

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, December 05, 2017 8:45 AM
To: Hoellman, Jordan; Akstulewicz, Frank; Colaccino, Joseph; Bradford, Anna; Dixon-Herrity, Jennifer; Patel, Chandu; Monninger, John; Franovich, Mike; Taylor, Robert; Campbell, Andy; Caldwell, Robert; Segala, John; [REDACTED] McGinty, Tim; Krohn, Paul; Carpenter, Cynthia; Hearn, Peter; Rivera-Varona, Aida; Fetter, Allen
Subject: Initial Comments on DRAFT SNC LAR-17-037 Changes to Tier 2* Departure Evaluation Process for 12/14/2017 public meeting
Attachments: ND-17-1726_LAR-17-037_T2-Star Chng_Pre-submittal_Final DRAFT 2017-12-01 JFW comments 20171205.docx
Categories: Red Category

My initial comments are given below and in the attached file. I expect to refine these thoughts and develop additional comments as I have more opportunity to think about the issues and discuss them with colleagues. The attached file is a Word version the PDF distributed yesterday; while no text has been changed, I haven't checked to see if the pagination has been affected.

1. We need to carefully consider the generic implications of this proposal, both for AP1000 licensees, and other current and future Part 52 licensees.
 - a. Arguably, given the generic implications, this issue should be addressed via rulemaking. Issuing an amendment appears to circumvent the rulemaking process, as it would be difficult to argue that a future rule could not be based on this amendment. However, the amendment is not subject to the same requirements for public engagement and comment as a rule.
 - b. This topic is also arguably a policy issue which should be considered by the Commission.
 - i. The proposal fundamentally affects the structure of a Part 52 certification and license, which were subjects of Commission decisions.
 - ii. A paper addressing the issue should discuss the staff's views regarding rulemaking issues.
2. The proposed criteria are too subjective, and do not provide a clear delineation between Tier 2* information that is Tier 1-equivalent and other less significant information.
3. There is no reference to NEI's proposed Tier 1 First Principles, so there does not appear to be any alignment between that activity and the proposed amendment.
4. The proposed amendment does not provide any reporting requirements to ensure NRC is made aware of changes, similar to reporting of 50.59 changes.
5. It would be helpful if SNC described how it envisions the process could be applied to what it considers to be the problematic Tier 2* amendments that have already been issued.
6. The proposal may be overly broad, in that it seems likely that many of the issues (e.g., editorial problems, internal consistency issues, mislabeled figures, etc.) could be addressed without introducing subjective questions about whether or not a change is "material." Reaching agreement on such questions could be difficult, so focusing on a narrower set of issues could yield a significant portion of the benefit without introducing more difficult aspects. A narrower scope might avoid introducing policy issues, as well.

For these reasons, it is my opinion that this is an issue worthy of careful consideration, including stakeholder engagement, so we would be running a great risk if we move too quickly to issue the amendment as soon as the draft LAR suggests.

Joe Williams
Senior Project Manager

Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

From: Hoellman, Jordan

Sent: Monday, December 04, 2017 8:25 AM

To: Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Franovich, Mike <Mike.Franovich@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; Campbell, Andy <Andy.Campbell@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>; Segala, John <John.Segala@nrc.gov>; [REDACTED]
[REDACTED] Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; McGinty, Tim <Tim.McGinty@nrc.gov>; Krohn, Paul <Paul.Krohn@nrc.gov>; Carpenter, Cynthia <Cynthia.Carpenter@nrc.gov>; HQ-OWFN-07B04-25p <HQ-OWFN-07B04-25p@nrc.gov>; Hearn, Peter <Peter.Hearn@nrc.gov>; Rivera-Varona, Aida <Aida.Rivera-Varona@nrc.gov>; Fetter, Allen <Allen.Fetter@nrc.gov>

Subject: FW: DRAFT SNC LAR-17-037 Changes to Tier 2* Departure Evaluation Process for 12/14/2017 public meeting

Hi all –

Please see the attached draft Tier 2* LAR that will be discussed in a pre-submittal meeting with SNC on 12/14/17.

Thank you,
Jordan

From: Redd, Jason P. [<mailto:JPREDD@southernco.com>]

Sent: Friday, December 01, 2017 10:28 AM

To: Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>

Cc: Amundson, Theodore Edwin <X2TAMUNS@southernco.com>; Pierce, Chuck R. <CRPIERCE@southernco.com>; Allen, Leslie G. (Balch) <lgallen@balch.com>; Haggerty, Neil <X2NHAGGE@SOUTHERNCO.COM>; Hicks, Thomas E. <X2TEHICK@southernco.com>; Marrichi, James P. <X2JPMARR@southernco.com>; Chamberlain, Amy Christine <ACCHAMBE@southernco.com>; Blanton, Stan (Balch) <sblanton@balch.com>; Aughtman, Amy G. <AGAUGHTM@SOUTHERNCO.COM>; Sparkman, Wesley A. <WASPARKM@southernco.com>; Yox, Michael <MYOX@SOUTHERNCO.COM>; Jones, David H. <DAHJONES@southernco.com>

Subject: [External_Sender] DRAFT SNC LAR-17-037 Changes to Tier 2* Departure Evaluation Process for 12/14/2017 public meeting

Chandu,

Attached please find the DRAFT SNC LAR-17-037 “Changes to Tier 2* Departure Evaluation Process” for the upcoming 12/14/2017 public meeting. Please share this draft with the Staff and with the interested public for their review prior to the planned pre-submittal meeting. We look forward to having an open, beneficial discussion with the Staff on this topic in support of the formal submittal of the LAR promptly after the pre-submittal meeting. If you have any questions, please give me a call; thank you.

Jason P. Redd, PE
Project Engineer
Nuclear Development Regulatory Affairs
Southern Nuclear Operating Company
(205) 992-6435 / 8-992-6435
jpredd@southernco.com

Williams, Joseph

From: Williams, Joseph
Sent: Thursday, December 07, 2017 7:08 AM
To: Karas, Rebecca; Jackson, Diane
Cc: Segala, John
Subject: Tier 2* LAR Meeting

Becky/Diane,

FYI, I spoke to John Monninger to tell him that I wasn't particularly satisfied with the Tier 2* LAR meeting yesterday. I told him that it's not clear what messages we intend to convey to SNC (at least to me), and it appeared the only meaningful input came from staff outside DNRL. I briefly reviewed my comments with John, DNRL management provided reactions to what we said, but there wasn't much offered in the way of independent contributions. I told John you were both there and had participated if you'd like to offer your perspectives. My feeling is that we aren't ready for a meaningful discussion at the public meeting next week.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Williams, Joseph
Sent: Monday, December 11, 2017 11:18 AM
To: Jackson, Diane; Karas, Rebecca
Subject: FW: Tier 2* LAR Meeting

Diane and Becky,

FYI. I should have included you when I forwarded this to Monninger, et al.

Joe

From: Williams, Joseph
Sent: Monday, December 11, 2017 11:17 AM
To: Monninger, John <John.Monninger@nrc.gov>; Franovich, Mike <Mike.Franovich@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: FW: Tier 2* LAR Meeting

John and Mike,

See below. I reached out to DNRL regarding the Tier 2* proposed LAR meeting planned for this coming Thursday morning. Given the feedback below, I don't think we are ready to discuss this proposed LAR outside the agency.

Joe

From: Patel, Chandu
Sent: Monday, December 11, 2017 10:43 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: RE: Tier 2* LAR Meeting

Hi Joe,

Thank you for asking good questions. We are checking with SNC to see if they will have any handouts. Yes, you are right that we did not make any decisions. We will decide all the details before the meeting hopefully within next couple of days. But as of now, I think you should express any opinion you have during the meeting. I believe Frank wants to have Division level presence so it may be a good idea to make your management aware of your ideas. Jennifer and I will talk with Frank and Anna to see how they want to handle the meeting. This is a pre-application meeting and anybody should express his/her views and let licensee decide how they will submit the final product. We will let you know as the details get clear. Ideally, the staff should speak with one voice but I am not sure if we have time to do that in given time frame. We will do our best to minimize the confusions in the meeting. As far as the EPID is concerned, we will send it to you. It is supposed to be charged to pre-application meetings.

Thanks,
Chandu

From: Williams, Joseph

Sent: Monday, December 11, 2017 8:41 AM

To: Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>

Subject: Tier 2* LAR Meeting

Chandu and Jordan,

I'm not clear on how things are supposed to proceed in the Tier 2* public meeting on Thursday. I'd very much like to avoid a situation like the internal meeting last Wednesday where I was called upon to make an ad hoc presentation, so can you tell me who is going to lead the discussion? Are there any handouts being prepared by DNRL or from SNC? I'm also not clear on messages we intend to convey, as I don't think we reached an agreement on at least some of the issues discussed last Wednesday.

I also need a CAC for my preparations and attendance.

Thanks.

Joe Williams

Senior Project Manager

Advanced Reactors and Policy Branch

Division of Safety Systems, Risk Assessment, and Advanced Reactors

Office of New Reactors

301.415.1470

Williams, Joseph

From: Williams, Joseph
Sent: Monday, December 11, 2017 1:33 PM
To: Hoellman, Jordan; Patel, Chandu
Cc: Segala, John; Karas, Rebecca; Jackson, Diane; Habib, Donald; Dixon-Herrity, Jennifer
Subject: RE: Tier 2* LAR Meeting

Jordan,

This is a potentially precedent-setting proposal that deserves more deliberate consideration. My high level concerns include lack of alignment on whether this request involves a policy decision and potential rulemaking implications. I also don't think we have a common position on the relationship between this proposal and NEI's Tier 1 First Principles. Further, the proposed schedule is unrealistic, in my opinion. We also didn't discuss detailed comments to any degree, so I'm not sure whether there would be any internal disagreement on those points. It's my understanding that DNRL wants division management support at the meeting, but I'm unaware of any alignment discussion at that level; division management participation in the meeting last week was quite limited.

Frankly, beyond the discussion Frank and Anna participated in, I was disappointed that DNRL didn't have its own thoughts to offer regarding either the broad issues raised by the proposal or the specifics. Given these issues, I personally don't feel we are ready to discuss this proposed LAR without additional discussion.

Joe

From: Hoellman, Jordan
Sent: Monday, December 11, 2017 11:53 AM
To: Patel, Chandu <Chandu.Patel@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: RE: Tier 2* LAR Meeting

Joe –

For this pre-submittal meeting, SNC decided that it would be best to use the draft LAR to lead the conversation. As such, SNC will not be providing a presentation, but instead will just provide a very brief overview of the LAR, then go right to questions from the Staff. SNC will be prepared to answer our questions, or take them back for consideration. You will not be asked or expected to provide any presentation, but are welcome to ask the questions you have.

Which issues don't you think we reached an agreement on that you would like to discuss at the meeting? It is my understanding that we've agreed to ask about how this LAR impacts HFE, critical sections, fuel; if the LAR should propose specific reporting requirements; and examples of how the proposed process would be applied, at least.

The EPID is **000463/05200025/L-2017-LLA-0138**, Vogtle LAR Pre-Submittal Meetings.

If you have other questions, please let us know.

Thanks,
Jordan

From: Patel, Chandu
Sent: Monday, December 11, 2017 10:43 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: RE: Tier 2* LAR Meeting

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Thanks,
Chandu

From: Williams, Joseph
Sent: Monday, December 11, 2017 8:41 AM
To: Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>
Subject: Tier 2* LAR Meeting

Chandu and Jordan,

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I also need a CAC for my preparations and attendance.

Thanks.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Karas, Rebecca
Sent: Tuesday, December 12, 2017 11:36 AM
To: Jackson, Diane; Monninger, John; Franovich, Mike
Cc: Dias, Antonio; Hayes, Michelle; Williams, Joseph; Van Wert, Christopher
Subject: RE: key messages - FW: Tier 2* LAR Meeting

Categories: Red Category

I agree with Diane's writeup.

From: Jackson, Diane
Sent: Monday, December 11, 2017 11:34 AM
To: Monninger, John <John.Monninger@nrc.gov>; Franovich, Mike <Mike.Franovich@nrc.gov>
Cc: Karas, Rebecca <Rebecca.Karas@nrc.gov>; Dias, Antonio <Antonio.Dias@nrc.gov>; Hayes, Michelle <Michelle.Hayes@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: key messages - FW: Tier 2* LAR Meeting

John and Mike

From the meeting last week, I agree with Joe below, DNRL does not have a NRC unified message for Vogtle – which we have been advised to do for public meetings.

I have not socialized this with other BCs (given the short time frame and hearing tomorrow), so others, please chime in.

(suggested) Key messages from DSRA:

- NRC looks to be a predictable and consistent regulator
- Making a new process that is unique to one licensee or even one design does not lead to consistency
- Approving a new screening process is a longer term effort than March
- As such, we suggest that we first look to apply the approach discussed in the Tier 2* Commission paper, and was applied to KHNP
- To come close to meeting the Vogtle requested due date of March, SNC and NRC staff should focus on the current Tier 2* information and determine what is Tier 1 that Vogtle wishes to be Tier 2*
- If they want to still pursue the process, it can be/ must be done on a more management timeline.
- They should re-formulate their package before submittal.

From: Patel, Chandu
Sent: Monday, December 11, 2017 10:43 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
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Thanks,
Chandu

From: Williams, Joseph
Sent: Monday, December 11, 2017 8:41 AM
To: Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>
Subject: Tier 2* LAR Meeting

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I also need a CAC for my preparations and attendance.

Thanks.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, December 13, 2017 8:33 AM
To: Monninger, John; Franovich, Mike; Segala, John; Karas, Rebecca; Jackson, Diane
Cc: Van Wert, Christopher
Subject: Notes for Public Meeting Discussion of Draft Tier 2* LAR
Attachments: 20171214 LAR comments for public meeting.docx

Importance: High

The attached file provides notes I plan to discuss at the public meeting tomorrow morning. I think my views largely align with others in DSRA. One distinction might be that I know some people believe that the best way to proceed would be an amendment assessing existing Tier 2* topics and information with the intent of yielding a much more focused set of topics and scope of italicized information. My view is that a request focused on easily addressed items like screening obvious editorial and consistency issues is the quickest way to get a significant portion of the potential benefit (item 6 in my notes). Regardless, I certainly have no objection to discussing a full range of options and observations, so I hope we have that opportunity tomorrow, though I'm concerned there may not be adequate time to discuss all staff comments in the time allotted for the meeting.

I made these points in an email to the DNRL project staff earlier this week:

- This is a potentially precedent-setting proposal that deserves more deliberate consideration.
- I am unaware of any management discussion to ensure alignment on messages prior to the meeting, though division management attendance is requested. I know that we are not aligned on whether this request involves a policy decision and potential rulemaking implications.
- We do not have a common position on the relationship between this proposal and NEI's Tier 1 First Principles.
- The proposed schedule is unrealistic.

Thus far, I haven't received any response from DNRL. In addition to these issues, it's my impression that DNRL management may be overly eager to process and issue this amendment. Overall, I'm concerned that we are setting ourselves up for an unproductive meeting. I don't think we're ready, but it looks like we are going forward, regardless.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Habib, Donald
Sent: Friday, December 22, 2017 11:09 AM
To: Jung, Ian; Mitchell, Matthew; Samaddar, Sujit; Lupold, Timothy; Martinez Navedo, Tania; Karas, Rebecca; Dias, Antonio; Jackson, Diane; Hayes, Michelle; Segala, John; Kavanagh, Kerri; Rivera-Varona, Aida; Cook, Christopher; Devlin-Gill, Stephanie; Harvey, Brad; Dudek, Michael; Erwin, Kenneth; Burkhart, Lawrence; Cusumano, Victor
Cc: Dixon-Herrity, Jennifer; Patel, Chandu; Van Wert, Christopher; Williams, Joseph; Akstulewicz, Frank; Bradford, Anna; Lee, Samuel; McCoppin, Michael; Colaccino, Joseph
Subject: Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process
Attachments: Vogtle LAR 17-037 Initial Submittal - Changes to Tier 2STAR Departure Evaluation Process ML17355A416.pdf

Branch Chiefs –

Please conduct an acceptance review of **Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process** (attached).

SNC has requested approval of this LAR by May 15, 2018.

For this activity, please use EPID L-2017-LLA-0421, Vogtle LAR 17-037 Changes to Tier 2* Departure Evaluation Process

For the acceptance review, please provide the following information, as scheduled (note these questions are slightly different from the usual ones).

1. **Reply by 1/11/18** --- LB4 proposes to serve as the lead for this LAR. However, every branch with Tier 2* information should consider participating in this review. **Does your branch have Tier 2* information, and does your branch intend to participate in the review for this licensing action?**
2. **Reply by 1/11/18** --- Are there other branches (not among the addressees) you believe should be involved or be responsible for all or a portion of this review? **If so, what other branches?**
3. **Reply by 1/18/18** --- Is the submittal technically sufficient? You should use the criteria in LIC-101, Section 2.2. **If the submittal is NOT technically sufficient, contact the PM immediately**, and provide a description of the deficiency.
4. **Reply by 1/18/18** --- Provide the following schedule and assignment information in the table below.
 - a. For schedule milestone dates, please accept the proposed dates or provide a counter proposal.
 - b. For the staff assignments, identify each staff member who will work on the project and provide an estimate of the number of hours for each individual.

Schedule Milestones (Due date to submit to LB4)		
	LB4 Proposal	Acceptable or counter proposal
All RAIs	February 1, 2018	
SER input, if applicable*	February 15, 2018	

*SER Input to include regulatory evaluation and technical evaluation, as described in LIC-101, Sections 4.5.2, 4.5.3 and Attachment 3		
Staff Assignments		
	Name	Estimated Hours (Total for RAIs and SER input)

Please let me know if you have any questions.

Thank you,

Don Habib
 Project Manager
 NRO/DNRL, Licensing Branch 4
 301-415-1035

Williams, Joseph

From: Habib, Donald
Sent: Friday, December 22, 2017 11:24 AM
To: Jung, Ian; Mitchell, Matthew; Samaddar, Sujit; Lupold, Timothy; Martinez Navedo, Tania; Karas, Rebecca; Dias, Antonio; Jackson, Diane; Hayes, Michelle; Segala, John; Kavanagh, Kerri; Rivera-Varona, Aida; Cook, Christopher; Devlin-Gill, Stephanie; Harvey, Brad; Dudek, Michael; Erwin, Kenneth; Burkhart, Lawrence; Cusumano, Victor
Cc: Dixon-Herrity, Jennifer; Patel, Chandu; Van Wert, Christopher; Williams, Joseph; Akstulewicz, Frank; Bradford, Anna; Lee, Samuel; McCoppin, Michael; Colaccino, Joseph
Subject: Corrected: Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process
Attachments: Vogtle LAR 17-037 Initial Submittal - Changes to Tier 2STAR Departure Evaluation Process ML17355A416.pdf

Follow Up Flag: Follow up
Due By: Tuesday, January 09, 2018 8:00 AM
Flag Status: Completed

[Date corrected on this version.](#)

From: Habib, Donald
Sent: Friday, December 22, 2017 11:09 AM
To: Jung, Ian <Ian.Jung@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Samaddar, Sujit <Sujit.Samaddar@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Martinez Navedo, Tania <Tania.MartinezNavedo@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Dias, Antonio <Antonio.Dias@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Hayes, Michelle <Michelle.Hayes@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Kavanagh, Kerri <Kerri.Kavanagh@nrc.gov>; Rivera-Varona, Aida <Aida.Rivera-Varona@nrc.gov>; Cook, Christopher <Christopher.Cook@nrc.gov>; Devlin-Gill, Stephanie <Stephanie.Devlin-Gill@nrc.gov>; Harvey, Brad <Brad.Harvey@nrc.gov>; Dudek, Michael <Michael.Dudek@nrc.gov>; Erwin, Kenneth <Kenneth.Erwin@nrc.gov>; Burkhart, Lawrence (Lawrence.Burkhart@nrc.gov) <Lawrence.Burkhart@nrc.gov>; Cusumano, Victor <Victor.Cusumano@nrc.gov>
Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Lee, Samuel <Samuel.Lee@nrc.gov>; McCoppin, Michael <Michael.McCoppin@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>
Subject: Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process

Branch Chiefs –

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 - a. For schedule milestone dates, please accept the proposed dates or provide a counter proposal.
 - b. For the staff assignments, identify each staff member who will work on the project and provide an estimate of the number of hours for each individual.

Schedule Milestones (Due date to submit to LB4)		
	LB4 Proposal	Acceptable or counter proposal
All RAIs	February 1, 2018	
SER input, if applicable*	April 1, 2018	
*SER Input to include regulatory evaluation and technical evaluation, as described in LIC-101, Sections 4.5.2, 4.5.3 and Attachment 3		
Staff Assignments		
	Name	Estimated Hours (Total for RAIs and SER input)

Please let me know if you have any questions.

Thank you,

Don Habib
 Project Manager
 NRO/DNRL, Licensing Branch 4
 301-415-1035

Williams, Joseph

From: Segala, John
Sent: Monday, January 08, 2018 7:44 AM
To: Williams, Joseph
Subject: FW: Vogtle Tier 2* LAR

From: Monninger, John
Sent: Tuesday, January 02, 2018 11:21 AM
To: Bradford, Anna <Anna.Bradford@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Vogtle Tier 2* LAR

Yes, very true. It is our responsibility for any policy implications. With that said, it may be in their best interest to try to convince us why it is not a policy matter so that it does not impact their schedule.

From: Bradford, Anna
Sent: Tuesday, January 02, 2018 11:06 AM
To: Monninger, John <John.Monninger@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Vogtle Tier 2* LAR

I agree with your thought that policy issues would be a schedule problem, not an acceptance problem. My other thought is that it's not SNC's problem if there's a larger policy issue generic to all other COLs, so they have no reason to address it in their LAR, nor should they. That's the NRC's issue to address, not SNC's.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-415-1560

From: Monninger, John
Sent: Tuesday, January 02, 2018 11:00 AM
To: Bradford, Anna <Anna.Bradford@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Vogtle Tier 2* LAR

Ok. Thanks.

Given that the issues were raised at the meeting, my thought is that SNC would consider and appropriately modify the LAR to discuss any policy implications. If there are policy implications, they do not, in and of themselves, provide a basis to not accept the LAR. I believe we can still accept the LAR and subsequently engage the Commission on any policy implications. A review of the NRR acceptance review procedure should be done to confirm this. I assume we follow the NRR LAR acceptance review procedure. The potential impact would be on schedule and not necessarily the acceptance review. If there are policy implications requiring Commission engagement, the schedule will be protracted. Please let me know if this matches your understanding. Thanks.

From: Bradford, Anna
Sent: Tuesday, January 02, 2018 10:49 AM
To: Monninger, John <John.Monninger@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Vogtle Tier 2* LAR

Joe raised all of his issues during the pre-app meeting with Southern.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-415-1560

From: Monninger, John
Sent: Tuesday, January 02, 2018 10:40 AM
To: Bradford, Anna <Anna.Bradford@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: FW: Vogtle Tier 2* LAR

Anna,

This morning you mentioned the Tier 2* LAR, which we have in-house for the acceptance review. Please see the comment below from Joe Williams. I did not attend the public meeting, so I don't know whether the potential policy implications of the LAR were discussed during the meeting. I do know that Joe raised these issues prior to the meeting within NRO; however, I'm not sure whether they were transmitted at the meeting to SNC.

Thanks,
John

From: Williams, Joseph
Sent: Thursday, December 21, 2017 1:59 PM
To: Segala, John <John.Segala@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>
Cc: Jackson, Diane <Diane.Jackson@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>
Subject: Vogtle Tier 2* LAR

Don Habib told me that SNC will be submitting their Tier 2* LAR tomorrow, and said he plans to ask me to contribute to the acceptance review.

I strongly believe their proposal is a policy issue, and is generic to all AP1000 COLs and possible all other COLs, as well. I would like to know immediately if DNRL plans to proceed without consideration of those issues.

Thanks.

Joe

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, January 09, 2018 11:26 AM
To: Monninger, John; Segala, John
Cc: Jackson, Diane; Karas, Rebecca
Subject: Vogtle Tier 2* Amendment Request Acceptance Review
Attachments: Corrected: Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process

In the attached email, DNRL has requested that NRO staff conduct an acceptance review of a license amendment and exemption regarding Tier 2* information for the Vogtle COLs. This message provides my initial feedback, which DNRL requested be provided by January 11. Pending your feedback, I intend to provide the input below to DNRL by that date.

I strongly believe that the proposed LAR represents a policy issue requiring a Commission decision before the LAR review can proceed. I cannot concur to approve the proposal, and will not recommend concurrence by others, unless the policy issues are properly vetted and addressed.

The structure of design certification rules, including Tier 2*, was the subject of Commission decisions as the Part 52 process was developed in the early 1990s, as documented in several Commission papers and associated SRMs. The proposed amendment and exemption affect structural and administrative processes where the Commission has provided specific direction, including change controls on Tier 1, Tier 2*, and Tier 2 information. The proposal is distinct from amendments and exemptions regarding the technical adequacy license-specific implementation of the design where the staff and licensee function within those approved structural and administrative processes. In addition, the proposal set a precedent affecting not just this individual licensee and AP1000, but also the fundamental structure of all design certification rules and other COL licenses. Therefore, the generic implications of the proposal must be considered before proceeding. Further, the generic nature of the precedent arguably circumvents the rulemaking process; the amendment is not subject to the same requirements for public engagement and comment as the rulemaking process. Additional issues may be identified in the course of developing policy recommendations. Accordingly, I do not believe that the NRC staff has a sufficient basis to conduct the review until after the policy issue is fully articulated via a Commission paper describing options, and an SRM provided.

DNRL has requested feedback on the schedule and resources to complete the review. However, the review schedule is dependent on resolution of the policy issue. While a resource estimate might be provided, any resource estimate provided now must be re-evaluated after an SRM is issued. Resources expended to develop a Commission paper addressing the generic policy issue should not be billed to the licensee.

DNRL requested feedback by January 11 on whether a branch intends to participate in the review. Given ARPB's responsibility for development of SECY-17-0075 and cognizance of Tier 2* issues, I believe ARPB should participate.

There are other challenges associated with this proposal, aside from the policy issue. Those challenges can be addressed in the course of reviewing the proposed amendment and exemption once a Commission decision is obtained. I will provide feedback to DNRL on those topics as part of my review.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors

301.415.1470

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, January 10, 2018 7:20 AM
To: Monninger, John; Segala, John
Cc: Jackson, Diane; Karas, Rebecca; Van Wert, Christopher
Subject: Additional Thoughts Regarding Vogtle Tier 2* LAR
Attachments: Vogtle Tier 2* Amendment Request Acceptance Review

I have thought further about the need for a Commission decision regarding implications of the Vogtle Tier 2* LAR request, and have realized that the Commission would expect a paper to describe what the staff thinks a revised Tier 2* change process would look like. Therefore, the LAR review needs to proceed in parallel with development of a paper, not in series as I originally thought. I still believe that the amendment and exemption cannot be granted until after a Commission decision.

I've heard a rumor about an internal meeting to discuss the LAR sometime next week. Do you know anything about it? I haven't been invited (at least not yet).

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, January 10, 2018 3:39 PM
To: Akstulewicz, Frank; Bradford, Anna; Dixon-Herrity, Jennifer; Habib, Donald; Patel, Chandu; Hoellman, Jordan
Cc: McGinty, Tim; Monninger, John; Taylor, Robert; Caldwell, Robert; Campbell, Andy; Carpenter, Cynthia; Krohn, Paul; Segala, John; Karas, Rebecca; Jackson, Diane
Subject: Acceptance Review for LAR 17-037: Changes to Tier 2* Departure Evaluation Process
Categories: Red Category

This message responds to Don Habib's December 22, 2017 email regarding the acceptance review for Vogtle LAR 17-037 which proposes changes to the Tier 2* departure evaluation process.

I believe that LAR 17-037 raises policy issues requiring a Commission decision before the LAR review can be completed. I cannot concur to approve the proposal, and will not recommend concurrence by others, unless the policy issues are thoroughly vetted and addressed.

The structure of design certification rules, including the Tier 1, Tier 2, and Tier 2* designations and associated change control processes, was the subject of Commission decisions as the Part 52 process was first being implemented in the early 1990s, as documented in several Commission papers and associated SRMs. The LAR 17-037 proposal is distinct from amendments and exemptions regarding the technical adequacy license-specific implementation of the AP1000 design where the staff and licensee function within those Commission-approved processes. In this case, the proposed amendment and exemption request changes to processes explicitly approved by the Commission.

Therefore, the requested changes should not be made until the staff has obtained Commission permission to deviate from that previous approval.

In addition, the proposal sets a precedent for all other design certification rules and COL licenses. Therefore, the generic implications of the proposal must be considered before the requested amendment and exemption can be granted. It is reasonable to expect that the Commission would be interested in proposals with such broad applicability.

The generic nature of the precedent also arguably bypasses the rulemaking process. While this specific proposal applies only to the Vogtle COLs, there is no obvious reason why the proposed process would not also apply to any other COL referencing an existing design certification. Therefore, LAR 17-037 appears to establish a precedent equivalent to rulemaking that is applicable to any current COL, and any future COL referencing an existing design certification. However, the LAR 17-037 review is not subject to the same requirements for public engagement and comment as the rulemaking process, and so circumvents that process. This issue should be discussed with OGC to determine if there are legal impediments to proceeding with the review.

As a minimum, a Commission paper must address the issues described above. Additional issues may be identified in the course of developing policy recommendations. I believe the Commission would expect a paper to describe what the staff thinks a revised Tier 2* change process would look like. Therefore, the LAR review needs to proceed in parallel with development of a paper. However, the amendment and exemption cannot be granted until after receipt of an SRM.

I look forward to discussing these issues at the program meeting next Tuesday afternoon.

Joe Williams
Senior Project Manager

Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, January 17, 2018 7:34 AM
To: Segala, John
Subject: RE: Question: NRO Schedule Milestones for Vogtle LAR 17-037

Some things that come to mind:

1. Branch chiefs and staff have not yet been clear guidance on standards to be applied to the review. Specifically, any criteria used to screen out Tier 2* changes from requiring prior NRC approval must clearly demonstrate the change does not affect Tier 1-equivalent information (i.e., Tier 2* that meets the intent of the designation). Communicating that expectation is a prerequisite for providing schedule and resource estimates. Otherwise, people don't know what they are buying into.
2. The schedule milestones DNRL proposes are overly aggressive. For example, an RAI milestone should not be established until the standard for the review is defined, including management buy-in.
3. It is a bad idea to provide a schedule in the acceptance letter assuming a Commission paper will not be written. I personally think that decision should be made before the letter is issued.
4. Joe Colaccino's branch should be involved, given the effect this topic has on various bits of guidance (e.g., NEI First Principles, SRP, 50.59-like reviews, etc.). Traditionally, organizations like his have had active roles in similar topics, such as when 50.59 was revised in the late 1990s.
5. I think the proposed criteria are inadequate, as they are vague, somewhat redundant to 50.59, and (perhaps most importantly) do not clearly determine Tier 1 equivalence (plus, they aren't anything like the NEI First Principles). Given those considerations, I think we must assume at least 2 rounds of RAIs: one set to identify shortcomings in the initial proposal and a second set for clarifications and adjustments based on an improved set of criteria.

These are the first things that I've come up with. I'll let you know if I come up with anything else.

Joe

From: Segala, John
Sent: Tuesday, January 16, 2018 5:25 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: Fwd: Question: NRO Schedule Milestones for Vogtle LAR 17-037

Thoughts?

----- Original Message -----

From: "Habib, Donald" <Donald.Habib@nrc.gov>
Date: Tue, January 16, 2018 5:08 PM -0500
To: "Jung, Ian" <Ian.Jung@nrc.gov>, "Mitchell, Matthew" <Matthew.Mitchell@nrc.gov>, "Lupold, Timothy" <Timothy.Lupold@nrc.gov>, "Samaddar, Sujit" <Sujit.Samaddar@nrc.gov>, "Rivera-Varona, Aida" <Aida.Rivera-Varona@nrc.gov>, "Segala, John" <John.Segala@nrc.gov>, "Jackson, Diane" <Diane.Jackson@nrc.gov>, "Karas, Rebecca" <Rebecca.Karas@nrc.gov>
CC: "Dixon-Herrity, Jennifer" <Jennifer.Dixon-Herrity@nrc.gov>, "Bradford, Anna" <Anna.Bradford@nrc.gov>, "Akstulewicz, Frank" <Frank.Akstulewicz@nrc.gov>, "Patel, Chandu" <Chandu.Patel@nrc.gov>, "Carpenter, Cynthia" <Cynthia.Carpenter@nrc.gov>, "Caldwell, Robert" <Robert.Caldwell@nrc.gov>, "Monninger, John" <John.Monninger@nrc.gov>
Subject: Question: NRO Schedule Milestones for Vogtle LAR 17-037

To: Branch Chiefs Reviewing LAR-17-037

Ian Jung (ICE)
Matthew Mitchell (MCB)
Tim Lupold (MEB)
Sujit Samaddar (SEB)
Aida Rivera-Varona (HOIB)
John Segala (ARPB)
Diane Jackson (SCVB)
Rebecca Karas (SRSB)

To develop a review schedule for the LAR, I need your input on key milestones **by COB Friday, 1/19**:

Assumptions

- The LAR will be accepted on 1/21
- While the decision to prepare a SECY paper is still pending, assume that SECY paper preparation would not affect the SER schedule (we will make a uniform assumption (e.g., +3 months, +6 months) to account for a SECY paper.
- **Please provide any other key assumptions support your schedule (e.g., 2nd RAI)**
 - []
 - []
 - []

Milestone	Your Proposed Date
Date Tech Branch provides RAIs to DNRL (DNRL Proposes 2/23)	[]
Date Tech Branch provides SE input (if any) to DNRL (DNRL Proposes 5/4)	[]

Please contact me if you have any questions.

Thanks
Don

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, January 17, 2018 9:08 AM
To: [REDACTED]
Subject: Vogtle Tier 2* Amendment
Attachments: Acceptance Review for LAR 17-037: Changes to Tier 2* Departure Evaluation Process; Notes for Public Meeting Discussion of Draft Tier 2* LAR; Initial Comments on DRAFT SNC LAR-17-037 Changes to Tier 2* Departure Evaluation Process for 12/14/2017 public meeting; RE: Southern LAR related to tier 2* implementation - OOU

[REDACTED]

For your information, here are several emails I've written over the past few months regarding the Vogtle Tier 2* amendment request. I'm interested in any thoughts you can offer.

Thanks.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, January 17, 2018 10:03 AM
To: Segala, John; Jackson, Diane; Karas, Rebecca
Subject: Proposed Feedback to DNRL Regarding Vogtle Tier 2* Amendment Schedule Milestones

Here are some thoughts regarding feedback to be provided in response to the email Don Habib sent out after the program meeting yesterday requesting schedule milestone feedback. I think it would be beneficial if these thoughts are shared as a DSRA position, which hopefully would make DNRL more likely to address the issues.

1. **A decision on engaging the Commission on policy issues is needed before the acceptance letter is issued.** This issue was identified prior to the pre-submittal meeting last month, so it's hard to say we haven't had time to answer the question before issuing the letter. It is a bad idea to provide a schedule in the acceptance letter assuming a Commission paper won't be written, especially if we believe that assumption isn't valid. We aren't doing the licensee any favors by not giving them the full story.
2. **Branch chiefs and staff have not yet been clear guidance on standards to be applied to the review.** Specifically, any criteria used to screen out Tier 2* changes from requiring prior NRC approval must clearly demonstrate the change does not affect Tier 1-equivalent information (i.e., Tier 2* that meets the intent of the designation). This approach would be consistent with SECY-17-0075. Communicating that expectation should be a prerequisite for providing schedule and resource estimates. Otherwise, people don't know what they are buying into.
3. **We should assume multiple rounds of RAIs.** The proposed criteria are inadequate, as they are vague, somewhat redundant to 50.59, and (probably most importantly) do not clearly determine Tier 1 equivalence (plus, they aren't anything like the NEI First Principles). Given those considerations, there will be at least 2 rounds of RAIs: one set to identify shortcomings in the initial proposal and a second set for clarifications and adjustments based on an improved set of criteria. It is likely that multiple iterations will be required.
4. **Joe Colaccino's branch should be involved,** given the effect this topic has on various bits of guidance (e.g., NEI First Principles, SRP, 50.59-like reviews, etc.). Traditionally, organizations like his have had active roles in similar topics, such as when 50.59 was revised in the late 1990s.
5. **We should insist on at least seeing the letter before it goes out the door.** Asking to concur isn't a bad idea. That may not be their typical approach, but this isn't a typical LAR, either.

Items 1 and 2, in particular, must be addressed before meaningful schedule feedback can be provided.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Habib, Donald
Sent: Thursday, January 18, 2018 1:38 PM
To: Williams, Joseph
Cc: Segala, John
Subject: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)
Attachments: Acceptance Letter (003).docx

Joe –

Attached is an early version of the letter. Can you please look at the language for policy issues? Is it acceptable, even if it is less than what you think is ideal?

Please give me a markup edit if you think one is needed.

Thanks
Don

Williams, Joseph

From: Habib, Donald
Sent: Monday, January 22, 2018 9:29 AM
To: Williams, Joseph
Cc: Segala, John; Karas, Rebecca; Jackson, Diane; Dixon-Herrity, Jennifer; Bradford, Anna
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)
Attachments: Acceptance Letter wSEB-SRSB inputs.docx

Joe –

Attached is the current draft of the acceptance letter. We are trying to get the letter completed today, so please resolve get any input from your management today.

As we discussed, the letter only accepts the LAR for review, and that is all it needs to do.

In this case, however, because this LAR addresses process rather than technical issues, the acceptance letter differs from the template for acceptance review letters:

- It mentions two areas of concern (critical sections and fuels) identified by the staff during the acceptance review.
- It indicates that the LAR could involve policy questions.
- It does not provide a date for completion.

Please provide me your input today so that the letter can be issued.

Thanks
Don

From: Williams, Joseph
Sent: Thursday, January 18, 2018 2:21 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Don,

I'll provide feedback on the policy text after I have a chance to talk to my management. I'm out of the office tomorrow, so it may be early next week.

Separately, I'm curious about the text at the end of the second paragraph regarding critical sections. If this letter is supposed to convey issues of this sort, I have comments that I can offer up, as well. At the public meeting, I discussed how the proposed criteria do not clearly discriminate between Tier 2* information that is Tier 1-equivalent (i.e., should not be changed without prior NRC approval) and information designated as Tier 2* that is less significant (i.e., perhaps can be changed without NRC approval). This is a significant shortcoming in my view which is at least as significant as the critical sections issue. If the letter is going to address specific shortcomings in the application, I have a lot of input to offer, and I'm sure others would, too. As written, SNC could be led to believe they've made a good start, which I don't think is accurate.

Joe

From: Habib, Donald
Sent: Thursday, January 18, 2018 1:38 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Joe –

Attached is an early version of the letter. Can you please look at the language for policy issues? Is it acceptable, even if it is less than what you think is ideal?

Please give me a markup edit if you think one is needed.

Thanks
Don

Williams, Joseph

From: Williams, Joseph
Sent: Monday, January 22, 2018 12:46 PM
To: Habib, Donald
Cc: Segala, John; Karas, Rebecca; Jackson, Diane; Dixon-Herrity, Jennifer; Bradford, Anna; Monninger, John; Hayes, Barbara
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)
Attachments: Acceptance Letter wSEB-SRSB inputs JFW comments.docx

Don,

Attached is a markup of the acceptance letter. I've reviewed the changes with John Monninger, so the changes reflect DSRA's position.

The markup provides additional text regarding the shortcomings of the initial proposal. The additions note how the proposal does not clearly differentiate between Tier 2* information that has significance equivalent to Tier 1 and other less significant information. The new text also notes the relationship between this activity and the NEI Tier 1 "first principles" effort. These process issues are fundamental to the proposal, cross-cutting to all Tier 2* content, and are at least as significant as the critical sections and fuel issues.

The markup also provides a comment on the paragraph just ahead of your contact information. As written, it's a bit unclear, especially since no schedule is being provided, as discussed in the comment balloon, so it needs to be revised.

Please let me know what revisions are made to address these comments before the letter is signed.

Thanks.

Joe

From: Habib, Donald
Sent: Monday, January 22, 2018 9:29 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Joe –

Attached is the current draft of the acceptance letter. We are trying to get the letter completed today, so please resolve get any input from your management today.

As we discussed, the letter only accepts the LAR for review, and that is all it needs to do.

In this case, however, because this LAR addresses process rather than technical issues, the acceptance letter differs from the template for acceptance review letters:

- It mentions two areas of concern (critical sections and fuels) identified by the staff during the acceptance review.
- It indicates that the LAR could involve policy questions.

- It does not provide a date for completion.

Please provide me your input today so that the letter can be issued.

