



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

May 27, 2020

MEMORANDUM TO: Daniel Collins, Director, Division of Reactor Projects, RI
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FROM: Christopher G. Miller, Director
Division of Reactor Oversight
Office of Nuclear Reactor Regulation

SUBJECT: CLOSEOUT OF TORNADO MISSILE PROTECTION
COMPLIANCE ISSUES

This memorandum provides information regarding closure of longstanding issues related to tornado missile protection. Much of the regulatory history regarding efforts to address this issue is described in Regulatory Issue Summary (RIS) 2015-06, "Tornado Missile Protection," dated June 10, 2015, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15020A419); Enforcement Guidance Memorandum (EGM) 15-002, Revision 1, "Enforcement Discretion for Tornado-Generated Missile Protection Noncompliance," dated February 7, 2017, (ADAMS Accession No. ML16355A286); DSS-ISG-2016-01, Revision 1, "Clarification of Licensee Actions in Receipt of Enforcement Discretion Per Enforcement Guidance Memorandum EGM 15-002, 'Enforcement Discretion for Tornado-generated Missile Protection Noncompliance'," dated November 1, 2017, (ADAMS Accession No. ML17128A344), and "Closeout of Low Safety Significant/Low Risk Concerns – Tornado-Generated Missile Protection," dated February 28, 2019 (ADAMS Accession No. ML19037A004).

Licensees who have exercised the provisions of EGM 15-002 have until June 10, 2020, to either verify compliance with their current licensing basis for matters pertaining to tornado missile protection or submit a licensee amendment request which the staff has found acceptable in accordance with LIC-109, "Acceptance Review Procedures" (ADAMS Accession No. ML16144A521). No formal communication is required from affected licensees upon expiration of EGM 15-002.

The Office of Nuclear Reactor Regulation (NRR) issued two letters to the industry to highlight the agency's desire for timely resolution to the tornado missile protection issue. The first, "Timely Resolution of Issues Related to Tornado-Missile Protection," dated February 28, 2019,

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(ADAMS Accession No. ML18338A085), reinforced options available to resolve compliance issues and highlighted the opportunity to clarify tornado missile protection features in the Updated Final Safety Analysis Report.

A second letter, "Timely Resolution of Issues Related to Tornado-Missile Protection - Supplemental Information," dated February 7, 2020, (ADAMS Accession No. ML20015A299), added information regarding the application of Title 10 of the *Code of Federal Regulations* Section 50.59 for incorporating aspects of previously approved license amendments using the Tornado Missile Risk Evaluator.

With the expiration of EGM 15-002, regional decisions to inspect tornado missile licensing basis compliance should be considered using normal risk-informed insights to select baseline samples. NRR does not plan to coordinate inspections to verify licensee resolution methods or corrective actions to ensure compliance with licensing basis.

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