



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 19, 2019

MEMORANDUM TO: Michael D. Orenak, Acting Chief
Special Projects and Process Branch
Division of Operator Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: Booma Venkataraman, Project Manager */RA/*
Special Projects and Process Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF MAY 29, 2019, MEETING WITH NUCLEAR
ENERGY INSTITUTE AND INDUSTRY REGARDING LOW SAFETY
SIGNIFICANT ISSUE RESOLUTION AND TASK INTERFACE
AGREEMENT PROGRAM ENHANCEMENT
(EPIDS L-2019-PMP-0004 AND L-2019-PMP-0002)

On May 29, 2019, a Category 2 public meeting was held between the U.S. Nuclear Regulatory Commission (NRC) and representatives of Nuclear Energy Institute (NEI) and industry at NRC Headquarters, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. The purpose of the meeting was to discuss the NRC's preliminary plans for low safety significant issue resolution (LSSIR) and provide an update on the Task Interface Agreement (TIA) program enhancements. The meeting notice and agenda, dated May 16, 2019, are available in the Agencywide Documents Access and Management System (ADAMS) at Accession No. ML19148A547. A list of attendees is enclosed.

The meeting was divided into two segments as outlined on the meeting agenda. The first segment was the discussion of the proposed LSSIR process and the second segment was on NRC staff's proposed TIA enhancements. No regulatory decisions were made during the meeting.

Segment One – LSSIR

The NRC staff presented the key points on the ongoing agency initiative for resolving low safety significant issues. The NRC staff's presentation slides can be found at ADAMS Accession No. ML19143A158. Following the staff's presentation, NEI presented its ideas on the resolution of low safety significant issues and NEI's slides can be found at ADAMS Accession No. ML19149A230. The following points were discussed during this segment:

- The NRC staff's overall vision of prioritization of resources and level of effort commensurate with the significance of the issue; use of interdisciplinary teams and simple tools to holistically resolve or disposition issues of low safety significance.
- What is considered nominal effort by the NRC staff for low safety significant issues.

- Documenting the resolution of low safety significant issues in a durable and searchable manner for future retrievability, including what NRC staff guidance would need to be updated to allow for this.
- NRC staff response to industry's question on how the NRC staff would address forward fit as it pertains to guidance, such as regulatory guides.
- When determining safety significance, the industry's suggestion that the NRC staff consider revising the approach to assess whether an issue is "not high" versus determining an issue to be clearly low since this can significantly impact the level of effort expended in the process.
- The flexibility in the NRC staff's proposed approach to leverage existing tools in assessing safety significance, which could lead to different results and how the NRC staff would account for those differences.
- The potential duplication of work if a low safety significant issue is determined to need further NRC staff action (i.e., enforcement action or for a follow-on license amendment to address the low safety significance issue).
- How areas that are traditionally not amenable to probabilistic risk assessment (PRA) such as security, emergency preparedness and radiological protection would fit into the NRC staff's proposed safety significance determination for low safety significant issues.
- The potential for joint training between NRC and industry on any new processes for resolving low safety significant issues.

Segment Two – TIA Enhancement Updates

The NRC staff presented an update on the progress of the ongoing TIA Program Revitalization project. The staff's presentation can be found at ADAMS Accession No. ML19143A412. The NRC staff discussed the following aspects of the project:

- The basic purpose of the TIA will be unchanged, as a process to provide information assistance to other NRC organizations with an effort commensurate with the significance of the issue.
- The revised TIA process will be a fact-gathering process that informs other NRC processes like inspection, enforcement, and backfit.
- No agency regulatory action or decision is made within the TIA process.
- The proposed enhancement will include a new name for the program: TAR, 'Technical Assistance Request.'
- Further, the NRC staff proposed a three-phase graded, structured approach with enhanced guidance to focus resources to be commensurate with the significance of the issue and with collaborated and integrated decisionmaking to scope, resolve, hand off, or disposition issues efficiently and effectively.

The NRC staff provided feedback to industry regarding the industry insights received in the public meeting on March 19, 2019 (ADAMS Accession Nos. ML19077A297 and ML19074A141, respectively). The NRC staff made the following comments on two insights that were addressed differently with respect to the industry expectations.