Thanks
Don

From: Williams, Joseph
Sent: Thursday, January 18, 2018 2:21 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Don,

I'll provide feedback on the policy text after I have a chance to talk to my management. I'm out of the office tomorrow, so it may be early next week.

Separately, I'm curious about the text at the end of the second paragraph regarding critical sections. If this letter is supposed to convey issues of this sort, I have comments that I can offer up, as well. At the public meeting, I discussed how the proposed criteria do not clearly discriminate between Tier 2* information that is Tier 1-equivalent (i.e., should not be changed without prior NRC approval) and information designated as Tier 2* that is less significant (i.e., perhaps can be changed without NRC approval). This is a significant shortcoming in my view which is at least as significant as the critical sections issue. If the letter is going to address specific shortcomings in the application, I have a lot of input to offer, and I'm sure others would, too. As written, SNC could be led to believe they've made a good start, which I don't think is accurate.

Joe

From: Habib, Donald
Sent: Thursday, January 18, 2018 1:38 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Joe –

Attached is an early version of the letter. Can you please look at the language for policy issues? Is it acceptable, even if it is less than what you think is ideal?

Please give me a markup edit if you think one is needed.

Thanks
Don

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, January 23, 2018 6:57 AM
To: Jackson, Diane
Cc: Segala, John; Ashley, Clinton; Goel, Raj; Chien, Nan
Subject: RE: final review dates? ACTION - Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process

Diane,

For what it's worth, I think that schedule is unrealistic, as DNRL has not yet given guidance to staff regarding the target for their review, and it doesn't reflect the need to consider generic implications of the proposal. To be consistent with what we told the Commission in SECY-17-0075, we need to confirm that the process proposed by SNC clearly differentiates between Tier 2* information that has safety significance equivalent to Tier 1 which would require prior NRC approval for changes, and any lesser significant information where another change process might be employed. This effort is closely entwined with the NEI Tier 1 "First Principles," and should be addressed in parallel for consistency.

Joe

From: Jackson, Diane
Sent: Monday, January 22, 2018 3:48 PM
To: Ashley, Clinton <Clinton.Ashley@nrc.gov>; Goel, Raj <Raj.Goel@nrc.gov>; Chien, Nan <Nan.Chien@nrc.gov>
Cc: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: final review dates? ACTION - Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process

Don called me back. The Acceptance letter will go out without a schedule. He foresees two potential paths for technical branches; 1) direct impacts on your review area. 2) policy / regulatory questions.

This may involve a Commission paper.

For now, the dates for RAIs are 2/23 (1 month); and SE 5/4 (but this may change).

Diane

From: Jackson, Diane
Sent: Monday, January 22, 2018 3:36 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Williams, Joseph <Joseph.Williams@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Goel, Raj <Raj.Goel@nrc.gov>; Chien, Nan <Nan.Chien@nrc.gov>
Subject: final review dates? ACTION - Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process

Hello Don –

Is the schedule still in flux?

Thanks - Diane

Schedule Milestones (Due date to submit to LB4)		
	LB4 Proposal	Acceptable or counter proposal
All RAIs	February 1, 2018	3/1/2018
SER input, if applicable*	February 15, 2018	6/30/2018
*SER Input to include regulatory evaluation and technical evaluation, as described in LIC-101, Sections 4.5.2, 4.5.3 and Attachment 3		
Staff Assignments		
	Name	Estimated Hours (Total for RAIs and SER input)
	Nan Chien	80
	Raj Goel	80
	Clint Ashley	40

From: Jackson, Diane

Sent: Wednesday, January 10, 2018 1:27 PM

To: Chien, Nan <Nan.Chien@nrc.gov>; Goel, Raj <Raj.Goel@nrc.gov>

Subject: FW: RESEND: ACTION - Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process

From: Jackson, Diane

Sent: Wednesday, January 10, 2018 1:25 PM

To: Habib, Donald <Donald.Habib@nrc.gov>

Subject: RESEND: ACTION - Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process

From: Jackson, Diane

Sent: Wednesday, January 10, 2018 1:19 PM

To: Habib, Donald <Donald.Habib@nrc.gov>

Subject: FW: ACTION - Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process

Don – please see below

Dates were not correct before. For the process – we need a deeper dive.

I am really not sure what it will take to review.

Diane

From: Habib, Donald

Sent: Friday, December 22, 2017 11:09 AM

To: Subject: Acceptance Review - Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process

Branch Chiefs –

Please conduct an acceptance review of **Vogtle Units 3 and 4, License Amendment and Exemption Request LAR 17-037: Changes to Tier 2* Departure Evaluation Process** (attached).

SNC has requested approval of this LAR by May 15, 2018.

For this activity, please use EPID L-2017-LLA-0421, Vogtle LAR 17-037 Changes to Tier 2* Departure Evaluation Process

For the acceptance review, please provide the following information, as scheduled (note these questions are slightly different from the usual ones).

1. **Reply by 1/11/18** --- LB4 proposes to serve as the lead for this LAR. However, every branch with Tier 2* information should consider participating in this review. **Does your branch have Tier 2* information, and does your branch intend to participate in the review for this licensing action?**
2. **Reply by 1/11/18** --- Are there other branches (not among the addressees) you believe should be involved or be responsible for all or a portion of this review? **If so, what other branches?**
3. **Reply by 1/18/18** --- Is the submittal technically sufficient? You should use the criteria in LIC-101, Section 2.2. **If the submittal is NOT technically sufficient, contact the PM immediately, and provide a description of the deficiency.**
4. **Reply by 1/18/18** --- Provide the following schedule and assignment information in the table below.
 - a. For schedule milestone dates, please accept the proposed dates or provide a counter proposal.
 - b. For the staff assignments, identify each staff member who will work on the project and provide an estimate of the number of hours for each individual.

Schedule Milestones (Due date to submit to LB4)		
	LB4 Proposal	Acceptable or counter proposal
All RAIs	February 1, 2018	3/1/2018
SER input, if applicable*	February 15, 2018	6/30/2018
*SER Input to include regulatory evaluation and technical evaluation, as described in LIC-101, Sections 4.5.2, 4.5.3 and Attachment 3		
Staff Assignments		
	Name	Estimated Hours (Total for RAIs and SER input)
	Nan Chien	80
	Raj Goel	80

	Clint Ashley	40

Please let me know if you have any questions.

Thank you,

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
301-415-1035

Williams, Joseph

From: Habib, Donald
Sent: Tuesday, January 23, 2018 9:02 AM
To: Williams, Joseph
Subject: FW: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)
Attachments: Acceptance Letter(rev).docx

Joe – Here is the current version of the letter.

Can you please give me your feedback on the final paragraph about the schedule?

Thanks
Don

From: Habib, Donald
Sent: Tuesday, January 23, 2018 8:21 AM
To: Bradford, Anna <Anna.Bradford@nrc.gov>
Subject: FW: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Anna –

Attached is the acceptance letter for the Tier 2* LAR. Please give me your feedback.

In this case, because this LAR addresses process rather than technical issues, the acceptance letter differs from the template for acceptance review letters. In particular:

- It mentions two areas of concern (critical sections and fuels) identified by the staff during the acceptance review.
- It indicates that the LAR could involve policy questions.
- It does not provide a date for completion.

Thanks
Don

From: Patel, Chandu
Sent: Monday, January 22, 2018 4:38 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Hi Don,

Looks great.

Thanks,
Chandu

From: Habib, Donald
Sent: Monday, January 22, 2018 9:30 AM

To: Patel, Chandu <Chandu.Patel@nrc.gov>

Subject: FW: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Chandu –

Sorry I forgot to cc you on this email.

Don

From: Habib, Donald

Sent: Monday, January 22, 2018 9:29 AM

To: Williams, Joseph <Joseph.Williams@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>

Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Joe –

Attached is the current draft of the acceptance letter. We are trying to get the letter completed today, so please resolve get any input from your management today.

As we discussed, the letter only accepts the LAR for review, and that is all it needs to do.

In this case, however, because this LAR addresses process rather than technical issues, the acceptance letter differs from the template for acceptance review letters:

- It mentions two areas of concern (critical sections and fuels) identified by the staff during the acceptance review.
- It indicates that the LAR could involve policy questions.
- It does not provide a date for completion.

Please provide me your input today so that the letter can be issued.

Thanks
Don

From: Williams, Joseph

Sent: Thursday, January 18, 2018 2:21 PM

To: Habib, Donald <Donald.Habib@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>

Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Don,

I'll provide feedback on the policy text after I have a chance to talk to my management. I'm out of the office tomorrow, so it may be early next week.

Separately, I'm curious about the text at the end of the second paragraph regarding critical sections. If this letter is supposed to convey issues of this sort, I have comments that I can offer up, as well. At the public meeting, I discussed how the proposed criteria do not clearly discriminate between Tier 2* information that is Tier 1-equivalent (i.e., should not be changed without prior NRC approval) and information designated as Tier 2* that is less significant (i.e., perhaps can be changed without NRC approval). This is a significant

shortcoming in my view which is at least as significant as the critical sections issue. If the letter is going to address specific shortcomings in the application, I have a lot of input to offer, and I'm sure others would, too. As written, SNC could be led to believe they've made a good start, which I don't think is accurate.

Joe

From: Habib, Donald

Sent: Thursday, January 18, 2018 1:38 PM

To: Williams, Joseph <Joseph.Williams@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>

Subject: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Joe –

Attached is an early version of the letter. Can you please look at the language for policy issues? Is it acceptable, even if it is less than what you think is ideal?

Please give me a markup edit if you think one is needed.

Thanks

Don

Williams, Joseph

From: Habib, Donald
Sent: Tuesday, January 23, 2018 11:35 AM
To: Hayes, Barbara; Williams, Joseph
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)
Attachments: LAR Acceptance Letter anna cmmts.docx

Barb and Joe –

For the first issue, I reworded the sentence as follows:

Given the generic implications of these activities, it is important **for NRC staff** to ensure consistency between these activities.

For the other wording changes, I can pursue it, but it's putting a fine point on the issue. The letter is currently with Frank, and should go out today.

Don

From: Hayes, Barbara
Sent: Tuesday, January 23, 2018 10:46 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Habib, Donald <Donald.Habib@nrc.gov>
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Hi Joe,

John Segala suggested I drop by to discuss tweaking the wording with you but you were not in. The suggested wording is unclear on who the actor is in terms of alignment with NEI's first principles. I also think that Southern's part in it (weak or non-explicit alignment of their proposed "qualification criteria" with Tier 2* information with safety significance commensurate with Tier 1) might get swamped by the note on NEI. I've suggested some wording in the attached.

This is just a suggestion. Feel free to modify or to give me a call to discuss.

Barbara Hayes (301) 415-7442, office: OWFN 7-E04
NRO/DNRL/LB3/Project Manager

From: Williams, Joseph
Sent: Tuesday, January 23, 2018 6:30 AM
To: Hayes, Barbara <Barbara.Hayes@nrc.gov>
Cc: Habib, Donald <Donald.Habib@nrc.gov>
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Barb,

It should be NRC. Southern is responsible for their licenses. We are responsible for administering licenses for all plants, so the generic aspects are our responsibility.

Joe

From: Hayes, Barbara
Sent: Monday, January 22, 2018 9:44 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Habib, Donald <Donald.Habib@nrc.gov>
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Joe,

Thanks for copying me on this. I had let Chandu and Jordan Hoellman know that Frank wanted me to stay cognizant of this LAR so this is very helpful catch-up. I'm curious about the sentence DSRA added which I believe is referring to NEI's first principles efforts that reads ""Given the generic implications of these activities, it is important to ensure consistency between these activities." Who is supposed to ensure consistency? Southern?

Barb

Barbara Hayes (301) 415-7442, office: OWFN 7-E04
NRO/DNRL/LB3/Project Manager

From: Williams, Joseph
Sent: Monday, January 22, 2018 12:46 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>
Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Don,

Attached is a markup of the acceptance letter. I've reviewed the changes with John Monninger, so the changes reflect DSRA's position.

The markup provides additional text regarding the shortcomings of the initial proposal. The additions note how the proposal does not clearly differentiate between Tier 2* information that has significance equivalent to Tier 1 and other less significant information. The new text also notes the relationship between this activity and the NEI Tier 1 "first principles" effort. These process issues are fundamental to the proposal, cross-cutting to all Tier 2* content, and are at least as significant as the critical sections and fuel issues.

The markup also provides a comment on the paragraph just ahead of your contact information. As written, it's a bit unclear, especially since no schedule is being provided, as discussed in the comment balloon, so it needs to be revised.

Please let me know what revisions are made to address these comments before the letter is signed.

Thanks.

Joe

From: Habib, Donald
Sent: Monday, January 22, 2018 9:29 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Bradford, Anna

<Anna.Bradford@nrc.gov>

Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Joe –

Attached is the current draft of the acceptance letter. We are trying to get the letter completed today, so please resolve get any input from your management today.

As we discussed, the letter only accepts the LAR for review, and that is all it needs to do.

In this case, however, because this LAR addresses process rather than technical issues, the acceptance letter differs from the template for acceptance review letters:

- It mentions two areas of concern (critical sections and fuels) identified by the staff during the acceptance review.
- It indicates that the LAR could involve policy questions.
- It does not provide a date for completion.

Please provide me your input today so that the letter can be issued.

Thanks
Don

From: Williams, Joseph

Sent: Thursday, January 18, 2018 2:21 PM

To: Habib, Donald <Donald.Habib@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>

Subject: RE: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Don,

I'll provide feedback on the policy text after I have a chance to talk to my management. I'm out of the office tomorrow, so it may be early next week.

Separately, I'm curious about the text at the end of the second paragraph regarding critical sections. If this letter is supposed to convey issues of this sort, I have comments that I can offer up, as well. At the public meeting, I discussed how the proposed criteria do not clearly discriminate between Tier 2* information that is Tier 1-equivalent (i.e., should not be changed without prior NRC approval) and information designated as Tier 2* that is less significant (i.e., perhaps can be changed without NRC approval). This is a significant shortcoming in my view which is at least as significant as the critical sections issue. If the letter is going to address specific shortcomings in the application, I have a lot of input to offer, and I'm sure others would, too. As written, SNC could be led to believe they've made a good start, which I don't think is accurate.

Joe

From: Habib, Donald

Sent: Thursday, January 18, 2018 1:38 PM

To: Williams, Joseph <Joseph.Williams@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>

Subject: Acceptance Letter (for Vogtle LAR on Tier 2* Departure Process)

Joe –

Attached is an early version of the letter. Can you please look at the language for policy issues? Is it acceptable, even if it is less than what you think is ideal?

Please give me a markup edit if you think one is needed.

Thanks
Don

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, January 24, 2018 3:33 PM
To: Habib, Donald
Cc: Bradford, Anna; Segala, John; Colaccino, Joseph; Hayes, Barbara; Monninger, John
Subject: RE: Update: Acceptance letter

Don,

I can live with the proposed revision. I would like to understand how DNRL expects to move forward on these issues:

1. What is the plan for organizational alignment on the policy issue question?
2. The amendment review needs to be coordinated with LB3 to ensure consistency between the LAR review and the NEI Tier 1 First Principles effort.
3. The expectations for Tier 2* as documented in SECY-17-0075 need to be communicated to staff and branch chiefs engaged in the review to ensure that the proposed process clearly differentiates between Tier 2* that is Tier 1-equivalent and less significant information where prior NRC review of changes may not be necessary.

Thanks.

Joe

From: Habib, Donald
Sent: Wednesday, January 24, 2018 3:09 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: Update: Acceptance letter

Joe –

Here are some edits from Anna after she met with Segala.

If possible, let's talk shortly.

Thanks
Don

Your application references SECY 17-0075, "Planned Improvements in Design Certification Tiered Information Designations" (ADAMS accession number ML16196A321), which documented that "...Tier 2* information is intended to have substantial safety significance, commensurate with information designated as Tier 1." However, the criteria and process described in the application do not clearly differentiate between Tier 2* information with safety significance commensurate with Tier 1, and any Tier 2* information which has lesser significance. The NRC staff also notes ongoing engagement with the Nuclear Energy Institute to describe "first principles" for Tier 1 information. SECY 17-0075 notes that this effort can be useful to identify the proper scope of Tier 2* information. As discussed at the December 14, 2017 pre-submittal meeting for this amendment, your application is envisioned to be independent of the Tier 1 "first principles." Given the generic implications of these activities, it is important for NRC staff to ensure consistency between these activities.

We expect that certain topics in your application will require additional discussion at a future public meeting. For example, the criteria and process described in the application do not clearly differentiate between Tier 2* information with safety significance commensurate with Tier 1, and any Tier 2* information which has lesser significance. Additionally, the proposed change process for Tier 2* items related to nuclear fuel introduces complexities, given that the associated fuel topical reports already include within them approved change processes that remain applicable to these Tier 2* items. The staff will require additional information regarding the need for further change processes for these items, and anticipates extensive engagement may be necessary for such an additional change process to be developed and reconciled with the existing approved change process for the fuel topical reports. Finally, the proposed process does not sufficiently address critical sections used to depict an “essentially complete design.”

~~We expect these topics will be discussed with you at a future public meeting.~~ You will be advised of any further information needed to support the NRC staff’s detailed technical review by separate correspondence.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-415-1560

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, January 30, 2018 2:01 PM
To: NRO_DNRL_LB4_Cal Resource
Cc: Habib, Donald; Hoellman, Jordan; Patel, Chandu; Dixon-Herrity, Jennifer; Bradford, Anna; Segala, John; Monninger, John
Subject: Tentative: FW: Public Meeting with SNC
Importance: High

Discussion of the Tier 2* amendment at this meeting is premature, given that expectations for the review have not yet been discussed with staff. As stated in the acceptance letter, “the criteria and process described in the application do not clearly differentiate between Tier 2* information with safety significance commensurate with Tier 1, and any Tier 2* information which has lesser significance.” To the best of my knowledge, this standard has not been communicated with staff. Application of some other standard would be contrary to the intent of Tier 2* as described in SECY-17-0075, and arguably inconsistent with established Commission policy. Addressing specific technical issues without clear expectations sets us up for inconsistent treatment of the review by various organizations.

I also note that this is another example of a meeting on this topic being scheduled when I have a significant conflict. I believe the meeting should be rescheduled to another date after expectations have been communicated and all staff involved can participate.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Habib, Donald
Sent: Tuesday, January 30, 2018 3:35 PM
To: Williams, Joseph
Cc: Hoellman, Jordan; Patel, Chandu; Dixon-Herrity, Jennifer; Bradford, Anna; Segala, John; Monninger, John; Van Wert, Christopher; Karas, Rebecca
Subject: RE: Public Meeting with SNC (LAR 17-037)

Joe –

Thanks for talking to me about this matter.

We'll plan to have the discussion with SNC on Thursday so that we can get a better understanding of SNC's intent on the issues involving fuel.

I agree with your comment about thinking strategically about this LAR. As we discussed, I'll organize an internal meeting to discuss strategy options.

Thanks
Don

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

-----Original Appointment-----

From: Williams, Joseph
Sent: Tuesday, January 30, 2018 2:01 PM
To: NRO_DNRL_LB4_Cal Resource
Cc: Habib, Donald; Hoellman, Jordan; Patel, Chandu; Dixon-Herrity, Jennifer; Bradford, Anna; Segala, John; Monninger, John
Subject: Tentative: FW: Public Meeting with SNC
When: Thursday, February 01, 2018 9:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: HQ-OWFN-16D03-27P
Importance: High

Discussion of the Tier 2* amendment at this meeting is premature, given that expectations for the review have not yet been discussed with staff. As stated in the acceptance letter, "the criteria and process described in the application do not clearly differentiate between Tier 2* information with safety significance commensurate with Tier 1, and any Tier 2* information which has lesser significance." To the best of my knowledge, this standard has not been communicated with staff. Application of some other standard would be contrary to the intent of

Tier 2* as described in SECY-17-0075, and arguably inconsistent with established Commission policy. Addressing specific technical issues without clear expectations sets us up for inconsistent treatment of the review by various organizations.

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Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Habib, Donald
Sent: Friday, February 02, 2018 9:29 AM
To: Williams, Joseph
Cc: Dixon-Herrity, Jennifer; Bradford, Anna
Subject: 17-037 Alignment Meeting - Agenda.docx
Attachments: 17-037 Alignment Meeting - Agenda.docx

Joe –

Can you look at the attached handout for an internal alignment meeting we discussed?

I think you need to add to it more to articulate the challenge confronting us for this LAR. Most of what I put in is background information, rather than real substance.

Here is my invite list for the meeting:

- SES for DNRL, DEI, DSRA, DCIP
- BCs and selected staff for involved 10 branches: ICE, MCB, MEB, SEB, ARPB, SCVB, SRSB, HOIB, LB3, LB4

Additionally, I think part of our review strategy needs to include discussions with SNC to see how flexible they are. Since it looks like approval of this LAR—if it is even approvable—will take too long to be able to help them.

Thanks
Don

Williams, Joseph

Subject: Preparation for LAR 17-037 Alignment Meeting
Location: Joe's Office

Start: Mon 02/05/2018 2:00 PM
End: Mon 02/05/2018 3:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Habib, Donald
Required Attendees: Williams, Joseph

From: Habib, Donald
Sent: Friday, February 02, 2018 9:29 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>
Subject: 17-037 Alignment Meeting - Agenda.docx

Joe –

Can you look at the attached handout for an internal alignment meeting we discussed?

I think you need to add to it more to articulate the challenge confronting us for this LAR. Most of what I put in is background information, rather than real substance.

Here is my invite list for the meeting:

- SES for DNRL, DEI, DSRA, DCIP
- BCs and selected staff for involved 10 branches: ICE, MCB, MEB, SEB, ARPB, SCVB, SRSB, HOIB, LB3, LB4

Additionally, I think part of our review strategy needs to include discussions with SNC to see how flexible they are. Since it looks like approval of this LAR—if it is even approvable—will take too long to be able to help them.

Thanks
Don



17-037 Alignment Meeting - Agenda.docx

Williams, Joseph

From: Bradford, Anna
Sent: Tuesday, February 06, 2018 9:00 PM
To: Williams, Joseph; Habib, Donald
Cc: Dixon-Herrity, Jennifer; Patel, Chandu
Subject: Re: Planning Meeting LAR 17-037 Tier 2star

And it needs to be before we go to the LARM meeting with Vogtle on 2/20.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
[401-415-1560](tel:401-415-1560)

On: 06 February 2018 20:31,
"Williams, Joseph" <Joseph.Williams@nrc.gov> wrote:

I agree an hour would be more suitable. The original time was problematic for John Segala, so a different time would be better, regardless.

Joe

On: 06 February 2018 09:38, "Bradford, Anna" <Anna.Bradford@nrc.gov> wrote:

I agree the meeting is needed but I doubt 30 minutes is enough. Can we make it an hour? Please also invite Barbara Hayes because she is working the NEI first principles proposal.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
[401-415-1560](tel:401-415-1560)

On: 06 February 2018 09:35,
"Habib, Donald" <Donald.Habib@nrc.gov> wrote:

Anna –

I am working on a POP with Joe Williams. I think there are multiple angles to discuss:

- We should align on approach to address the question about Tier 1-equivalent information that was in the acceptance letter.
- I'm going to need some guidance about how we review/decide the process-aspect of the request.
- Joe is also interested in how a decision on the LAR could affect the ongoing NEI first-principles effort that he is working on.

I had wanted to meet with Joe and within DNRL before advising the branches on what we might need from them, if anything.

Don

From: Bradford, Anna
Sent: Tuesday, February 06, 2018 8:49 AM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>
Subject: RE: Planning Meeting LAR 17-037 Tier 2star

Don,

Can you please tell me the purpose of this meeting?

Anna H. Bradford
 Deputy Director
 Division of New Reactor Licensing
 U.S. Nuclear Regulatory Commission
 301-415-1560

-----Original Appointment-----

From: DNRLCAL Resource
Sent: Monday, February 05, 2018 3:46 PM
To: DNRLCAL Resource
Cc: Akstulewicz, Frank; Bradford, Anna; Habib, Donald; Williams, Joseph; Dixon-Herrity, Jennifer; Weaver, Tonna; Patel, Chandu
Subject: FW: Planning Meeting LAR 17-037 Tier 2star
When: Thursday, February 08, 2018 10:30 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: HQ-OWFN-07B02-12p

-----Original Appointment-----

From: Kuhn, Tia **On Behalf Of** DNRLCAL Resource
Sent: Monday, February 05, 2018 3:28 PM

To: DNRLCAL Resource

Subject: Planning Meeting LAR 17-037 Tier 2star

When: Thursday, February 08, 2018 10:30 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: HQ-OWFN-07B02-12p

Williams, Joseph

From: Williams, Joseph
Sent: Monday, February 12, 2018 10:54 AM
To: Segala, John
Subject: POP for Tier 2* Discussion with DNRL
Attachments: 201802XX internal alignment with DNRL.docx

John,

Here's a POP I wrote to guide the discussion with DNRL regarding the Tier 2* LAR.

I've had a couple people call or stop by my office to talk about the LAR, which reinforces the need for this discussion in my mind.

Joe

Williams, Joseph

From: [REDACTED]
Sent: Friday, February 16, 2018 11:04 AM
To: [REDACTED] Williams, Joseph; [REDACTED]
Subject: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx
Attachments: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

[REDACTED]

Attached is my first cut at questions we should pose [REDACTED] Tech Staff regarding LAR 17-037.

Please take a look and give me your feedback.

Thanks

[REDACTED]

Williams, Joseph

From: [REDACTED]
Sent: Friday, February 16, 2018 11:31 AM
To: [REDACTED]
Cc: [REDACTED] Williams, Joseph; [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx
Attachments: For Comment - Proposed LAR 17-037 Questions for Internal Alignment bdh comments.docx

[REDACTED]

Please see attached with comments for your consideration.

Have a lovely weekend.

[REDACTED]

From: [REDACTED]
Sent: Friday, February 16, 2018 11:04 AM
To: [REDACTED] Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Subject: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

[REDACTED]

Attached is my first cut at questions we should pose [REDACTED] Tech Staff regarding LAR 17-037.

Please take a look and give me your feedback.

Thanks

[REDACTED]

Williams, Joseph

From: [REDACTED]
Sent: Friday, February 16, 2018 2:29 PM
To: [REDACTED] Williams, Joseph; [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx
Attachments: Proposed LAR 17-037 Questions for Internal Alignment [REDACTED] cmmts.docx

My proposed comments are attached. I'm thinking that we need to use these questions as a sort of mental checklist for the reviewers to go through while they determine if they can approve this LAR. So along those lines, what do we want the reviewers to be sure to think about?

[REDACTED]

From: [REDACTED]
Sent: Friday, February 16, 2018 11:04 AM
To: [REDACTED] Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Subject: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

[REDACTED]

Attached is my first cut at questions we should pose [REDACTED] Tech Staff regarding LAR 17-037.

Please take a look and give me your feedback.

Thanks

[REDACTED]

Williams, Joseph

From: [REDACTED]
Sent: Tuesday, February 20, 2018 8:03 AM
To: [REDACTED] Williams, Joseph; [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx
Attachments: Proposed LAR 17-037 Questions for Internal Alignment [REDACTED] cmmts.docx

I think we ought to acknowledge the option to add to the criteria the licensee introduced. We could also suggest a criteria that finds that the change is to correct a spelling or grammatical error and does not affect the design in any other way.

[REDACTED]

From: [REDACTED]
Sent: Friday, February 16, 2018 2:29 PM
To: [REDACTED]
Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

My proposed comments are attached. I'm thinking that we need to use these questions as a sort of mental checklist for the reviewers to go through while they determine if they can approve this LAR. So along those lines, what do we want the reviewers to be sure to think about?

[REDACTED]

From: [REDACTED]
Sent: Friday, February 16, 2018 11:04 AM
To: [REDACTED]
Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Subject: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

[REDACTED]

Attached is my first cut at questions we should pose [REDACTED] Tech Staff regarding LAR 17-037.

Please take a look and give me your feedback.

Thanks

[REDACTED]

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, February 20, 2018 9:20 AM
To: [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx
Attachments: Proposed LAR 17-037 Questions for Internal Alignment [REDACTED] JFW comments.docx

I combined my comments with [REDACTED] in the attached file.

Joe

From: [REDACTED]
Sent: Tuesday, February 20, 2018 8:03 AM
To: [REDACTED];
Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

I think we ought to acknowledge the option to add to the criteria the licensee introduced. We could also suggest a criteria that finds that the change is to correct a spelling or grammatical error and does not affect the design in any other way.

From: [REDACTED]
Sent: Friday, February 16, 2018 2:29 PM
To: [REDACTED];
Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

My proposed comments are attached. I'm thinking that we need to use these questions as a sort of mental checklist for the reviewers to go through while they determine if they can approve this LAR. So along those lines, what do we want the reviewers to be sure to think about?

From: [REDACTED]
Sent: Friday, February 16, 2018 11:04 AM
To: [REDACTED];
Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Subject: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

Attached is my first cut at questions we should pose [REDACTED] Tech Staff regarding LAR 17-037.

Please take a look and give me your feedback.

Thanks

[REDACTED]

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, February 20, 2018 1:55 PM
To: [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

[REDACTED]

[REDACTED]
Sent: Tuesday, February 20, 2018 1:44 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Cc: [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

[REDACTED]

[REDACTED]

From: Williams, Joseph
Sent: Tuesday, February 20, 2018 9:56 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

[REDACTED]

Joe

From: [REDACTED]
Sent: Friday, February 16, 2018 11:31 AM
To: [REDACTED]
Cc: [REDACTED] Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]

[REDACTED]
Subject: RE: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

[REDACTED]
Please see attached with comments for your consideration.

Have a lovely weekend.
[REDACTED]

From: [REDACTED]
Sent: Friday, February 16, 2018 11:04 AM
To: [REDACTED]

Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]

Subject: For Comment - Proposed LAR 17-037 Questions for Internal Alignment.docx

[REDACTED]
Attached is my first cut at questions we should pose [REDACTED] Tech Staff regarding LAR 17-037.

Please take a look and give me your feedback.

Thanks
[REDACTED]

Williams, Joseph

From: Habib, Donald
Sent: Wednesday, February 21, 2018 2:55 PM
To: Akstulewicz, Frank; Bradford, Anna; Williams, Joseph; [REDACTED] Dixon-Herrity, Jennifer; Hayes, Barbara; [REDACTED]
Cc: Patel, Chandu; Colaccino, Joseph; Segala, John
Subject: To Prepare for Meeting with NRO: [REDACTED] Associated with LAR 17-037, Tier 2* Departure Process

[REDACTED]

Attached are the questions from NRO that we'd like you to respond to in this upcoming meeting, to assist NRO is the review of LAR 17-037.

Please contact me if you have any questions.

Thanks
Don



Proposed LAR
17-037 Question...

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

-----Original Appointment-----

From: DNRLCAL Resource
Sent: Wednesday, February 21, 2018 10:45 AM
To: DNRLCAL Resource; Akstulewicz, Frank; Bradford, Anna; Habib, Donald; Williams, Joseph; [REDACTED] Dixon-Herrity, Jennifer; Hayes, Barbara; [REDACTED]
Cc: Patel, Chandu; Colaccino, Joseph; Segala, John
Subject: [REDACTED] Associated with LAR 17-037, Tier 2* Departure Process
When: Wednesday, February 28, 2018 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Frank's Office

The purpose of this meeting is to identify and gain alignment on [REDACTED] regarding LAR 17-037 that would affect staff approval of the amendment.

Requested By: Don Habib

Scheduled By: Christine Richie

Williams, Joseph

From: Williams, Joseph
Sent: Thursday, February 22, 2018 8:11 AM
To: Habib, Donald
Subject: RE: For Review: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

The only reason to wait that comes to mind is uncertainty regarding the outcome of the [REDACTED]. I doubt they'll say it can't be done at all, but if they did, that certainly affects what the staff is told. Less dramatic outcomes could still affect the staff, though, such as a determination that we need to get Commission permission before we proceed, or if we proceed in parallel with informing the Commission. It would be worth telling the staff that their future decisions would be vetted at that level.

From: Habib, Donald
Sent: Thursday, February 22, 2018 8:00 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>
Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>; Segala, John <John.Segala@nrc.gov>
Subject: RE: For Review: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

I was thinking I'd get this out to the tech staff shortly, today or tomorrow, unless there was a reason to hold off.

I would distribute it to the BCs and assigned staff for the 8 branches that have indicated an involvement in the LAR (MEB, MCB, SEB, ICE, SRSB, SCVB, HOIB, ARPB).

Yes, I was going to cancel the Tuesday meeting.

From: Williams, Joseph
Sent: Thursday, February 22, 2018 7:12 AM
To: Bradford, Anna <Anna.Bradford@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>
Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>; Segala, John <John.Segala@nrc.gov>
Subject: RE: For Review: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

I'm OK with it. Does this mean the Tuesday meeting is cancelled? When do you plan to provide this guidance to the staff?

Joe

From: Bradford, Anna
Sent: Wednesday, February 21, 2018 10:04 PM
To: Habib, Donald <Donald.Habib@nrc.gov>; Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>

Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>

Subject: Re: For Review: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

Looks good to me.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
[401-415-1560](tel:401-415-1560)

On: 21 February 2018 15:47,
"Habib, Donald" <Donald.Habib@nrc.gov> wrote:

DNRL Team –

Below for your review is the latest list of questions for the tech staff. Please reply with any further adjustments, or thoughts.

Thanks
Don

1. For the Tier 2* information in your review area, can you distinguish the portion of information that you consider to be Tier 1-equivalent from that which is other Tier 2* information?
2. Would the proposal in the LAR, if correctly applied by the licensee, properly protect the information that you believe is Tier 1-equivalent in your review area?
 - a. If not, what additional criteria would you suggest to ensure that Tier 1-equivalent information is properly screened?
3. Can you envision a case where the process proposed by the LAR, when correctly applied by the licensee, could lead to an unacceptable outcome in your area?

From: Bradford, Anna

Sent: Wednesday, February 21, 2018 11:18 AM

To: DNRLCAL Resource <DNRLCAL.Resource@nrc.gov>; Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>

Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>

Subject: Re: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

Don,

Do we really need to meet on this? Jen and I were talking here at Vogtle and thinking maybe you could just send out the latest version and do it via email rather than waiting till next week? We need to get these questions out sooner rather than later.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
[401-415-1560](tel:401-415-1560)

On: 21 February 2018 11:02,
"DNRLCAL Resource" <DNRLCAL.Resource@nrc.gov> wrote:

Subject: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

Meeting Requested By: Don Habib

Scheduled By: Christine Richie

Williams, Joseph

From: Williams, Joseph
Sent: Thursday, February 22, 2018 9:10 AM
To: Habib, Donald
Subject: Re: For Review: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

You can say a [REDACTED] is pending, outlining those questions, and say you'll provide an update, if needed.

On: 22 February 2018 08:47, "Habib, Donald" <Donald.Habib@nrc.gov> wrote:

[REDACTED]

However, I don't want to cycle the tech staff on what we ask them to do. If I send it out to the tech staff before [REDACTED] I'd want to make sure the saving of a few days is worth the risk of cycling the tech staff.

From: Williams, Joseph
Sent: Thursday, February 22, 2018 8:11 AM
To: Habib, Donald <Donald.Habib@nrc.gov>
Subject: RE: For Review: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

The only reason to wait that comes to mind is uncertainty regarding the outcome of the [REDACTED]. I doubt they'll say it can't be done at all, but if they did, that certainly affects what the staff is told. Less dramatic outcomes could still affect the staff, though, such as a determination that we need to get Commission permission before we proceed, or if we proceed in parallel with informing the Commission. It would be worth telling the staff that their future decisions would be vetted at that level.

From: Habib, Donald
Sent: Thursday, February 22, 2018 8:00 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>
Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>; Segala, John <John.Segala@nrc.gov>
Subject: RE: For Review: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

I was thinking I'd get this out to the tech staff shortly, today or tomorrow, unless there was a reason to hold off.

I would distribute it to the BCs and assigned staff for the 8 branches that have indicated an involvement in the LAR (MEB, MCB, SEB, ICE, SRSB, SCVB, HOIB, ARPB).

Yes, I was going to cancel the Tuesday meeting.

From: Williams, Joseph
Sent: Thursday, February 22, 2018 7:12 AM
To: Bradford, Anna <Anna.Bradford@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Akstulewicz, Frank

<Frank.Akstulewicz@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>

Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>; Segala, John <John.Segala@nrc.gov>

Subject: RE: For Review: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

I'm OK with it. Does this mean the Tuesday meeting is cancelled? When do you plan to provide this guidance to the staff?

Joe

From: Bradford, Anna

Sent: Wednesday, February 21, 2018 10:04 PM

To: Habib, Donald <Donald.Habib@nrc.gov>; Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>

Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>

Subject: Re: For Review: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

Looks good to me.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
[401-415-1560](tel:401-415-1560)

On: 21 February 2018 15:47,
"Habib, Donald" <Donald.Habib@nrc.gov> wrote:

DNRL Team –

Below for your review is the latest list of questions for the tech staff. Please reply with any further adjustments, or thoughts.

Thanks
Don

1. For the Tier 2* information in your review area, can you distinguish the portion of information that you consider to be Tier 1-equivalent from that which is other Tier 2* information?
2. Would the proposal in the LAR, if correctly applied by the licensee, properly protect the information that you believe is Tier 1-equivalent in your review area?
 - a. If not, what additional criteria would you suggest to ensure that Tier 1-equivalent information is properly screened?

3. Can you envision a case where the process proposed by the LAR, when correctly applied by the licensee, could lead to an unacceptable outcome in your area?

From: Bradford, Anna

Sent: Wednesday, February 21, 2018 11:18 AM

To: DNRLCAL Resource <DNRLCAL.Resource@nrc.gov>; Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>

Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>

Subject: Re: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

Don,

Do we really need to meet on this? Jen and I were talking here at Vogtle and thinking maybe you could just send out the latest version and do it via email rather than waiting till next week? We need to get these questions out sooner rather than later.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
[401-415-1560](tel:401-415-1560)

On: 21 February 2018 11:02,
"DNRLCAL Resource" <DNRLCAL.Resource@nrc.gov> wrote:

Subject: Proposed Questions for Tech Staff Regarding LAR 17-037, Tier 2* Departure Process

Meeting Requested By: Don Habib

Scheduled By: Christine Richie

Williams, Joseph

From: Habib, Donald
Sent: Thursday, February 22, 2018 4:28 PM
To: Jung, Ian; Zhao, Jack; Mitchell, Matthew; Honcharik, John; Lupold, Timothy; Hansing, Nicholas; Scarbrough, Thomas; Samaddar, Sujit; Jain, Bhagwat; Park, Sunwoo; Patel, Pravin; Cranston, Gregory; Ashley, Clinton; Goel, Raj; Chien, Nan; Karas, Rebecca; Van Wert, Christopher; Kent, Lauren; Green, Brian
Cc: Segala, John; Williams, Joseph; Hayes, Barbara; Colaccino, Joseph; Patel, Chandu; Dixon-Herrity, Jennifer; Bradford, Anna; Akstulewicz, Frank
Subject: Action: Questions to Technical Staff (Vogtle LAR 17-037)
Importance: High
Follow Up Flag: Follow up
Due By: Monday, February 26, 2018 1:00 PM
Flag Status: Completed
Categories: Red Category

LAR 17-037 Review Team –
(ICE, MCB, MEB, SEB, SCVB, SRSB, HOIB)

Please review and reply to the following questions regarding your branch's review area that would be subject to the proposed screening process for Tier 2* material in SNC's LAR 17-037. To approve the LAR, the affected technical branches will need to support a conclusion that the changes proposed in the LAR are acceptable.

Please plan to reply by **March 9**. Contact me if you have any questions or need additional time.

Thanks

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

1. For the Tier 2* information in your branch's review area, can you distinguish the portion of information that you consider to be Tier 1 equivalent from that which is other Tier 2* information?
2. For your branch's review area, do you agree with the analysis provided in Enclosure 5 of the SNC submittal (Tier 2* Matters Analysis Summary)? Why or why not? If not, what are your concerns?
3. Would the proposal in the LAR, if correctly applied by the licensee, properly protect the information that you believe is Tier 1 equivalent in your review area? Why or why not? If not, what additional criteria would you suggest to ensure that Tier 1 equivalent information in your review area is properly screened?

4. Can you envision a case where the process proposed by the LAR, when correctly applied by the licensee, could lead to an unacceptable outcome in your area?

Williams, Joseph

From: Habib, Donald
Sent: Monday, February 26, 2018 9:31 AM
To: Williams, Joseph
Subject: For Review: Brief for NRO-FO - LAR 17-037.docx
Attachments: Brief for NRO-FO - LAR 17-037.docx

Follow Up Flag: Follow up
Due By: Monday, February 26, 2018 1:00 PM
Flag Status: Completed

Joe –

Can you please take a look at this 1-pager I am preparing for Fred Brown? I'd like to get your feedback at this time.

