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The Role of NEI 12-04 In Improving the Focus on Safety

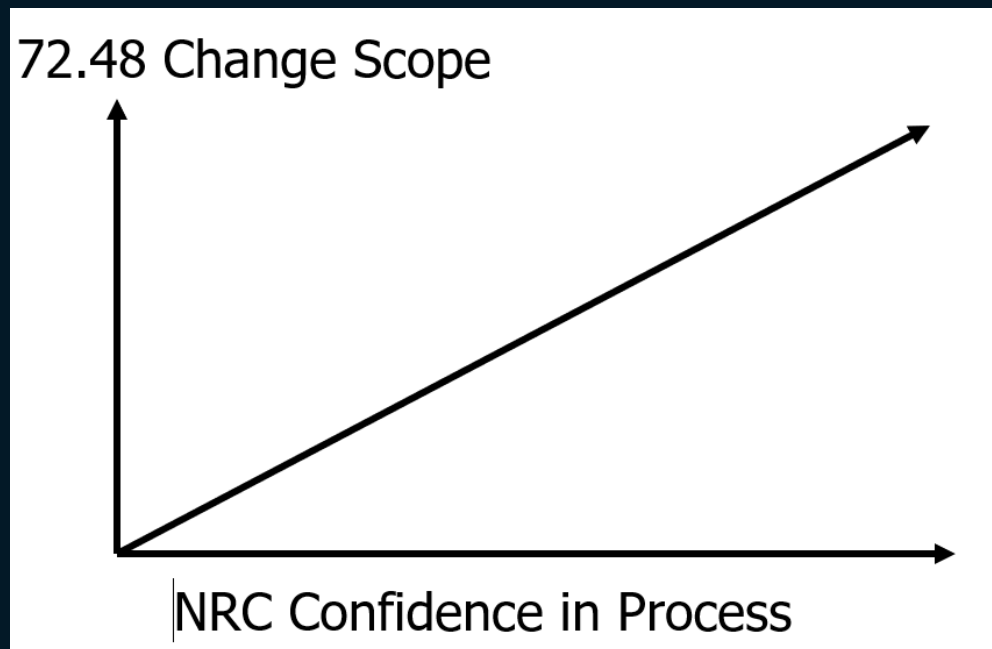
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NEI 12-04 Endorsement Status

- NEI 12-04, Revision 2 submitted to NRC in September 2018
 - Deletes appendices and modifies the document to remove references to those appendices
 - Corrects a section numbering error
- Endorsement is expected via a revision to Regulatory Guide 3.72
- Draft RG summer 2019
- Licensees and CoC holders awaiting formal endorsement to incorporate the revised guidance into 72.48 training programs

Part of Broader Regulatory Improvements

- The value of 72.48 guidance is limited to the information not requiring NRC approval to change
- Graded approach project seeks to increase the 72.48 change scope based on safety and risk, akin to Part 50 TS improvement program
- Long term value depends on the NRC having confidence that industry 72.48 processes will consistently identify those issues requiring NRC approval
- NRC inspection and enforcement program visibility increases with increased industry responsibility



Accomplishments of NEI 12-04

- Distinguishes between specific licensees, general licensees, and CoC holders, where appropriate
- Identifies the 72.212 Report as a licensing basis document requiring review for proposed activities (RIS 2012-05)
- Addresses unique needs of CoC holders having 72.48 authority and no history of 50.59 authority
- Addresses general licensee - CoC holder interface
 - GL processing of CoC holder changes
 - Cask FSAR revision(s) of record for GLs
- Brings 72.48 guidance into alignment with 50.59 for changes involving Methods of Evaluation (MOE)
- Solidifies the basis for licensee and CoC holder training programs

Lessons Learned

- Enforcement actions of 2000s resulted in lingering confusion for both industry and NRC
- 50.59 guidance did not translate to 72.48 as directly as imagined for general licensees and CoC holders
- Industry's request for NRC endorsement could have been defined better
- Some enforcement actions were based on different industry and NRC understanding of the rule and guidance rather than mistakes

What is Expected of Industry?

- Understand that the need, appropriateness, and technical quality of changes is assured before the 72.48 review
- Implement a rigorous 72.48 training/qualification program
- Ensure 72.48 documentation matches the elements of the 72.48 guidance, especially MOE changes
- Frequently and critically review your 72.48 training and implementation programs (solicit outside feedback)
- Embrace conservative decision-making and questioning attitude
- Licensees should critically review CoC holder work

What is Expected of the NRC?

- Consistency among Regions and individual inspectors
- Risk-informed decision-making
- More 72.48 knowledge in the Regions to improve inspection process efficiency
- Hold industry accountable for the integrity of the process

What Does Success Look Like?

- Industry better understands the 72.48 rule and guidance evidenced by fewer mistakes
- NRC increases confidence in 72.48 implementation and allows more information to be under licensee/CoC holder change control
- Fewer 72.48 enforcement actions

The Bottom Line

1. 10 CFR 72.48 intends for the NRC to review changes having a nexus to the original safety basis with a focus on public health and safety
2. Updating the 72.48 implementation guidance was necessary but not sufficient for long-lasting regulatory process improvement
3. Right-sizing information in licenses and CoCs will put change control authority where it belongs and better focus resources on safety

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Questions?

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