/DIRS/IRGB/LA	NRR/DIRS/IRGB/BC	NRR/DIRS/IRGB/PM
NAME	TGovan	ELee	BPHam	TGovan
DATE	10/09/2018	10/09/2018	10/22/2018	10/23/2018

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PUBLIC MEETING AGENDA

NEI 96-07, APPENDIX D, REVISION 0F, SUPPLEMENTAL GUIDANCE FOR APPLICATION OF 10 CFR 50.59 TO DIGITAL MODIFICATIONS

August 30, 2018, 9:00 AM to 04:00 PM

**NRC One White Flint North, O11-B04
11555 Rockville Pike
Rockville, MD**

<i>Time</i>	<i>Topic</i>	<i>Speakers</i>
9:00 am	Meeting Introductions and Opening Remarks	NRC Staff
9:15 am	NRC staff presentation	NRC Staff/NEI
	Discussion on the NRC staff's comments on the draft NEI 96-07, Appendix D	
	Green/Blue Comments	
10:30 am	Break	
10:45 am	Discussion on the NRC staff's comments on the draft NEI 96-07, Appendix D	NRC Staff/NEI
	Blue Comments	
12:00 pm	Lunch	
1:00 pm	Discussion on the NRC staff's comments on the draft NEI 96-07, Appendix D	NRC Staff/NEI
	Red Comments	
2:30 pm	Break	
2:45 pm	General NEI 96-07, Appendix D Questions/Comments	NRC Staff/NEI
3:15 pm	NRC Review Schedule	NRC Staff/ NEI
3:30 pm	Questions/Comments	Members of the public
4:00 pm	Adjourn	

LIST OF ATTENDEES

NEI 96-07, APPENDIX D, REVISION 0F, SUPPLEMENTAL GUIDANCE FOR APPLICATION OF 10 CFR 50.59 TO DIGITAL MODIFICATIONS

August 30, 2018, 9:00 AM to 04:00 PM

NRC One White Flint North, O11-B04
11555 Rockville Pike
Rockville, MD

<u>Name</u>	<u>Organization</u>
1. Brian Thomas	NRC
2. Mike King	NRC
3. Neil Archambo	Duke Energy
4. Jerud Hanson	NEI
5. Kati Austgen	NEI
6. Wendell Morton	NRC
7. Tekia Govan	NRC
8. Norbert Carte	NRC
9. Jason Remer	NEI
10. Eric Benner	NRC
11. Bo Pham	NRC
12. David Ramendick	David Ramendick Consulting
13. Erick Martinez	NRC
14. Chris Miller	NRC

Participated via conference line and webinar

1. Dave Beaulieu	NRC
2. Maria Assard	NEI
3. Jana Bergman	Curtis Wright

4. Luis Betancourt	NRC
5. Mark Burzynski	Rolls Royce Nuclear
6. Don Chase	Curtis Wirght
7. Gordon Cleifton	Member of the public
8. Phil Couture	Entergy
9. Ismael Garcia	NRC
10. Alfred Hyde	Westinghouse
11. Ken Lowery	Southern Engineering
12. Phillip McKenna	NRC
13. Bryan Ford	Entergy
14. Andrew Nack	Paragones
15. Warren Odess-Gillett	Westinghouse
16. David Rahn	NRC
17. William Sotos	Certrec
18. Brian Thomas	PSEG
19. Mike Waters	NRC
20. Rossnyev Alvarado	NRC
21. Bob Caldwell	NRC
22. Ronald Jarrett	TVA
23. Paul Phelps	Dominion Energy
24. Edward Quinn	Cox