Thanks
Don

Williams, Joseph

From: Williams, Joseph
Sent: Monday, February 26, 2018 3:24 PM
To: Habib, Donald
Subject: Brief for NRO-FO - LAR 17-037 JFW comments.docx
Attachments: Brief for NRO-FO - LAR 17-037 JFW comments.docx

Don,

Here are some comments on the briefing sheet for your consideration. Let me know if you have questions.

Joe

Williams, Joseph

From: Habib, Donald
Sent: Wednesday, February 28, 2018 2:10 PM
To: Akstulewicz, Frank; Bradford, Anna; Williams, Joseph; [REDACTED] Dixon-Herrity, Jennifer; Hayes, Barbara; [REDACTED] Patel, Chandu; Colaccino, Joseph; Segala, John
Subject: Attached: To Prepare for Meeting with NRO: [REDACTED] Associated with LAR 17-037, Tier 2* Departure Process

To all –

Attached below is the handout for the 2:30 meeting today.

Don

From: Habib, Donald
Sent: Wednesday, February 21, 2018 2:55 PM
To: Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED] Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>; [REDACTED]
Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Colaccino, Joseph <Joseph.Colaccino@nrc.gov>; Segala, John <John.Segala@nrc.gov>
Subject: To Prepare for Meeting with NRO: [REDACTED] Associated with LAR 17-037, Tier 2* Departure Process

[REDACTED]

Attached are the questions from NRO that we'd like you to respond to in this upcoming meeting, to assist NRO is the review of LAR 17-037.

Please contact me if you have any questions.

Thanks
Don



Proposed LAR
17-037 Question...

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

-----Original Appointment-----

From: DNRLCAL Resource

Sent: Wednesday, February 21, 2018 10:45 AM

To: DNRLCAL Resource; Akstulewicz, Frank; Bradford, Anna; Habib, Donald; Williams, Joseph; [REDACTED] Dixon-Herrity, Jennifer; Hayes, Barbara; [REDACTED]

Cc: Patel, Chandu; Colaccino, Joseph; Segala, John

Subject: [REDACTED] Associated with LAR 17-037, Tier 2* Departure Process

When: Wednesday, February 28, 2018 9:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Frank's Office

The purpose of this meeting is to identify and gain alignment on [REDACTED] regarding LAR 17-037 that would affect staff approval of the amendment.

Requested By: Don Habib

Scheduled By: Christine Richie

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, March 06, 2018 7:52 AM
To: Habib, Donald; Van Wert, Christopher
Cc: Ashley, Clinton; Nolan, Ryan; Karas, Rebecca
Subject: RE: Question regarding LAR-17-037 question #4

At the risk of stating the obvious, everyone should understand that Tier 2* is not intended to address any perceived problems with 50.59, though that may be how it was applied in some cases. Rather, it was intended to apply to a set of information considered important enough to require NRC review before changing it.

I also note that answers to the question, while informative, may not be conclusive. We are dealing with very complex machines, even within the subset of a single technical discipline. If we can't speculate about a circumstance where the process fails, that doesn't mean it doesn't exist; we can't prove the negative.

The fundamental issue is whether or not the LAR criteria clearly discriminate between Tier 1-equivalent information and less significant items, per the first and third questions. It's the licensee's obligation to prove that the proposed process works, not ours to prove it doesn't.

Joe

From: Habib, Donald
Sent: Tuesday, March 06, 2018 7:05 AM
To: Van Wert, Christopher <Christopher.VanWert@nrc.gov>
Cc: Ashley, Clinton <Clinton.Ashley@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>
Subject: RE: Question regarding LAR-17-037 question #4

Chris –

That's fine. [REDACTED] I agree with what you are stating.

Don

From: Van Wert, Christopher
Sent: Tuesday, March 06, 2018 5:47 AM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Ashley, Clinton <Clinton.Ashley@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>
Subject: RE: Question regarding LAR-17-037 question #4

Don,

I caution you about going after the scenario where we can imagine a technical issue getting through the entire process. Since the process defaults to a 50.59-like screening process if the answers to the criteria are "no", you would effectively be asking us to review the 50.59 process and that's not really a part of the discussion regarding this LAR review. [REDACTED]

[REDACTED] I think it best if we focus the question on whether or not we felt that Tier 1 equivalent material could be erroneously screened under the normal Tier 2 change process instead of automatically coming in for review and approval as should normally happen. Hopefully this is ok with you and that everyone responds with the same question in mind... let me know if you have concerns or specific instructions on how this is supposed to be interpreted.

Thanks!
Chris

From: Habib, Donald
Sent: Monday, March 05, 2018 4:50 PM
To: Van Wert, Christopher <Christopher.VanWert@nrc.gov>
Cc: Ashley, Clinton <Clinton.Ashley@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>
Subject: RE: Question regarding LAR-17-037 question #4

Chris et al. –

[REDACTED]

Don

From: Van Wert, Christopher
Sent: Monday, March 05, 2018 12:25 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Ashley, Clinton <Clinton.Ashley@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>
Subject: Question regarding LAR-17-037 question #4

Don,

We've been going over the DNRL questions regarding LAR-17-037, and I think we have a pretty good idea what information is being requested. However, I want to make sure I understand questions number 4 correctly. Here is the question repeated below:

Can you envision a case where the process proposed by the LAR, when correctly applied by the licensee, could lead to an unacceptable outcome in your area?

We struggled a bit with the definition of "unacceptable outcome" as intended by the question. It could refer to: (1) the process allows an unacceptable *process* outcome such as a particular change not being selected for additional screening when the staff instead believes it should automatically come in like the normal Tier 2* process, or (2) the process allows a change to occur that leads to an unacceptable *technical* outcome. We concluded that definition (1) made more sense and that's what I intend to use in my response, but I wanted to confirm with you the intent before things went too far.

Thanks!
Chris

Williams, Joseph

From: Habib, Donald
Sent: Tuesday, March 13, 2018 1:31 PM
To: Bradford, Anna; Kallan, Paul; Akstulewicz, Frank; Williams, Joseph; Segala, John
Cc: Patel, Chandu; Dixon-Herrity, Jennifer
Subject: FW: Discussion Topics for Vogtle Units 3 and 4, 3/15/18 Public Meeting (LAR 17-037, Tier 2* Departure Process)

FYI – These are discussion topics from SCVB for this week’s public meeting with SNC.

Thanks
Don

From: Habib, Donald
Sent: Tuesday, March 13, 2018 1:28 PM
To: 'WASPARKM@southernco.com' <WASPARKM@southernco.com>; 'ptapscot@southernco.com' <ptapscot@southernco.com>; 'Chamberlain, Amy Christine' <ACCHAMBE@southernco.com>; 'neil.haggerty@excelservices.com' <neil.haggerty@excelservices.com>; 'Thomas, Corey (SNC)' <BRCThoma@southernco.com>
Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Cranston, Gregory <Gregory.Cranston@nrc.gov>; Vogtle PEmails <Vogtle.PEmails@nrc.gov>
Subject: Discussion Topics for Vogtle Units 3 and 4, 3/15/18 Public Meeting (LAR 17-037, Tier 2* Departure Process)

Wes et al. –

Below are discussion topics for the upcoming public meeting on 3/15/18. These topics pertain to LAR 17-037 Qualifying Criterion 4, “Adversely affects the debris screen design criteria,” which was based upon 10 CFR Part 52 Appendix D, Paragraph VIII.B.6.b(7), “Screen design criteria.”

Please contact me if you have any questions.

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

- Regarding VIII.B.6.b(7), “Screen design criteria,” the analysis summary provided in LAR Enclosure 5 states “Paragraph VIII.B.5 may not work well in all cases..”
 - What is meant by “Paragraph VIII.B.5 may not work well in all cases”? An example would be helpful.
- LAR Enclosure 1, page 12 of 19, provides detailed guidance for Qualifying Criterion 4. The detailed guidance consists of two parts:
 1. An adverse change is any change that would be considered a non-conservative change of a debris value established in the UFSAR;
 2. An adverse change would be any change that changes any element of the evaluations used to determine the design of the debris screens.

- Explain how the detailed guidance was developed and why these two items are sufficient to assess whether a change is adverse in this safety significant area. Will the detailed guidance be incorporated into a procedure upon LAR approval?
- For item 1,
 - What debris values established in the UFSAR are subject to Qualifying Criterion 4?
 - What would be considered a non-conservative change of a debris value?
 - What would be considered a conservative change of a debris value?
 - Explain whether an increase or decrease in a debris value established in the UFSAR “would be considered a non-conservative change of a debris value established in the UFSAR” that would result in assessing the change as adverse.
- For item 2,
 - What debris screens are subject to this criterion?
 - What is considered to be an element of the evaluations used to determine the design of the debris screens?
 - Explain whether a decrease or increase in strainer area (frontal face or screen surface) “would be considered a change to an element of the evaluations used to determine the design of the debris screens” that would result in assessing the change as adverse.
 - Explain whether an increase or decrease in strainer mesh size “would be considered a change to an element of the evaluations used to determine the design of the debris screens” that would result in assessing the change as adverse.
 - Explain how changes to information associated with VIII.B.6.b item 7 contained in UFSAR section 6.3.2.2.7.1 (e.g., ZOI and use of MRI) would be assessed by this new process. Are these items considered to be an element of the evaluations used to determine the design of the debris screens?
- The CFR refers to “screen design criteria.” The LAR refers to “...debris screen design criteria” (Qualifying Criterion 4).
 1. Please explain why the word “debris” was added in the LAR description.
 2. Detailed guidance (discussed above) refers to debris values and design of debris screens. However Qualifying Criteria 4 appears to be limited to “debris screen design.” Why the difference? Should Qualifying Criteria 4 be updated to reflect these two areas (debris values and design of debris screens) that are expressed in the detailed guidance?
- LAR Enclosure 6 provides an example where a Tier 2* departure would not require prior NRC approval. In answering the question posed by Qualifying Criterion 4 (adversely affects the debris screen design criteria?), the LAR states that Qualifying Criterion 4 poses a question “regarding impacts... to the PXS recirculation screen design.” Qualifying criterion 4 is more than just impacts to PXS recirculation screen design. It is also about debris values. Therefore, based on the “reviewers aid” provided in LAR Enclosure 6, if the process was applied as shown, could it lead to an unacceptable outcome?

From: Habib, Donald

Sent: Monday, March 12, 2018 10:34 AM

To: 'WASPARKM@southernco.com' <WASPARKM@southernco.com>; 'ptapscot@southernco.com' <ptapscot@southernco.com>; 'Chamberlain, Amy Christine' <ACCHAMBE@southernco.com>; 'neil.haggerty@excelservices.com' <neil.haggerty@excelservices.com>; 'Thomas, Corey (SNC)' <BRCThoma@southernco.com>

Subject: Update on LAR 17-037 (Tier 2* Departure Process)

Wes et al. –

This is just a heads-up that I expect to have a staff question ready to send to you in the next day or two, pertaining to this LAR, for discussion at the public teleconference this Thursday. The question(s) relate to criterion #4.

Thanks

Don

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Habib, Donald
Sent: Wednesday, March 14, 2018 10:11 AM
To: Williams, Joseph
Subject: FW: Re: Discussion Topics for Vogtle Units 3 and 4, 3/15/18 Public Meeting (LAR 17-037, Tier 2* Departure Process)

FYI

-----Original Message-----

From: Habib, Donald
Sent: Wednesday, March 14, 2018 10:07 AM
To: Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Cc: Kallan, Paul <Paul.Kallan@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>
Subject: FW: Re: Discussion Topics for Vogtle Units 3 and 4, 3/15/18 Public Meeting (LAR 17-037, Tier 2* Departure Process)

Clint - See below. SNC won't be ready to discuss this topic this week, and is asking for a clarification call next week.

Jordan - Please go ahead and take this item off the agenda for this week's public meeting.

I'll try to follow up with Jason Redd to get something nonpublic scheduled next week.

Thanks
Don

-----Original Message-----

From: Redd, Jason P. [mailto:JPREDD@southernco.com]
Sent: Wednesday, March 14, 2018 9:57 AM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Amundson, Theodore Edwin <X2TAMUNS@southernco.com>; Hicks, Thomas E. <X2TEHICK@southernco.com>; Haggerty, Neil <X2NHAGGE@SOUTHERNCO.COM>; Aughtman, Amy G. <AGAUGHTM@SOUTHERNCO.COM>; Sparkman, Wesley A. <WASPARKM@southernco.com>
Subject: [External_Sender] Re: Discussion Topics for Vogtle Units 3 and 4, 3/15/18 Public Meeting (LAR 17-037, Tier 2* Departure Process)

Good morning Don,

I just left you a VM but wanted to follow up with an email in case you're at the RIC this morning. Our team has reviewed the below questions and after internal discussions, request that SNC and the Staff have a clarification call Monday or Tuesday of next week before discussing these questions on the weekly public call. As always, we appreciate the Staff being so diligent in reviewing this LAR and offering a quick opportunity to discuss the Staff's questions.

I will be at the RIC today and Thursday; my cell at 205-329-4759 is the best way to reach me these two days.

Thank you Don.

-Jason Redd

Sent from my iPhone

On Mar 13, 2018, at 1:30 PM, Sparkman, Wesley A.
<WASPARKM@southernco.com<mailto:WASPARKM@southernco.com>> wrote:

Sent from my iPhone

Begin forwarded message:

From: "Habib, Donald" <Donald.Habib@nrc.gov<mailto:Donald.Habib@nrc.gov>>
Date: March 13, 2018 at 1:27:41 PM EDT
To: "WASPARKM@southernco.com<mailto:WASPARKM@southernco.com>"
<WASPARKM@southernco.com<mailto:WASPARKM@southernco.com>>,
"ptapscot@southernco.com<mailto:ptapscot@southernco.com>"
<ptapscot@southernco.com<mailto:ptapscot@southernco.com>>, "Chamberlain, Amy Christine"
<ACCHAMBE@southernco.com<mailto:ACCHAMBE@southernco.com>>,
"neil.haggerty@excelservices.com<mailto:neil.haggerty@excelservices.com>"
<neil.haggerty@excelservices.com<mailto:neil.haggerty@excelservices.com>>, "Thomas, Corey (SNC)"
<BRCThoma@southernco.com<mailto:BRCThoma@southernco.com>>
Cc: "Dixon-Herrity, Jennifer" <Jennifer.Dixon-Herrity@nrc.gov<mailto:Jennifer.Dixon-Herrity@nrc.gov>>,
"Patel, Chandu" <Chandu.Patel@nrc.gov<mailto:Chandu.Patel@nrc.gov>>, "Ashley, Clinton"
<Clinton.Ashley@nrc.gov<mailto:Clinton.Ashley@nrc.gov>>, "Cranston, Gregory"
<Gregory.Cranston@nrc.gov<mailto:Gregory.Cranston@nrc.gov>>, Vogtle PEmails
<Vogtle.PEmails@nrc.gov<mailto:Vogtle.PEmails@nrc.gov>>
Subject: Discussion Topics for Vogtle Units 3 and 4, 3/15/18 Public Meeting (LAR 17-037, Tier 2* Departure
Process)

Wes et al. –

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Please contact me if you have any questions.

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

· Regarding VIII.B.6.b(7), "Screen design criteria," the analysis summary provided in LAR Enclosure 5 states "Paragraph VIII.B.5 may not work well in all cases.."

· What is meant by "Paragraph VIII.B.5 may not work well in all cases"? An example would be helpful.

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From: Habib, Donald
Sent: Monday, March 12, 2018 10:34 AM
To: 'WASPARKM@southernco.com<mailto:WASPARKM@southernco.com>'<WASPARKM@southernco.com<mailto:WASPARKM@southernco.com>>; 'ptapscot@southernco.com<mailto:ptapscot@southernco.com>'<ptapscot@southernco.com<mailto:ptapscot@southernco.com>>; 'Chamberlain, Amy Christine'<ACCHAMBE@southernco.com<mailto:ACCHAMBE@southernco.com>>; 'neil.haggerty@excelservices.com<mailto:neil.haggerty@excelservices.com>'<neil.haggerty@excelservices.com<mailto:neil.haggerty@excelservices.com>>; 'Thomas, Corey (SNC)'<BRCThoma@southernco.com<mailto:BRCThoma@southernco.com>>>
Subject: Update on LAR 17-037 (Tier 2* Departure Process)

Wes et al. –

This is just a heads-up that I expect to have a staff question ready to send to you in the next day or two, pertaining to this LAR, for discussion at the public teleconference this Thursday. The question(s) relate to criterion #4.

Thanks
Don

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Habib, Donald
Sent: Thursday, March 22, 2018 8:14 AM
To: Williams, Joseph
Cc: Segala, John
Subject: RE: RAI Meeting

Joe –

OK. I am just return to the office. Before you write the RAI, you may wish to audit the SNC analysis. The SNC submittal states:

SNC performed an analysis of the Tier 2* matters listed in 10 CFR Part 52, Appendix D, Section VIII paragraphs B.6.b and B.6.c. The analysis examined each item in terms of the following criteria:

- Degree to which the Tier 2* information is not addressed in the following but meets Tier 1 inclusion criteria:
 - VEGP 3 and 4 Plant-specific Tier 1 Design Control Document (DCD), or
 - VEGP 3 and 4 Combined License (COL), or
 - Applicable regulations, e.g., 10 CFR 50.46
- Degree to which Codes, standards, and design and qualification process, are relied upon for ITAAC acceptance criteria, but not specified in the VEGP 3 and 4 Plant-specific Tier 1 DCD
- Safety-significance
- Degree to which 10 CFR Part 52, Appendix D, Section VIII.B.5 would effectively evaluate a Tier 2* departure

Actually, I think that all of the affected branches should audit the analysis to make sure that we agree with it.

I would like to propose such an audit at the meeting today.

If we disagree with their analysis, then how can we be approving the LAR?

Thanks
Don

From: Williams, Joseph
Sent: Tuesday, March 20, 2018 9:08 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RAI Meeting

Don,

I'm afraid I won't be able to attend the RAI meeting on Thursday. I went to an EPRI meeting in Charlotte today, and had planned to fly home in the morning, but the storm has made me move that back a day. I won't be able to get to the office in time for your meeting. I can tell you that I'm planning to write an RAI following up on the acceptance letter text regarding how to distinguish Tier 1 equivalent info. I'm also thinking about one regarding the standardization issue, but I need to do some more research.

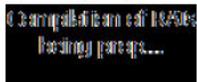
Joe

Williams, Joseph

From: Habib, Donald
Sent: Thursday, March 22, 2018 9:14 AM
To: NRO_DNRL_LB4_Cal Resource; Jung, Ian; Mitchell, Matthew; Samaddar, Sujit; Lupold, Timothy; Carpenter, Cynthia; Caldwell, Robert; Monninger, John; Karas, Rebecca; Cranston, Gregory; Segala, John; Kent, Lauren; McGinty, Tim; Krohn, Paul; Williams, Joseph; Dixon-Herrity, Jennifer; Akstulewicz, Frank; Bradford, Anna; Zhao, Jack; Honcharik, John; Hansing, Nicholas; Scarbrough, Thomas; Jain, Bhagwat; Ashley, Clinton; Van Wert, Christopher; Green, Brian; Patel, Chandu; Coyne, Kevin; Nolan, Ryan; [REDACTED] Royer, Deanna; Hayes, Barbara; Fetter, Allen; Kallan, Paul
Cc: Brown, Frederick; Ordaz, Vonna; Franovich, Mike
Subject: Consolidated RAIs for Tier 2* Alignment Meeting

Tier 2* LAR Review Team –

In case you don't have them, here are the consolidated RAIs for this LAR, most of which have not been issued.



Thanks
Don

From: Habib, Donald
Sent: Thursday, March 22, 2018 9:11 AM
To: NRO_DNRL_LB4_Cal Resource <NRO_DNRL_LB4_Cal.Resource@nrc.gov>; Jung, Ian <Ian.Jung@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Samaddar, Sujit <Sujit.Samaddar@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Carpenter, Cynthia <Cynthia.Carpenter@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Cranston, Gregory <Gregory.Cranston@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Kent, Lauren <Lauren.Kent@nrc.gov>; McGinty, Tim <Tim.McGinty@nrc.gov>; Krohn, Paul <Paul.Krohn@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Akstulewicz, Frank <Frank.Akstulewicz@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Jain, Bhagwat <Bhagwat.Jain@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; [REDACTED] Royer, Deanna <Deanna.Royer@nrc.gov>; Hayes, Barbara <Barbara.Hayes@nrc.gov>; Fetter, Allen <Allen.Fetter@nrc.gov>; Kallan, Paul <Paul.Kallan@nrc.gov>
Cc: Brown, Frederick <Frederick.Brown@nrc.gov>; Ordaz, Vonna <Vonna.Ordaz@nrc.gov>; Franovich, Mike <Mike.Franovich@nrc.gov>
Subject: Call-In Info for Tier 2* Alignment Meeting

For folks attending remotely, here is call-in information:

877-915-0208

Passcode 271-5638#

-----Original Appointment-----

From: Kallan, Paul **On Behalf Of** NRO_DNRL_LB4_Cal Resource

Sent: Monday, March 19, 2018 10:47 AM

To: Jung, Ian; Mitchell, Matthew; Samaddar, Sujit; Lupold, Timothy; Carpenter, Cynthia; Caldwell, Robert; Monninger, John; Karas, Rebecca; Cranston, Gregory; Segala, John; Kent, Lauren; McGinty, Tim; Krohn, Paul; Williams, Joseph; Dixon-Herrity, Jennifer; Akstulewicz, Frank; Bradford, Anna; Zhao, Jack; Honcharik, John; Hansing, Nicholas; Scarbrough, Thomas; Jain, Bhagwat; Ashley, Clinton; Van Wert, Christopher; Green, Brian; Patel, Chandu; Coyne, Kevin; Nolan, Ryan; [REDACTED] Royer, Deanna; Hayes, Barbara; Fetter, Allen; Habib, Donald; Kallan, Paul

Cc: Brown, Frederick; Ordaz, Vonna; Franovich, Mike

Subject: UPDATE: Alignment on RAIs for Vogtle LAR - Changes to Tier 2* Departure Process (Attachment)

When: Thursday, March 22, 2018 10:30 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: TWFN-06A1

LAR 17-037 Review Team –

Attached for your review prior to the alignment meeting is a compilation of the branch responses to the DNRL questions.

Also prior to the meeting, I plan on distributing a compilation of the draft and final RAIs.

Thanks for your support of this project. Please contact me if you have any questions.

Thanks

Don

<< File: Compilation of Branch Responses LAR 17-037.docx >>

<< File: Compilation of RAIs being proposed for LAR 17-037 (Paul 3-19-2018).docx >>

Don Habibi

Project Manager

NRO/DNRL, Licensing Branch 4

O-8D13

301-415-1035

LAR 17-037 Review Team –

The purpose of this meeting is to ensure that the RAIs for this LAR align with each other and with the general office direction.

For attendance, we are looking for sufficient representation from the technical branches responsible for Vogtle Tier 2* information (MEB, ICE, MCB, SEB, SRSB, SCVB, and HOIB) and their technical division management so that the position and concerns of each branch can be represented.

➔ **ACTION: If your branch expects to issue an RAI for LAR 17-037, please send it to me prior to the meeting in time so that I can distribute it to the other involved branches.**

Please contact me if you have any questions.

Thanks
Don

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Habib, Donald
Sent: Thursday, March 22, 2018 10:10 AM
To: NRO_DNRL_LB4_Cal Resource; Jung, Ian; Mitchell, Matthew; Samaddar, Sujit; Lupold, Timothy; Carpenter, Cynthia; Caldwell, Robert; Monninger, John; Karas, Rebecca; Cranston, Gregory; Segala, John; Kent, Lauren; McGinty, Tim; Krohn, Paul; Williams, Joseph; Dixon-Herrity, Jennifer; Akstulewicz, Frank; Bradford, Anna; Zhao, Jack; Honcharik, John; Hansing, Nicholas; Scarbrough, Thomas; Jain, Bhagwat; Ashley, Clinton; Van Wert, Christopher; Green, Brian; Patel, Chandu; Coyne, Kevin; Nolan, Ryan; [REDACTED] Royer, Deanna; Hayes, Barbara; Fetter, Allen; Kallan, Paul
Cc: Brown, Frederick; Ordaz, Vonna
Subject: One-Pager Summary: Alignment on RAIs for Vogtle LAR - Changes to Tier 2* Departure Process

All – Attached is a 1-pager summarizing the major points in the staff responses. I'll bring copies of this to the meeting at 10:30am.

Thanks
Don



Summary: Alignment on RAIs for Vogtle LAR - Changes to Tier 2* Departure Process...

-----Original Appointment-----

From: Kallan, Paul On Behalf Of NRO_DNRL_LB4_Cal Resource
Sent: Monday, March 19, 2018 10:47 AM
To: Jung, Ian; Mitchell, Matthew; Samaddar, Sujit; Lupold, Timothy; Carpenter, Cynthia; Caldwell, Robert; Monninger, John; Karas, Rebecca; Cranston, Gregory; Segala, John; Kent, Lauren; McGinty, Tim; Krohn, Paul; Williams, Joseph; Dixon-Herrity, Jennifer; Akstulewicz, Frank; Bradford, Anna; Zhao, Jack; Honcharik, John; Hansing, Nicholas; Scarbrough, Thomas; Jain, Bhagwat; Ashley, Clinton; Van Wert, Christopher; Green, Brian; Patel, Chandu; Coyne, Kevin; Nolan, Ryan; [REDACTED] Royer, Deanna; Hayes, Barbara; Fetter, Allen; Habib, Donald; Kallan, Paul
Cc: Brown, Frederick; Ordaz, Vonna; Franovich, Mike
Subject: UPDATE: Alignment on RAIs for Vogtle LAR - Changes to Tier 2* Departure Process (Attachment)
When: Thursday, March 22, 2018 10:30 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).
Where: TWFN-06A1

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Thanks
Don

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<< File: Compilation of RAIs being proposed for LAR 17-037 (Paul 3-19-2018).docx >>

Don Habibi
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

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The purpose of this meeting is to ensure that the RAIs for this LAR align with each other and with the general office direction.

For attendance, we are looking for sufficient representation from the technical branches responsible for Vogtle Tier 2* information (MEB, ICE, MCB, SEB, SRSB, SCVB, and HOIB) and their technical division management so that the position and concerns of each branch can be represented.

→ **ACTION: If your branch expects to issue an RAI for LAR 17-037, please send it to me prior to the meeting in time so that I can distribute it to the other involved branches.**

Please contact me if you have any questions.

Thanks
Don

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Habib, Donald
Sent: Thursday, March 22, 2018 2:01 PM
To: Jung, Ian; Mitchell, Matthew; Samaddar, Sujit; Lupold, Timothy; Carpenter, Cynthia; Caldwell, Robert; Monninger, John; Karas, Rebecca; Cranston, Gregory; Segala, John; Kent, Lauren; McGinty, Tim; Krohn, Paul; Williams, Joseph; Dixon-Herrity, Jennifer; Akstulewicz, Frank; Bradford, Anna; Zhao, Jack; Honcharik, John; Hansing, Nicholas; Scarbrough, Thomas; Jain, Bhagwat; Ashley, Clinton; Van Wert, Christopher; Green, Brian; Patel, Chandu; Coyne, Kevin; Nolan, Ryan; [REDACTED] Royer, Deanna; Brown, Frederick; Ordaz, Vonna; Hayes, Barbara; Fetter, Allen; Habib, Donald; Kallan, Paul; Taneja, Dinesh
Subject: Path Forward on Vogtle LAR 17-037/Tier 2*

Follow Up Flag: Follow up
Due By: Monday, March 26, 2018 8:00 AM
Flag Status: Completed

Categories: Red Category

Path Forward on Vogtle LAR 17-037/Tier 2*

Review Team –

Thanks for everyone's insights at the meeting this morning. Based on the meeting discussion, here is our path forward:

Public Meeting Questions: I will schedule a public meeting discussion if your branch has discussion topics or clarifications they need to address in a public teleconference with SNC, before finalizing their RAI.

- ➔ Please let me know whether you need a public meeting discussion, and send me your topics/questions so that we can schedule them.

RAIs:

- ➔ If your branch has already provided a draft RAI, please let me know if you want to change it based on today's meeting, or otherwise put a hold on it (e.g., to first have a public meeting discussion), or if I can proceed with processing it.

There may be a few cases (e.g., providing a definition for "material change" where multiple branches have a common interest. I plan to share these with other branches during the review process.

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, April 03, 2018 6:33 AM
To: Habib, Donald
Subject: RAI Status

Don,

Apologies for the delay in relaying my RAIs to you. John Segala told me he still has them. I've talked to him about them a couple times, and made some adjustments per his suggestions, so I don't anticipate any significant changes. It's just a matter of him having time to look at them.

Joe

Williams, Joseph

From: Coyne, Kevin
Sent: Friday, April 06, 2018 8:40 AM
To: Williams, Joseph
Cc: Segala, John
Subject: RE: Vogtle Tier 2* LAR Proposed ARPB RAIs

Thanks Joe –

I can stop by (or vice versa) – I think we need to give SNC some sense of how they differ from the NEI guidance – even if it is a very high level discussion (e.g., “the process steps and specific screening questions appear to differ significantly from that proposed by NEI..” – just to give you an idea of the level of detail). For the 4th question, my sense on any Vogtle LAR request is that aspirational questions are going to get kicked out – I think we’re down to a “just the facts” approach with even Office Director level of engagement on the content of RAI questions. So, to save us one round of comments with DNRL, it would be better to cut out anything that isn’t absolutely essential for the Vogtle review. To be honest, I think the comparison of the Vogtle approach to the NEI guidance could fit into the same “not essential” category, but given the generic implications you raise, I think I’d like to get that in the hopper and see if the question triggers any rethinking on SNC’s part (acknowledging they could just answer with a “we didn’t use that guidance” response...).

Kevin.

From: Williams, Joseph
Sent: Friday, April 06, 2018 6:28 AM
To: Coyne, Kevin <Kevin.Coyne@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Vogtle Tier 2* LAR Proposed ARPB RAIs

Kevin,

Regarding the second question, there is no commonality at all between the LAR and the NEI first principles, so it’s not a matter of incremental deviation that examples would illustrate. I can add the accession number.

I tried to phrase the request to apply the approach to all previous Tier 2* LARs as an aspirational goal that would be nice to have, but not mandatory. I’m personally not in a good position to identify specific examples, as I haven’t been involved in any LARs. It would be a good question to pose to the staff, if DNRL is willing. My experience to date suggests they might not be very receptive to my suggestions, so such a proposal might need strong divisional management support.

Joe

From: Coyne, Kevin
Sent: Thursday, April 05, 2018 8:25 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: Re: Vogtle Tier 2* LAR Proposed ARPB RAIs

Thanks Joe - great questions.

I know John still needs to review, but I had two questions/comments for your consideration:

- For the second question, can we point to an example or two where the SNC approach departs from the NEIO first principles document. Also, is there any ADAMS ML reference we can provide for the first principles document NEI?
- For the 4th question, I think having SNC tighten up the examples they've provided to better illustrate how the process would work is a great question. But I'm wondering if asking SNC to run all prior LARs through the screening process might be a bridge too far - can we either eliminate this broader portion of the request or provide a few specific past LAR examples where we might have concerns to focus the effort a bit more?

Thanks!

Kevin

On: 05 April 2018 15:02, "Williams, Joseph" <Joseph.Williams@nrc.gov> wrote:

Kevin,

Per our discussion, here are my proposed RAIs for the Vogtle Tier 2* LAR.

Joe

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, April 11, 2018 12:34 PM
To: Habib, Donald
Cc: Segala, John
Subject: RE: Schedule for Issuing RAIs for Vogtle LAR 17-037
Attachments: ARPB RAIs.docx

Categories: Red Category

Don,

Here are my RAIs. They have been endorsed by DSRA management.

Joe

From: Habib, Donald
Sent: Tuesday, April 10, 2018 3:34 PM
To: Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>
Cc: Cranston, Gregory <Gregory.Cranston@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Kent, Lauren <Lauren.Kent@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: Schedule for Issuing RAIs for Vogtle LAR 17-037

Tier 2* LAR Reviewers –

For the remaining RAIs to be issued, I propose the following schedule:

- All draft RAIs to be provided to DNRL PM by COB Thursday, April 12
- Technical branches to respond to comments from PM, [REDACTED] management within 2 days

The goal is to have all RAIs finished with internal review and transmitted to SNC as draft by Friday, April 20.

Please let me know whether you can support this. Thanks for your support on this review.

Thanks
Don

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Ashley, Clinton
Sent: Friday, April 13, 2018 8:27 AM
To: Van Wert, Christopher; Green, Brian; Williams, Joseph
Subject: RE: Action/Question: Coordination of Tier 2* RAI Questions: (1) Removing Detail and (2) Defining "Adverse"

I think Criterion 4's use of adverse is defined in the LAR by pointing to 50.59 guidance. I think that pointer works for SCVB.

Clint

From: Van Wert, Christopher
Sent: Friday, April 13, 2018 6:40 AM
To: Green, Brian <Brian.Green@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>
Subject: RE: Action/Question: Coordination of Tier 2* RAI Questions: (1) Removing Detail and (2) Defining "Adverse"

Hi Brian,

I've attached the RAIs that I sent to Don. My Question 4 is related to "adverse" but I didn't specifically make it general. I know the situation is a little different between Clint and I because Criterion 4 actually does sort of define adverse (by pointing to an NEI document) and Criterion 3 does not. I haven't looked to see what it says in the other sections. Similarly, my Question 3 is related to removing detail. I didn't specifically coordinate with others in the drafting of this question either.

I am more than happy to tailor my question in a more general way if it would help, or if you have a more general one already drafted which you think would cover my area, I'm happy to get rid of mine 😊

Thanks!
Chris

From: Green, Brian
Sent: Thursday, April 12, 2018 3:39 PM
To: Ashley, Clinton <Clinton.Ashley@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>
Subject: FW: Action/Question: Coordination of Tier 2* RAI Questions: (1) Removing Detail and (2) Defining "Adverse"

Hi Clinton & Christopher,

I haven't seen any discussion on this topic. I have been working on a draft RAI that addresses some of these concerns, but it is specific to the human factors modifications/process. Do either of you have drafts that are more general?

Brian

From: Habib, Donald
Sent: Monday, April 09, 2018 7:27 AM
To: Ashley, Clinton <Clinton.Ashley@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>
Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Kent, Lauren <Lauren.Kent@nrc.gov>; Cranston, Gregory <Gregory.Cranston@nrc.gov>
Subject: Action/Question: Coordination of Tier 2* RAI Questions: (1) Removing Detail and (2) Defining "Adverse"

Chris and Clint and Brian –

Can you please check with each other about whether it makes sense to combine certain RAI questions that your respective branches are interested in?

Among your three branches, the SRSB draft RAI is furthest along, and I am sharing the current draft with you.

Specifically:

- **“Removing Detail” (SRSB and HOIB)**
 - SRSB draft question 3 asks about “removing detail” not being a material change in SNC guidance for Criterion 3. HOIB has a similar concern about removing detail, as it is mentioned for SNC’s guidance for Criterion 2.
 - **“Adverse” (SRSB and SCVB)**
 - SRSB draft question 4 asks about the definition of “adverse” in the SNC guidance for Criterion 3. SCVB has a similar concern about the meaning of “adverse” as it is used in SNC’s guidance for Criterion 4.
- ➔ ACTION: Please let me know if you’d prefer that I set up or attend the meetings between you to address these questions. If not, go ahead and communicate directly with each other and let me know the outcome.

This issue should be addressed before the RAIs are issued.

Thanks
Don

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Habib, Donald
Sent: Monday, April 16, 2018 2:41 PM
To: Williams, Joseph
Subject: ARPB RAIs 4-11 PM Comments-More.docx
Attachments: ARPB RAIs 4-11 PM Comments-More.docx

Categories: Red Category

Joe –

Please use this version. I added one more (important) comment.

Thanks
Don

Williams, Joseph

From: Habib, Donald
Sent: Monday, April 16, 2018 4:08 PM
To: Jung, Ian
Cc: Zhao, Jack; Dixon-Herrity, Jennifer; Williams, Joseph
Subject: RE: INFO/Question: Questions on SNC Tier 2* LAR (ICE and ARPB)
Attachments: ARPB RAIs 4-11 PM Comments-More.docx

My thoughts:

PUBLIC MEETING. I will need to see about getting this topic on the public meeting agenda for this Thursday morning. There are already some topics, and I'd need to see if there is room for one more. For the public meeting discussion, I'll need you to provide a topic that we can send to SNC in advance of the meeting (i.e., by close of business tomorrow.) At the end of the public meeting discussion, we'd need to align with SNC on a path forward. E.g., whether SNC understands the issue sufficiently to proceed with a voluntary submittal, or whether an RAI is needed. We would also need to be in agreement about the schedule. If an RAI resulted, then this might be the last of the RAIs.

ARPB RAI. The ARPB RAI is still being worked and needs to be approved. If it makes sense to do so, we could adjust it to accommodate your question. I set up a meeting with Joe Williams to get the ball rolling, or please feel free to work with Joe Williams directly, since people's schedule are pretty full. I sent the attached markup to Joe this morning.

Thanks
Don

From: Jung, Ian
Sent: Monday, April 16, 2018 3:43 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Zhao, Jack <Jack.Zhao@nrc.gov>
Subject: INFO/Question: Questions on SNC Tier 2* LAR

After considering [REDACTED] and other proposed/issued RAIs, we are evaluating the need for an RAI for ICE. ARPB's RAIs appear to encompass our 2nd question on dealing with safety significant Tier 2* information in WCAPs. For the 1st question (on scope and consistency between systems listed versus WCAPs), it may be more efficient to have a clarification call with SNC and have them voluntarily revise the information we need. Any thoughts? Thanks. - Ian

From: Zhao, Jack
Sent: Monday, April 16, 2018 3:34 PM
To: Jung, Ian <ian.jung@nrc.gov>
Subject: Draft Email to Don

After further discussions, we decided to remove the second question in our original RAI because it seems that this specific question has been enveloped by the general RAI question raised by Joe.

As for the 1st question in our RAI, we are thinking if the licensee can clarify it on a teleconference call, we may not need to issue this RAI. So, is it possible to arrange a clarification call with the licensee?

Have a Great Day!

Jack Y. Zhao, PE

Loc. **T7J7**, MS T7E18M

NRO/DE/ICE1, USNRC

301-415-4021 (O)

301-415-5397 (fax)

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, April 17, 2018 8:56 AM
To: Segala, John
Subject: FW: INFO/Question: Questions on SNC Tier 2* LAR (ICE and ARPB)
Attachments: ARPB RAIs 4-11 PM Comments-More.docx

John,

FYI. The attached file provides DNRL feedback on my Tier 2* RAIs.

The comment on the first question is very interesting, as I think it takes the question farther than I had expected. I think it would be very beneficial if SNC described exactly what information it considers Tier 1-equivalent (i.e., "true" Tier 2*), and what is not. We would need to know how they came to that conclusion, though, so the RAI would need to also ask for a description of the process and criteria they used to make that determination. I think it's a good question, but I also doubt SNC is prepared to answer it, as I think it pretty much exactly what they are trying to avoid; they don't want to do any sort of detailed evaluation until they have a specific need identified. Otherwise, they are expending resources for something they might not need.

I don't object to the second and third questions being discussed in a public meeting, assuming there is some sort of substantial description of that discussion documented in the meeting summary. +

Don has scheduled a meeting this morning at 11 to discuss coordinating my RAI with ICE, so I'll let you know what comes out of that discussion.

Joe

From: Habib, Donald
Sent: Monday, April 16, 2018 4:08 PM
To: Jung, Ian <Ian.Jung@nrc.gov>
Cc: Zhao, Jack <Jack.Zhao@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: INFO/Question: Questions on SNC Tier 2* LAR (ICE and ARPB)

My thoughts:

PUBLIC MEETING. I will need to see about getting this topic on the public meeting agenda for this Thursday morning. There are already some topics, and I'd need to see if there is room for one more. For the public meeting discussion, I'll need you to provide a topic that we can send to SNC in advance of the meeting (i.e., by close of business tomorrow.) At the end of the public meeting discussion, we'd need to align with SNC on a path forward. E.g., whether SNC understands the issue sufficiently to proceed with a voluntary submittal, or whether an RAI is needed. We would also need to be in agreement about the schedule. If an RAI resulted, then this might be the last of the RAIs.

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Thanks
Don

From: Jung, Ian
Sent: Monday, April 16, 2018 3:43 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Zhao, Jack <Jack.Zhao@nrc.gov>
Subject: INFO/Question: Questions on SNC Tier 2* LAR

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From: Zhao, Jack
Sent: Monday, April 16, 2018 3:34 PM
To: Jung, Ian <Ian.Jung@nrc.gov>
Subject: Draft Email to Don

After further discussions, we decided to remove the second question in our original RAI because it seems that this specific question has been enveloped by the general RAI question raised by Joe.