- Regarding the industry's desire for an appeal process, the NRC staff highlighted that the revised TIA process is expected to feature substantial enhancements on licensee interactions throughout the revitalized process. Further, since the TIA or technical assistance request (TAR) process does not take an agency action or make a decision (i.e., only serves to inform decisionmaking in other processes), therefore, there is nothing to appeal. Licensees already have opportunities to appeal or challenge NRC actions in other processes, such as enforcement, backfit, and orders.
- Regarding the industry's request on eliminating pre-decisional information, the staff noted that the NRC will make the information public whenever possible. The ability to release information is issue-specific and dependent on the process the TIA (or TAR) will serve.

In response to key questions posed by the industry, the NRC staff clarified the following:

- In the proposed updated approach, enhanced interaction with the licensee is expected to happen throughout the process, including collecting licensee inputs early and interacting with the licensee during the in-depth review phase, when warranted.
- The TIA will continue to address plant-specific inquiries only. Precedents may be used to check if a previous position on a similar issue exists.
- The NRC staff will consider a future engagement with the industry as the proposed updates move forward to be developed into the draft guidance. This engagement may feature a workshop to test pilot applications. However, the NRC staff noted that internal NRC procedures are not normally published for comment.

Members of the public were in attendance. Public comments made during the meeting were addressed at the meeting. Public Meeting Feedback forms were not received.

Please direct any inquiries regarding LSSIR to Tim Reed at 301-415-1462 or Tim.Reed@nrc.gov. Please direct any inquiries regarding TIA enhancements to Booma Venkataraman at 301-415-2934 or Booma.Venkataraman@nrc.gov.

Enclosure:
List of Attendees

LIST OF ATTENDEES

MAY 29, 2019, MEETING WITH NEI AND INDUSTRY

LOW SAFETY SIGNIFICANT ISSUE RESOLUTION AND TASK INTERFACE AGREEMENT

PROGRAM ENHANCEMENT

NRC Participants

Laura Dudes
Ho Nieh
Craig Erlanger
Blake Welling
Douglas Broaddus
Tim Reed
Carleen Parker
Booma Venkataraman
Shaun Anderson
Don Helton
Matt McConnell
Steve Jones
Phil Mckenna
Kayla Gamin
Jen Scro
Robert Schaaf
Joe Golla
Jen Whitman
Ray Kellar
Jerome Bettler*
Karla Stoedter*

Industry Participants

Andrew Mauer (NEI)
Tim Riti (NEI)
Greg Krueger (NEI)
Jerry Bonanno (NEI)
Doug True (NEI)
Marty Murphy (Xcel Energy)
Art Zaremba (Duke Energy)
Jim Barstow (Exelon)
Chris Reidl (TVA)
Mandy Halter (Entergy)*
Steve Catron (NextEra Energy) *

Members of the Public

Jana Bergman (Curtiss-Wright)
Mike Schoppman (Certrec)

*- Participated by telephone

SUBJECT: SUMMARY OF MAY 29, 2019, MEETING WITH NUCLEAR ENERGY
INSTITUTE AND INDUSTRY REGARDING LOW SAFETY SIGNIFICANT ISSUE
RESOLUTION AND TASK INTERFACE AGREEMENT PROGRAM
ENHANCEMENT (EPIDS L-2019-PMP-0004 AND L-2019-PMP-0002)
DATED JUNE 19, 2019

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MMcCoppin, EDO RI, RII, RIII, RIV	JScro, OGC
JJohnston, NRR	KGamin, OGC
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MMcConnell, NRR	NHilton, OE

ADAMS Accession No.: ML19156A428

*via e-mail

OFFICE	NRR/DORL/LSPB/PM	NRR/DORL/LSPB/LA	NRR/DORL/LSPB/BC	NRR/DORL/LSPB/PM
NAME	BVenkataraman	JBurkhardt	DBroaddus	TReed
DATE	06/04/19	06/07/19	06/17/19	06/17/19
OFFICE	NRR/DORL/LSPB/BC(A)	NRR/DORL/DD	NRR/DORL/LSPB/PM	
NAME	MOrenak	BWelling	BVenkataraman	
DATE	06/19/19	06/19/19	06/19/19	

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