As for the 1st question in our RAI, we are thinking if the licensee can clarify it on a teleconference call, we may not need to issue this RAI. So, is it possible to arrange a clarification call with the licensee?

Have a Great Day!

Jack Y. Zhao, PE
Loc. **T7J7**, MS T7E18M
NRO/DE/ICE1, USNRC
301-415-4021 (O)
301-415-5397 (fax)

Williams, Joseph

From: Habib, Donald
Sent: Wednesday, April 18, 2018 9:47 AM
To: WASPARKM@southernco.com
Cc: neil.haggerty@excelservices.com; Hoellman, Jordan; x2nhagge@southernco.com; Patel, Chandu; Dixon-Herrity, Jennifer; Amundson, Theodore Edwin; Hicks, Thomas E.; Williams, Joseph
Subject: RE: Question for licensee on LAR 17-037, related to emergency preparedness (EP)

Wes et al. –

Below is another additional topic regarding LAR 17-037 that the staff would like to address at the public meeting this Thursday:

Please advise if you can support the discussion topic.

Later today, I expect to send you additional topics related to that LAR for the public meeting.

Thanks

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

The LAR states that the proposed process is “functionally consistent with departure evaluation processes applied by current applications for the certification of designs that contain no Tier 2* information.” The departure evaluation process does not apply until a design is certified and a license references that certification, so it is not clear what process SNC is referring to, or why the claimed similarity is pertinent to this plant-specific LAR. Further, designs currently under review differ significantly from AP1000, with substantially different approaches to ensuring safety, so processes that might apply to one design may not be relevant to another design. Therefore, SNC is requested to identify and describe the process being referred to and its relevance to the LAR.

From: Habib, Donald
Sent: Wednesday, April 18, 2018 8:16 AM
To: 'WASPARKM@southernco.com' <WASPARKM@southernco.com>
Cc: 'neil.haggerty@excelservices.com' <neil.haggerty@excelservices.com>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; 'x2nhagge@southernco.com' <x2nhagge@southernco.com>; Patel, Chandu <Chandu.Patel@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; 'Amundson, Theodore Edwin' <X2TAMUNS@southernco.com>; Hicks, Thomas E. <X2TEHICK@southernco.com>; Barss, Dan <Dan.Barss@nrc.gov>
Subject: Question for licensee on LAR 17-037, related to emergency preparedness (EP)

Wes et al. –

Below is a discussion topic the staff would like to address at the public meeting this Thursday, related to LAR 17-037.

Later today, I expect to send you additional topics related to that LAR for the public meeting.

Please advise if you can support the discussion topic.

Thanks

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

The AP 1000 DCD, in the introduction section, in Table 1-1, "Index of AP1000 Tier 2 Information Requiring NRC Approval for Change" identifies Tier 2 References 18.8.2, 18.8.3.5, and 18.8.6. These references are to emergency preparedness items such as the location of the technical support center (TSC), TSC Interfaces, TSC Habitability, and other requirements for emergency response capabilities. Though these references point to the human factors sections where these items are addressed at a high level, more specific details are found in Section 13.3 of the Vogtle 3&4 UFSAR, and even more specifically in the site emergency plan which is a separate licensing document. Change to EP information is controlled by the requirements in 10 CFR 50.54(q). This section has criteria for what can and cannot be changed without prior NRC approval for EP matters.

How would EP matters, controlled by 10 CFR 50.54(q), screen out using the proposed screening criteria that LAR 17-037 proposes?

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, April 18, 2018 10:40 AM
To: Habib, Donald
Subject: RE: Action/Question for Public Meeting Discussion (LAR 17-037)

Don,

The issue is that Tier 2* is supposed to have safety significance equivalent to Tier 1, but there's no objective definition for Tier 1. SECY-17-0075 includes this text:

The NRC staff obtained additional stakeholder feedback in a public meeting on June 9, 2016. The staff's presentation discussed advantages and disadvantages of potential alternative approaches for use of the Tier 2* designation and any supporting activities. NEI and other industry representatives at the meeting indicated their support for ending use of the Tier 2* designation for future design certifications, reiterating views expressed in NEI's December 19, 2014, letter. **NEI and industry stakeholders agreed that objective guidance should be developed to assist in identifying Tier 1 and Tier 2 content. NEI representatives stated that the Tier 1 "first principles" described in proposed guidance in NEI 15-02, "Industry Guideline for the Development of Tier 1 and ITAAC under 10 CFR Part 52,"¹¹ provide a starting point for that effort. [emphasis added]**

Would incorporating text along these lines do the trick?

Joe

From: Habib, Donald
Sent: Wednesday, April 18, 2018 9:57 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: Action/Question for Public Meeting Discussion (LAR 17-037)

Joe –

I sent your question 3 to SNC because it was straightforward to convert it into a discussion topic.

For question 2, I did not send it because, now that I am looking at it closer, it needs to have a clearer nexus to the LAR.

In particular, the first principles document, as discussed in the question, addresses Tier 1 information while the LAR addresses Tier 2*. Based on this difference, it is immediately evident that there is a disconnect. Can you revise it to provide a clear connection? If we identify the connection, we could ask whether SNC considered it and, if so, how.

Thanks
Don

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, April 18, 2018 11:17 AM
To: Habib, Donald
Subject: Revised ARPB RAI 2
Attachments: Revised ARPB RAI 2.docx

Don,

What do you think of this revision?

Joe

Williams, Joseph

From: Habib, Donald
Sent: Wednesday, April 18, 2018 1:02 PM
To: WASPARKM@southernco.com
Cc: neil.haggerty@excelservices.com; Hoellman, Jordan; x2nhagge@southernco.com; Patel, Chandu; Dixon-Herrity, Jennifer; Amundson, Theodore Edwin; Hicks, Thomas E.; Williams, Joseph; Jung, Ian; Zhao, Jack; Barss, Dan; Vogtle PEmails
Subject: One More Additional Question for licensee on LAR 17-037

Wes et al. –

Below is the 3rd and final discussion topic for tomorrow's public meeting related to LAR 17-037.

This email trail captures all 3 of the topics for LAR 17-037.

Thank you

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Topic: Clarify the Use of Proposed Criterion 2 on Design Processes for I&C including Component Interface Module (CIM) and Diverse Actuation Systems (DAS)

Only the following five technical or topical reports, as a whole, are designated as Tier 2* items:

- WCAP-17201-P, "AC160 High Speed Link Communication Compliance to DI&C-ISG-04 Staff Position 9, 12, 13, and 15," Rev. 0
- WCAP-15927, "Design Process for AP1000 Common Q Safety Systems," Rev. 2
- WCAP-17179, "AP1000 Component Interface Module Technical Report," Rev. 2
- WCAP-16097-P-A, "Common Qualified Platform," Rev. 0
- WCAP-16096-NP-A, "Software Program Manual for Common Q Systems," Rev. 01A

- (1) The staff is not aware of any Tier 2* information for the DAS, including its design process. The staff notices that there is a discussion in the LAR of the DAS including "...this new criterion does not allow any material change to a design process" on Page 11 of 19. Is there any Tier 2* information in any of the WCAPs above for the DAS that the staff is not aware of?
- (2) Does Criterion 2 also cover the design processes for the CIM? This clarification is helpful, although the CIM design process is briefly discussed in Tier 1 under the PMS description, WCAP-17179 indicates that the CIM interfaces with the PMS and other systems indicating that it is separate from the PMS. The staff understands that the CIM design process is different from that for the PMS.

From: Habib, Donald
Sent: Wednesday, April 18, 2018 9:47 AM
To: 'WASPARKM@southernco.com' <WASPARKM@southernco.com>
Cc: 'neil.haggerty@excelservices.com' <neil.haggerty@excelservices.com>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; 'x2nhagge@southernco.com' <x2nhagge@southernco.com>; Patel, Chandu <Chandu.Patel@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; 'Amundson, Theodore Edwin' <X2TAMUNS@southernco.com>; 'Hicks, Thomas E.' <X2TEHICK@southernco.com>; Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: Question for licensee on LAR 17-037, related to emergency preparedness (EP)

Wes et al. –

Below is another additional topic regarding LAR 17-037 that the staff would like to address at the public meeting this Thursday:

Please advise if you can support the discussion topic.

Later today, I expect to send you additional topics related to that LAR for the public meeting.

Thanks

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

The LAR states that the proposed process is “functionally consistent with departure evaluation processes applied by current applications for the certification of designs that contain no Tier 2* information.” The departure evaluation process does not apply until a design is certified and a license references that certification, so it is not clear what process SNC is referring to, or why the claimed similarity is pertinent to this plant-specific LAR. Further, designs currently under review differ significantly from AP1000, with substantially different approaches to ensuring safety, so processes that might apply to one design may not be relevant to another design. Therefore, SNC is requested to identify and describe the process being referred to and its relevance to the LAR.

From: Habib, Donald
Sent: Wednesday, April 18, 2018 8:16 AM
To: 'WASPARKM@southernco.com' <WASPARKM@southernco.com>
Cc: 'neil.haggerty@excelservices.com' <neil.haggerty@excelservices.com>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; 'x2nhagge@southernco.com' <x2nhagge@southernco.com>; Patel, Chandu <Chandu.Patel@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; 'Amundson, Theodore Edwin' <X2TAMUNS@southernco.com>; Hicks, Thomas E. <X2TEHICK@southernco.com>; Barss, Dan <Dan.Barss@nrc.gov>
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Below is a discussion topic the staff would like to address at the public meeting this Thursday, related to LAR 17-037.

Later today, I expect to send you additional topics related to that LAR for the public meeting.

Please advise if you can support the discussion topic.

Thanks

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
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The AP 1000 DCD, in the introduction section, in Table 1-1, "Index of AP1000 Tier 2 Information Requiring NRC Approval for Change" identifies Tier 2 References 18.8.2, 18.8.3.5, and 18.8.6. These references are to emergency preparedness items such as the location of the technical support center (TSC), TSC Interfaces, TSC Habitability, and other requirements for emergency response capabilities. Though these references point to the human factors sections where these items are addressed at a high level, more specific details are found in Section 13.3 of the Vogtle 3&4 UFSAR, and even more specifically in the site emergency plan which is a separate licensing document. Change to EP information is controlled by the requirements in 10 CFR 50.54(q). This section has criteria for what can and cannot be changed without prior NRC approval for EP matters.

How would EP matters, controlled by 10 CFR 50.54(q), screen out using the proposed screening criteria that LAR 17-037 proposes?

Williams, Joseph

From: Habib, Donald
Sent: Wednesday, April 18, 2018 1:10 PM
To: Williams, Joseph
Subject: Revised ARPB RAI 2.docx
Attachments: Revised ARPB RAI 2.docx

Joe –

Was this intended to be for the public meeting? If so, please let me know. I made a minor edit assuming that was the case. Can you please look at it?

Or was this intended to be an RAI?

Thanks
Don

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, April 18, 2018 1:14 PM
To: Habib, Donald
Subject: RE: Revised ARPB RAI 2.docx

Don,

I intended it for the public meeting. The edit looks OK to me.

Joe

From: Habib, Donald
Sent: Wednesday, April 18, 2018 1:10 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: Revised ARPB RAI 2.docx

Joe –

Was this intended to be for the public meeting? If so, please let me know. I made a minor edit assuming that was the case. Can you please look at it?

Or was this intended to be an RAI?

Thanks
Don

Williams, Joseph

From: Habib, Donald
Sent: Wednesday, April 18, 2018 4:18 PM
To: Williams, Joseph
Subject: [REDACTED] and Comment on Tier 2* LAR
Attachments: Revised ARPB RAI 1 [REDACTED].docx.docx

Joe –

Here is a markup of “our” RAI [REDACTED].

Thanks
Don

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Habib, Donald
Sent: Wednesday, April 18, 2018 8:44 AM
To: [REDACTED]

Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>

Subject: Tier 2* LAR - [REDACTED]

[REDACTED]

Attached is another RAI for LAR 17-037 that [REDACTED]

Thanks
Don

From: Williams, Joseph

Sent: Wednesday, April 18, 2018 8:19 AM

To: Habib, Donald <Donald.Habib@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Jung, Ian <ian.Jung@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>

Subject: SNC Tier 2* LAR - Revised ARPB RAI 1

Don,

Per our conversation yesterday, here is a revised RAI reflecting your feedback. In addition to your comment suggesting we ask for identification of specific Tier 2* information considered to be Tier 1 equivalent, I added text requesting for a description of the methodology used to make that determination. A description of the method is important because it helps ensure the staff understands exactly what we are buying into. If we agree the method is good, then the staff can use it to better understand the potential outcomes. It also provides a basis for further discussion with SNC when there are discrepancies between their evaluation and ours.

Joe

Williams, Joseph

From: Williams, Joseph
Sent: Thursday, April 19, 2018 8:32 AM
To: Habib, Donald; [REDACTED]
Cc: Dixon-Herrity, Jennifer
Subject: RE: [REDACTED] and Comment on Tier 2* LAR
Attachments: Revised ARPB RAI 1 [REDACTED] JFW response.docx

Don, et al.,

I'm fine with the editorial suggestions.

The attached file provides responses to [REDACTED]

[REDACTED] Perhaps it's worth a discussion in one of the routine public meetings?

I'm happy to meet with folks if that would be helpful.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

From: Habib, Donald
Sent: Wednesday, April 18, 2018 4:18 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: [REDACTED] and Comment on Tier 2* LAR

Joe –

Here is a markup of "our" RAI [REDACTED].

Thanks
Don

[REDACTED]

From: Habib, Donald

Sent: Wednesday, April 18, 2018 8:44 AM

To: [REDACTED]

Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>

Subject: Tier 2* LAR - [REDACTED]

[REDACTED]

Attached is another RAI for LAR 17-037 that [REDACTED]

Thanks
Don

From: Williams, Joseph

Sent: Wednesday, April 18, 2018 8:19 AM

To: Habib, Donald <Donald.Habib@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Jung, Ian <ian.Jung@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>

Subject: SNC Tier 2* LAR - Revised ARPB RAI 1

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Joe

Williams, Joseph

From: Habib, Donald
Sent: Monday, April 23, 2018 8:41 AM
To: Williams, Joseph
Cc: [REDACTED]
Subject: Revised ARPB RAI 1 [REDACTED] 4-23.docx
Attachments: Revised ARPB RAI 1 [REDACTED] 4-23.docx

Joe –

Here is the RAI back, with everything incorporated except for [REDACTED]. As you suggested, please edit the RAI to address the outstanding comment, and then email it back to [REDACTED]

Thanks
Don

Williams, Joseph

From: Williams, Joseph
Sent: Monday, April 23, 2018 9:55 AM
To: Habib, Donald
Cc: [REDACTED]
Subject: RE: Revised ARPB RAI 1 [REDACTED] 4-23.docx
Attachments: Revised ARPB RAI 1 [REDACTED] 4-23 JFW revision.docx

Don,

Here's a revised RAI for your consideration. I added some text to the consistency topic that I hope makes it clear what I'm trying to address. I also added some paragraph breaks intended to make it a bit easier to read.

Joe

From: Habib, Donald
Sent: Monday, April 23, 2018 8:41 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: [REDACTED]
Subject: Revised ARPB RAI 1 [REDACTED] 4-23.docx

Joe –

Here is the RAI back, with everything incorporated except for [REDACTED]. As you suggested, please edit the RAI to address the outstanding comment, and then email it back to [REDACTED]

Thanks
Don

Williams, Joseph

From: Habib, Donald
Sent: Monday, April 23, 2018 10:16 AM
To: Williams, Joseph
Cc: [REDACTED]
Subject: RE: Revised ARPB RAI 1 [REDACTED] 4-23.docx

[REDACTED]

[REDACTED]

Thanks
Don

From: Williams, Joseph
Sent: Monday, April 23, 2018 9:55 AM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: [REDACTED]
Subject: RE: Revised ARPB RAI 1 [REDACTED] 4-23.docx

Don,

Here's a revised RAI for your consideration. I added some text to the consistency topic that I hope makes it clear what I'm trying to address. I also added some paragraph breaks intended to make it a bit easier to read.

Joe

From: Habib, Donald
Sent: Monday, April 23, 2018 8:41 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: [REDACTED]
Subject: Revised ARPB RAI 1 [REDACTED] 4-23.docx

Joe –

Here is the RAI back, with everything incorporated except for [REDACTED]. As you suggested, please edit the RAI to address the outstanding comment, and then email it back to [REDACTED]

Thanks
Don

Williams, Joseph

From: Habib, Donald
Sent: Tuesday, April 24, 2018 4:01 PM
To: [REDACTED]
Cc: Williams, Joseph
Subject: FW: Revised ARPB RAI 1 [REDACTED] 4-23.docx
Attachments: Revised ARPB RAI 1 [REDACTED] 4-23 JE and RMW - JFW reply.docx

[REDACTED]

Please get back to me about Joe's comments and edits, and if these are acceptable.

Thanks
Don

From: Williams, Joseph
Sent: Tuesday, April 24, 2018 7:16 AM
To: [REDACTED] Habib, Donald <Donald.Habib@nrc.gov>
Cc: [REDACTED]
Subject: RE: Revised ARPB RAI 1 [REDACTED] 4-23.docx

[REDACTED]

[REDACTED]

Joe

From: Williams, Joseph
Sent: Monday, April 23, 2018 9:55 AM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: [REDACTED]
Subject: RE: Revised ARPB RAI 1 [REDACTED] 4-23.docx

Don,

Here's a revised RAI for your consideration. I added some text to the consistency topic that I hope makes it clear what I'm trying to address. I also added some paragraph breaks intended to make it a bit easier to read.

Joe

From: Habib, Donald

Sent: Monday, April 23, 2018 8:41 AM

To: Williams, Joseph <Joseph.Williams@nrc.gov>

Cc: [REDACTED]

Subject: Revised ARPB RAI 1 [REDACTED] 4-23.docx

Joe –

Here is the RAI back, with everything incorporated except for a [REDACTED]. As you suggested, please edit the RAI to address the outstanding comment, and then email it back [REDACTED]

Thanks

Don

Williams, Joseph

From: Habib, Donald
Sent: Tuesday, April 24, 2018 4:21 PM
To: [REDACTED]
Cc: [REDACTED] Dixon-Herrity, Jennifer; Zhao, Jack; Williams, Joseph
Subject: UPDATE/ACTION: Status of Vogtle LAR 17-037 RAIs
Attachments: Proposed LB4 RAI Question 2 4-24-18.docx

[REDACTED]

Please review and comment. This is the last RAI question that I am aware of.

Here is the status of the RAIs, as I understand them:

- ICE – Awaiting confirmation from tech staff (Jack Zhao) [REDACTED]
- ARPB – [REDACTED]
- LB4 Q1 – With PM (Don Habib) [REDACTED]
- LB4 Q2 – New, [REDACTED]
- SRSB – On hold pending consultation with NRR

My expectation is that we could complete all of these (except SRSB) within the next day or so.

Thanks
Don

Williams, Joseph

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: Williams, Joseph

Sent: Tuesday, April 24, 2018 7:16 AM

To: [Redacted] Habib, Donald <Donald.Habib@nrc.gov>

Cc: [Redacted]

Subject: RE: Revised ARPB RAI 1 [Redacted] 4-23.docx

[Redacted]

[Redacted]

Joe

[Redacted]

[Redacted]

[Redacted]

From: Williams, Joseph

Sent: Monday, April 23, 2018 9:55 AM

To: Habib, Donald <Donald.Habib@nrc.gov>

Cc: [Redacted]

[REDACTED]
Subject: RE: Revised ARPB RAI 1 [REDACTED] 4-23.docx

Don,

Here's a revised RAI for your consideration. I added some text to the consistency topic that I hope makes it clear what I'm trying to address. I also added some paragraph breaks intended to make it a bit easier to read.

Joe

From: Habib, Donald
Sent: Monday, April 23, 2018 8:41 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: [REDACTED]

Subject: Revised ARPB RAI 1 [REDACTED] 4-23.docx

Joe –

Here is the RAI back, with everything incorporated except for [REDACTED]. As you suggested, please edit the RAI to address the outstanding comment, and then email it back to [REDACTED]

Thanks
Don

Williams, Joseph

From: Habib, Donald
Sent: Thursday, April 26, 2018 7:33 AM
To: Bradford, Anna; Dixon-Herrity, Jennifer
Cc: Taylor, Robert; Williams, Joseph
Subject: RE: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Anna –

It is based principally on SECY-17-0075, and the discussion in the SECY about controls on Tier 1 and Tier 2* information.

Don

From: Bradford, Anna
Sent: Wednesday, April 25, 2018 5:19 PM
To: Habib, Donald <Donald.Habib@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Cc: Taylor, Robert <Robert.Taylor@nrc.gov>
Subject: RE: Revised ARPB RAI 1 4-25-18 to DNRL.docx

And what is the regulatory basis for this RAI?

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-415-1560

From: Habib, Donald
Sent: Wednesday, April 25, 2018 4:00 PM
To: Bradford, Anna <Anna.Bradford@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Cc: Taylor, Robert <Robert.Taylor@nrc.gov>
Subject: RE: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Anna –

The intent of the RAI, I believe, is to provide more substance on the docket about why SNC's criteria are sufficient, based on the SNC identified in their submittal. The description of what they did is pretty high-level. The submittal states:

SNC performed an analysis of the Tier 2* matters listed in 10 CFR Part 52, Appendix D, Section VIII paragraphs B.6.b and B.6.c. The analysis examined each item in terms of the following criteria:

- Degree to which the Tier 2* information is not addressed in the following but meets Tier 1 inclusion criteria:
 - VEGP 3 and 4 Plant-specific Tier 1 Design Control Document (DCD), or
 - VEGP 3 and 4 Combined License (COL), or
 - Applicable regulations, e.g., 10 CFR 50.46
- Degree to which Codes, standards, and design and qualification process, are relied upon for ITAAC acceptance criteria, but not specified in the VEGP 3 and 4 Plant-specific Tier 1

DCD

- Safety-significance
- Degree to which 10 CFR Part 52, Appendix D, Section VIII.B.5 would effectively evaluate a Tier 2* departure

From there, SNC states that they identified the 4 criteria, and which are the substance of the LAR.

Don

From: Bradford, Anna
Sent: Wednesday, April 25, 2018 3:15 PM
To: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Cc: Habib, Donald <Donald.Habib@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>
Subject: RE: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Jen and Don,

Does this RAI make sense to you? It says to “provide a discussion of how the process described in the proposed amendment clearly differentiates between Tier 2* information with safety significance commensurate with Tier 1 and other information which does not warrant the same level of control.”

Isn't the point of the entire LAR itself to explain this very point? I guess I'm not sure exactly what more we are asking SNC to provide to satisfy this RAI.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-415-1560

From: Dixon-Herrity, Jennifer
Sent: Wednesday, April 25, 2018 11:06 AM
To: Bradford, Anna <Anna.Bradford@nrc.gov>
Cc: Habib, Donald <Donald.Habib@nrc.gov>
Subject: FW: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Anna, here is the RAI from ARPB. Please let Don know if he can go ahead and forward it or if you see issues. Thank you,

Jen

From: Habib, Donald
Sent: Wednesday, April 25, 2018 10:55 AM
To: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Jen –

This RAI has been [REDACTED] and is ready for your/Anna's review.

Thanks

Don

Williams, Joseph

From: Williams, Joseph
Sent: Thursday, April 26, 2018 8:28 AM
To: Bradford, Anna; Habib, Donald
Cc: Taylor, Robert; Dixon-Herrity, Jennifer; Segala, John; Monninger, John; Coyne, Kevin
Subject: RE: Revised ARPB RAI 1 4-25-18 to DNRL.docx

[REDACTED]

Joe

From: Bradford, Anna
Sent: Thursday, April 26, 2018 8:21 AM
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Cc: Taylor, Robert <Robert.Taylor@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Subject: Re: Revised ARPB RAI 1 4-25-18 to DNRL.docx

[REDACTED]

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-[415-1560](tel:301-415-1560)

On: 26 April 2018 07:33,
"Williams, Joseph" <Joseph.Williams@nrc.gov> wrote:

[REDACTED] [REDACTED]

To complete the SE, the staff needs to confirm the proposed process is consistent with Commission expectations per the design certification rule and various Commission papers, as discussed in SECY-17-0075. Like Don says, what's in the LAR is high level. My opinion is that that LAR addresses issues in a symptomatic rather than a systematic fashion (e.g., criteria focused on specific topics as opposed to broadly applicable criteria like 50.59), so it's difficult to ensure consistency across all Tier 2* within the scope of the process.

Just so everyone is clear, I think it's a good idea to find a way to fix Tier 2*. I just think we need to be very careful about how we do it. I have a lot of sympathy for SNC in trying to address the problems, but NRC and the licensees will be living with the decisions we make here for 60 years or more, so it's important to be sure we're getting it right.

Joe

From: Habib, Donald
Sent: Wednesday, April 25, 2018 4:39 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Taylor, Robert <Robert.Taylor@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>
Subject: RE: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Joe – Please read the concern below, and my response. Do you want to add anything?
Don

From: Habib, Donald
Sent: Wednesday, April 25, 2018 4:00 PM
To: Bradford, Anna <Anna.Bradford@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Cc: Taylor, Robert <Robert.Taylor@nrc.gov>
Subject: RE: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Anna –

The intent of the RAI, I believe, is to provide more substance on the docket about why SNC's criteria are sufficient, based on the SNC identified in their submittal. The description of what they did is pretty high-level. The submittal states:

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From there, SNC states that they identified the 4 criteria, and which are the substance of the LAR.

Don

From: Bradford, Anna
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To: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
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Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-415-1560

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Sent: Wednesday, April 25, 2018 11:06 AM
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Subject: FW: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Anna, here is the RAI from ARPB. Please let Don know if he can go ahead and forward it or if you see issues. Thank you,

Jen

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To: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Jen –

This RAI has been [REDACTED] and is ready for your/Anna's review.

Thanks
Don

Williams, Joseph

From: Bradford, Anna
Sent: Thursday, April 26, 2018 8:31 AM
To: Habib, Donald; Williams, Joseph
Cc: Taylor, Robert; Dixon-Herrity, Jennifer; Segala, John; Monninger, John; Coyne, Kevin
Subject: Re: Revised ARPB RAI 1 4-25-18 to DNRL.docx

[REDACTED] then I am ok with it. Thanks.

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-[415-1560](tel:415-1560)

On: 26 April 2018 08:28,
"Habib, Donald" <Donald.Habib@nrc.gov> wrote:

We had a few emails back and forth, with a number of comments and edits. In the end, the entire RAI was found acceptable, but I can get those emails, if needed.

From: Bradford, Anna
Sent: Thursday, April 26, 2018 8:21 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>
Cc: Taylor, Robert <Robert.Taylor@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Subject: Re: Revised ARPB RAI 1 4-25-18 to DNRL.docx

[REDACTED]

Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-[415-1560](tel:415-1560)

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Cc: Taylor, Robert <Robert.Taylor@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>
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From: Habib, Donald
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To: Bradford, Anna <Anna.Bradford@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
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Cc: Habib, Donald <Donald.Habib@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>
Subject: RE: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Jen and Don,

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Anna H. Bradford
Deputy Director
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
301-415-1560

From: Dixon-Herrity, Jennifer
Sent: Wednesday, April 25, 2018 11:06 AM
To: Bradford, Anna <Anna.Bradford@nrc.gov>
Cc: Habib, Donald <Donald.Habib@nrc.gov>
Subject: FW: Revised ARPB RAI 1 4-25-18 to DNRL.docx

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Jen

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To: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: Revised ARPB RAI 1 4-25-18 to DNRL.docx

Jen –

This RAI has been [REDACTED] and is ready for your/Anna's review.

Thanks
Don

Williams, Joseph

From: Habib, Donald
Sent: Friday, April 27, 2018 10:26 AM
To: WASPARKM@southernco.com
Cc: Patel, Chandu; ptapscot@southernco.com; Chamberlain, Amy Christine; Vogtle PEmails; Dixon-Herrity, Jennifer; Williams, Joseph; Amundson, Theodore Edwin; Hicks, Thomas E.; x2nhagge@southernco.com; neil.haggerty@excelservices.com; Segala, John
Subject: Draft RAI Related to Vogtle Units 3 and 4 LAR 17-037 Regarding Tier 2* Departure Process
Attachments: ARPB - RAI_9544 for LAR 17-037 Draft to SNC.docx
Categories: Red Category

To All –

Attached is a draft RAI related to Vogtle Units 3 and 4 LAR 17-037 regarding the Tier 2* departure process.

If you would like to schedule a clarification conference call to discuss this RAI, please let me know before Noon on Wednesday, May 2, 2018. If no request for a conference call is received, this RAI will be issued as final.

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
301-415-1035

Williams, Joseph

From: Habib, Donald
Sent: Monday, April 30, 2018 10:40 AM
To: Barss, Dan; Williams, Joseph; Zhao, Jack
Cc: Hoellman, Jordan
Subject: For Review: Input to Summary of April 19 2018 Public Meeting - LAR 17-037

Dan, Joe, and Jack –

Please review and edit the information below that is to be included in the meeting summary of the April 19, 2018, public meeting.

Thanks
Don

The third topic discussed involved three discussion topics related to LAR 17-037—emergency planning (EP), the overall process to be used by the licensee, and instrumentation and control.

EMERGENCY PLANNING. Regarding the Emergency Planning (EP) discussion topic, the question posed to the licensee was: how would emergency plan changes, controlled by 10 CFR 50.54(q), screen out using the proposed screening criteria that LAR 17-037 proposes? SNC indicated that proposed changes are first screen through an “applicability determination process” to identify appropriate requirements that would apply to the intended changes. Through this screening, items related to EP would be determined to be governed by 10 CFR 50.54(q) and the applicable site process for such EP changes would be used, and not the proposed screening process in LAR 17-037 for Tier 2* items. The staff noted that SNC’s response clarified how emergency plan changes would be screened and handled using existing licensee processes to identify the applicable regulatory requirements of 10 CFR 50.54(q), for such EP changes and not the screening criteria that LAR 17-037 proposes. The staff had no additional questions on this discussion topic.

TIER 2* PROCESS. Regarding how the process proposed in LAR 17-037 is consistent with the process being used for current applications for design certifications that contain no Tier 2* information, SNC indicated that the language used in the LAR could be more clear and noted that the intention of the statement is that the outcomes of applying the proposed processes, whatever the processes would be, would result in similar outcomes for information of safety significance that requires NRC approval. The staff noted that they understood SNC’s response, but noted that the statement in the submittal is confusing and cannot be used by the staff to support its safety finding. The staff noted that it would consider whether a request for additional information (RAI) is necessary.

I&C. Regarding the instrumentation and controls (I&C) discussion topic, the staff asked about how the design processes for the Diverse Actuation Systems (DAS) and Component Interface Module (CIM) would be addressed under the proposed license condition proposed in LAR 17-037. SNC noted that (1) the DAS was addressed in AP1000 Tier 1 information, and (2) SNC had considered the CIM to be part of the Protection and Safety Monitoring System (PMS), which they had previously identified as a design process covered by the license condition. The staff responded that it would proceed to issue this question as an RAI.

Thanks!
Jordan

Jordan Hoellman

Project Manager

NRO / DNRL / LB4

U.S. Nuclear Regulatory Commission

office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

Williams, Joseph

From: Habib, Donald
Sent: Tuesday, May 01, 2018 12:32 PM
To: Williams, Joseph
Subject: RE: Revised ARPB - RAI_9544 for LAR 17-037 Draft to SNC

Looks good. Thanks!

From: Williams, Joseph
Sent: Tuesday, May 01, 2018 10:55 AM
To: Habib, Donald <Donald.Habib@nrc.gov>
Subject: Revised ARPB - RAI_9544 for LAR 17-037 Draft to SNC

Don,

Edits in redline/strikeout in the attached file. Look OK to you?

Joe

Williams, Joseph

From: Habib, Donald
Sent: Thursday, May 03, 2018 11:29 AM
To: Zhao, Jack; Williams, Joseph; Green, Brian
Cc: Jung, Ian; Segala, John; Kent, Lauren; Dixon-Herrity, Jennifer; Bradford, Anna
Subject: Final RAIs issued for Vogtle Tier 2* LAR (ML18121A437)

Categories: Red Category

Jack, Joe, and Brian –

Here is the ADAMS link for the Final RAIs we issued (ICE, ARPB, HOIB, LB4).

As a result of the clarification call about the HOIB, ARPB, and LB4 draft RAIs, we proceeded to issue the final RAIs. (Note that SNC did not request a clarification on the ICR draft RAI.)

The ICE and HOIB RAIs are unchanged from the drafts. The ARPB and LB4 RAIs incorporate revisions discussed in the clarification call.

I'll keep you apprised on the receipt of any draft or final responses.

Don

[View ADAMS Properties ML18121A437](#)

[Open ADAMS Document \(2018/05/01 Vogtle COL Docs - RAI Transmittal for Vogtle 3 and 4 LAR 17-037 \(RAI LAR 17-037-5, -6, -7, and -8\)\)](#)

Williams, Joseph

From: Habib, Donald
Sent: Friday, May 04, 2018 3:16 PM
To: Williams, Joseph
Subject: RE: Tier 2* Policy Question

Joe –

Regarding the Fred Brown briefing, my understanding is that, once we make a decision about approving (or not approving) the LAR, then we'll schedule a briefing with Fred to discuss how the decision will be communicated to the Commission, and I will definitely include you in that.

As for the relationship between NEI First Principles and the LAR, I recall (vaguely) we discussed it at the public teleconference you attended, but I can't recall the details. I would need to check my notes. I should also mention that Frank AZ mentioned it at the public meeting yesterday, but there was not a substantive discussion on that topic. Frank just to advised Russ Bell that NRC was looking forward to the next interaction with NEI to make progress on that front. Something like that . . .

Please call me if you wish to discuss.

Thanks
Don

From: Williams, Joseph
Sent: Friday, May 04, 2018 2:46 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Subject: RE: Tier 2* Policy Question

Don,

Any update regarding a briefing to address the policy issues?

Also, I've lost track of where we are going with the RAI I wrote regarding examples of how the criteria would for all Tier 2* amendments. I've also lost track of whatever is planned regarding the relationship between the NEI First Principles and the LAR; it's my recollection we planned to discuss that in a public meeting.

Joe

From: Habib, Donald
Sent: Wednesday, April 25, 2018 2:02 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: Tier 2* Policy Question

Will do!

From: Williams, Joseph
Sent: Wednesday, April 25, 2018 1:17 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: RE: Tier 2* Policy Question

Don,

Please keep me informed of plans for briefing Fred, and include me in the invitation. I'd also like to know if there has been any discussion with him about the policy question beforehand.

Joe

From: Habib, Donald
Sent: Wednesday, April 25, 2018 12:49 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: RE: Tier 2* Policy Question

Joe –

I deferred the meeting with Fred because I wasn't clear what our briefing message would be. However, this was my action and, though my management has not been pressing me for the meeting, I need to follow up with them. And if appropriate, get something on Fred's calendar in the near term.

Don

From: Williams, Joseph
Sent: Wednesday, April 25, 2018 12:43 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Tier 2* Policy Question

Don,

Based upon the discussion with Frank, et al., several weeks ago, it was my understanding that a briefing for Fred would be scheduled to solicit an office-level decision. I will be very disappointed if DNRL has changed its mind and now plans to proceed without thoroughly vetting the policy question. Is that the case?

Joe

From: Habib, Donald
Sent: Wednesday, April 25, 2018 10:28 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: Tier 2* Policy Question

Joe –

I sense we are moving in the direction of approving this LAR, but it is too early to tell. We are not there yet. I see the approval decision as tied to the preparation of the SER, and expect that to begin (for me) in late May.

At least, that is my current thinking.

Thanks
Don

From: Williams, Joseph
Sent: Wednesday, April 25, 2018 9:43 AM

To: Habib, Donald <Donald.Habib@nrc.gov>

Subject: Tier 2* Policy Question

Don,

When do you plan to address the question regarding the need to write a Commission paper regarding the LAR?

Joe

Williams, Joseph

From: Monninger, John
Sent: Monday, May 14, 2018 11:40 AM
To: Williams, Joseph; Segala, John; Coyne, Kevin
Subject: RE: Decision Regarding Tier 2* Commission Paper

Categories: Red Category

Joe,

Thanks for flagging the issue. I believe last week you mentioned the forthcoming meeting with Fred, and I was under the impression you were attending. Can you drop by to provide any additional insights you have on the meeting (who attended, agenda, topics discussed)?

Thanks,
John

From: Williams, Joseph
Sent: Monday, May 14, 2018 11:13 AM
To: Segala, John <John.Segala@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Subject: Decision Regarding Tier 2* Commission Paper
Importance: High

I had a message from Don Habib where he informed me that Anna Bradford had a conversation with Fred Brown about how to engage the Commission on issues associated with the Vogtle Tier 2* LAR. Don tells me that Fred has decided to conduct a CA briefing, as opposed to writing a Commission paper on the topic. Fred was apparently informed that some staff could have concerns about this decision, and he replied that they are free to communicate with him via the Open Door policy.

I am very disappointed in how this topic has been handled. In cases where I identified specific potential policy questions many months ago, I shouldn't have to use the Open Door policy to bring those issues to my management's attention and express my views in my own words on an equal footing. DNRL staff and management were well aware of my concerns, and well aware of my interest in participating in any management discussion. I have been extremely patient awaiting an opportunity to engage office level management on this topic. That patience has been rewarded with an end run discussion where I have no confidence my views were fairly represented.

This episode is a prime example of a cultural issue along the lines of what I tried to describe at the DSRA all hands meeting last week. It is frankly a high-handed management approach, deeply disrespectful of staff views. It is contrary to our values of openness and cooperation, and inconsistent with Speed of Trust principles we are supposedly embracing.

I am considering how I'm going to respond to this decision and the associated process, and welcome any feedback you may have.

Thanks.

Joe

Williams, Joseph

From: Hoellman, Jordan
Sent: Thursday, May 17, 2018 4:32 PM
To: Williams, Joseph; Van Wert, Christopher; Nolan, Ryan; Green, Brian
Cc: Segala, John; Karas, Rebecca; Kent, Lauren; Habib, Donald; Patel, Chandu; Dixon-Herrity, Jennifer
Subject: FW: Draft RAI responses for LAR-17-037, Changes to Tier 2* Departure Evaluation Process
Attachments: RAI LAR 17-037-5_eRAI 9514_HOIB (Draft to NRC-051718).pdf; RAI LAR 17-037-6_eRAI 9542_LB4 (Draft to NRC-051718).pdf; RAI LAR 17-037-7_eRAI 9544_ARPB (Draft to NRC-051718).pdf; RAI LAR 17-037-9_eRAI 9524_SRSB (Draft to NRC-051718).pdf

Follow Up Flag: Follow up
Due By: Tuesday, May 29, 2018 8:00 AM
Flag Status: Completed

Joe, Chris, Ryan, and Brian –

Please see SNC's draft RAI responses to your RAIs for Vogtle LAR 17-037. We are scheduled to discuss these draft RAI responses during next week's public meeting on May 24th from 9am-12pm (you should have already received the scheduler).

Please review the draft responses and let me know if the draft responses address your RAI questions or you have any concerns.

If you have any questions, please let me know.

Thank you,
Jordan

Jordan Hoellman
Project Manager
NRO / DNRL / LB4
U.S. Nuclear Regulatory Commission
office: OWFN 08-C18
phone: (301) 415-5481
email: Jordan.Hoellman2@nrc.gov

From: Haggerty, Neil [mailto:X2NHAGGE@SOUTHERNCO.COM]
Sent: Thursday, May 17, 2018 4:19 PM
To: Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Cc: Habib, Donald <Donald.Habib@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Sparkman, Wesley A. <WASPARKM@southernco.com>; Aughtman, Amy G. <AGAUGHTM@SOUTHERNCO.COM>; Amundson, Theodore Edwin <X2TAMUNS@southernco.com>; Hicks, Thomas E. <X2TEHICK@southernco.com>; Redd, Jason P. <JPREDD@southernco.com>
Subject: [External_Sender] Draft RAI responses for LAR-17-037, Changes to Tier 2* Departure Evaluation Process

Jordan,

The attached draft responses are provided for Staff review. These are in response to RAIs issued by the staff to support their review of LAR-17-037, Changes to Tier 2* Departure Evaluation Process.

Please provide these response to the appropriate staff to allow their review in advance of next Thursday's Public meeting/call.

If the staff reviewers find that the response is sufficient to allow their review to continue, please provide this feedback to us, and we exclude it from the list of topics to be discussed in next Thursday's meeting/call.

I will likely have one or two more draft RAIs to provide to you in the next couple of days.

Please let me know if you have any questions or comments regarding these draft responses.

Thank you,

Neil Haggerty

Neil Haggerty | Southern Nuclear Operating Company

Nuclear Development Regulatory Affairs – VEGP 3&4 Licensing

SNC-Inverness: 205.992.7047 | office: 301.874.8537 | mobile: 240.566.2442

x2nhagge@southernco.com

neil.haggerty@excelservices.com

This e-mail and any attachments thereto are intended only for the use by the addressee(s) named herein and may contain proprietary and confidential information. If you have received this e-mail in error, please immediately notify me by telephone and permanently delete the original and any copy of any e-mail and any printout thereof.

Williams, Joseph

From: Habib, Donald
Sent: Thursday, May 31, 2018 1:30 PM
To: Green, Brian; Williams, Joseph; Lupold, Timothy; Hoellman, Jordan
Subject: Action/Review: Tier 2* LAR: Summary of 5/31 Public Meeting Discussion

Tim, Joe, and Brian –

For the 5/31 public meeting regarding Tier 2* matters, please review the material below which I propose to include in the meeting summary. **Please reply with any changes, and include a cc to Jordan Hoellman.**

The staff discussed three aspects of SNC's LAR 17-037:

- **Code Compliance.** The staff made general remarks about the how future code alternatives should be handled in light of potential approval of LAR 17-037. The staff does not object to making the reference to the code material Tier 2 from Tier 2*, but we want to emphasize that if SNC intends to deviate from ASME Section III code requirements, then it will need to follow the process established in 10 CFR 50.55a for alternatives and relief requests, and not apply the 50.59 like process. The language in the supplemental RAI response related to the example using the words “adverse” raises a concern. In the instance used, this would be associated with the B31.1 Code, which does not fall under the purview of 10 CFR 50.55a. In this case, while using the 50.59 like process to deviate would be acceptable, this approach would not be the same for ASME Section III, where the 10 CFR 50.55a regulations would apply.
- **RAI 17-037-7 Draft Response.** The staff provided feedback on SNC's 5/22 draft response to RAI 17-037-7. In response, SNC indicated it planned to revise and resend a draft response to NRC that would address the following items:
 1. How SNC's application of guidance regarding a “material change” under Criteria 2 and 3 would ensure information with safety significance commensurate with Tier 1 is not modified without prior NRC approval.
 2. An explanation of the basis for how the guidance for Criteria 1, 2, and 3 achieves consistency.
 3. How the criteria determine the safety significance of a change
 4. How the LAR conforms to or deviates with justification from Commission-approved positions in SECY papers, including SECYs 90-241, 90-377, and 95-023
 5. How proposed future changes to Tier 2* information could be determined to be safety significant at this time without knowing what the future changes would be

SNC also advised that (1) the analysis identified as underlying the LAR was not a formal analysis that is auditable, and (2) the draft response information for RAI 17-037-7 represents a clarification of and not a revision to the original LAR.

- **RAI 17-037-5 (human factors engineering) Draft Response.** The staff provided feedback on SNC's 5/22 draft response to RAI 17-037-5. In response, SNC indicated it planned to revise and resend a draft response to NRC that would clarify the bullet referring to “final safety evaluation report” referred to all applicable safety evaluation reports, including those for the AP1000 DCD and Vogtle ESP and COLs, and any applicable LARs.

The staff indicated that it may have further feedback on other aspects of SNC's 5/22 draft response.

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Williams, Joseph
Sent: Thursday, May 31, 2018 2:24 PM
To: Habib, Donald; Green, Brian; Lupold, Timothy; Hoellman, Jordan
Cc: Segala, John
Subject: RE: Action/Review: Tier 2* LAR: Summary of 5/31 Public Meeting Discussion

Don,

Some suggested edits shown below.

There was one minor editorial item that I missed this morning. On page 4, in the paragraph that starts "Regarding Enclosure 5," the next-to-last line says "...was not necessary or appropriate." I recommend deleting "or appropriate." That word doesn't add anything, in my opinion, and is a little gratuitous. It's sufficient for the purposes of the LAR to just say "was not necessary." I can address that item when we discuss the revised response, unless you want to pass it along beforehand.

It troubles me that there doesn't seem to be a good paper trail for the analysis SNC describes, as that documentation could have been useful to better understand how the various Tier 2* matters were dispositioned and the additional screening criteria developed.

Joe

From: Habib, Donald
Sent: Thursday, May 31, 2018 1:30 PM
To: Green, Brian <Brian.Green@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Subject: Action/Review: Tier 2* LAR: Summary of 5/31 Public Meeting Discussion

Tim, Joe, and Brian –

For the 5/31 public meeting regarding Tier 2* matters, please review the material below which I propose to include in the meeting summary. **Please reply with any changes, and include a cc to Jordan Hoellman.**

The staff discussed three aspects of SNC's LAR 17-037:

- **Code Compliance.** The staff made general remarks about the how future code alternatives should be handled in light of potential approval of LAR 17-037. The staff does not object to making the reference to the code material Tier 2 from Tier 2*, but we want to emphasize that if SNC intends to deviate from ASME Section III code requirements, then it will need to follow the process established in 10 CFR 50.55a for alternatives and relief requests, and not apply the 50.59 like process. The language in the supplemental RAI response related to the example using the words "adverse" raises a concern. In the instance used, this would be associated with the B31.1 Code, which does not fall under the purview of 10 CFR 50.55a. In this case, while using the 50.59 like process to deviate would be acceptable, this approach would not be the same for ASME Section III, where the 10 CFR 50.55a regulations would apply.
- **RAI 17-037-7 Draft Response.** The staff provided feedback on SNC's 5/22 draft response to RAI 17-037-7. In response, SNC indicated it planned to revise and resend a draft response to NRC that would address the following items:

1. How SNC's application of guidance regarding a "material change" under Criteria 2 and 3 would ensure information with safety significance commensurate with Tier 1 is not modified without prior NRC approval.
2. An explanation of the basis for how the guidance for Criteria 1, 2, and 3 achieves consistency.
3. How the criteria **SNC determines "safety significance" as described in the LAR, including how it was determined that changes to a set of Tier 2* information would not have the safety significance of a change commensurate with a change.**
4. How the LAR conforms to or deviates with justification from Commission-approved positions in SECY papers, including SECYs 90-241, 90-377, and 95-023. **SNC was advised that a publicly-available ADAMS package providing design certification regulatory history documents (ADAMS accession number ML003761550) would be a useful reference.**
5. How proposed future changes to Tier 2* information could be determined to be safety significant at this time without knowing what the future changes would be. **How it was determined that unknown future changes to a set of Tier 2* information do not have safety significance commensurate with a change to Tier 1 without knowing what the future changes will be.**

SNC also advised that (1) the analysis identified as underlying the LAR was not a formal analysis that is auditable, and (2) the draft response information for RAI 17-037-7 represents a clarification of and not a revision to the original LAR.

A representative of the Nuclear Energy Institute acknowledged the relationship between the proposed LAR and ongoing efforts regarding the Tier 1 "First Principles," noting that that effort has effects beyond the scope of this LAR.

- RAI 17-037-5 (human factors engineering) Draft Response. The staff provided feedback on SNC's 5/22 draft response to RAI 17-037-5. In response, SNC indicated it planned to revise and resend a draft response to NRC that would clarify the bullet referring to "final safety evaluation report" referred to all applicable safety evaluation reports, including those for the AP1000 DCD and Vogtle ESP and COLs, and any applicable LARs.

The staff indicated that it may have further feedback on other aspects of SNC's 5/22 draft response.

Don Habib
 Project Manager
 NRO/DNRL, Licensing Branch 4
 O-8D13
 301-415-1035

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, June 05, 2018 8:22 AM
To: Habib, Donald
Subject: RE: Questions on Feedback on Tier 2*

Don,

Nothing to add beyond the feedback I've already provided.

We have an advanced reactor public stakeholder meeting on the 14th where I'm leading a presentation on environmental reviews, so I won't be available to discuss the revised draft response until the week of the 18th. I'll be out of the office the following two weeks, so if that date doesn't work, it will be July before we can discuss it.

Separately, can you tell me what happened to my RAI regarding examples?

Joe

From: Habib, Donald
Sent: Monday, June 04, 2018 1:01 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: Questions on Feedback on Tier 2*

Joe –

1. Do you have any additional feedback to SNC on their Tier 2* draft submittal?

If so, please provide it to me by tomorrow.

SNC plans to provide an updated draft response to us on ~Thursday, June 7, and would like to have our feedback on the second submittal on June 14. This is to ensure that everything known to date is incorporated into the June 7 draft.

2. Will this schedule work for you?

Don Habib
Project Manager
NRO/DNRL, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, June 13, 2018 1:28 PM
To: [REDACTED]
Cc: Segala, John
Subject: RE: Reply Requested: Schedule for Completion of SER for Vogtle Tier 2* LAR (Tentative)
Attachments: RE: Schedule for Issuing RAIs for Vogtle LAR 17-037 ; ARPB RAIs 4-11 PM Comments-More.docx

[REDACTED]

I've looked through my email and I haven't found any feedback regarding the 4th RAI I provided in the attached message on April 11. A markup you provided on April 16 (also attached) provided feedback that RAIs 2 and 3 would be better addressed as public meeting discussion topics. I agreed with that approach. Your markup also provided feedback regarding RAI 1, and we exchanged several messages regarding that item to [REDACTED] before that RAI was issued. However, no feedback was received regarding RAI 4, so action is needed to issue that RAI, as well.

Regarding completing the SE, it is difficult to commit to a completion schedule without having a better idea of what's expected. For instance, what is the table of contents/outline with review responsibilities? What are the acceptance criteria staff are supposed to use?

Joe

From: [REDACTED]
Sent: Monday, June 11, 2018 10:26 AM
To: [REDACTED]; Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Cc: [REDACTED]
Subject: Reply Requested: Schedule for Completion of SER for Vogtle Tier 2* LAR (Tentative)

[REDACTED]

Below is the *tentative* schedule for completion of the SE for the Tier 2* LAR, under the scenario that the staff approves the LAR. More specific dates will be given when we get submittal dates from SNC.

- Staff provides SE inputs to LB4: RAI response + 3 weeks
- LB4 combines SER inputs and puts document into concurrence: + 2 weeks after last SE input
- Concurrence completed and SE issued: + 6 weeks

For your SE input, I will get guidance out to you as soon as I can, but in general you should try to address the substantive issues in your RAIs.

Please reply to let me know if this is reasonable for you, or if you think this will be a challenge, or if you have any questions.

Thanks



Williams, Joseph

From: [REDACTED]
Sent: Wednesday, June 13, 2018 3:04 PM
To: Williams, Joseph
Cc: Segala, John
Subject: RE: Reply Requested: Schedule for Completion of SER for Vogtle Tier 2* LAR (Tentative)

Joe –

I also looked through my email, and I could not find a record of why we did not process question number 4. However, I will keep looking.

[REDACTED]

From: Williams, Joseph
Sent: Wednesday, June 13, 2018 1:28 PM
To: [REDACTED]
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Reply Requested: Schedule for Completion of SER for Vogtle Tier 2* LAR (Tentative)

[REDACTED]

I've looked through my email and I haven't found any feedback regarding the 4th RAI I provided in the attached message on April 11. A markup you provided on April 16 (also attached) provided feedback that RAIs 2 and 3 would be better addressed as public meeting discussion topics. I agreed with that approach. Your markup also provided feedback regarding RAI 1, and we exchanged several messages regarding that item to [REDACTED] before that RAI was issued. However, no feedback was received regarding RAI 4, so action is needed to issue that RAI, as well.

Regarding completing the SE, it is difficult to commit to a completion schedule without having a better idea of what's expected. For instance, what is the table of contents/outline with review responsibilities? What are the acceptance criteria staff are supposed to use?

Joe

From: [REDACTED]
Sent: Monday, June 11, 2018 10:26 AM
To: [REDACTED]; Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]
Cc: [REDACTED]
Subject: Reply Requested: Schedule for Completion of SER for Vogtle Tier 2* LAR (Tentative)

[REDACTED]

Below is the *tentative* schedule for completion of the SE for the Tier 2* LAR, under the scenario that the staff approves the LAR. More specific dates will be given when we get submittal dates from SNC.

- Staff provides SE inputs to LB4: RAI response + 3 weeks
- LB4 combines SER inputs and puts document into concurrence: + 2 weeks after last SE input
- Concurrence completed and SE issued: + 6 weeks

For your SE input, I will get guidance out to you as soon as I can, but in general you should try to address the substantive issues in your RAIs.

Please reply to let me know if this is reasonable for you, or if you think this will be a challenge, or if you have any questions.

Thanks

[Redacted]

[Redacted]

Williams, Joseph

From: Coyne, Kevin
Sent: Monday, June 18, 2018 9:42 AM
To: Bradford, Anna
Cc: Monninger, John; Segala, John
Subject: Tier 2* LAR for Vogtle
Attachments: Tier 2* RAIs

Importance: High

ADAMSAccessionNumber: ML18248A040
ADAMSVersionSeriesId: {5B70B32F-3349-4F36-B621-25A20F0CF712}

Hi Anna –

John and I circled back with Joe following our conversation on Friday. Joe will be reaching out to Don Habib, but I wanted to give you a heads up on the issues Joe is concerned with:

- It would be good if SNC was prepared to talk about both (1) Joe's RAI (on how their method comports with previous Commission guidance on Tier 2*) and (2) how the various examples provided with the application were selected and if they fully address the method that SNC is proposing to apply to Tier 2* information. The second issue is basically Joe's 4th RAI that was not issued but instead was deferred to a public meeting discussion. I've attached an early version of Joe's questions for reference – my understanding is that only the first one was issued with some modifications; questions 2 and 3 were discussed at a previous public meeting (though there may still be some need for additional dialogue), and question #4 on the examples in the LAR fell off the radar and is still awaiting discussion (and we hope this can be added to Thursday's agenda). Since Joe will be out of the office for two weeks starting on Friday, it would be best if we could cover both SNC's approach on the RAI as well as a discussion of the LAR examples. However, Joe would need any materials SNC intends to reference ahead of time (i.e., within the next day) in order to adequately prepare for the discussion.
- We still need alignment on the overall basis for the staff's regulatory finding on the LAR. Joe has some thoughts, so it would be good if Don and other key parties could meet this week to try to make headway on what ultimately would be the basis for approving the LAR (e.g., what would the conclusion of the SE ultimately state). One of the main issues is that we still lack objective guidance on what constitutes Tier 1 information – this ultimately is what the Vogtle LAR should be protecting (in other words, in order for the process laid out by SNC to protect Tier 1 equivalent information, we need to have a shared, objective understanding of what Tier 1 information is). This was a "to do" item noted in SECY 17-0075, but since this LAR has moved ahead of the queue, we need to make sure whatever precedent we set with this amendment will be consistent with our ultimate thinking of what is Tier 1 information.

As noted, Joe will be reaching out to Don, but I wanted to put this on your radar since it looks like a number of things need to fall into place this week to make headway on Joe's issues.

Thanks!

Kevin

Williams, Joseph

From: Williams, Joseph
Sent: Monday, June 18, 2018 2:34 PM
To: Monninger, John; Coyne, Kevin
Subject: Fwd: Status: Follow-Up on ARPB RAI

John and Kevin,

FYI.

Joe

From: [REDACTED]
Subject: RE: Status: Follow-Up on ARPB RAI
Date: 18 June 2018 14:00
To: "Williams, Joseph" <Joseph.Williams@nrc.gov>
Cc: [REDACTED]

Joe –

Following is helpful information on the path forward:

- SNC advised that they would be able to discuss the other Tier 2* evaluations they have performed at the public meeting on 6/21. This is intended to address the ARPB question #4.
- SNC also advised that they plan to provide a formal response (rather than another draft) that would respond to a number of RAIs, including yours, updated based on verbal feedback we gave them at previous public meetings. The soonest we would receive this is COB today. I will keep you apprised of its receipt.

After we receive the SNC response and you have had a chance to look at it, you can update me on whether further discussion with SNC is needed. Delaying until early/mid-July may impact the overall project schedule, so please work with your management to consider options for how work can proceed while you are out of the office.

Thanks

From: Williams, Joseph
Sent: Monday, June 18, 2018 10:07 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Status: Follow-Up on ARPB RAI

[REDACTED]

My notes from the May 31 meeting indicate that, to respond to the first ARPB RAI, SNC agreed to comprehensively examine the set of relevant Commission correspondence and update their response to describe how their proposal is consistent with Commission-approved staff positions, or why deviation from those positions is acceptable. SNC also agreed to revisions to address aspects of the RAI which weren't included in their original draft. I need their revised draft response by the end of the day today so that I have adequate time to prepare for the meeting Thursday. Preparation is not a trivial task. To give you an idea of the scope of information involved, the three Commission papers I mentioned at the meeting total over 400 pages. As I said at the meeting, those three items aren't the only correspondence to consider. I will not be able to support a meeting this week if SNC's feedback is not available by COB today.

I also need to know by the end of the day today if the agenda will include discussion of the fourth ARPB RAI. If so, I also need any documentation SNC plans to use by COB today. If the fourth RAI is not going to be discussed this week, my first availability will be after I return to the office the week of July 9.

Regarding "the appropriate time to address" the fourth RAI, there's nothing in the record indicating any concern from DNRL/DLSE that would preclude issuing that question, so it was reasonable for me to assume it would be issued. I don't wish to sound defensive, but I think it's important for you to understand my view.

There has been a lot of confusion and miscommunication regarding many aspects of this LAR review, not just the RAIs. Going forward, I plan to document our verbal discussions in an email to [REDACTED] to be sure we have a common understanding of the outcomes.

I talked this morning with John Monninger and Kevin Coyne regarding their conversation with Anna Bradford. It is my understanding from that discussion that DLSE plans to solicit my assistance to develop guidance for completing the safety evaluation. My availability this week is somewhat limited, especially if I need to spend time to prepare for the Thursday meeting, so please let me know as soon as possible if you want to plan that discussion within the next few days. I'm going to be in a meeting most of the rest of the day, so email may be the best way to contact me.

Joe

From: [REDACTED]
Sent: Friday, June 15, 2018 7:49 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: [REDACTED]
Subject: RE: Status: Follow-Up on ARPB RAI

Joe –

To clarify, I understood that our interaction on June 21 was originally intended for SNC to give feedback to us about the other screening evaluations they may have done. If we receive their response in time such that you have an opportunity to provide feedback on June 21, that would be ideal. SNC advised yesterday that they thought they would provide their formal response "midweek," so it is possible that can occur.

Thanks

From: Williams, Joseph
Sent: Friday, June 15, 2018 7:36 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Status: Follow-Up on ARPB RAI

[REDACTED]

I'm available on June 21, assuming I receive the revised draft response by COB Monday so I have adequate time to prepare for the discussion. I'm out of the office for two weeks starting June 25, returning on July 9.

I spoke to Kevin Coyne and John Monninger about the RAI. Kevin said he intended to talk to Anna Bradford about it. I don't know if he has had an opportunity to do so yet.

I'm on my way to an advanced reactor meeting at EPRI's offices in DC today. I'll be back in the office Monday.

Joe

From: [REDACTED]
Sent: Wednesday, June 13, 2018 3:58 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: [REDACTED]
Subject: Status: Follow-Up on ARPB RAI

Joe –

I found no record in my emails of how the ARPB question 4 was dispositioned. I recall that when we discussed it ~1 week ago, we decided to handle it as a public meeting discussion topic. Prior to that, my memory is fuzzy. However, the question 4 must have been dispositioned in some fashion long ago because it was not included in the ARPB RAI that was issued on May 1. That would have been the appropriate time to address it. If you want to pursue this question as an RAI at this time, it would need to be escalated to the division director level.

As we discussed, I identified this question to SNC at last Friday's public meeting as a topic that we would like SNC to discuss at a future public meeting (i.e., the next one that you are available to attend), and SNC was agreeable to this. SNC can speak to this, but their preliminary comments at the public meeting suggested that they did not have detailed evaluations prepared for other Tier 2* changes.

I believe that the question #4 should only proceed as an RAI if the response would be needed to come to an approval decision on the LAR, and that connection is not apparent to me.

Let's discuss when you have a chance. Also, can you please remind me which public meeting you will be able to attend? I recall it was on 6/21, but I'm not sure.

Thanks

From: [REDACTED]
Sent: Wednesday, June 13, 2018 3:04 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: [REDACTED]
Subject: RE: Reply Requested: Schedule for Completion of SER for Vogtle Tier 2* LAR (Tentative)

Joe –

I also looked through my email, and I could not find a record of why we did not process question number 4. However, I will keep looking.

From: Williams, Joseph

Sent: Wednesday, June 13, 2018 1:28 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Reply Requested: Schedule for Completion of SER for Vogtle Tier 2* LAR (Tentative)

[REDACTED]

I've looked through my email and I haven't found any feedback regarding the 4th RAI I provided in the attached message on April 11. A markup you provided on April 16 (also attached) provided feedback that RAIs 2 and 3 would be better addressed as public meeting discussion topics. I agreed with that approach. Your markup also provided feedback regarding RAI 1, and we exchanged several messages regarding that item to [REDACTED] before that RAI was issued. However, no feedback was received regarding RAI 4, so action is needed to issue that RAI, as well.

Regarding completing the SE, it is difficult to commit to a completion schedule without having a better idea of what's expected. For instance, what is the table of contents/outline with review responsibilities? What are the acceptance criteria staff are supposed to use?

Joe

From: [REDACTED]

Sent: Monday, June 11, 2018 10:26 AM

To: [REDACTED]; Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]

Cc: [REDACTED]

[REDACTED]

Subject: Reply Requested: Schedule for Completion of SER for Vogtle Tier 2* LAR (Tentative)

[REDACTED]

Below is the *tentative* schedule for completion of the SE for the Tier 2* LAR, under the scenario that the staff approves the LAR. More specific dates will be given when we get submittal dates from SNC.

- Staff provides SE inputs to LB4: RAI response + 3 weeks
- LB4 combines SER inputs and puts document into concurrence: + 2 weeks after last SE input
- Concurrence completed and SE issued: + 6 weeks

For your SE input, I will get guidance out to you as soon as I can, but in general you should try to address the substantive issues in your RAIs.

Please reply to let me know if this is reasonable for you, or if you think this will be a challenge, or if you have any questions.

Thanks

[REDACTED]

[REDACTED]



Williams, Joseph

From: Habib, Donald
Sent: Monday, June 18, 2018 8:17 PM
To: Williams, Joseph
Cc: Dixon-Herrity, Jennifer; Patel, Chandu
Subject: Fw: FW: General Form Submission (24095) Received
Attachments: ND-18-0646_LAR-17-037S3_RAI_FINAL.pdf

Joe - Attached is the SNC submittal that includes their response to your RAI.

Let's discuss the path forward sometime on Tuesday. My goal is for you to determine the acceptability of their response in time to provide them feedback by this Thursday's public meeting.

Thanks
Don

From: Haggerty, Neil <X2NHAGGE@SOUTHERNCO.COM>
Sent: Monday, June 18, 2018 7:28 PM
To: Habib, Donald
Cc: Patel, Chandu; Sparkman, Wesley A.; Aughtman, Amy G.; Amundson, Theodore Edwin; Hicks, Thomas E.
Subject: [External_Sender] FW: General Form Submission (24095) Received

Don,

As discussed, SNC letter ND-18-0646 (LAR-17-037S3) is attached. It has been assigned ADAMS Accession Number [ML18169A431].

This letter provides the final responses to RAIs

- LAR-17-037-5 (HOIB),
- LAR-17-037-6 (NRO-LB4),
- LAR-17-037-7 (ARPB),
- LAR-17-037-8 (ICE), and
- LAR-17-037-9 (SRSB).

Please contact me, or any of those on distribution, if you have any questions regarding the information in this letter.

Thank you,
Neil Haggerty

Neil Haggerty | Southern Nuclear Operating Company
Nuclear Development Regulatory Affairs – VEGP 3&4 Licensing

SNC-Inverness: 205.992.7047 | office: 301.874.8537 | mobile: 240.566.2442

x2nhagge@southernco.com

neil.haggerty@excelservices.com

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-----Original Message-----

From: Spears, Lisa J.

Sent: Monday, June 18, 2018 5:41 PM

To: Haggerty, Neil <X2NHAGGE@SOUTHERNCO.COM>; Chamberlain, Amy Christine

<ACCHAMBE@southernco.com>; Agee, Stephanie Y. <SYAGEE@southernco.com>; Sparkman, Wesley A.

<WASPARKM@southernco.com>

Subject: FW: General Form Submission (24095) Received

ML# for ND-18-0646

-----Original Message-----

From: mshd.resource@nrc.gov [mailto:mshd.resource@nrc.gov]

Sent: Monday, June 18, 2018 5:37 PM

To: Spears, Lisa J. <LJSPEARS@southernco.com>

Subject: General Form Submission (24095) Received

The NRC received your General Form submission on: 06/18/2018 at 06.37 PM. It is being tracked as submission ID# 24095.

If it is a 'Publicly Available' submission after 6 work days from today the submission's attached document(s) will be available for viewing and download from the Agency's Public Web Based ADAMS website (https://urldefense.proofpoint.com/v2/url?u=http-3A__adams.nrc.gov_wba&d=DwICAg&c=AgWC6NI7Slwpc9jE7UoQH1_Cvyici3SsTNfdLP4V1RCg&r=59zh6cGZFmOoYcVGpTyyDXJBpmT8IY6q7sRimprSGI&m=TEPAwCdgyGF4Kzu8LGMp_SXTZ9sK90HD-_A-aRDhsS4&s=oal5HwdUgJPbelyGqbchucAjHv2SdjS2WucZ9dO3Sgk&e=) by searching for the following document accession number(s): **[ML18169A431]** . If this is a 'Non-Public Available' submission the submission's attachment(s) will be retained in NRC's document management system (ADAMS) and will not be published to the public website.

Should you have questions about this submission please contact our Help Desk by phone at 866-672-7640 or by e-mail at mshd.resource@nrc.gov. When doing so, please refer to the Submission ID# shown above.

Note: The Help Desk is staffed daily from 9:00AM to 7:00PM Eastern Time Monday through Friday (except for Federal holidays)

Williams, Joseph

From: [REDACTED]
Sent: Tuesday, June 19, 2018 8:21 AM
To: [REDACTED]; Williams, Joseph; [REDACTED]
Cc: [REDACTED]
Subject: Action/For Review: SNC RAI Response for Vogtle Tier 2* LAR (HOIB ARPB, ICE, SRSB, LB4)
Attachments: ND-18-0646_LAR-17-037S3_RAI_FINAL.pdf
Categories: Red Category

[REDACTED]

Attached for your review is SNC's Final Response for several RAIs, including those from HOIB, ARPB, ICE, SRSB, and LB4.

Please review the response and advise me whether the response addresses the concerns we had previously communicated to SNC in public meetings. If you can accomplish this by COB Wednesday, we can advise SNC of any issues at the Thursday morning public teleconference. Let me know if you need more time than that.

If the response is sufficient, please proceed to prepare an SE input based on the major concerns of your RAI..

Thanks

From: Haggerty, Neil [mailto:X2NHAGGE@SOUTHERNCO.COM]

Sent: Monday, June 18, 2018 7:29 PM

To: [REDACTED]
Cc: [REDACTED] Sparkman, Wesley A. <WASPARKM@southernco.com>; Aughtman, Amy G. <AGAUGHTM@SOUTHERNCO.COM>; Amundson, Theodore Edwin <X2TAMUNS@southernco.com>; Hicks, Thomas E. <X2TEHICK@southernco.com>

Subject: [External_Sender] FW: General Form Submission (24095) Received

[REDACTED]

As discussed, SNC letter ND-18-0646 (LAR-17-037S3) is attached. It has been assigned ADAMS Accession Number [ML18169A431].

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- LAR-17-037-5 (HOIB),
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- LAR-17-037-7 (ARPB),
- LAR-17-037-8 (ICE), and
- LAR-17-037-9 (SRSB).

Please contact me, or any of those on distribution, if you have any questions regarding the information in this letter.

Thank you,
Neil Haggerty

Neil Haggerty | Southern Nuclear Operating Company
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neil.haggerty@excelservices.com

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From: Spears, Lisa J.
Sent: Monday, June 18, 2018 5:41 PM
To: Haggerty, Neil <X2NHAGGE@SOUTHERNCO.COM>; Chamberlain, Amy Christine <ACCHAMBE@southernco.com>; Agee, Stephanie Y. <SYAGEE@southernco.com>; Sparkman, Wesley A. <WASPARKM@southernco.com>
Subject: FW: General Form Submission (24095) Received

ML# for ND-18-0646

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Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, June 19, 2018 2:25 PM
To: Monninger, John; Coyne, Kevin
Cc: Segala, John; Van Wert, Christopher; Nolan, Ryan; Karas, Rebecca; Ashley, Clinton; Jackson, Diane
Subject: FW: Action/For Review: SNC RAI Response for Vogtle Tier 2* LAR (HOIB ARPB, ICE, SRSB, LB4)
Attachments: ND-18-0646_LAR-17-037S3_RAI_FINAL.pdf; Action: Questions to Technical Staff (Vogtle LAR 17-037)
Categories: Red Category

I believe DSRA division management needs to engage with their counterparts in [REDACTED] to clarify expectations for completing review of the Vogtle Tier 2* LAR, [REDACTED]. Such feedback for this specific LAR is needed, given that it is a first-of-a-kind application without precedent in existing guidance.

[REDACTED] The most fundamental issue is that there is not yet a clear definition of the acceptance criteria that should be applied to determine if the LAR is acceptable. Without such a definition, we don't have an objective target to aim for with the safety evaluation, and we can't be confident that staff are applying a consistent standard across the board.

[REDACTED] While the RAI responses may do a good job addressing the issues raised, it is difficult to say that they are sufficient to complete a safety evaluation without knowledge of the target. Ordinarily, staff uses tools like the SRP for description of the findings that are needed to accept a proposal, and has that information available at the time RAIs are being formulated. We don't yet have anything similar to use in this case.

Speaking for myself, I have some ideas of what the SEC should say, but I'm not sure those thoughts align with DLSE's expectations or content that might be provided by other branches. I believe the SE should set the stage by objectively defining acceptance criteria, describing Commission-approved staff positions regarding Tier 2*, especially the expectation that Tier 2* is intended to have safety significance equivalent to Tier 1. The evaluation could then address whether the specific proposal aligns with those positions, or why deviations from those positions is acceptable. There is helpful information [REDACTED] provided several months ago (based largely on my input, see attached message), but it falls short of what staff need to compose an SE. For example, an outline of the SE, including specific assignments, has not been provided. So far as I know, [REDACTED] either.

In summary, I have an idea of when I'm supposed to do something, but I don't know what it is I'm supposed to do.

Joe

From: [REDACTED]
Sent: Tuesday, June 19, 2018 8:21 AM
To: [REDACTED] Williams, Joseph <Joseph.Williams@nrc.gov>; [REDACTED]

Cc: [REDACTED]

Subject: Action/For Review: SNC RAI Response for Vogtle Tier 2* LAR (HOIB ARPB, ICE, SRSB, LB4)

[REDACTED]

Attached for your review is SNC's Final Response for several RAIs, including those from HOIB, ARPB, ICE, SRSB, and LB4.

Please review the response and advise me whether the response addresses the concerns we had previously communicated to SNC in public meetings. If you can accomplish this by COB Wednesday, we can advise SNC of any issues at the Thursday morning public teleconference. Let me know if you need more time than that.

If the response is sufficient, please proceed to prepare an SE input based on the major concerns of your RAI..

Thanks

[REDACTED]

From: Haggerty, Neil [<mailto:X2NHAGGE@SOUTHERNCO.COM>]

Sent: Monday, June 18, 2018 7:29 PM

To: [REDACTED]

Cc: [REDACTED] Sparkman, Wesley A. <WASPARKM@southernco.com>; Aughtman, Amy G. <AGAUGHTM@SOUTHERNCO.COM>; Amundson, Theodore Edwin <X2TAMUNS@southernco.com>; Hicks, Thomas E. <X2TEHICK@southernco.com>

Subject: [External_Sender] FW: General Form Submission (24095) Received

[REDACTED]

As discussed, SNC letter ND-18-0646 (LAR-17-037S3) is attached. It has been assigned ADAMS Accession Number [ML18169A431].

This letter provides the final responses to RAIs

- LAR-17-037-5 (HOIB),
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- LAR-17-037-7 (ARPB),
- LAR-17-037-8 (ICE), and
- LAR-17-037-9 (SRSB).

Please contact me, or any of those on distribution, if you have any questions regarding the information in this letter.

Thank you,
Neil Haggerty

Neil Haggerty | Southern Nuclear Operating Company

Nuclear Development Regulatory Affairs – VEGP 3&4 Licensing
SNC-Inverness: 205.992.7047 | office: 301.874.8537 | mobile: 240.566.2442
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neil.haggerty@excelservices.com

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To: Haggerty, Neil <X2NHAGGE@SOUTHERNCO.COM>; Chamberlain, Amy Christine <ACCHAMBE@southernco.com>; Agee, Stephanie Y. <SYAGEE@southernco.com>; Sparkman, Wesley A. <WASPARKM@southernco.com>
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ML# for ND-18-0646

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Williams, Joseph

From: Habib, Donald
Sent: Wednesday, June 20, 2018 12:50 PM
To: Williams, Joseph
Cc: Segala, John; Dixon-Herrity, Jennifer
Subject: FW: Support info for discussion of Tier 2* LAR
Attachments: Pages from ND-17-1726_LAR-17-037_Final.pdf; 2018-06-21_Tier 2-star LAR_Presentation_Slides.pptx

Follow Up Flag: Follow up
Due By: Tuesday, July 10, 2018 7:30 AM
Flag Status: Completed

Joe –

Attached are two documents from SNC dealing with previous evaluations of Tier 2* changes. They may already be in ADAMS, and may contain information relevant to the Tier 2* LAR.

Don

From: Haggerty, Neil [mailto:X2NHAGGE@SOUTHERNCO.COM]
Sent: Wednesday, June 20, 2018 12:37 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Amundson, Theodore Edwin <X2TAMUNS@southernco.com>; Hicks, Thomas E. <X2TEHICK@southernco.com>; Sparkman, Wesley A. <WASPARKM@southernco.com>
Subject: [External_Sender] Support info for discussion of Joe Williams' question

Don,

You asked about whether we looked at how use of the Tier 2* evaluation process would have impacted the need for LARs in previous changes. There are two items we will be prepared to discuss during the public meeting tomorrow.

- First, there is the discussion of the application of the current Tier 2* evaluation process for changes that were previously submitted as LARs in the original LAR-17-037 (ND-17-1726, Encl. 1, pages 4 – 5).
- Second, there was a presentation that was provided in a Public meeting prior to submittal of the earlier LAR regarding the Tier 2* Departure Evaluation process. This presentation (Slides 21 – 35) assesses the use of LARs for 15 Tier 2* LARs that were submitted prior to the October 23, 2014 meeting. The conclusions from this presentation are still valid, although the quantity of LARs has increased in the subsequent 3-1/2 years.

These two documents provide a summary of the review that was performed to assess the use of LARs for changes to Tier 2* information. This is the information we wanted to provide in response to Mr. Williams' comment. Please provided this to him in advance of the call tomorrow.

These documents are already available to the Public.

Thank you,

Neil Haggerty

Neil Haggerty | Southern Nuclear Operating Company

Nuclear Development Regulatory Affairs – VEGP 3&4 Licensing

SNC-Inverness: 205.992.7047 | office: 301.874.8537 | mobile: 240.566.2442

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Williams, Joseph

From: Coyne, Kevin
Sent: Thursday, June 21, 2018 3:20 PM
To: Williams, Joseph; Monninger, John
Cc: Segala, John
Subject: RE: Tier 2* LAR Guidance and SE Schedule

Joe –

I'm sorry that this LAR has played out the way it has – you've raised great issues that need to be considered/addressed in this review to ensure we maintain the consistency and regulatory stability that is central to Part 52. We'll continue to press at our level and I appreciate the time you took to [REDACTED] yesterday and this morning to provide some initial feedback on what the SE for the LAR ultimately needs to address. If you check to see if John can cover the meeting next week, it will ensure that we can at least represent your issues.

Sorry that this is the start to your vacation, but I do hope you have a good time on your well-deserved leave –

Kevin

From: Williams, Joseph
Sent: Thursday, June 21, 2018 3:08 PM
To: Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: Tier 2* LAR Guidance and SE Schedule

John and Kevin,

[REDACTED] tells me that he has been tasked with developing guidance for the review of the Vogtle Tier 2* amendment by next Monday, June 25. [REDACTED] has also been tasked with scheduling a meeting with the reviewers next week to discuss the guidance. Apparently, safety evaluation inputs are to be scheduled for completion by mid-July.

It is interesting to note that this tasking comes exactly 6 months after the initial submittal. I have documentary records that I recommended such guidance be developed at least as early as February, and I'm sure I expressed such thoughts verbally before that.

DLSE has been persistently resistant to my input on this and other aspects of the review, and has repeatedly shown no consideration for my circumstances to ensure my participation in important discussions. My interactions with Don have been reasonable, but the organization as a whole has not behaved in a manner consistent with NRC's organization values, with no apparent accountability for such behavior. The organization has not demonstrated integrity, cooperation, openness, or respect so far as I'm concerned. Just yesterday, I picked up the brochure on "The NRC Leadership Model." Some excerpts:

- Listen without pre-judgement, encourage participation, and consider ideas offered
- Seek to develop and preserve personal and organizational relationships
- Demonstrate active listening and a willingness to set aside persona biases
- Model the NRC Values and hold ourselves accountable for our actions

These are just some examples where I feel DLSE has failed to emulate best practices, based on about 5 minutes looking at the various items. I can only imagine what I would come up with if I went through "Speed of Trust."

Beyond informing you of the near term task milestones, probably the only use of this message is to give me an opportunity to vent. I don't know that there is any action you can take to mitigate this situation. I told Kevin earlier today that I appreciate the support I have received within DSRA, and I am dismayed that I have so often distracted you with these issues. I can say that there has been only one other time in the course of my NRC career where I was treated so shabbily and I was so disappointed in the agency's behavior.

Joe

Williams, Joseph

From: Habib, Donald
Sent: Friday, June 22, 2018 4:59 PM
To: Green, Brian; Nist, Lauren; Jung, Ian; Zhao, Jack; Van Wert, Christopher; Nolan, Ryan; Karas, Rebecca; Ashley, Clinton; Jackson, Diane; Hansing, Nicholas; Scarbrough, Thomas; Lupold, Timothy; Mitchell, Matthew; Honcharik, John; Segala, John; Williams, Joseph; Dixon-Herrity, Jennifer; Hoellman, Jordan; Samaddar, Sujit; Patel, Pravin; Thomas, Vaughn
Cc: Patel, Chandu
Subject: Info: LAR-17-037 - Draft Reviewer's Aid - Roll-up of Original LAR plus supplements
Attachments: LAR-17-037_Roll-up of Changes in S1 - S3_NRC Copy.pdf
Categories: Red Category

Described below and attached is a rollup of all previous formally submitted supplements to the Tier 2* LAR, submitted informally by SNC as a reviewers aid. This will be useful for reviewers where RAIs from multiple branches resulted in changes to the same criterion.

If you find a concern or conflict, please let me know. The formal submittals under oath take precedence over this submittal.

Please contact me if you have any questions.

Thanks
Don

From: Haggerty, Neil [mailto:X2NHAGGE@SOUTHERNCO.COM]
Sent: Friday, June 22, 2018 4:17 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Sparkman, Wesley A. <WASPARKM@southernco.com>; Redd, Jason P. <JPREDD@southernco.com>; Hicks, Thomas E. <X2TEHICK@southernco.com>; Amundson, Theodore Edwin <X2TAMUNS@southernco.com>
Subject: [External_Sender] LAR-17-037 - Draft Reviewer's Aid - Roll-up of Original LAR plus supplements

Don,

On December 21, 2017, SNC submitted LAR-17-037, which included a total of eight Enclosures providing the LAR, Exemption Request, licensing basis markups, commitments, and various reviewer's aids. NRC has provided nine RAIs, of which SNC has submitted responses to eight RAIs in three supplements (S1, S2 & S3). The RAI responses also included marked up text to be incorporated into the eight Enclosures in the original LAR. As we discussed over the past few weeks, the NRC staff reviewers have requested an aid to help provide a comprehensive understanding of how all of the markups in the RAI responses will be shown in the LAR (and other Enclosures).

In response to the Staff's request, we have prepared an aid to facilitate the reviewers' understanding of how the changes are "rolled up" into the original 8 enclosures. The attached Reviewer's Aid shows the incorporation of the changes provided in the 3 supplements submitted to date, using typical Track Changes font (blue, underlined font for inserted text; red, strike-out font for deleted text). In addition,

Comments are provided in the right-hand margin describing the origin of each change (i.e., SNC letter number, Enclosure, page number and the number of the RAI resulting in the change).

Note that during the preparation of this Reviewer's Aid, it was determined that some additional changes (beyond those specifically identified in the RAI responses) were required to completely and accurately depict the changes described in the RAI response. The comments pointing to these changes identify the changes as "conforming changes" and refer to the RAI response to which they conform. Also, note that the responses to three RAIs [#3 (MCB), #4 (SCVB), and #9 (SRSB)] will result in changes to Enclosure 4, which provides a flow diagram depicting the proposed departure evaluation process. This version of the Reviewer's Aid only identifies that the flow diagram, and does not show the actual changes, because it is anticipated that additional changes will be needed when the response to the last RAI (RAI LAR-17-037-2 from SEB) is submitted and agreed upon.

It is not anticipated that this Reviewer's Aid will be revised again until it is provided in final form as updated (as appropriate) enclosures to the next, and final, supplement, LAR-17-037S4.

Please provide this document to the Staff reviewers to facilitate their review of the LAR. This document does not contain SUNSI, and may be made available to the Public in ADAMS. There is no new technical information in this Reviewer's Aid that has not already been provided to the NRC Staff in the RAI responses in S1 – S3.

Please contact me if you have any questions regarding this message or its contents.

Thank you,

Neil Haggerty

Neil Haggerty | Southern Nuclear Operating Company

Nuclear Development Regulatory Affairs – VEGP 3&4 Licensing

SNC-Inverness: 205.992.7047 | office: 301.874.8537 | mobile: 240.566.2442

x2nhagge@southernco.com

neil.haggerty@excelservices.com

This e-mail and any attachments thereto are intended only for the use by the addressee(s) named herein and may contain proprietary and confidential information. If you have received this e-mail in error, please immediately notify me by telephone and permanently delete the original and any copy of any e-mail and any printout thereof.

Williams, Joseph

Subject: Updated: Guidance and Schedule for Preparing Vogtle Tier 2* LAR
Location: HQ-OWFN-07B06-12p

Start: Wed 06/27/2018 10:00 AM
End: Wed 06/27/2018 11:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Habib, Donald
Required Attendees: Habib, Donald; Green, Brian; Nist, Lauren; Jung, Ian; Zhao, Jack; Van Wert, Christopher; Nolan, Ryan; Karas, Rebecca; Ashley, Clinton; Jackson, Diane; Hansing, Nicholas; Scarbrough, Thomas; Lupold, Timothy; Mitchell, Matthew; Honcharik, John; Segala, John; Williams, Joseph; Dixon-Herrity, Jennifer; Hoellman, Jordan; Samaddar, Sujit; Patel, Pravin; Thomas, Vaughn; Bradford, Anna; Monninger, John; Coyne, Kevin; Helton, Shana; Campbell, Andy; Caldwell, Robert; Taylor, Robert; Krohn, Paul; McGinty, Tim; Kavanagh, Kerri; Prescott, Paul; Patel, Chandu; NRO_DNRL_LB4_Cal Resource; Rivera-Varona, Aida; [REDACTED]

Optional Attendees: Betancourt, Luis; Basturescu, Sergiu

Update:

- **The guidance was updated** [REDACTED]
- **The meeting location was added**
- **Call-In Info: 877-915-0208, passcode: 271-5638**

Project Team for Tier 2* LAR –

The purpose of this meeting is to review guidance and schedule for technical staff preparation of SE inputs for the Vogtle Tier 2* License Amendment Request.

Attached are:

- Draft Guidance
- Inventory of Tier 2* information in AP1000 DCD (ML11171A303)

The key schedule milestones for the tech staff are:

- Provide SE input to LB4 – 7/13 for all branches except SEB
- Provide SE input to LB4 – 7/20, SEB assumes acceptable response from licensee provided by 7/12

Please contact me if you have any questions.

Thanks

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13

301-415-1035



Proposed Guidelines: 1000 Online with
for New Jersey... Update: 0-0-180-000...

Williams, Joseph

From: Habib, Donald
Sent: Wednesday, June 27, 2018 11:26 AM
To: Green, Brian; Nist, Lauren; Jung, Ian; Zhao, Jack; Van Wert, Christopher; Nolan, Ryan; Karas, Rebecca; Ashley, Clinton; Jackson, Diane; Hansing, Nicholas; Scarbrough, Thomas; Lupold, Timothy; Mitchell, Matthew; Honcharik, John; Segala, John; Williams, Joseph; Dixon-Herrity, Jennifer; Hoellman, Jordan; Samaddar, Sujit; Patel, Pravin; Thomas, Vaughn; Bradford, Anna; Kavanagh, Kerri; Prescott, Paul; Patel, Chandu; NRO_DNRL_LB4_Cal Resource; Rivera-Varona, Aida; [REDACTED]
Cc: Betancourt, Luis; Basturescu, Sergiu
Subject: Action/Info: Guidance and Schedule for Preparing Vogtle Tier 2* LAR
Categories: Red Category

Based on our meeting:

ACTION

- Will each branch please return to me a marked up copy of the attached Table 1-1 from the DCD. Your markup should identify which Tier 2* items your branch is considering in your evaluation.



Download this file from the Internet. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

INFO

- The scheduled dates to submit SE input to LB4 are
 - 7/13 for all branches except SEB
 - 7/20 for SEB
- I revised the guidance from the meeting, changing one bullet, as follows:

Each evaluation of a Tier 2* topic area should:

- Identify the regulations (requirements) considered, **if applicable**.



Download this file from the Internet. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Thanks, and please let me know if you have any questions or significant thoughts to share.
Don

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

-----Original Appointment-----

From: Habib, Donald

Sent: Friday, June 22, 2018 4:39 PM

To: Habib, Donald; Green, Brian; Nist, Lauren; Jung, Ian; Zhao, Jack; Van Wert, Christopher; Nolan, Ryan; Karas, Rebecca; Ashley, Clinton; Jackson, Diane; Hansing, Nicholas; Scarbrough, Thomas; Lupold, Timothy; Mitchell, Matthew; Honcharik, John; Segala, John; Williams, Joseph; Dixon-Herrity, Jennifer; Hoellman, Jordan; Samaddar, Sujit; Patel, Pravin; Thomas, Vaughn; Bradford, Anna; Monninger, John; Coyne, Kevin; Helton, Shana; Campbell, Andy; Caldwell, Robert; Taylor, Robert; Krohn, Paul; McGinty, Tim; Kavanagh, Kerri; Prescott, Paul; Patel, Chandu; NRO_DNRL_LB4_Cal Resource; Rivera-Varona, Aida; [REDACTED]

Cc: Betancourt, Luis; Basturescu, Sergiu

Subject: Updated: Guidance and Schedule for Preparing Vogtle Tier 2* LAR

When: Wednesday, June 27, 2018 10:00 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: HQ-OWFN-07B06-12p

Update:

- **The guidance was updated** [REDACTED]
- **The meeting location was added**
- **Call-In Info: 877-915-0208, passcode: 271-5638**

Project Team for Tier 2* LAR –

The purpose of this meeting is to review guidance and schedule for technical staff preparation of SE inputs for the Vogtle Tier 2* License Amendment Request.

Attached are:

- Draft Guidance
- Inventory of Tier 2* information in AP1000 DCD (ML11171A303)

The key schedule milestones for the tech staff are:

- Provide SE input to LB4 – 7/13 for all branches except SEB
- Provide SE input to LB4 – 7/20, SEB assumes acceptable response from licensee provided by 7/12

Please contact me if you have any questions.

Thanks

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

<< File: DCD Intro with Table 1-1 ML11171A303.pdf >> << File: Proposed Guidance for Technical Staff Inputs Requested for LAR 17-037 6-23.docx >>

Williams, Joseph

From: Williams, Joseph
Sent: Monday, July 09, 2018 3:25 PM
To: Habib, Donald
Cc: Segala, John
Subject: Tier 2* LAR SER
Attachments: 20170221 Tier 2star LAR feedback ML17017A414.pdf

Don,

I've started looking at your proposed guidance for technical staff for the LAR 17-037 SER. Some initial comments that have occurred to me are below. John Segala is out of the office this week, so I haven't yet had any feedback from within DSRA regarding discussions over the past couple weeks. Overall, I'm still not clear on what is expected from me or how you think whatever is provided is going to mesh with technical staff inputs.

- Section 3.1.2 Technical Evaluation of Proposed Changes
 - What do you envision for “acceptability of proposed process?” I think this is a fundamental piece of the SE, as it should describe the necessary and sufficient attributes of an adequate process that the technical staff can refer to in their own evaluations. As you know, I consider the ability to clearly discriminate between Tier 2* information that is Tier 1-equivalent and less significant information to be a key attribute. This means the SE should describe the characteristics of Tier 1, which is not an easy thing to do.
 - The SE needs to describe why the four criteria given starting at the bottom of page 1 of your June 27 outline are necessary and sufficient to judge the adequacy of the process. It seems to me that it is difficult to ask the staff to complete their evaluations using these criteria when we do not yet have a basis confirming that they are sufficient (which is why the “acceptability of proposed process” is so important.) Some thoughts about the criteria themselves:
 - The first criterion, that a change would also affect Tier 1, appears to be incomplete, because it is possible that a Tier 2* change to Tier 1-equivalent information might not affect Tier 1. Per the regulatory history, at least part of the reason Tier 2* was created was to reduce the amount of information in Tier 1, while providing adequate regulatory control of changes.
 - Evaluation of the second criterion, that a change would trip at least one 50.59-like criterion, should consider evidence from the set of completed Tier 2* license amendments. The attached memo provides some preliminary feedback from staff regarding their perception of how good a job 50.59 would do when applied to the various Tier 2* amendments. The purpose of the memo was to provide documentation for the “NRC Staff Assessment” section in SECY-17-0075, starting on page 5 of that paper. For the purposes of the Commission paper, we needed to identify and characterize the various bins amendments would fall into, as opposed to reaching a final position on any specific amendment, so the views expressed in the memo are preliminary staff-level feedback. However, it's worth noting quite a few of the amendments are relevant to LAR 17-037. It would be information to know whether staff agree that the proposed process would yield a result consistent with SNC's view. Based on my quick review of the memo and some of the statements in the SE, I think there are likely to be inconsistencies. For example, the memo characterizes the basemat thickness amendment as one that would trip 50.59 and so would require prior NRC approval, but the LAR suggests SNC has a different opinion.
 - It isn't clear what is intended by the last criterion.

- It's worth remembering that the staff acknowledged in the regulatory history that it was likely there would be Tier 2* changes that aren't significant, but they'd nonetheless lead to amendments where the public could weigh in.
- Section 3.2 Evaluation of Exemption: I can't remember exactly where it is at the moment, but there's text somewhere in the record where the Commission acknowledges that it may not be practical to quantify decreased safety due to reduced standardization. I can help you find that text if it would be useful to you.
- It's a minor editorial point, but I don't think the process evaluation in section 3.1.2 is really "technical."

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Habib, Donald
Sent: Monday, July 09, 2018 4:38 PM
To: Williams, Joseph
Cc: Dixon-Herrity, Jennifer; Segala, John
Subject: For Comment: Briefing to EDO on Vogtle LAR 17-037.docx
Attachments: Briefing to EDO on Vogtle LAR 17-037.docx

Joe –

Attached for your comment is a draft briefing to the EDO about the Tier 2* LAR.

I don't think the briefing will be given for a few weeks, [REDACTED]

Please get back to me with your comments by COB Wednesday.

Thanks
Don

Williams, Joseph

From: Coyne, Kevin
Sent: Tuesday, July 10, 2018 8:54 AM
To: Monninger, John; Williams, Joseph
Cc: Segala, John
Subject: RE: Tier 2* LAR Feedback

Just a little more info – based on the DLSE input at the weekly meeting yesterday, no briefing had been scheduled yet. Projects is developing a one pager on the amendment that will be provided to Mike Johnson through Fred. Once Mike has a chance to review the one pager, he will decide if further engagement is needed.

Kevin

From: Monninger, John
Sent: Tuesday, July 10, 2018 7:00 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Tier 2* LAR Feedback

Yesterday Anna mentioned that a briefing for Mike Johnson had been requested; however, no date was mentioned.

Also, [REDACTED]

From: Williams, Joseph
Sent: Tuesday, July 10, 2018 6:44 AM
To: Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Tier 2* LAR Feedback

John,

I've been communicating with Don, and will meet with him this morning to work on clarifying the SE guidance he has provided. I've heard there's going to be an EDO briefing at some point, so I was curious if you had heard anything about that or other feedback from the past couple weeks.

Thanks.

Joe

From: Monninger, John
Sent: Monday, July 09, 2018 5:02 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: RE: Tier 2* LAR Feedback

Joe,

I understand that there was a meeting among the projects and tech staff to discuss and align on the SE while you were out of the office. I believe John Segala may have attended, though he is out of the office this week. If you are not receiving any input from Don, please reach out to Jennifer for the guidance discussed.

Thanks,
John

From: Williams, Joseph
Sent: Monday, July 09, 2018 3:25 PM
To: Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: Tier 2* LAR Feedback

John and Kevin,

Have either one of you received any feedback regarding guidance being provided to the staff for review of the Vogtle Tier 2* LAR? I've written to Don Habib indicating that I'm still not clear on what LB4 expects from me. More broadly, it's my understanding that there has been an emphasis from LB4 that the various SE inputs focus on the RAI responses. This approach seems problematic, as the RAIs were written without definition of the criteria to be applied to determine the acceptability of the proposal or any outline of an SE, so there can't be high confidence that all issues were identified and communicated in the RAIs.

Apologies for reaching out to you on this subject. Ordinarily, I'd talk to John Segala about this, but he's out this week and there's no one else in the branch that's cognizant of the issues associated with the LAR.

Thanks.

Joe

Williams, Joseph

From: Habib, Donald
Sent: Wednesday, July 11, 2018 9:04 AM
To: Green, Brian; Zhao, Jack; Hansing, Nicholas; Scarbrough, Thomas; Van Wert, Christopher; Nolan, Ryan; Honcharik, John; Prescott, Paul
Cc: Patel, Pravin; Samaddar, Sujit; Thomas, Vaughn; Kavanagh, Kerri; Rivera-Varona, Aida; Jung, Ian; Lupold, Timothy; Karas, Rebecca; Jackson, Diane; Ashley, Clinton; Dixon-Herrity, Jennifer; Patel, Chandu; Mitchell, Matthew; Segala, John; Williams, Joseph; [REDACTED]
Subject: ACTION: Staff Confirmation: [REDACTED] REVISION TO SNC LICENSE CONDITION OF 9 JULY 2018 with staff comments.docx
Attachments: [REDACTED] REVISION TO SNC LICENSE CONDITION OF 9 JULY 2018 with staff comments.docx
Follow Up Flag: Follow up
Due By: Thursday, July 12, 2018 8:00 AM
Flag Status: Completed

LAR 17-037 Review Team (HOIB, ICE, MEB, SRSB, MCB, QVIP) –

Attached for your review is a revised version of the SNC license condition and criteria regarding the Tier 2* LAR.

The new revised version (“STAFF PROPOSED CONDITION”) begins on page 2 of this attachment. This version [REDACTED] to improve the wording.

- ➔ ACTION: Please confirm that the revised license condition criteria language that begins on page 2 does not include a substantive change that affects its acceptability. The revised language may necessitate editorial changes to your SE input. For branches (MEB, SCVB, SEB, ARPB) where the criteria did not change, this is being provided for information only (no action).

Below is my understanding of the affected branches:

<u>Criterion</u>	<u>Affected Branch(es)</u>
1	MEB, SEB (no change from previously accepted SNC proposal)
2	HOIB, ICE, MEB (SEE REVISED LANGUAGE)
3	SRSB (SEE REVISED LANGUAGE)
4	SCVB (no change from previously accepted SNC proposal)
5	MCB (SEE REVISED LANGUAGE)
6	QVIB (SEE REVISED LANGUAGE)
7	SEB (no change from current staff proposal)
8	SEB (no change from current staff proposal)
9	SEB (no change from current staff proposal)

Please contact me if you have any questions.

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4

O-8D13
301-415-1035

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, July 11, 2018 11:09 AM
To: Brown, Frederick; Ordaz, Vonna; Taylor, Robert; Bradford, Anna; Monninger, John; Coyne, Kevin
Cc: Segala, John; Dixon-Herrity, Jennifer; Patel, Chandu; Habib, Donald
Subject: Open Door Meeting with Mike Johnson Regarding Vogtle Tier 2* LAR
Attachments: 20180711 Mike Johnson Open Door POP.docx

Categories: Red Category

I want to make you aware that I met this morning with Mike Johnson to discuss my views regarding process issues associated with the Vogtle Tier 2* LAR. I did not discuss the merits of the LAR itself; we only discussed it to the extent that it was pertinent to context and the process-oriented issues. A copy of the notes I gave to Mike are attached for your information.

In brief, I told Mike that I am concerned that the amendment review process has not yet adequately defined the target for completing the staff's safety evaluation, and that I do not believe the potential policy issues associated with deviation from Commission-approved positions have been fully vetted and communicated. I also told Mike that I raised these issues several months ago, but I have perceived considerable resistance and reluctance to address them. I expressed a view that my experience might be at least a weak signal of cultural issues that need management attention.

Mike asked me what I would suggest for an approach for the LAR review going forward. I said that a clear standard analogous to the SRP for what would constitute an acceptable proposal needs to be established, and vetted by management and OGC. Staff would then be tasked with writing draft safety evaluations. Any gaps in those evaluations could lead to additional RAs. This approach contrasts strongly with experience to date, where RAs were solicited before the target for the review was established.

Mike indicated he will be following up with NRO management on these issues.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Habib, Donald
Sent: Thursday, July 12, 2018 7:30 PM
To: Green, Brian; Zhao, Jack; Ashley, Clinton; Hansing, Nicholas; Scarbrough, Thomas; Van Wert, Christopher; Nolan, Ryan; Honcharik, John; Prescott, Paul; Patel, Pravin; Thomas, Vaughn
Cc: Rivera-Varona, Aida; Betancourt, Luis; Jackson, Diane; Lupold, Timothy; Karas, Rebecca; Mitchell, Matthew; Kavanagh, Kerri; Samaddar, Sujit; [REDACTED]; Dixon-Herrity, Jennifer; Patel, Chandu; Hoellman, Jordan; Williams, Joseph; Segala, John
Subject: INFO: NRC Staff Proposed Revision to Vogtle Units 3 and 4 LAR 17-037 License Condition for Tier 2star Screening
Attachments: NRC Staff Proposed Revision to SNC License Condition for Tier 2star Screening 7-12-2018.pdf

LAR 17-037 Review Team –

Attached is the NRC staff revision of SNC's proposed Tier 2* license conditions.

This version includes all provisions except those involving critical sections, which will be added when they are ready. The language reflects [REDACTED] that I distributed for staff review previously this week, plus minor changes from the staff responses.

I expect SNC to provide us feedback in a future public meeting, and will inform you if SNC advises of particular issues with any of the language relevant to your technical area.

Please contact me if you have any questions.

Thanks

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

From: Habib, Donald
Sent: Thursday, July 12, 2018 7:17 PM
To: 'Haggerty, Neil' <X2NHAGGE@SOUTHERNCO.COM>
Cc: 'Aughtman, Amy G.' <AGAUGHTM@SOUTHERNCO.COM>; 'Redd, Jason P.' <JPREDD@southernco.com>; 'Hicks, Thomas E.' <X2TEHICK@southernco.com>; 'Amundson, Theodore Edwin' <X2TAMUNS@southernco.com>; 'Clough, Ken' <X2KCLOUD@SOUTHERNCO.COM>; 'Baker, Tod H' (bakerth@westinghouse.com) <bakerth@westinghouse.com>; 'Zach Harper (WEC)' <harperzs@westinghouse.com>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>
Subject: NRC Staff Proposed Revision to Vogtle Units 3 and 4 LAR 17-037 License Condition for Tier 2star Screening

To All –

Attached for review and discussion at a future public meeting is a staff revision to the Tier 2* license condition, except for the provisions involving critical sections, which are still under review.

Thank you

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Habib, Donald
Sent: Thursday, July 12, 2018 7:57 PM
To: Williams, Joseph
Subject: RE: SE Thoughts

Joe –

There is a lot in here.

One point I am seeing is that it seems to me that we have previously accepted or acknowledged the notion that we'll have some LARs that will be not safety significant, and we've acknowledged the fact that there will be a hearing opportunity for those LARs.

Anyway, I will do what I can . . .

Thanks
Don

From: Williams, Joseph
Sent: Thursday, July 12, 2018 2:19 PM
To: Habib, Donald <Donald.Habib@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>
Subject: SE Thoughts

Don,

Here are some thoughts regarding the SE content for your consideration. It is my understanding that the basic point of view I describe (i.e., clear differentiation of Tier 1-equivalent from less significant information) is in line with feedback John Segala gave at your meeting a couple weeks ago. He tells me that he thought the meeting participants were aligned with that view. The outline probably needs some work, but I think it's a reasonable starting point.

Joe

Williams, Joseph

From: Habib, Donald
Sent: Thursday, July 12, 2018 8:04 PM
To: Williams, Joseph
Subject: RE: Clarification: For Comment: Briefing to EDO on Vogtle LAR 17-037.docx

Joe

Thanks also for your feedback on this. Some things I can address now. Other things later, when the review is further along.

The briefing is not scheduled. In my view, it would be appropriate to do after the staff reaches a decision, and under an approval scenario, after we get [REDACTED] [REDACTED]
[REDACTED] I think it would be appropriate for you to be present and, under an approval scenario, to give a countervailing view.

Thanks
Don

From: Williams, Joseph
Sent: Thursday, July 12, 2018 9:36 AM
To: Habib, Donald <Donald.Habib@nrc.gov>
Subject: RE: Clarification: For Comment: Briefing to EDO on Vogtle LAR 17-037.docx

Don,

Here are my comments on the briefing material. Do you plan to provide anything else, like copies of the submittals? When is the briefing scheduled?

Joe

From: Habib, Donald
Sent: Monday, July 09, 2018 4:40 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: Clarification: For Comment: Briefing to EDO on Vogtle LAR 17-037.docx

Joe –

I think you will have an opportunity to comment later, but I need to get an early version to management this week.

We can discuss Tuesday morning.

The SER input has priority over the briefing.

Thanks
Don

From: Habib, Donald

Sent: Monday, July 09, 2018 4:38 PM

To: Williams, Joseph <Joseph.Williams@nrc.gov>

Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Segala, John <John.Segala@nrc.gov>

Subject: For Comment: Briefing to EDO on Vogtle LAR 17-037.docx

Joe –

Attached for your comment is a draft briefing to the EDO about the Tier 2* LAR.

I don't think the briefing will be given for a few weeks, [REDACTED]

Please get back to me with your comments by COB Wednesday.

Thanks

Don

Williams, Joseph

From: Habib, Donald
Sent: Friday, July 13, 2018 2:42 PM
To: Bradford, Anna
Cc: Dixon-Herrity, Jennifer; Patel, Chandu; Hoellman, Jordan; Williams, Joseph; Segala, John
Subject: Emailing: Briefing to EDO on Vogtle LAR 17-037
Attachments: Briefing to EDO on Vogtle LAR 17-037 JFW comments.docx; DRAFT Briefing to EDO on Vogtle LAR 17-037 Post-JFW CLEAN.docx

Follow Up Flag: Follow up
Due By: Monday, July 16, 2018 7:30 AM
Flag Status: Completed

Categories: Red Category

Anna -

Attached is the DEDO briefing for the Tier 2* LAR.

- Attached are: (1) a clean version and (2) a version with comments from Joe Williams that I have responded to and (partially) addressed.
- This will need to be updated later when the review is nearer complete. The sections to be updated are **marked**.
- I think this version is about ready for Rob Taylor.

One issue I need help figuring out is why we could approve this amendment now after we previously had messaged to SNC that something like this should be addressed in a rulemaking rather than a LAR. (what is different this time?)

Thanks
Don

Williams, Joseph

From: Coyne, Kevin
Sent: Friday, July 13, 2018 3:21 PM
To: Bradford, Anna
Cc: Williams, Joseph; Segala, John; Karas, Rebecca; Jackson, Diane; Monninger, John; Habib, Donald
Subject: Vogtle Tier 2* LAR - Request for Staff Alignment Meeting on SE

Hi Anna –

We very much appreciate the efforts Don Habib has made in providing some SE guidance for the Vogtle Tier 2* LAR and reaching out to the staff to help bring some consistency to the overall staff approach on this review. I know Don had a meeting about two weeks ago on his SE template. Now that staff are preparing their SE inputs based on this template and sending them to Don, I think it might be a good idea to get the group together again and make sure that there is consistency in the SE approach and logic across the various technical areas being reviewed (i.e., the approval basis for the fuels information is not at odds with the basis used for structural).

The other aspect of the review that I think needs to be highlighted in the SE is that the staff's review was highly dependent on the scope of Tier 2* items in the AP1000 DC. In other words, I believe most of the branches reviewed the SNC approach based on both the method proposed by SNC but also full knowledge of the population of Tier 2* this approach would be applied to. In other words, the review was not done on a "generic" basis but was done in the context of the specific Tier 2* information in the AP1000 DC. This point needs to come across in the SE so that the limitations/constraints of the applicability of the SNC approach are well communicated.

Thanks for your consideration –

Kevin

Williams, Joseph

From: Bradford, Anna
Sent: Friday, July 13, 2018 4:18 PM
To: Coyne, Kevin
Cc: Williams, Joseph; Segala, John; Karas, Rebecca; Jackson, Diane; Monninger, John; Habib, Donald; Taylor, Robert
Subject: Re: Vogtle Tier 2* LAR - Request for Staff Alignment Meeting on SE

Kevin,

Thanks for the thoughts. The due date for the SE inputs is today (except for SEB) and I believe we already have some of them. One of the normal PM functions is to make sure there are not inconsistencies in approaches from various contributors. If we see problems, we will set up a meeting then (if needed).

I agree with you that the SE should address the fact that this is specific to the AP1000.

Anna H. Bradford
Deputy Director
Division of Licensing, Siting, and Environmental Analysis (DLSE)
U.S. Nuclear Regulatory Commission
301-[415-1560](tel:415-1560)

On: 13 July 2018 15:20, "Coyne, Kevin" <Kevin.Coyne@nrc.gov> wrote:

Hi Anna –

We very much appreciate the efforts Don Habib has made in providing some SE guidance for the Vogtle Tier 2* LAR and reaching out to the staff to help bring some consistency to the overall staff approach on this review. I know Don had a meeting about two weeks ago on his SE template. Now that staff are preparing their SE inputs based on this template and sending them to Don, I think it might be a good idea to get the group together again and make sure that there is consistency in the SE approach and logic across the various technical areas being reviewed (i.e., the approval basis for the fuels information is not at odds with the basis used for structural).

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Thanks for your consideration –

Kevin

Williams, Joseph

From: Habib, Donald
Sent: Friday, July 13, 2018 5:07 PM
To: Taylor, Robert
Cc: Bradford, Anna; Dixon-Herrity, Jennifer; Hoellman, Jordan; Segala, John; Williams, Joseph; Patel, Chandu; Kallan, Paul
Subject: Info: Draft Briefing to DEDO on Tier 2* LAR
Attachments: DRAFT Briefing to EDO on Vogtle LAR 17-037 Post-JFW CLEAN.docx; DRAFT Briefing to EDO on Vogtle LAR 17-037 JFW comments.docx

Rob –

Attached is the draft DEDO briefing for the Tier 2* LAR.

- Attached are: (1) a clean version and (2) the same version showing a number of substantive comments from Joe Williams that I have responded to and (partially) addressed.
- This will need to be updated later when the review is nearer complete. The sections to be updated are **marked**.

Please contact me if you would like to discuss.

Thanks
Don

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Williams, Joseph
Sent: Monday, July 16, 2018 7:43 AM
To: Monninger, John; Coyne, Kevin
Cc: Segala, John
Subject: FW: Emailing: Briefing to EDO on Vogtle LAR 17-037
Attachments: Briefing to EDO on Vogtle LAR 17-037 JFW comments.docx; DRAFT Briefing to EDO on Vogtle LAR 17-037 Post-JFW CLEAN.docx

In the attached file with "JFW comments" in the file name, Don responded to my input on draft briefing materials for Mike Johnson. On the second page, in my comment 27, I said that "The proposals does not rely upon an objective characterization of Tier 1-equivalent information that would be applicable to all designs." Don replied that he understands "that SNC is saying, and the staff is also saying, that differentiation of Tier 1-equivalent and other Tier 2* information is not needed to approve the LAR." I take strong exception to that view. I don't think an acceptable process necessarily needs to be applicable to all designs, though I think that would make things easier in the long run. However, I do think that any process must make a clear differentiation between Tier 1-equivalent and less significant information for any particular design. Otherwise, the process does not conform with Commission-approved positions.



From: Habib, Donald
Sent: Friday, July 13, 2018 2:42 PM
To: Bradford, Anna <Anna.Bradford@nrc.gov>
Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>
Subject: Emailing: Briefing to EDO on Vogtle LAR 17-037

Anna -

Attached is the DEDO briefing for the Tier 2* LAR.

- Attached are: (1) a clean version and (2) a version with comments from Joe Williams that I have responded to and (partially) addressed.
- This will need to be updated later when the review is nearer complete. The sections to be updated are **marked**.
- I think this version is about ready for Rob Taylor.

One issue I need help figuring out is why we could approve this amendment now after we previously had messaged to SNC that something like this should be addressed in a rulemaking rather than a LAR. (what is different this time?)

Thanks
Don

Williams, Joseph

From: Williams, Joseph
Sent: Monday, July 16, 2018 10:15 AM
To: Patel, Chandu; Bradford, Anna; Habib, Donald
Cc: Dixon-Herrity, Jennifer; Hoellman, Jordan; Segala, John; Taylor, Robert; Monninger, John; Coyne, Kevin
Subject: RE: Emailing: Briefing to EDO on Vogtle LAR 17-037
Attachments: Briefing to EDO on Vogtle LAR 17-037 JFW reply to DLSE comment response.docx

Some thoughts for your consideration:

- Chandu indicates that the staff decision on the previous amendment was communicated to the Commission, which sets a precedent in this case. I wouldn't be surprised if the earlier case was dealt with informally, and such an approach might be fine when the staff decision is already in line with Commission-approved positions. This case significantly deviates from those positions, so it is appropriate to communicate more formally. It also seems reasonable to contrast the two situations (i.e., why did we do one thing before and something different now).
- SNC's December 15, 2014 letter withdrawing the previous amendment includes the text "NRC staff members indicated that SNC's request had implications beyond Vogtle 3 and 4 and therefore, SNC's proposal would more appropriately be pursued through a proposed rulemaking."
- I don't think Chandu meant it this way, but his note could be read to imply "urgency during the construction" is a basis to approve this amendment. Such urgency might be a factor in the schedule for review, but has no bearing on the safety decision.
- Regarding the briefing sheets themselves, I disagree strongly that the proposed process doesn't need to make clear differentiation between Tier 1-equivalent and other Tier 2* information. If the safety evaluation does not confirm that such a distinction can be reliably made, it would not conform with Commission-approved positions.
- I also take exception to the point regarding the staff's views. My opinion is that a consistent and coherent standard has not been established for staff review even to this day. Even if one accepts that the guidance provided to staff was sufficient, it was not provided until many weeks after the RAI milestone had come and gone. For some period of time, direction to staff for SE content was "address your RAIs," which might be necessary, but is not sufficient to support a safety finding. My interactions with staff suggest there has been far more confusion than clarity throughout this review, so I'll be surprised if the end products have somehow managed to converge around a consistent standard. I can withhold judgement until I see the completed SE, but my experience to date is not encouraging.
- The attached file provides my reply to some of Don's comment responses. See comments 19, 23, and 29.

Joe

From: Patel, Chandu

Sent: Sunday, July 15, 2018 4:45 PM

To: Bradford, Anna <Anna.Bradford@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>

Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>

Subject: RE: Emailing: Briefing to EDO on Vogtle LAR 17-037

Hi,

I was not involved in all decision making process because I started with Vogtle at the end of 2014 but the previous LAR included removal of all Tier 2*. I understand that it was run through all the levels up Commission and message was sent verbally that we were not going to approve the request just like what we recently did for IAR. So, licensee withdrew the request in December 2014. At least this time we have better definition of the request and another thing as Anna pointed out is that we had Summer, Levy, Lee and TP active at that time. So, one can make an argument that this time it is little different if we approve only for Vogtle because of the urgency during the construction.

Thanks,
Chandu

From: Bradford, Anna

Sent: Friday, July 13, 2018 3:06 PM

To: Habib, Donald <Donald.Habib@nrc.gov>

Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>

Subject: RE: Emailing: Briefing to EDO on Vogtle LAR 17-037

Thanks Don.

I wasn't in DNRL in 2014 when the feedback to SNC was that it would be better handled in rulemaking so I don't know why we said that (although I don't see a letter saying that so maybe it was just verbal?). Maybe Chandu or the PM at the time would remember?

In any case, when I look at their 2014 submittal, the criteria seem quite vague and high-level; for example, they would get NRC approval for anything that would "Result in more than a minimal increase in the consequences of an accident previously evaluated in the plant-specific DCD." The more recent submittal is much more specific; for example, they will get NRC approval for things that "adversely affect the containment debris limits or debris screen design criteria." So it seems to me that this most recent LAR proposes specific items that we feel comfortable with.

In addition, we generally don't do rulemaking for something that affects only a small number of applicants/licensees. It may be that in 2014, we were still expecting larger (at least, larger than the current 2) AP1000's to be built and so wanted to handle it in a more generic fashion, while today a site-specific fix is more resource efficient.

Does that help?

Anna H. Bradford
Deputy Director
Division of Licensing, Siting, and Environmental Analysis
U.S. Nuclear Regulatory Commission
301-415-1560

From: Habib, Donald

Sent: Friday, July 13, 2018 2:42 PM

To: Bradford, Anna <Anna.Bradford@nrc.gov>

Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>

Subject: Emailing: Briefing to EDO on Vogtle LAR 17-037

Anna -

Attached is the DEDO briefing for the Tier 2* LAR.

- Attached are: (1) a clean version and (2) a version with comments from Joe Williams that I have responded to and (partially) addressed.
- This will need to be updated later when the review is nearer complete. The sections to be updated are **marked**.
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One issue I need help figuring out is why we could approve this amendment now after we previously had messaged to SNC that something like this should be addressed in a rulemaking rather than a LAR. (what is different this time?)

Thanks
Don

Williams, Joseph

From: Taylor, Robert
Sent: Monday, July 16, 2018 12:44 PM
To: Brown, Frederick
Cc: Bradford, Anna; Monninger, John; Coyne, Kevin; Segala, John; Williams, Joseph; Dixon-Herrity, Jennifer; Habib, Donald; McGinty, Tim
Subject: DRAFT Tier 2* One-pager
Attachments: DRAFT One-pager on Vogtle LAR 17-037 - Tier 2-star.docx

Fred,

Per your request, attached is the draft one-pager on the Tier 2* LAR. It is an 80/20 product as it is still undergoing internal review and discussion. You will see a few places where information still needs to be added, is marked TENTATIVE, or an attachment is planned. In addition, Joe Williams provided additional perspectives and comments this morning that we have not had a chance to digest and evaluate to determine whether further revisions are necessary. We are continuing to make progress, including in public engagements with SNC on the scope and content of license conditions, taking into consideration differing internal viewpoints.

Please let us know if there is anything additional you need.

Rob

Robert M. Taylor, Director
Division of Licensing, Siting
and Environmental Analysis (DLSE)
Office of New Reactors
USNRC
(office) 301-415-1634

Williams, Joseph

From: Williams, Joseph
Sent: Monday, July 16, 2018 12:48 PM
To: Taylor, Robert; Brown, Frederick
Cc: Bradford, Anna; Monninger, John; Coyne, Kevin; Segala, John; Dixon-Herrity, Jennifer; Habib, Donald; McGinty, Tim
Subject: RE: DRAFT Tier 2* One-pager
Attachments: RE: Emailing: Briefing to EDO on Vogtle LAR 17-037

For anyone who hadn't seen it earlier, the attached message is the feedback I provided to DLSE earlier today.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

From: Taylor, Robert
Sent: Monday, July 16, 2018 12:44 PM
To: Brown, Frederick <Frederick.Brown@nrc.gov>
Cc: Bradford, Anna <Anna.Bradford@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; McGinty, Tim <Tim.McGinty@nrc.gov>
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Robert M. Taylor, Director
Division of Licensing, Siting
and Environmental Analysis (DLSE)
Office of New Reactors
USNRC
(office) 301-415-1634

Williams, Joseph

From: Williams, Joseph
Sent: Monday, July 16, 2018 2:30 PM
To: Monninger, John; Coyne, Kevin
Cc: Segala, John
Subject: Ravi Joshi Comments on Vogtle Tier 2* LAR
Attachments: Ravi Joshi Comments_on_LAR_17-037.docx

I was made aware today that Ravi Joshi submitted the attached comments on the Vogtle Tier 2* LAR back in early April. Ravi is a highly respected former PM with deep knowledge and experience regarding the Vogtle COL and NRC's licensing processes. His comments are based upon the original submittal, and so do not reflect RAI and responses, or other updates made by SNC since that time. I have only read through his comments quickly, but I believe his views largely align with mine. I have highlighted text that might be of interest to you.

Ravi submitted his comments via regulations.gov, and they can be found [here](#). I'm dismayed that DLSE did not inform me that NRC had received these comments.

Joe

Williams, Joseph

From: Williams, Joseph
Sent: Monday, July 16, 2018 2:53 PM
To: Monninger, John; Coyne, Kevin; Segala, John
Subject: FW: Ravi Joshi Comments on LAR 17-037

FYI. We have a problem with our interface with members of the public if LB4 didn't know the comments existed in the first place,

From: Hoellman, Jordan
Sent: Monday, July 16, 2018 2:48 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Habib, Donald <Donald.Habib@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Kallan, Paul <Paul.Kallan@nrc.gov>
Subject: RE: Ravi Joshi Comments on LAR 17-037

Hi Joe –

I was not aware of the comments. I've included others in my branch on cc to make sure that they are appropriately addressed.

Thanks,
Jordan

From: Williams, Joseph
Sent: Monday, July 16, 2018 2:44 PM
To: Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Subject: Ravi Joshi Comments on LAR 17-037

Jordan,

Is your branch aware of comments submitted by Ravi Joshi on the Tier 2* LAR?
<https://www.regulations.gov/document?D=NRC-2018-0021-0003>

Joe

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, July 17, 2018 11:07 AM
To: Johnson, Michael
Subject: Ravi Joshi Comments on Vogtle Tier 2* LAR
Attachments: Ravi Joshi Comments_on_LAR_17-037.docx

Mike,

I discovered yesterday that Ravi Joshi submitted comments on the Vogtle Tier 2* LAR through [regulations.gov](https://www.regulations.gov) in early April. I've attached a copy of his comments for your information. The highlights text in the text are mine, and show some areas where Ravi's thoughts align with mine.

This information is pertinent to the process concerns I discussed with you last week, as DNRL/DLSE did not share Ravi's input with me.

Thanks again for meeting with me last week.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Brown, Frederick
Sent: Tuesday, July 17, 2018 3:50 PM
To: Taylor, Robert; Dixon-Herrity, Jennifer; Habib, Donald; Williams, Joseph
Cc: Bradford, Anna; Monninger, John; Coyne, Kevin; Segala, John; McGinty, Tim; [REDACTED]
Subject: RE: DRAFT Tier 2* One-pager

Sorry, I've been behind in my e-mail.

Can we please have a meeting this week (after Thursday's call with SNC on the LAR) to talk through where we are at with this review?

Some of the points Joe raises are ones that he has already discussed with me, but others may have evolved since we last talked.

I would like to talk through the issues in an orderly way to ensure that we aren't missing anything from a safety or regulatory process standpoint.

Thanks,
Fred

From: Williams, Joseph
Sent: Monday, July 16, 2018 12:48 PM
To: Taylor, Robert <Robert.Taylor@nrc.gov>; Brown, Frederick <Frederick.Brown@nrc.gov>
Cc: Bradford, Anna <Anna.Bradford@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; McGinty, Tim <Tim.McGinty@nrc.gov>
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Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

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Sent: Monday, July 16, 2018 12:44 PM
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Cc: Bradford, Anna <Anna.Bradford@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; McGinty, Tim <Tim.McGinty@nrc.gov>
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Please let us know if there is anything additional you need.

Rob

Robert M. Taylor, Director
Division of Licensing, Siting
and Environmental Analysis (DLSE)
Office of New Reactors
USNRC
(office) 301-415-1634

Williams, Joseph

From: Monninger, John
Sent: Wednesday, July 18, 2018 7:16 AM
To: Hoellman, Jordan; Bradford, Anna
Cc: Williams, Joseph; Coyne, Kevin
Subject: RE: Tier 2* Status of Vogtle LAR 17-037

Anna, Jordan

Do we have an agenda or know how this meeting is going to be conducted? Is DLSE going to present something? Is Joe or DSRA expected to present something? Are we in a listening mode from Fred [REDACTED]?

We just want to make sure we are prepared and responsive.

Thanks,
John

-----Original Appointment-----

From: Hoellman, Jordan
Sent: Tuesday, July 17, 2018 4:06 PM
To: Brown, Frederick; Taylor, Robert; Williams, Joseph; Bradford, Anna; Monninger, John; Coyne, Kevin; [REDACTED]
[REDACTED] Segala, John; [REDACTED] McGinty, Tim
Cc: Dixon-Herrity, Jennifer; Habib, Donald; Patel, Chandu; Kallan, Paul
Subject: Tier 2* Status of Vogtle LAR 17-037
When: Thursday, July 19, 2018 2:30 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: HQ-OWFN-11B04-25p

Meeting requested by Fred to discuss where we are with the review of Vogtle LAR 17-037, Changes to the Tier 2* Departure Evaluation Process.

Williams, Joseph

From: Bradford, Anna
Sent: Wednesday, July 18, 2018 7:19 AM
To: Monninger, John; Hoellman, Jordan
Cc: Williams, Joseph; Coyne, Kevin
Subject: Re: Tier 2* Status of Vogtle LAR 17-037

I will talk through the one pager we provided to Fred on Monday. Joe isn't expected to present anything but is welcome to chime in.

Anna H. Bradford
Deputy Director
Division of Licensing, Siting, and Environmental Analysis (DLSE)
U.S. Nuclear Regulatory Commission
301-415-1560

On: 18 July 2018 07:15, "Monninger, John" <John.Monninger@nrc.gov> wrote:

Anna, Jordan

Do we have an agenda or know how this meeting is going to be conducted? Is DLSE going to present something? Is Joe or DSRA expected to present something? Are we in a listening mode from Fred [REDACTED]?

We just want to make sure we are prepared and responsive.

Thanks,
John

-----Original Appointment-----

From: Hoellman, Jordan
Sent: Tuesday, July 17, 2018 4:06 PM
To: Brown, Frederick; Taylor, Robert; Williams, Joseph; Bradford, Anna; Monninger, John; Coyne, Kevin; [REDACTED]
[REDACTED] Segala, John; [REDACTED] McGinty, Tim
Cc: Dixon-Herrity, Jennifer; Habib, Donald; Patel, Chandu; Kallan, Paul
Subject: Tier 2* Status of Vogtle LAR 17-037
When: Thursday, July 19, 2018 2:30 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: HQ-OWFN-11B04-25p

Meeting requested by Fred to discuss where we are with the review of Vogtle LAR 17-037, Changes to the Tier 2* Departure Evaluation Process.

Williams, Joseph

From: Hoellman, Jordan
Sent: Friday, July 20, 2018 9:14 AM
To: Green, Brian; Zhao, Jack; Ashley, Clinton; Hansing, Nicholas; Scarbrough, Thomas; Van Wert, Christopher; Nolan, Ryan; Honcharik, John; Prescott, Paul; Patel, Pravin; Thomas, Vaughn
Cc: Rivera-Varona, Aida; Betancourt, Luis; Jackson, Diane; Lupold, Timothy; Karas, Rebecca; Mitchell, Matthew; Kavanagh, Kerri; Samaddar, Sujit; [REDACTED]; Dixon-Herrity, Jennifer; Patel, Chandu; Hoellman, Jordan; Williams, Joseph; Segala, John; Dixon-Herrity, Jennifer; Habib, Donald; Patel, Chandu; Bradford, Anna; Taylor, Robert
Subject: Tier 2* Vogtle LAR 17-037 Status

Dear all –

Thanks to all of you for your hard work on the Tier 2* LAR. We would like to let you know what the next steps are. Early next week, DLSE will be sending you an early draft of the whole SE so that you can see the entire document, including the information that DLSE developed regarding how the review was conducted. Please take a look at it and confirm that our description is accurate and that you are comfortable that the proposed license conditions will adequately ensure that items that need to come back to the agency for review before they are changed by SNC are appropriately covered. After we have heard back from the tech branches, made any necessary changes, and received SNC's final submittal, then we will send the SE back to you for formal concurrence. Please let us know if you have questions. Thanks again.

Have a great weekend!

Jordan Hoellman

Project Manager

Licensing Branch 4

Division of Licensing, Siting, and Environmental Analysis

Office of New Reactors

U.S. Nuclear Regulatory Commission

office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

Williams, Joseph

From: Williams, Joseph
Sent: Monday, July 23, 2018 8:09 AM
To: Hoellman, Jordan; Green, Brian; Zhao, Jack; Ashley, Clinton; Hansing, Nicholas; Scarbrough, Thomas; Van Wert, Christopher; Nolan, Ryan; Honcharik, John; Prescott, Paul; Patel, Pravin; Thomas, Vaughn
Cc: Coyne, Kevin; Segala, John; Bradford, Anna; Dixon-Herrity, Jennifer; Habib, Donald; Patel, Chandu; Hoellman, Jordan
Subject: Vogtle Tier 2* LAR Feedback

Over the past couple weeks, I met with Mike Johnson, Fred Brown, and others to describe concerns I have regarding the Vogtle Tier 2* LAR. I have said that I am not confident that staff involved with the review have been given sufficient guidance to determine questions to be addressed by RAIs or complete their reviews, and that policy questions associated with the review have not been adequately vetted or communicated. I also expressed concern about a chilling effect I have felt, as it has been very difficult for me to get any attention to these issues. It is my understanding that DLSE will be following up with you to determine if the guidance provided has been sufficient, so when you hear from them, that's the context of the inquiry. If you don't have any concerns with the guidance provided and process followed, that's great. On the other hand, if you share any of my concerns, by all means speak up.

Some people have asked if I plan to non-concur in the amendment. I won't make a decision until I see what the SE says.

Feel free to call or email me, or drop by my office (T-9F28B) if you would like to hear more.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Williams, Joseph
Sent: Monday, July 23, 2018 8:19 AM
To: Coyne, Kevin
Cc: Segala, John; Monninger, John
Subject: RE: Fred Brown Briefing
Attachments: Tier 2* Vogtle LAR 17-037 Status

Kevin,

FYI, DLSE sent the attached email on Friday morning. I don't think it quite aligns with the meeting outcome you describe, but I guess I have to wait and see how things play out. You'll also see that I've written to the other reviewers to inform them of my meetings with Johnson and Brown so they have an appreciation of the full context of DLSE's inquiries. I also want to do some rumor control, as some people have asked me if I plan to non-concur.

Joe

From: Coyne, Kevin
Sent: Friday, July 20, 2018 10:05 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>
Subject: RE: Fred Brown Briefing

Joe –

Thank you again for bringing your concerns forward and providing a candid discussions of the issues and challenges you identified in the review of the Vogtle Tier 2* license amendment request. We will continue to work with DLSE to make sure that the actions discussed at the meeting are completed (i.e., confirm reviewers considered guidance provided by DLSE, that the SNC process is capable of identifying items that require prior NRC approval, and future development of guidance on Tier 1 and Tier 2).

Both John and I very much appreciate and support you in bringing your concerns forward – so please let us know if there is anything we can do to make sure your issues continue to be heard and considered as we move forward. In addition, the NRC's Open Door Policy described in MD 10.160 (<http://www.internal.nrc.gov/policy/directives/catalog/md10.160.pdf>) identifies a number of available resources for addressing any chilling issues you may have experienced during this process. These resources include:

- Your immediate supervisor;
- Another supervisor or manager (in accordance with the Open Door Policy);
- Office of the Chief Human Capital Officer (OCHCO);
- NRC OIG;
- Negotiated grievance procedure described in the Collective Bargaining Agreement Between the NRC and the National Treasury Employees Union (see <http://www.internal.nrc.gov/HR/pdf/cba.pdf>);
- The administrative grievance procedure described in MD 10.101, "Employee Grievances" (<https://www.nrc.gov/docs/ML1807/ML18073A286.pdf>);
- The Department of Labor, Occupational Safety and Health Administration, Office of Whistleblower Protection (Complaints must be filed within 180 days. More information is available at <http://www.whistleblowers.gov/>); and
- The U.S. Office of Special Counsel. (More information is available at <http://www.osc.gov/>)

In addition, the MD 10.158 NRC Non-Concurrence Process (<https://www.nrc.gov/docs/ML1807/ML18073A296.pdf>) and the MD 10.159 Differing Professional Opinion Process (<https://www.nrc.gov/docs/ML1807/ML18073A298.pdf>) provide other avenues to express your views.

Thanks again –

Kevin

From: Williams, Joseph

Sent: Thursday, July 19, 2018 4:29 PM

To: Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>

Subject: Fred Brown Briefing

The outcome of the meeting was probably better than expected, though not what I would have hoped for. There was a bit of progress with regard to the LAR (again, not as much as I'd hope, but I wasn't going to be surprised if there was none at all), but none regarding policy questions, and little response to the chilling effect feedback.

I appreciate the support and perspectives you have provided. We'll see where the SE goes.

Joe

Williams, Joseph

From: Hoellman, Jordan
Sent: Monday, July 23, 2018 9:22 AM
To: Williams, Joseph
Cc: Habib, Donald
Subject: RE: DEDO Briefing Sheet
Attachments: Briefing to EDO on Vogtle LAR 17-037 jph.docx

Hi Joe –

Here's the latest version. Let me know if you need anything else.

Thanks,
Jordan

From: Williams, Joseph
Sent: Monday, July 23, 2018 9:09 AM
To: Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>
Subject: DEDO Briefing Sheet

Jordan,

Can you send me an electronic version of the briefing sheet you provided at the meeting last Thursday, or a more current version, if one exists?

Thanks.

Joe

Williams, Joseph

From: Habib, Donald
Sent: Thursday, July 26, 2018 7:37 AM
To: Hoellman, Jordan; Green, Brian; Zhao, Jack; Ashley, Clinton; Hansing, Nicholas; Scarbrough, Thomas; Van Wert, Christopher; Nolan, Ryan; Honcharik, John; Prescott, Paul; Patel, Pravin; Thomas, Vaughn
Cc: Rivera-Varona, Aida; Betancourt, Luis; Jackson, Diane; Lupold, Timothy; Karas, Rebecca; Mitchell, Matthew; Kavanagh, Kerri; Samaddar, Sujit; [REDACTED]; Dixon-Herrity, Jennifer; Patel, Chandu; Williams, Joseph; Segala, John; Dixon-Herrity, Jennifer; Patel, Chandu; Bradford, Anna; Taylor, Robert; Williams, Joseph
Subject: Action: For Review: Tier 2* Vogtle LAR 17-037 Status
Attachments: 2018-07-25 Safety Evaluation - LAR 17-037.docx; PROPOSED REVISION TO SNC LICENSE CONDITION 2.D.(13).pdf

Importance: High

Categories: Red Category

LAR 17-037 Technical Reviewers –

I need your assistance to finish the SE for this LAR, attached, which contains all of the inputs you have provided, plus much of the DLSE-generated content, which we are still working on.

- ➔ **ACTION:** By COB Friday, please take a look at it and confirm that the DLSE-generated discussions are accurate and applicable for your specific review area. This should include the discussion at the beginning of Section 3.1 and for the exemption evaluation in Section 3.2. Additionally, please affirm that the screening criteria will ensure that changes to Tier 1 equivalent information will come to the NRC for review and approval. The license condition language has had minor changes since the previous (July 12) version. You may also wish to compare your branch input to those from other branches. Some minor editorial changes were made to the inputs (ML#s, licensee vs SNC, etc.)

After we have heard back from the tech branches, made any necessary changes, and received SNC's final submittal, then we will send the SE back to you for formal concurrence. Please let me know if you have questions.

Thanks to all for your efforts on this LAR. Please advise me if you need additional time.

Don

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

From: Hoellman, Jordan
Sent: Friday, July 20, 2018 9:14 AM
To: Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>;

Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

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Subject: Tier 2* Vogtle LAR 17-037 Status

Dear all –

Thanks to all of you for your hard work on the Tier 2* LAR. We would like to let you know what the next steps are. Early next week, DLSE will be sending you an early draft of the whole SE so that you can see the entire document, including the information that DLSE developed regarding how the review was conducted. Please take a look at it and confirm that our description is accurate and that you are comfortable that the proposed license conditions will adequately ensure that items that need to come back to the agency for review before they are changed by SNC are appropriately covered. After we have heard back from the tech branches, made any necessary changes, and received SNC's final submittal, then we will send the SE back to you for formal concurrence. Please let us know if you have questions. Thanks again.

Have a great weekend!

Jordan Hoellman

Project Manager

Licensing Branch 4

Division of Licensing, Siting, and Environmental Analysis

Office of New Reactors

U.S. Nuclear Regulatory Commission

office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

From: Hoellman, Jordan

Sent: Friday, July 20, 2018 9:14 AM

To: Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

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<Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>

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Have a great weekend!

Jordan Hoellman

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office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

Williams, Joseph

From: Williams, Joseph
Sent: Friday, July 27, 2018 9:32 AM
To: Monninger, John; Coyne, Kevin; Segala, John
Subject: SECY-18-0060 Transformation

FYI, I was directed to the following text that appears in the transformation paper:

One of the driving factors behind the decision to implement distinct change processes in Parts 50 and 52 was the Commission's goal of maintaining standardization. Revising the Part 52 change process would be a ***policy shift*** [emphasis added] away from standardization.

The Vogtle LAR affects Part 52 change processes, so draw your own conclusions.

Joe

Williams, Joseph

From: Ashley, Clinton
Sent: Friday, July 27, 2018 1:46 PM
To: Williams, Joseph
Subject: FW: Action: For Review: Tier 2* Vogtle LAR 17-037 Status
Attachments: 2018-07-25 Safety Evaluation - LAR 17-037.docx; PROPOSED REVISION TO SNC LICENSE CONDITION 2.D.(13).pdf

Importance: High

Joe,

I am curious to read your thoughts about the SE conclusion and it's association to GDC 1. It's the first I have seen this. Thought you might have some insight.

Clint

3.1.9 SUMMARY OF TECHNICAL EVALUATION

For the reasons discussed above, the staff finds that the proposed Tier 2* departure evaluation process and screening criteria in License Condition 2.D.(13) provide reasonable assurance that any future safety-significant departures from Tier 2* information will continue to require prior NRC approval. **Based on these findings, the staff concludes that there is reasonable assurance that the requirements of GDC 1 of Appendix A to 10 CFR Part 50 will continue to be met.** Therefore, the staff finds the proposed changes to be acceptable. As previously noted, the staff review and conclusions are specific to the Vogtle Units 3 and 4. The staff did not consider, and the conclusions of the review do not apply to, other designs certified and other combined licenses issued under 10 CFR Part 52, including other AP1000 combined licenses.

From: Habib, Donald
Sent: Thursday, July 26, 2018 7:37 AM
Subject: Action: For Review: Tier 2* Vogtle LAR 17-037 Status
Importance: High

LAR 17-037 Technical Reviewers –

I need your assistance to finish the SE for this LAR, attached, which contains all of the inputs you have provided, plus much of the DLSE-generated content, which we are still working on.

- ➔ **ACTION:** By COB Friday, please take a look at it and confirm that the DLSE-generated discussions are accurate and applicable for your specific review area. This should include the discussion at the beginning of Section 3.1 and for the exemption evaluation in Section 3.2. Additionally, please affirm that the screening criteria will ensure that changes to Tier 1 equivalent information will come to the NRC for review and approval. The license condition language has had minor changes since the previous (July 12) version. You may also wish to compare your branch input to those from other branches. Some minor editorial changes were made to the inputs (ML#, licensee vs SNC, etc.)

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Thanks to all for your efforts on this LAR. Please advise me if you need additional time.
Don

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

From: Hoellman, Jordan

Sent: Friday, July 20, 2018 9:14 AM

To: Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

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Subject: Tier 2* Vogtle LAR 17-037 Status

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Have a great weekend!

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Project Manager

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U.S. Nuclear Regulatory Commission

office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

From: Hoellman, Jordan

Sent: Friday, July 20, 2018 9:14 AM

To: Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

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phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

Williams, Joseph

From: Williams, Joseph
Sent: Friday, July 27, 2018 2:33 PM
To: Ashley, Clinton
Subject: RE: Action: For Review: Tier 2* Vogtle LAR 17-037 Status

I confirmed that there's no mention of GDC 1 in the review guidance provided on June 27.

From: Ashley, Clinton
Sent: Friday, July 27, 2018 2:12 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: Action: For Review: Tier 2* Vogtle LAR 17-037 Status

Thanks.

I asked Don earlier today about this and he said he would get back with me...
Not sure who originated the conclusion. I did not see any discussion in the tech eval section that warranted such a conclusion. Murky is an apt description.

Clint

From: Williams, Joseph
Sent: Friday, July 27, 2018 2:06 PM
To: Ashley, Clinton <Clinton.Ashley@nrc.gov>
Subject: RE: Action: For Review: Tier 2* Vogtle LAR 17-037 Status

Clint,

My initial reaction is that GDC 1 doesn't say anything about what does or doesn't require NRC approval, so the relationship between that conclusion and the previous sentence is murky, at best. I also don't see any discussion of GDC 1 in any of the individual topics (I haven't read them all yet).

The previous sentence is also inaccurate, in my opinion, in that it should say something along the lines that any future Tier 2* departures for Tier 1-equivalent information will continue to require NRC review and approval. For one thing, we review non-safety significant changes all the time; that's not an unexpected outcome of many LAR and other licensing action reviews. Rather, often what we are doing is confirming that a change to a safety significant thing is still within acceptable bounds; we want to be sure licensees are screwing up something important.

I think Section 2.0 should clearly articulate what needs to happen to find the LAR acceptable, and that the individual topic areas need to demonstrate how they conform to that standard. That's not how the SE is written, though.

I may come up with more thoughts, but that's pretty much the first thing that comes to mind. I'll be sending out some general comments to everyone by the end of the day.

Joe

From: Ashley, Clinton
Sent: Friday, July 27, 2018 1:46 PM

To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: FW: Action: For Review: Tier 2* Vogtle LAR 17-037 Status
Importance: High

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From: Habib, Donald
Sent: Thursday, July 26, 2018 7:37 AM
Subject: Action: For Review: Tier 2* Vogtle LAR 17-037 Status
Importance: High

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Sent: Friday, July 20, 2018 9:14 AM

To: Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

Cc: Rivera-Varona, Aida <Aida.Rivera-Varona@nrc.gov>; Betancourt, Luis <Luis.Betancourt@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Kavanagh, Kerri <Kerri.Kavanagh@nrc.gov>; Samaddar, Sujit <Sujit.Samaddar@nrc.gov>; [REDACTED]; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>
Subject: Tier 2* Vogtle LAR 17-037 Status

Dear all –

Thanks to all of you for your hard work on the Tier 2* LAR. We would like to let you know what the next steps are. Early next week, DLSE will be sending you an early draft of the whole SE so that you can see the entire document, including the information that DLSE developed regarding how the review was conducted. Please take a look at it and confirm that our description is accurate and that you are comfortable that the proposed license conditions will adequately ensure that items that need to come back to the agency for review before they are changed by SNC are appropriately covered. After we have heard back from the tech branches, made any necessary changes, and received SNC's final submittal, then we will send the SE back to you for formal concurrence. Please let us know if you have questions. Thanks again.

Have a great weekend!

Jordan Hoellman

Project Manager

Licensing Branch 4

Division of Licensing, Siting, and Environmental Analysis

Office of New Reactors

U.S. Nuclear Regulatory Commission

office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

Williams, Joseph

From: Williams, Joseph
Sent: Friday, July 27, 2018 3:21 PM
To: Habib, Donald; Hoellman, Jordan; Green, Brian; Zhao, Jack; Ashley, Clinton; Hansing, Nicholas; Scarbrough, Thomas; Van Wert, Christopher; Nolan, Ryan; Honcharik, John; Prescott, Paul; Patel, Pravin; Thomas, Vaughn
Cc: Rivera-Varona, Aida; Betancourt, Luis; Jackson, Diane; Lupold, Timothy; Karas, Rebecca; Mitchell, Matthew; Kavanagh, Kerri; Samaddar, Sujit; [REDACTED]; Dixon-Herrity, Jennifer; Patel, Chandu; Segala, John; Dixon-Herrity, Jennifer; Patel, Chandu; Bradford, Anna; Taylor, Robert; Monninger, John; Coyne, Kevin; McGovern, Denise
Subject: Initial Feedback on Tier 2* LAR Safety Evaluation
Categories: Red Category

I am still reviewing the draft safety evaluation and will provide more comments early next week. In the meantime, here are some initial observations for your consideration.

- The SE does not adequately address policy questions introduced by this request.
 - The LAR is a significant deviation from the Commission-approved fundamental structure of a design certification rule and change controls for safety significant information.
 - The “Regulatory History Package on Design Certification,” (ML003761550) provides extensive documentation of Commission decisions associated with certified design change controls, including Tier 2*.
 - Page 9 of Enclosure 5 to SECY-18-0060, “Achieving Modern Risk-Informed Regulation” (the so-called “transformation paper”) appears to support my view, as shown by this text: “One of the driving factors behind the decision to implement distinct change processes in Parts 50 and 52 was the Commission’s goal of maintaining standardization. Revising the Part 52 change process would be a **policy shift** [emphasis added] away from standardization.”
 - Statements regarding generic implications for other AP1000 COLs and other design centers are incomplete, at best.
 - No basis is given for staff statements that the conclusions don’t apply to any other licensee.
 - It may be only that the application is only on the Vogtle dockets, but that’s not really the point.
 - This review sets a precedent for all other AP1000 COLs, both current and future.
 - There is no obvious reason another AP1000 licensee couldn’t submit an identical LAR and expect a different outcome.
 - The SE does not describe how the proposal conforms to all pertinent Commission positions (which it doesn’t, in my opinion), or why deviation from those positions is acceptable or appropriate.
 - The SE does not address rulemaking issues.
 - A previous LAR of similar scope was withdrawn due to staff feedback that such an item should be addressed by rulemaking, but the SE does not address why a different approach is appropriate in this case.
 - Approval of this request also constitutes de facto rulemaking, as the staff would have no basis to deny a similar LAR to any other AP1000.
 - Public comments received from Ravi Joshi also suggest a need to address policy issues, but it is not apparent that the SE intends to address his statements in this regard.

- Section 2.0 should clearly articulate what needs to happen to find the LAR acceptable, and that the individual topic areas need to demonstrate how they conform to that standard. That's not how the SE is written, though.
 - The draft SE does not articulate the standard described in Don Habib's July 26 email where he tasked the staff with affirming "that the screening criteria will ensure that changes to Tier 1 equivalent information will come to the NRC for review and approval."
 - The proposed process must clearly differentiate between Tier 2* information that is equivalent to Tier 1 and any Tier 2* content of lesser significance. Otherwise, NRC can't reach the stated conclusion.
 - This is a fundamental criterion which must be demonstrated to ensure the integrity of Tier 2* information.
 - The evaluation of each Tier 2* topic must address this point.
 - The conclusion that "the staff finds that the proposed Tier 2* departure evaluation process and screening criteria in License Condition 2.D.(13) provide reasonable assurance that any future safety-significant departures from Tier 2* information will continue to require prior NRC approval" is inaccurate, in that it needs to say something along the lines that any future Tier 2* departures for Tier 1-equivalent information will continue to require NRC review and approval. The staff must say that change controls for Tier 1-equivalent information will be consistently, reliably, and predictably preserved.
 - The reliance on GDC 1 in the conclusion is new to me. It was not part of the proposed SE guidance provided to the staff on June 27.
- Examples from completed amendments need to be evaluated.
 - The discussion of examples cited by the applicant is very limited, merely reiterating the applicant's claims without any evaluation.
 - The staff should describe its views on how the proposed amendment would have applied to any previous Tier 2* amendment within the scope of the present request.
 - The staff should determine if its assessment aligns with the licensee's views, and document that outcome.
 - The safety evaluation should examine all existing Tier 2* LARs affecting topics within the scope of this amendment to determine if the proposed process would reliably yield an acceptable outcome.
 - Successful demonstration would increase confidence in the adequacy of the proposal.
 - One or more unsuccessful tests would reveal deficiencies that must be addressed.
 - Information needed to conduct such an evaluation was the intent of an ARPB RAI which was never sent to the licensee.
- The SE appears to accept the false premise that an amendment is unnecessary if it is determined to have minimal effect on or improve safety. See, for example, text in the last full paragraph on page 3.
 - NRC routinely approves such licensing changes because it is necessary for the regulator to confirm that a change to a safety significant aspect of a facility is appropriate.
 - If done correctly, such changes can certainly be safety neutral or improve safety.
 - However, if they are not done properly, the effects can be negative.
- The staff should review implementing procedures before the amendment is issued, consistent with what I believe was the staff approach for NEI 96-07 when 10 CFR 50.59 was modified.

Joe Williams
 Senior Project Manager
 Advanced Reactors and Policy Branch
 Division of Safety Systems, Risk Assessment, and Advanced Reactors
 Office of New Reactors
 301.415.1470

Williams, Joseph

From: Habib, Donald
Sent: Friday, July 27, 2018 3:29 PM
To: Williams, Joseph
Subject: RE: Initial Feedback on Tier 2* LAR Safety Evaluation

Joe –

Thanks for the comments.

At this time, my intent is to address all of your comments by including the appropriate discussions in the SER. Your comments give me a good framework for tackling the discussions.

We can discuss next week.

Don

From: Williams, Joseph
Sent: Friday, July 27, 2018 3:21 PM
To: Habib, Donald <Donald.Habib@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>
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Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; McGovern, Denise <Denise.McGovern@nrc.gov>
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Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: McGovern, Denise
Sent: Tuesday, July 31, 2018 9:21 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Tier 2 * - Open door discussion

Good morning,

I am glad that I ran into all 3 of you this morning. Thank you for listening.

Just to clarify; I am not saying this is not safe (I can't answer that). This amendment would change the Tier 2* change process for Vogtle, any other AP1000 wanting to follow, and sets precedence for other design centers.

I am saying this is policy and rule and shouldn't be done without the Commission being aware. Below are 2 examples of what the staff has recently told the Commission.

Tier 2* Paper - <https://www.nrc.gov/docs/ML1619/ML16196A321.pdf>

Existing Design Certifications

As stated above, changes in the approach for Tier 2* in future design certifications would not be applied to existing certifications. The existing certified designs are adequate in their current state and satisfy relevant regulatory requirements that assure safety if that design is referenced in a future plant license application. Modification of the certified designs would require rulemaking and would require revising the existing NRC staff safety evaluation. It should be noted that COL applicants and licensees might also propose license amendments to **change the designation of certain Tier 2* information** in their plant-specific final safety analysis reports, which would be reviewed on a case-by-case basis. (Note that this addresses Tier 2* information not change process.)

Transformation Paper - Encl. 5 section b.

<https://www.nrc.gov/docs/ML1811/ML18110A186.html>

"One of the driving factors behind the decision to implement distinct change processes in Parts 50 and 52 was the Commission's goal of maintaining standardization. **Revising the Part 52 change process would be a policy shift away from standardization.**"

Please give me a call any time to discuss.

Thanks,
Denise

Denise L. McGovern

U.S. Nuclear Regulatory Commission
Office of the Secretary
301.415.0681

Williams, Joseph

From: Habib, Donald
Sent: Tuesday, July 31, 2018 12:00 PM
To: Williams, Joseph
Cc: Segala, John; Dixon-Herrity, Jennifer
Subject: RE: Follow-Up Question: Tier 2* Vogtle LAR 17-037 Status

Importance: High

Categories: Red Category

Joe –

I'd like to re-ask this question to the review team. Below is a re-statement of the question, that is more limiting and more precise in what we need to conclude, from a safety perspective. The initial question would have resulted in a broader finding statement, but one we might not be able to support and don't have to make in the first place.

Can you please give me feedback on this?

Does the proposed screening process criteria provide reasonable assurance ~~ensure~~ that safety significant changes to Tier 1 equivalent information will come to the NRC for review and approval?

Thanks
Don

From: Williams, Joseph
Sent: Tuesday, July 31, 2018 7:51 AM
To: Habib, Donald ; Hoellman, Jordan ; Green, Brian ; Zhao, Jack ; Ashley, Clinton ; Hansing, Nicholas ; Scarbrough, Thomas ; Van Wert, Christopher ; Nolan, Ryan ; Honcharik, John ; Prescott, Paul ; Patel, Pravin ; Thomas, Vaughn
Cc: Rivera-Varona, Aida ; Betancourt, Luis ; Jackson, Diane ; Lupold, Timothy ; Karas, Rebecca ; Mitchell, Matthew ; Kavanagh, Kerri ; Samaddar, Sujit ; [REDACTED] ; Dixon-Herrity, Jennifer ; Patel, Chandu ; Segala, John ; Dixon-Herrity, Jennifer ; Patel, Chandu ; Bradford, Anna ; Taylor, Robert ; Coyne, Kevin ; Krohn, Paul ; Caldwell, Robert ; Monninger, John ; McGovern, Denise
Subject: RE: Follow-Up Question: Tier 2* Vogtle LAR 17-037 Status

I believe a clarification is necessary. In my opinion, staff should not rely upon the 50.59-like criteria for answering the question in Don's message below. Review of the regulatory history for design certifications demonstrates that it was expected that Tier 2* changes would trip a 50.59-like threshold; such changes were sometimes described as "pre-identified unreviewed safety questions." However, when the form of certification rules was established, it was a conscious decision by the Commission to impose additional change controls on Tier 1 and Tier 2* information beyond the 50.59-like process. Therefore, the response to Don's question should rely only on the additional criteria proposed by SNC, i.e., the first page of the Enclosure 4 flowchart from the original submittal, not the second page that relies upon 10 CFR 52 Appendix D paragraph VIII.B.5.a. Otherwise, the approach is inconsistent with Commission policy.

As outlined in my July 27 email, separate from the discussion above, I think this LAR involves other Commission policy issues that need to be addressed, as well.

Joe Williams
Senior Project Manager

Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

From: Habib, Donald

Sent: Monday, July 30, 2018 4:13 PM

To: Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

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Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Krohn, Paul <Paul.Krohn@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>

Subject: Follow-Up Question: Tier 2* Vogtle LAR 17-037 Status

Tier 2* reviewers –

Thanks to all for your timely responses and comments.

By COB tomorrow, can you please reply to the specific question below? I need to make sure each branch is on board with this conclusion:

For your branch's specific review area, do the screening criteria ensure that changes to Tier 1 equivalent information will come to the NRC for review and approval?

Thanks
Don

From: Habib, Donald

Sent: Thursday, July 26, 2018 7:37 AM

To: Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

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<Robert.Taylor@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>

Subject: Action: For Review: Tier 2* Vogtle LAR 17-037 Status

Importance: High

LAR 17-037 Technical Reviewers –

I need your assistance to finish the SE for this LAR, attached, which contains all of the inputs you have provided, plus much of the DLSE-generated content, which we are still working on.

- ➔ **ACTION:** By COB Friday, please take a look at it and confirm that the DLSE-generated discussions are accurate and applicable for your specific review area. This should include the discussion at the beginning of Section 3.1 and for the exemption evaluation in Section 3.2. Additionally, please affirm that the screening criteria will ensure that changes to Tier 1 equivalent information will come to the NRC for review and approval. The license condition language has had minor changes since the previous (July 12) version. You may also wish to compare your branch input to those from other branches. Some minor editorial changes were made to the inputs (ML#s, licensee vs SNC, etc.)

After we have heard back from the tech branches, made any necessary changes, and received SNC's final submittal, then we will send the SE back to you for formal concurrence. Please let me know if you have questions.

Thanks to all for your efforts on this LAR. Please advise me if you need additional time.
Don

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

From: Hoellman, Jordan

Sent: Friday, July 20, 2018 9:14 AM

To: Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

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Subject: Tier 2* Vogtle LAR 17-037 Status

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Have a great weekend!

Jordan Hoellman

Project Manager

Licensing Branch 4

Division of Licensing, Siting, and Environmental Analysis

Office of New Reactors

U.S. Nuclear Regulatory Commission

office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

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To: Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

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Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>

Subject: Tier 2* Vogtle LAR 17-037 Status

Dear all –

Thanks to all of you for your hard work on the Tier 2* LAR. We would like to let you know what the next steps are. Early next week, DLSE will be sending you an early draft of the whole SE so that you can see the entire document, including the information that DLSE developed regarding how the review was conducted. Please take a look at it and confirm that our description is accurate and that you are comfortable that the proposed license conditions will adequately ensure that items that need to come back to the agency for review before they are changed by SNC are appropriately covered. After we have heard back from the tech branches, made any necessary changes, and received SNC's final submittal, then we will send the SE back to you for formal concurrence. Please let us know if you have questions. Thanks again.

Have a great weekend!

Jordan Hoellman

Project Manager

Licensing Branch 4

Division of Licensing, Siting, and Environmental Analysis

Office of New Reactors

U.S. Nuclear Regulatory Commission

office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, July 31, 2018 12:28 PM
To: Habib, Donald
Cc: Segala, John; Dixon-Herrity, Jennifer
Subject: RE: Follow-Up Question: Tier 2* Vogtle LAR 17-037 Status

Don,

I can provide some feedback. However, my first thought is that we would be better served by a timeout. It's apparent there is not good alignment or understanding across the organization. We need to take a little time to figure out the appropriate standard. The SE doesn't come close to supporting this target.

Joe

From: Habib, Donald
Sent: Tuesday, July 31, 2018 12:00 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: RE: Follow-Up Question: Tier 2* Vogtle LAR 17-037 Status
Importance: High

Joe –

I'd like to re-ask this question to the review team. Below is a re-statement of the question, that is more limiting and more precise in what we need to conclude, from a safety perspective. The initial question would have resulted in a broader finding statement, but one we might not be able to support and don't have to make in the first place.

Can you please give me feedback on this?

Does the proposed screening process criteria provide reasonable assurance ~~ensure~~ that safety significant changes to Tier 1 equivalent information will come to the NRC for review and approval?

Thanks
Don

From: Williams, Joseph
Sent: Tuesday, July 31, 2018 7:51 AM
To: Habib, Donald <Donald.Habib@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>
Cc: Rivera-Varona, Aida <Aida.Rivera-Varona@nrc.gov>; Betancourt, Luis <Luis.Betancourt@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Kavanagh, Kerri <Kerri.Kavanagh@nrc.gov>; Samaddar, Sujit <Sujit.Samaddar@nrc.gov>; [REDACTED]
Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandhu.Patel@nrc.gov>; Segala, John

<John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Krohn, Paul <Paul.Krohn@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; McGovern, Denise <Denise.McGovern@nrc.gov>

Subject: RE: Follow-Up Question: Tier 2* Vogtle LAR 17-037 Status

I believe a clarification is necessary. In my opinion, staff should not rely upon the 50.59-like criteria for answering the question in Don's message below. Review of the regulatory history for design certifications demonstrates that it was expected that Tier 2* changes would trip a 50.59-like threshold; such changes were sometimes described as "pre-identified unreviewed safety questions." However, when the form of certification rules was established, it was a conscious decision by the Commission to impose additional change controls on Tier 1 and Tier 2* information beyond the 50.59-like process. Therefore, the response to Don's question should rely only on the additional criteria proposed by SNC, i.e., the first page of the Enclosure 4 flowchart from the original submittal, not the second page that relies upon 10 CFR 52 Appendix D paragraph VIII.B.5.a. Otherwise, the approach is inconsistent with Commission policy.

As outlined in my July 27 email, separate from the discussion above, I think this LAR involves other Commission policy issues that need to be addressed, as well.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

From: Habib, Donald

Sent: Monday, July 30, 2018 4:13 PM

To: Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

Cc: Rivera-Varona, Aida <Aida.Rivera-Varona@nrc.gov>; Betancourt, Luis <Luis.Betancourt@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Kavanagh, Kerri <Kerri.Kavanagh@nrc.gov>; Samaddar, Sujit <Sujit.Samaddar@nrc.gov>

Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Krohn, Paul <Paul.Krohn@nrc.gov>; Caldwell, Robert <Robert.Caldwell@nrc.gov>

Subject: Follow-Up Question: Tier 2* Vogtle LAR 17-037 Status

Tier 2* reviewers –

Thanks to all for your timely responses and comments.

By COB tomorrow, can you please reply to the specific question below? I need to make sure each branch is on board with this conclusion:

For your branch's specific review area, do the screening criteria ensure that changes to Tier 1 equivalent information will come to the NRC for review and approval?

Thanks
Don

From: Habib, Donald

Sent: Thursday, July 26, 2018 7:37 AM

To: Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

Cc: Rivera-Varona, Aida <Aida.Rivera-Varona@nrc.gov>; Betancourt, Luis <Luis.Betancourt@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Kavanagh, Kerri <Kerri.Kavanagh@nrc.gov>; Samaddar, Sujit <Sujit.Samaddar@nrc.gov>; [REDACTED]

Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>

Subject: Action: For Review: Tier 2* Vogtle LAR 17-037 Status

Importance: High

LAR 17-037 Technical Reviewers –

I need your assistance to finish the SE for this LAR, attached, which contains all of the inputs you have provided, plus much of the DLSE-generated content, which we are still working on.

- ➔ **ACTION:** By COB Friday, please take a look at it and confirm that the DLSE-generated discussions are accurate and applicable for your specific review area. This should include the discussion at the beginning of Section 3.1 and for the exemption evaluation in Section 3.2. Additionally, please affirm that the screening criteria will ensure that changes to Tier 1 equivalent information will come to the NRC for review and approval. The license condition language has had minor changes since the previous (July 12) version. You may also wish to compare your branch input to those from other branches. Some minor editorial changes were made to the inputs (ML#, licensee vs SNC, etc.)

After we have heard back from the tech branches, made any necessary changes, and received SNC's final submittal, then we will send the SE back to you for formal concurrence. Please let me know if you have questions.

Thanks to all for your efforts on this LAR. Please advise me if you need additional time.

Don

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

From: Hoellman, Jordan

Sent: Friday, July 20, 2018 9:14 AM

To: Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

Cc: Rivera-Varona, Aida <Aida.Rivera-Varona@nrc.gov>; Betancourt, Luis <Luis.Betancourt@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Kavanagh, Kerri <Kerri.Kavanagh@nrc.gov>; Samaddar, Sujit <Sujit.Samaddar@nrc.gov>; [REDACTED]

Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>

Subject: Tier 2* Vogtle LAR 17-037 Status

Dear all –

Thanks to all of you for your hard work on the Tier 2* LAR. We would like to let you know what the next steps are. Early next week, DLSE will be sending you an early draft of the whole SE so that you can see the entire document, including the information that DLSE developed regarding how the review was conducted. Please take a look at it and confirm that our description is accurate and that you are comfortable that the proposed license conditions will adequately ensure that items that need to come back to the agency for review before they are changed by SNC are appropriately covered. After we have heard back from the tech branches, made any necessary changes, and received SNC's final submittal, then we will send the SE back to you for formal concurrence. Please let us know if you have questions. Thanks again.

Have a great weekend!

Jordan Hoellman

Project Manager

Licensing Branch 4

Division of Licensing, Siting, and Environmental Analysis

Office of New Reactors

U.S. Nuclear Regulatory Commission

office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

From: Hoellman, Jordan

Sent: Friday, July 20, 2018 9:14 AM

To: Green, Brian <Brian.Green@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>

Cc: Rivera-Varona, Aida <Aida.Rivera-Varona@nrc.gov>; Betancourt, Luis <Luis.Betancourt@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Kavanagh, Kerri <Kerri.Kavanagh@nrc.gov>; Samaddar, Sujit

<Sujit.Samaddar@nrc.gov>; [REDACTED]
Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Patel, Chandu <Chandu.Patel@nrc.gov>; Hoellman, Jordan
<Jordan.Hoellman2@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Segala, John <John.Segala@nrc.gov>;
Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Patel, Chandu
<Chandu.Patel@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>
Subject: Tier 2* Vogtle LAR 17-037 Status

Dear all –

Thanks to all of you for your hard work on the Tier 2* LAR. We would like to let you know what the next steps are. Early next week, DLSE will be sending you an early draft of the whole SE so that you can see the entire document, including the information that DLSE developed regarding how the review was conducted. Please take a look at it and confirm that our description is accurate and that you are comfortable that the proposed license conditions will adequately ensure that items that need to come back to the agency for review before they are changed by SNC are appropriately covered. After we have heard back from the tech branches, made any necessary changes, and received SNC's final submittal, then we will send the SE back to you for formal concurrence. Please let us know if you have questions. Thanks again.

Have a great weekend!

Jordan Hoellman

Project Manager

Licensing Branch 4

Division of Licensing, Siting, and Environmental Analysis

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U.S. Nuclear Regulatory Commission

office: OWFN 08-C18

phone: (301) 415-5481

email: Jordan.Hoellman2@nrc.gov

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, July 31, 2018 12:36 PM
To: Monninger, John; Coyne, Kevin
Cc: Segala, John
Subject: Tier 2* SE
Attachments: RE: Follow-Up Question: Tier 2* Vogtle LAR 17-037 Status

FYI, the attached message shows a brief exchange between Don Habib and I regarding DLSE's follow up question to the Tier 2* LAR reviewers. My opinion: we need to stop the bleeding. Call a timeout and get aligned. If that means starting over, so be it.

Joe

Williams, Joseph

From: Habib, Donald
Sent: Saturday, August 04, 2018 6:28 PM
To: Prescott, Paul; Patel, Pravin; Thomas, Vaughn; Van Wert, Christopher; Williams, Joseph; Zhao, Jack; Hansing, Nicholas; Scarbrough, Thomas; Nolan, Ryan; Ashley, Clinton
Cc: Patel, Chandu; Dixon-Herrity, Jennifer; Samaddar, Sujit; Kavanagh, Kerri; Segala, John; Betancourt, Luis; Lupold, Timothy; Mitchell, Matthew; Jackson, Diane; Karas, Rebecca; Bradford, Anna
Subject: For Review and Response: Updated Response for Vogtle Tier 2* LAR
Attachments: ND-18-1006_LAR-17-037S4_Roll-up and RAI-2 response_final-2 with enclosur....pdf

Review Team –

Attached for your review is SNC's most recent supplement for LAR 17-037. The ADAMS link appears below.

- ➔ Please verify that the supplement contains the expected information supporting your SE input, and reply about whether the submittal is OK or is missing something.

This submittal should contain an updated version of the original submittal, the previous 3 supplements, and additional information previously sent to us as draft. This submittal should include the necessary information to resolve all RAIs and other issues we have identified to SNC. The letter outlines the numerous enclosures, as follows:

Enclosures 1 through 8 were provided with the original LAR-17-037, in SNC letter ND-17-1726. Enclosure 9 provided a response to RAI LAR-17-037-1 as the first supplement to LAR-17-037, in SNC letter ND-18-0417. Enclosures 10, 11, and 12 provided a revised response to RAI LAR-17-037-1, and the initial responses to RAIs LAR-17-037-3 and RAI LAR-17-037-4, respectively, in SNC letter ND-18-0608. Enclosures 13, 14, 15, 16, and 17 provided the responses to RAIs LAR-17-037-5, -6, -7, -8, and -9, respectively, in SNC letter ND-18-0646. Enclosure 18, included in this letter, provides the response to RAI LAR-17-037-2. Enclosure 19, provides the response to the question from the NRC staff regarding Tier 2* text addressing first-of-a-kind testing.

After you respond, I will update your SE inputs with a confirmation statement.

Thanks
Don

[View ADAMS Properties ML18215A461](#)
[Open ADAMS Document \(E180803t044805\)](#)

Williams, Joseph

From: Williams, Joseph
Sent: Monday, August 06, 2018 9:25 AM
To: Ashley, Clinton; Betancourt, Luis; Hansing, Nicholas; Honcharik, John; Nolan, Ryan; Patel, Pravin; Scarbrough, Thomas; Thomas, Vaughn; Van Wert, Christopher
Cc: Monninger, John; Coyne, Kevin; Cabbage, Amy; Taylor, Robert; Bradford, Anna; Dixon-Herrity, Jennifer; Habib, Donald; McGovern, Denise; Segala, John
Subject: Vogtle Tier 2* LAR Briefing for Fred Brown - Friday, August 10
Attachments: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR
Importance: High

When Fred Brown talked at the NRO All Hands meeting about the Vogtle Tier 2* LAR, he indicated that a meeting is scheduled for this Friday, August 10 to ensure decision makers understand all the issues. His discussion was the direct outcome of feedback he has received from me and others regarding various issues that have arisen in the course of reviewing this LAR.

To prepare for that meeting, I asked Fred for clarification of the purpose and expected outcome of the August 10 meeting. His response is attached for your information. You'll see that he says that **"Anyone else with concerns is also welcome (and requested) to take advantage of the meeting to make sure that their concerns are understood."** I plan to take Fred at his word to convey my thoughts to him and others as best I can. I have had conversations with several of you over the course of this review which suggest that you might share at least some of the concerns I've outlined. If you also have concerns with this review, I encourage you to take advantage of this opportunity, as well. We can't hold management responsible for something we don't tell them. If you don't feel comfortable bringing issues forward yourself, I can try to do so myself if you are willing to describe your thoughts to me.

The issues I am raising fall into three categories. First, this LAR involves policy issues that need to be presented for decisions by the Commission, as the LAR represents a significant deviation from the Commission-approved fundamental structure and change controls for certified design information. The generic implications of the proposal also need to be addressed. Second, the process followed for this review has "put the cart before the horse," where RAIs were solicited and issued before acceptance criteria or review expectations were established and communicated. There has also not been a clear and consistent relationship between the questions and the findings that needed to be made, with incomplete preliminary guidance setting expectations for SE input has only been provided very recently, several months after receipt of the LAR, well after RAI milestones. I believe the process to date has created a chilling effect which has adversely affected the free and open discussion of possible issues and challenges associated with this unique first-of-a-kind LAR. It has been characterized to me as a "strange process that has been shoved down our throats," which I think is a pretty good description of how things have played out. The third issue is linked to the process concerns, as I think the draft SE was significantly flawed, as it did not adequately describe the findings that need to be made. As described in my July 27, 2018 email, I believe the framework provided by DLSE is unclear, and the findings regarding specific topics are not internally consistent. I know DLSE is revising the draft SE, so perhaps some of my concerns will be mitigated.

I also want to address some rumors that have made it back to me about my intent to use differing views processes. I think there is a strong possibility I will non-concur in the SE, but that decision is contingent on how effectively the issues I have communicated are addressed in the final product. It is my intent to communicate as clearly as I can beforehand to help people understand my point of view so that the issues can be resolved without using the non-concurrence process, but I am prepared to use that tool if we can't reach alignment. In a similar vein, I've heard a claim that I intend to file a DPO. That process is invoked only for completed products, so there would be little point in using that process, as an attempt to reverse a decision on a completed license amendment would have to meet a backfit test that I don't think could be met in this case.

I appreciate the feedback I've received from some of you over the last several weeks. This has not been an easy task, so that support is quite helpful.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: [REDACTED]
Sent: Monday, August 06, 2018 9:40 AM
To: Williams, Joseph
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)
Attachments: 2018-08-03 Safety Evaluation - LAR 17-037.docx

Categories: Red Category

Joe –

I think I'm getting there, but there is a lot left to do. Still need to address Ravi's comments. Additionally, I have an extensive hand-markup of the document as well.

[REDACTED]

[REDACTED]

[REDACTED]

From: Williams, Joseph
Sent: Monday, August 06, 2018 9:31 AM
To: [REDACTED]
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

If you don't mind sending what you have now, I'd appreciate it. Feel free to point out areas where you plan to do more work, and any parts you think are complete. I'd like whatever you have Wednesday, as well.

Do you feel like you'll be able to address my comments? Perhaps a better way to ask is do you think I'll be satisfied with the results?

From: [REDACTED]
Sent: Monday, August 06, 2018 8:56 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

Joe –

I will let you decide.

I'll be working on it all week. The earlier I would send it to you, the less complete it will be. About COB Wednesday would probably be about the best time.

[REDACTED]

From: Williams, Joseph
Sent: Monday, August 06, 2018 8:24 AM
To: [REDACTED]
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

[REDACTED]

I'd like to see it. When can you send it to me?

Joe

From: [REDACTED]
Sent: Thursday, August 02, 2018 4:34 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

Joe –

Regarding your preparation for this meeting, the SER will still be in-process at the time we have it. I can share an updated in-process version of the document with you, for information only, prior to the meeting, so that you can see what the document is saying.

Let me know whether you are interested in this, keeping in mind that it would still be a work in progress (further along than the last version shared, but likely still rough, not yet having any concurrences or really any review).

From: Brown, Frederick
Sent: Thursday, August 02, 2018 4:01 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Ordaz, Vonna <Vonna.Ordaz@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; McGovern, Denise <Denise.McGovern@nrc.gov>
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR

Hi Joe,

What I requested was a meeting so that you could go through your concerns with the path we are on for the SE so that all the involved parties could hear them and ensure that they are understood. Anyone else with concerns is also welcome (and requested) to take advantage of the meeting to make sure that their concerns are understood.

We would have done this earlier (including at the very beginning of the review), as you originally requested, however I was under the misunderstanding that your only concern was the policy concern that you discussed with me in May. Now that I know there are other concerns (as discussed at the all hands meeting yesterday), I want to circle back and make sure that the person that ultimately approves the LAR understands and has considered any open concerns prior to finalizing the SE.

In addition, as a result of my long-standing and ongoing discussion of this topic in my periodics with the Commissioners and their staffs, I plan on sending up a CA Note with the near-final SE for Commission awareness of our final dispositioning of the LAR request. My intent is that the note provide at least a high-level acknowledgement of any open items of disagreement with our final position. That will be a lot easier if we are

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Hope this helps you prepare. Please let me know if you have any additional questions.

Fred

From: Williams, Joseph

Sent: Thursday, August 02, 2018 3:22 PM

To: Brown, Frederick <Frederick.Brown@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Ordaz, Vonna <Vonna.Ordaz@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; McGovern, Denise <Denise.McGovern@nrc.gov>

Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR

Importance: High

Fred,

See the exchange below. I'm still not clear on the expected purpose, outcome, or process for the meeting. I'd appreciate clarification by Monday so I can prepare to provide the information you are seeking.

Thanks.

Joe

From: Bradford, Anna

Sent: Wednesday, August 01, 2018 9:37 AM

To: Williams, Joseph <Joseph.Williams@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>

Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>

Subject: Re: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR

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██████████ is currently going through the comments received from the tech branches and revising the SE but I'm not sure if those changes would address your concerns. I'm on travel and haven't seen a recent version.

Anna H. Bradford

Deputy Director

Division of Licensing, Siting, and Environmental Analysis (DLSE)

U.S. Nuclear Regulatory Commission

301-415-1560

On: 01 August 2018 09:24, "Williams, Joseph" <Joseph.Williams@nrc.gov> wrote:

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I would also like to know what is planned to be done in the meantime. For instance, do you plan revisions to the SE?

Thanks.

Joe

Williams, Joseph

From: Brown, Frederick
Sent: Monday, August 06, 2018 4:24 PM
To: Williams, Joseph
Cc: Segala, John; Dixon-Herrity, Jennifer; Habib, Donald; Monninger, John; Coyne, Kevin; Bradford, Anna; Ordaz, Vonna; Taylor, Robert; McGovern, Denise; Cabbage, Amy
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR

Hi Joe,

My short hand for what I heard from you and Denise is much less important than you providing your issues in your own words and then us making sure we have a common understanding.

Fred

From: Williams, Joseph
Sent: Monday, August 06, 2018 9:43 AM
To: Brown, Frederick <Frederick.Brown@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Ordaz, Vonna <Vonna.Ordaz@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; McGovern, Denise <Denise.McGovern@nrc.gov>; Cabbage, Amy <Amy.Cabbage@nrc.gov>
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR

Fred,

Your note is helpful. I've forwarded it to the other reviewers to be sure they are aware of your interest in hearing the full story.

Some reviewers have told me they were unable to attend the All Hands meeting last week. It would be very helpful if you could take a few minutes to give us bullets on the 5 issues you discussed in the meeting. I know you're very busy, so I appreciate any time you can spare to describe the issues in your own words.

Thanks.

Joe

From: Brown, Frederick
Sent: Thursday, August 02, 2018 4:01 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Ordaz, Vonna <Vonna.Ordaz@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; McGovern, Denise <Denise.McGovern@nrc.gov>
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Hope this helps you prepare. Please let me know if you have any additional questions.

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Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Ordaz, Vonna <Vonna.Ordaz@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; McGovern, Denise <Denise.McGovern@nrc.gov>
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR
Importance: High

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Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Subject: Re: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR

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Anna H. Bradford
Deputy Director
Division of Licensing, Siting, and Environmental Analysis (DLSE)
U.S. Nuclear Regulatory Commission
301-[415-1560](tel:415-1560)

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Thanks.

Joe

Williams, Joseph

From: Habib, Donald
Sent: Tuesday, August 07, 2018 2:16 PM
To: Prescott, Paul; Patel, Pravin; Thomas, Vaughn; Van Wert, Christopher; Williams, Joseph; Zhao, Jack; Hansing, Nicholas; Scarbrough, Thomas; Nolan, Ryan; Ashley, Clinton; Green, Brian; Honcharik, John
Cc: Patel, Chandu; Dixon-Herrity, Jennifer; Samaddar, Sujit; Kavanagh, Kerri; Segala, John; Betancourt, Luis; Lupold, Timothy; Mitchell, Matthew; Jackson, Diane; Karas, Rebecca; Bradford, Anna; Rivera-Varona, Aida
Subject: Reminder: Updated Response for Vogtle Tier 2* LAR
Attachments: ND-18-1006_LAR-17-037S4_Roll-up and RAI-2 response_final-2 with enclosur....pdf

Tier 2* LAR Review Team –

This is just a reminder to look at this final submittal carefully to ensure that it has been appropriately updated to contain the correct information from previous formal and informal submittals.

Please reply by COB Friday either way, if you find an issue or when you have confirmed that the submittal contains the appropriate information.

Thanks
Don

From: Habib, Donald
Sent: Saturday, August 04, 2018 6:28 PM
To: Prescott, Paul <Paul.Prescott@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>
Cc: Patel, Chandu <Chandu.Patel@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Samaddar, Sujit <Sujit.Samaddar@nrc.gov>; Kavanagh, Kerri <Kerri.Kavanagh@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Betancourt, Luis <Luis.Betancourt@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Karas, Rebecca <Rebecca.Karas@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>
Subject: For Review and Response: Updated Response for Vogtle Tier 2* LAR

Review Team –

Attached for your review is SNC's most recent supplement for LAR 17-037. The ADAMS link appears below.

- ➔ Please verify that the supplement contains the expected information supporting your SE input, and reply about whether the submittal is OK or is missing something.

This submittal should contain an updated version of the original submittal, the previous 3 supplements, and additional information previously sent to us as draft. This submittal should include the necessary information to resolve all RAIs and other issues we have identified to SNC. The letter outlines the numerous enclosures, as follows:

Enclosures 1 through 8 were provided with the original LAR-17-037, in SNC letter ND-17-1726. Enclosure 9 provided a response to RAI LAR-17-037-1 as the first supplement to LAR-17-037, in SNC letter ND-18-0417. Enclosures 10, 11, and 12 provided a revised response to RAI LAR-17-037-1, and the initial responses to RAIs LAR-17-037-3 and RAI LAR-17-037-4, respectively, in SNC letter ND-18-0608. Enclosures 13, 14, 15, 16, and 17 provided the responses to RAIs LAR-17-037-5, -6, -7, -8, and -9, respectively, in SNC letter ND-18-0646. Enclosure 18, included in this letter, provides the response to RAI LAR-17-037-2. Enclosure 19, provides the response to the question from the NRC staff regarding Tier 2* text addressing first-of-a-kind testing.

After you respond, I will update your SE inputs with a confirmation statement.

Thanks
Don

[View ADAMS Properties ML18215A461](#)
[Open ADAMS Document \(E180803t044805\)](#)

Williams, Joseph

From: [REDACTED]
Sent: Wednesday, August 08, 2018 7:39 AM
To: Williams, Joseph
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)
Attachments: 2018-08-07 Safety Evaluation - LAR 17-037.docx

Categories: Red Category

Joe –

[Here you go . . .](#)

Major things are: I still need to add the public comment discussion, plus some of the discipline-specific write-ups need some information added or changed.

My management is currently reviewing this version. Please don't share it until I have a chance to address their comments.

Thanks

From: Williams, Joseph
Sent: Wednesday, August 08, 2018 7:29 AM
To: [REDACTED]
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

[REDACTED]

Can you send me the current version of the SE to help me prepare for talking to Fred on Friday? It would also be helpful if you can give me an idea of what additional changes you envision.

Thanks.

Joe

From: Williams, Joseph
Sent: Monday, August 06, 2018 4:22 PM
To: [REDACTED]
Subject: Re: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

[REDACTED]

On: 06 August 2018 15:10, [REDACTED] wrote:

[REDACTED]

[REDACTED]

[REDACTED]

From: Williams, Joseph
Sent: Monday, August 06, 2018 2:50 PM
To: [REDACTED]
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

[REDACTED]

From: [REDACTED]
Sent: Monday, August 06, 2018 2:46 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

Joe –

[REDACTED]

[REDACTED]

Thanks

[REDACTED]

From: Williams, Joseph
Sent: Monday, August 06, 2018 10:14 AM
To: [REDACTED]
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

[REDACTED]

Thanks. I will look at this version when I get a chance and let you know what I think.

[REDACTED]

Joe

From: [REDACTED]
Sent: Monday, August 06, 2018 9:40 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

Joe –

I think I'm getting there, but there is a lot left to do. Still need to address Ravi's comments. Additionally, I have an extensive hand-markup of the document as well.

[REDACTED]

[REDACTED]

Thanks

[REDACTED]

From: Williams, Joseph

Sent: Monday, August 06, 2018 9:31 AM

To: [REDACTED]

Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

If you don't mind sending what you have now, I'd appreciate it. Feel free to point out areas where you plan to do more work, and any parts you think are complete. I'd like whatever you have Wednesday, as well.

Do you feel like you'll be able to address my comments? Perhaps a better way to ask is do you think I'll be satisfied with the results?

From: [REDACTED]

Sent: Monday, August 06, 2018 8:56 AM

To: Williams, Joseph <Joseph.Williams@nrc.gov>

Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

Joe –

I will let you decide.

I'll be working on it all week. The earlier I would send it to you, the less complete it will be. About COB Wednesday would probably be about the best time.

[REDACTED]

From: Williams, Joseph

Sent: Monday, August 06, 2018 8:24 AM

To: [REDACTED]

Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

[REDACTED]

I'd like to see it. When can you send it to me?

Joe

From: [REDACTED]
Sent: Thursday, August 02, 2018 4:34 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR (status of SER)

Joe –

Regarding your preparation for this meeting, the SER will still be in-process at the time we have it. I can share an updated in-process version of the document with you, for information only, prior to the meeting, so that you can see what the document is saying.

Let me know whether you are interested in this, keeping in mind that it would still be a work in progress (further along than the last version shared, but likely still rough, not yet having any concurrences or really any review).

From: Brown, Frederick
Sent: Thursday, August 02, 2018 4:01 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>; Ordaz, Vonna <Vonna.Ordaz@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>; McGovern, Denise <Denise.McGovern@nrc.gov>
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Subject: RE: Clarification of Purpose of Fred Brown Briefing on Tier 2* LAR

Importance: High

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Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>

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Deputy Director

Division of Licensing, Siting, and Environmental Analysis (DLSE)

U.S. Nuclear Regulatory Commission

301-[415-1560](tel:415-1560)

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Thanks.

Joe

Williams, Joseph

From: Habib, Donald
Sent: Friday, August 10, 2018 7:29 AM
To: Williams, Joseph
Subject: 2018-08-08pm Safety Evaluation - LAR 17-037 (with responses to public comment)
Attachments: 2018-08-08pm Safety Evaluation - LAR 17-037.docx

Importance: High

Categories: Red Category

Joe – This version includes responses to Ravi's comments, in Section 5.

Thanks
Don

Williams, Joseph

From: Williams, Joseph
Sent: Friday, August 10, 2018 12:48 PM
To: Brown, Frederick; Ordaz, Vonna; Krohn, Paul; Bradford, Anna; Dixon-Herrity, Jennifer; Habib, Donald; [REDACTED] Coyne, Kevin; Monninger, John; Helton, Shana
Cc: Ashley, Clinton; Betancourt, Luis; Hansing, Nicholas; Honcharik, John; Nolan, Ryan; Patel, Pravin; Scarbrough, Thomas; Thomas, Vaughn; Van Wert, Christopher
Subject: Comments on Draft Vogtle Tier 2* Safety Evaluation
Attachments: 2018-08-07 Safety Evaluation - LAR 17-037 JFW comments.docx

For your information, the attached file summarizes my comments on a version of the draft SE for the Vogtle Tier 2* amendment and exemption. This document is the basis of many of the comments I provided in today's management meeting.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Williams, Joseph
Sent: Friday, August 10, 2018 2:44 PM
To: Habib, Donald
Cc: Segala, John; Dixon-Herrity, Jennifer; McGovern, Denise
Subject: RE: Tier 2* Finding Statement for SER

Don,

Here's a quick cut for your consideration:

1. There should be reasonable assurance that the proposed screening criteria can clearly and reliably discriminate between Tier 2* information that is Tier 1-equivalent, and other information.
2. Changes to Tier 1-equivalent information must be reviewed and approved by NRC before implementation.
3. Other information will be subject to 50.59-like change controls. It is not acceptable for Tier 1-equivalent information to be screened in this step, as such an approach would be inconsistent with Commission-approved processes for certified design change controls. At the very least, it creates the possibility that Tier 1-equivalent information would not come to NRC for prior review and approval, which is an obviously unacceptable outcome. The Commission put additional controls in place, knowing full well that the 50.59-like process existed, but nonetheless chose to impose additional controls.

In this model, the emphasis is on the ability of the screening criteria proposed by SNC to reliably identify Tier 1-equivalent content. It's my understanding that this is in line with what was discussed at the June 27 meeting.

I think we also need to be careful about how the term "safety significant" is used. I think "potentially safety significant" is closer to the mark. NRC reviews a lot of changes affecting safety significant SSCs where the change itself isn't safety significant (might even be an improvement), but could have negative consequences if it's done badly.

I think it would be useful to [REDACTED]
[REDACTED] would be helpful.

Joe

From: Habib, Donald
Sent: Friday, August 10, 2018 2:04 PM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Segala, John <John.Segala@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>
Subject: RE: Tier 2* Finding Statement for SER
Importance: High

Joe –

The finding/conclusion statement we asked the staff to make is as follows (from the guidance in late June):

- The proposed screening process continues to assure that any safety-significant change to Tier 2* information would require NRC approval or will otherwise receive appropriate control:

- Because such a change would also affect Tier 1
- Because such a change would trip at least one of the (50.59-like) criteria in 10 CFR Part 52, Appendix D, Section VIII.B.5.b
- Because such a change would trip at least one of the newly proposed criteria in the LAR
- Because of another reason

Can you please either make an appropriate edit to it where you think it is not sufficient **OR** give me a succinct description of a change that would be appropriate?

Thanks
Don

-----Original Appointment-----

From: Brown, Frederick

Sent: Tuesday, July 31, 2018 2:32 PM

To: Brown, Frederick; Monninger, John; Coyne, Kevin; Taylor, Robert; Bradford, Anna; Segala, John; Dixon-Herrity, Jennifer; Habib, Donald; [REDACTED] Williams, Joseph; Cabbage, Amy; McGovern, Denise;

Cc: NRO_Deputy_Division_Directors; NRO_Division_Directors; Helton, Shana; Krohn, Paul; Ordaz, Vonna; OGC_CAL_RP Resource; Caldwell, Robert; Miller, Fred; NRO_DEI_CAL Resource; Ashley, Clinton; Betancourt, Luis; Hansing, Nicholas; Honcharik, John; Nolan, Ryan; Patel, Pravin; Scarbrough, Thomas; Thomas, Vaughn; Van Wert, Christopher

Subject: Discuss staff concerns about the Vogtle Tier 2* LAR

When: Friday, August 10, 2018 10:30 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: HQ-OWFN-04B06-30p

Please let me know if you wish to join by phone and I will create a bridgeline. – Deanna Royer

Williams, Joseph

From: Williams, Joseph
Sent: Friday, August 10, 2018 3:14 PM
To: Habib, Donald
Cc: Dixon-Herrity, Jennifer; Segala, John; McGovern, Denise
Subject: Initial Feedback on Responses to Public Comments

Don,

Here is an outline of my initial feedback on the public comment responses.

1. Assessment of policy issues is unpersuasive
 - a. Differences in approach between this amendment and a prior amendment that was withdrawn is irrelevant. The rulemaking question exists in either case, regardless of those differences.
 - b. Staff merely states the amendment does not represent a new policy without explanation.
 - c. Subsequent response to comment on proposed license condition states that “The staff also agrees that approval of this LAR and granting of the associated exemptions diverges from Commission policy regarding the Tier 2* change process...”
2. Administrative burden discussion invokes licensee’s claims regarding examples, but does not address whether NRC agrees with SNC’s assessment
3. Inappropriately claims that current policy “has only limited applicability to the current decision.”
4. Inappropriately relies on the 50.59-like process.
5. The fact that the staff agrees the NSH discussion does not align with examples cited in the final rule should suggest to the staff that a more thorough assessment is needed than is typical.
6. 
7. Staff claims that it “did not identify any aspect of the proposed license condition that is not clear or open to different interpretations.” It hasn’t identified any, at least in part, because it hasn’t looked at the implementing procedures to confirm consistency with the staff’s understanding.
8. Staff response to comment on undue hardship cites examples provided by SNC, but does not provide any evaluation of whether the staff agrees with the licensee’s assertions.

Joe

Williams, Joseph

From: Williams, Joseph
Sent: Tuesday, August 21, 2018 12:15 PM
To: Segala, John; Monninger, John; Coyne, Kevin
Subject: FW: Action: Request for Review and Concurrence (LAR 17-037)
Attachments: 2018-08-21am Safety Evaluation - LAR 17-037 ML18207A262.docx

Importance: High

FYI. I haven't looked at it, so I don't yet have any reaction to share. I will note that I think it is out of process to [REDACTED] demonstrating what I consider to be a continuing undue emphasis on schedule.

From: Habib, Donald
Sent: Tuesday, August 21, 2018 12:10 PM
To: Karas, Rebecca <Rebecca.Karas@nrc.gov>; Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Nolan, Ryan <Ryan.Nolan@nrc.gov>; Jackson, Diane <Diane.Jackson@nrc.gov>; Ashley, Clinton <Clinton.Ashley@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Williams, Joseph <Joseph.Williams@nrc.gov>; Rivera-Varona, Aida <Aida.Rivera-Varona@nrc.gov>; Green, Brian <Brian.Green@nrc.gov>; Betancourt, Luis <Luis.Betancourt@nrc.gov>; Zhao, Jack <Jack.Zhao@nrc.gov>; Mitchell, Matthew <Matthew.Mitchell@nrc.gov>; Honcharik, John <John.Honcharik@nrc.gov>; Samaddar, Sujit <Sujit.Samaddar@nrc.gov>; Patel, Pravin <Pravin.Patel@nrc.gov>; Thomas, Vaughn <Vaughn.Thomas@nrc.gov>; Lupold, Timothy <Timothy.Lupold@nrc.gov>; Scarbrough, Thomas <Thomas.Scarbrough@nrc.gov>; Hansing, Nicholas <Nicholas.Hansing@nrc.gov>
Cc: Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Hoellman, Jordan <Jordan.Hoellman2@nrc.gov>; Bradford, Anna <Anna.Bradford@nrc.gov>
Subject: Action: Request for Review and Concurrence (LAR 17-037)
Importance: High

LAR 17-037 Review Team:

Attached for your review and concurrence is the safety evaluation for Vogtle LAR 17-037 (Tier 2* Departure Evaluation Process).

Please provide your comments and concurrence by **COB Tuesday August 28**.

- Some of the SE inputs from the technical branches have been edited for consistency and to assure that they support the overall conclusion of the SE. Therefore, you may wish to compare this concurrence version with your original input.
- At a minimum, review the front portion of the SER, up to the beginning of Section 3.1.1, plus the updated version of your branch input. Your branch input should be consistent with the front material.
- For any question/comment on an individual branch input, please provide an appropriate edit or response (SRSB, SEB, HOIB)

[REDACTED] with the technical staff review and concurrence. Therefore, I will follow up with you if there are [REDACTED]

Thanks
Don

Don Habib
Project Manager
NRO/DLSE, Licensing Branch 4
O-8D13
301-415-1035

Williams, Joseph

From: Williams, Joseph
Sent: Wednesday, August 22, 2018 12:49 PM
To: Brown, Frederick; Ordaz, Vonna; Monninger, John; Coyne, Kevin; Bradford, Anna; Taylor, Robert; Segala, John; Dixon-Herrity, Jennifer
Cc: McGovern, Denise; Figueroa Toledo, Gladys; Harrison, John; Hoellman, Jordan; Habib, Donald
Subject: Decision to Non-Concur in Vogtle Tier 2* LAR Safety Evaluation
Categories: Red Category

In accordance with the requirements of [MD 10.158, "NRC Non-concurrence Process."](#) I am notifying you of my decision to apply that process to non-concur in review of a safety evaluation associated with Vogtle LAR 17-037, ADAMS accession number ML18207A262.

MD and DH 10.158 set requirements for managers responsible for processing a non-concurrence, along with expectations for staff engaging in that process. I request a meeting to review these requirements to ensure the awareness of all parties involved.

DH 10.158 Section F describes means for exercising discretion to engage in the non-concurrence process (NCP), stating that

An NRC employee who is not eligible to use the NCP may approach his or her immediate supervisor, document signer, another manager in their organization, or the NCP Program Manager (PM) and request to engage in the NCP if he or she believes they have specific information that would enhance the decisionmaking process and that use of the NCP would be in the interest of the agency as a knowledge management tool.

and

A document signer should allow an employee to engage in the NCP if he or she believes the employee has specific information that would enhance the decisionmaking process and use of the NCP would be in the interest of the agency as a knowledge management tool.

I request that Denise McGovern be authorized to engage in this non-concurrence consistent with these provisions. Denise served as the lead project manager for the Summer AP1000 COL, and is deeply knowledgeable about that license, the AP1000 certified design, and the Part 52 licensing process. She worked closely with the Vogtle COL lead project manager, including discussions involving a previous LAR of similar scope that was withdrawn by the licensee. She has already engaged with NRO staff and management on this issue, and her experience and perspectives are directly relevant to the topic.

I will place this message in ADAMS, profiled as non-publicly available.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Segala, John
Sent: Thursday, August 23, 2018 7:57 AM
To: Williams, Joseph
Subject: FW: SNC Tier 2* meeting tomorrow - 9 a.m.
Attachments: SNC Tier 2 star Presentation Slides.pdf; Nonacceptance Letter - rev LJB.docx; IBMgetContent.pdf

From: Akstulewicz, Frank
Sent: Thursday, October 23, 2014 11:08 AM
To: NRO_DNRL_Branch_Chiefs <NRODNRLBranchChiefs@nrc.gov>; NRO_Division_Directors <NRODivisionDirectors@nrc.gov>; NRO_Deputy_Division_Directors <NRODeputyDivisionDir@nrc.gov>
Cc: Holahan, Gary <Gary.Holahan@nrc.gov>; Tracy, Glenn <Glenn.Tracy@nrc.gov>
Subject: FW: SNC Tier 2* meeting tomorrow - 9 a.m.

Presentation 1 is the SNC arguments for moving forward ... please review so that we can make a final decision on accepting or rejecting the proposal

From: Burkhart, Lawrence
Sent: Wednesday, October 22, 2014 9:12 AM
To: Akstulewicz, Frank; Delligatti, Mark; McGovern, Denise; Reyes, Ruth; Jaffe, David; Bovol, Bruce; Libby, Earl; Tonacci, Mark; Joshi, Ravindra; Wilson, Anthony; Junge, Michael
Subject: SNC Tier 2* meeting tomorrow - 9 a.m.

Just for your prep and info, attached are:

- SNC's exemption request
- SNC's intended presentation for tomorrow
- NRC's draft letter (not concurred on yet)

Please note that there are several examples of Tier 2* LARs (structural and HFE) that SNC is claiming weren't safety significant - we should review and be prepared to discuss.

Larry

Williams, Joseph

From: Coyne, Kevin
Sent: Thursday, August 23, 2018 8:40 AM
To: Williams, Joseph
Subject: FW: Action: Request for Review and Concurrence (LAR 17-037)

From: Bradford, Anna
Sent: Tuesday, August 21, 2018 3:07 PM
To: Coyne, Kevin <Kevin.Coyne@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>
Cc: Monninger, John <John.Monninger@nrc.gov>
Subject: Re: Action: Request for Review and Concurrence (LAR 17-037)

We got feedback from [REDACTED] [REDACTED] into each section of the SE to make it consistent throughout, and are now asking the tech staff to take another look. No "template" per se was put out since all the staff were 99% done with their sections already.

Anna H. Bradford
Deputy Director
Division of Licensing, Siting, and Environmental Analysis (DLSE)
U.S. Nuclear Regulatory Commission
301-[415-1560](tel:415-1560)

On: 21 August 2018 15:00, "Coyne, Kevin" <Kevin.Coyne@nrc.gov> wrote:

Hi Anna –

We previously discussed refining the fuels sections, [REDACTED], and then sending it out to the other reviewers to use as a template. Did this all happen or has the plan changed?

Kevin

From: Bradford, Anna
Sent: Tuesday, August 21, 2018 2:57 PM
To: Brown, Frederick <Frederick.Brown@nrc.gov>; Ordaz, Vonna <Vonna.Ordaz@nrc.gov>; Taylor, Robert <Robert.Taylor@nrc.gov>
Cc: Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Subject: Fwd: Action: Request for Review and Concurrence (LAR 17-037)

FYI, the Tier 2* LAR is out to the tech staff for final concurrence. I read it before Don sent it out, and I think it's in good shape but I doubt it will satisfy all of Joe Williams' concerns.

Anna H. Bradford
Deputy Director

Williams, Joseph

From: Williams, Joseph
Sent: Thursday, August 23, 2018 10:41 AM
To: Ashley, Clinton; Betancourt, Luis; Hansing, Nicholas; Honcharik, John; Nolan, Ryan; Patel, Pravin; Scarbrough, Thomas; Thomas, Vaughn; Van Wert, Christopher
Cc: McGovern, Denise
Subject: Tier 2* SE Non-concurrence

FYI, I have informed management that I will not concur in the SE distributed earlier this week. I haven't yet completed reading through the updated SE, but it is apparent from what I've seen so far that the concerns I've been communicating have not yet been addressed. I have also requested that Denise McGovern, who has served as the Summer COL lead PM, be authorized to join the non-concurrence.

I may ask for assistance from some of you as I prepare my non-concurrence documentation. One of the issues I've raised is that I believe the proposed process should be tested by applying them to the current set of Tier 2* LARs. If everything comes through cleanly, then we have greater confidence that the process is adequate. However, if a problem is identified, some adjustment will be necessary. SNC also makes claims about a set of previous amendments that the current SE text does not question or evaluate; I think NRC should determine if we agree or not. I'm considering how to address these issues in my non-concurrence, and I may reach out with questions about the previous LARs. I'll appreciate any assistance or perspective you can offer.

Thanks.

Joe Williams
Senior Project Manager
Advanced Reactors and Policy Branch
Division of Safety Systems, Risk Assessment, and Advanced Reactors
Office of New Reactors
301.415.1470

Williams, Joseph

From: Monninger, John
Sent: Friday, August 24, 2018 12:37 PM
To: Williams, Joseph; Van Wert, Christopher; Coyne, Kevin
Cc: McGovern, Denise; Segala, John
Subject: RE: Tier 2* LAR concurrence

Chris,

Generally speaking, when reviewing documents for potential concurrence, an individual's review is expected to be reflective of those areas that the individual is responsible for. For some documents, this is straightforward. For other documents, this may be more subtle (i.e., determining direct or indirect responsibility).

As Joe noted below, you are free to use the NCP for the specific technical aspects of the review you were directly responsible for, or for broader aspects of the review that you were exposed to.

In the old days (I tried to run down the reference from MD 3.57 but couldn't find it), an individual had the option to limit their concurrence to certain sections of a document in which they had primary/direct responsibility for. I've used this in the past for large complex documents (e.g., DCD FSER or COL FSER). For example, my concurrence would be limited to Chapters 4, 5, 6, 9, 15, and 19 (as this is what DSRA is responsible for). In these cases, my concurrence (either the concurrence block or my email concurrence) would explicitly say my concurrence is limited to these Chapters. Other times, I haven't necessarily agreed with the tone of a document; however, the technical substance was correct. In these cases, I've limited my concurrence to the technical aspects of the document and my concurrence reflected that. In other cases, I didn't necessarily support the position or approach being taken by another office or division. In these cases, I've limited my concurrence to DSRA's roles and responsibilities.

In the end, I believe you have options (e.g., concur, concur with comments for resolution, non-concur, concur on limited portions).

Feel free to stop by and chat with Kevin or me if you want to discuss.

John

From: Williams, Joseph
Sent: Friday, August 24, 2018 11:20 AM
To: Van Wert, Christopher <Christopher.VanWert@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>
Cc: McGovern, Denise <Denise.McGovern@nrc.gov>; Segala, John <John.Segala@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>
Subject: RE: Tier 2* LAR concurrence

Chris,

It is my understanding that you are within process if you indicate that you do not agree with any aspect of the SE, not just the portions reflecting your input. For instance, if you agree with me that the proposal represents policy issues that need Commission decisions, you can say so. Denise McGovern is signing on to the non-concurrence on that basis, given her prior experience with the AP1000 COLs, including a similar amendment that was withdrawn in 2014. You and Denise both participated in the Tier 2* working group that gives you perspective in that regard, as well. [MD 10.158](#) on the non-concurrence process (NCP) states that

An NRC employee who is not eligible to use the NCP may approach his or her immediate supervisor, document signer, another manager in their organization, or the NCP Program Manager (PM) and request to engage in the NCP if he or she believes they have specific information that would enhance the decisionmaking process and that use of the NCP would be in the interest of the agency as a knowledge management tool.

And

A document signer should allow an employee to engage in the NCP if he or she believes the employee has specific information that would enhance the decisionmaking process and use of the NCP would be in the interest of the agency as a knowledge management tool.

You're already eligible to use the NCP, so I don't think it's stretching anything to allow you to express differing views about the overall approach or any particular detail where you have relevant knowledge or experience.

Joe

From: Van Wert, Christopher
Sent: Friday, August 24, 2018 11:10 AM
To: Coyne, Kevin <Kevin.Coyne@nrc.gov>
Cc: Williams, Joseph <Joseph.Williams@nrc.gov>
Subject: Tier 2* LAR concurrence

Kevin,

I have a question for you... what should I be concurring on in response to Don and Jordan's concurrence request for the Tier 2* LAR SER? I can review my section and concur. However, I agree with Joe's concerns that he raised multiple times and as he has noted, they have not been addressed in this latest version. I don't want to give the impression that I'm good with the entire document or disagree with the points that Joe is highlighting, but if someone needs to know if I'm fine with what I had already written, then I have no problem doing that. Any thoughts?

Thanks!
Chris

Williams, Joseph

From: Williams, Joseph
Sent: Monday, August 27, 2018 10:09 AM
To: Bradford, Anna
Cc: Taylor, Robert; Dixon-Herrity, Jennifer; Habib, Donald; Monninger, John; Coyne, Kevin; Figueroa Toledo, Gladys; Segala, John; McGovern, Denise
Subject: RE: CA Note
Importance: High

Anna,

Thanks for sharing this with me. I don't believe MD 10.158 permits forwarding the non-concurrence without having completed the evaluation required by that procedure. I'll note that given the stated intent to issue the amendment within 3 days, one could conclude that a decision has already been made to issue the amendment, regardless of the issues raised in the non-concurrence.

I'll let you know if I have any other comments.

Joe

I'll let you know if I have any comments.

From: Bradford, Anna
Sent: Monday, August 27, 2018 9:56 AM
To: Williams, Joseph <Joseph.Williams@nrc.gov>
Cc: Taylor, Robert <Robert.Taylor@nrc.gov>; Dixon-Herrity, Jennifer <Jennifer.Dixon-Herrity@nrc.gov>; Habib, Donald <Donald.Habib@nrc.gov>; Monninger, John <John.Monninger@nrc.gov>; Coyne, Kevin <Kevin.Coyne@nrc.gov>; Figueroa Toledo, Gladys <Gladys.FigueroaToledo@nrc.gov>; Segala, John <John.Segala@nrc.gov>
Subject: CA Note

Joe,

Attached please find the draft of the CA Note that will forward the Tier 2* SE to the Commissioner Assistants. Our current schedule is to send this to the TAs on September 4. I'd be happy to receive any comments that you may have on the CA Note.

Thanks.

Anna H. Bradford
Deputy Director
Division of Licensing, Siting, and Environmental Analysis
U.S. Nuclear Regulatory Commission
301-415-1560