

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Retrospective Review of Administrative Requirements Public Meeting

Docket Number: (n/a)

Location: teleconference

Date: Wednesday, June 30, 2021

Work Order No.: NRC-1526

Pages 1-84

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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RETROSPECTIVE REVIEW OF ADMINISTRATIVE REQUIREMENTS

PUBLIC MEETING

+ + + + +

WEDNESDAY,

JUNE 30, 2021

+ + + + +

The meeting convened via Videoconference, at 10:04 a.m.
EDT, Brett Klukan, Regional Counsel, presiding.

PANELISTS PRESENT:

- ERIC BENNER
- THERESA BUCHANAN
- ANDREW CARRERA
- KEVIN COYNE
- NATHAN GAGEBY
- JEREMY GROOM
- SHAWN HARWELL
- MABLE HENDERSON
- BRETT KLUKAN
- JOHN LUBINSKI
- MIKE MAHONEY

1 FRED MILLER
2 KEVIN RAMSEY
3 LYNN RONEWICZ
4 SOLOMON SAHLE
5 JILL SHEPHERD
6 GEORGE SMITH
7 JOHN TAPPERT
8 MINH THUY NGUYEN
9 BOOMA VENKATARAMAN
10
11 ATTENDEES PRESENT:
12 ADAM GOODMAN
13 ANDREW MAUER
14 ANDREW ZACH
15 ANGEL WANG
16 ANGELLA LOVE BLAIR
17 ANTHONY de JESUS
18 BEZA ALEMU, NRC
19 BRETT TITUS
20 BRIAN GREEN
21 CAMERON GOODWIN
22 CARLOS SISCO, WINSTON & STRAWN LLP
23 CATY NOLAN
24 CHRIS MARKLEY
25 CHRIS SPEER

1 CHRISTEPHER MCKENNEY, US NRC
2 CHRISTOPHER REGAN, US NRC
3 CINDY BLADEY
4 CINDY ROSALES COOPER, USNRC
5 CONNOR McCUNE
6 DAVID BEAULIEU
7 DAVID CROWLEY, NC DHHS DHSR RPS
8 DAVID CULLISON
9 DAVID GUDGER
10 DAVID GULLOTT, Exelon Nuclear
11 EANN RALEIGH
12 ERNEST BATES, Southern Nuclear
13 HILARY LANE
14 ILKA BERRIOS
15 JAMES PAK, Dominion Energy
16 JAMES SLIDER, NEI
17 JAMES UHLEMEYER, KDHE
18 JANET SCHLUETER, SENIOR ADVISOR
19 JERE JENKINS
20 JOHN CONLY, CERTREC CORP
21 JONATHAN WALLICK, USGS
22 JUSTIN VAZQUEZ
23 JUSTIN WEARNE
24 LES FOYTO
25 MARLONE DAVIS

1
2 MARTIN PHALEN, NUCLEAR ENERGY INSTITUTE
3 MONICA FORD
4 NICOLE GOOD, STARS
5 PAM NOTO
6 PAUL HARRIS, NRC
7 PRIYA YADAV, NRC
8 ROBERT KAHLER
9 ROBIN RITZMAN
10 SABRINA ATACK
11 SABRINA KAHLER, NRC
12 SHAKUR WALKER
13 SILAS KENNEDY
14 STEVE REESE
15 SUZANNE DENNIS
16 TANIA MARTINEZ
17 THERESA CLARK
18 THOMAS BASSO, Exelon
19 TIM RITI
20 TONY ZIMMERMAN
21 TRAVIS JONES
22
23 ALSO PRESENT:
24 LYNN RONEWICZ
25

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P R O C E E D I N G S

(10:04 a.m.)

OPERATOR: Welcome and thank you for standing by for today's conference. All participants will be in listen-only mode until the question and answer session. At that time, to ask a question, press star one. I would now like to turn the call over to Brett Klukan. Thank you. You may begin.

MR. KLUKAN: Good morning, everyone. I would like to welcome you today and thank you for participating in this meeting to discuss the results of the NRC's Retrospective Review of Administrative Requirements and the path forward. Again, my name is Brett Klukan. I am the Regional Counselor for Region 1 of the U.S. Nuclear Regulatory Commission; however, today, I will be serving as your meeting facilitator.

So this is an information meeting with two question and comment sessions. The purpose of this meeting is for the NRC staff to meet directly with individuals to discuss regulatory and technical issues.

And you will have an opportunity to ask questions of the NRC staff and to make comments about the issues we discuss during the meeting. However, to be clear, the NRC is not actively soliciting comments towards the development of any further regulatory decisions

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1 at this time.

2 In addition to speaking during the question
3 and comment session, you will also have the opportunity
4 to pose questions during Webex question and answer
5 feature. During those sessions, I will read the
6 questions out loud.

7 Again, the audio for today's meeting is
8 only through the telephone bridge. You must call into
9 that bridge in order to participate in the added
10 function. Granted, if you're hearing this, that means
11 you're already dialed into the audio function, but I
12 don't know how much help that is for those who (audio
13 interference). But, again, the information for the
14 audio bridge, if you know anyone who is having trouble
15 joining the audio bridge, it is included in the login
16 or when you enter into the Webex application. Okay,
17 next slide, please.

18 So, again, this meeting is being
19 transcribed. During, when it is your turn to speak,
20 I would ask that you please identify yourself, including
21 any organizational affiliation at the start of your
22 opportunity.

23 Slides are available for download from
24 ADAMS, so those of you on the bridge, the Accession
25 Number is ML21164A007, and the Comment Evaluation

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1 Summary is also available on ADAMS and the ML for those
2 of you just on the phone or the ADAMS Accession Number
3 is ML21012A439.

4 And now finishing my quick introduction,
5 I would like to turn it over to John Lubinski, the
6 Director of the Office of Nuclear Material Safety and
7 Safeguards. Thank you.

8 MR. LUBINSKI: Thank you, Brett. And good
9 morning. And thank you, everyone, for attending this
10 morning. I appreciate you attending the US NRC's
11 meeting and the Retrospective Review of Administrative
12 Requirements, and you'll hear us refer to that as RROAR
13 this morning.

14 As Brett already said, I'm John Lubinski,
15 and I'm the Director of NMSS within the NRC. As part
16 of the RROAR effort, we had asked stakeholders to help
17 us identify potentially outdated or duplicative
18 administrative requirements in 10 CFR, in Title 10 CFR
19 the code, of Title 10 of the Code of Federal Regulations,
20 I'm sorry.

21 Our goal was and is to examine regulations
22 for administrative requirements that could be either
23 eliminated or modified without having any adverse
24 effect on public health or safety, common defense or
25 security, protection of the environment, or regulatory

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1 efficiency or effectiveness. This activity supports
2 and aligns with our agency focus on transforming our
3 processes to be both more effective and efficient.

4 While the review generally indicated that
5 the NRC's administrative regulations are reasonable
6 and adequate, there are a number of areas where we can
7 make our requirements probably more clear, current,
8 and overall, more efficient.

9 At today's meeting, the NRC staff will
10 present the results of our analysis of the comments
11 we received. In addition to examining the outcome of
12 our analysis and answering questions, the staff will
13 provide our plans on how we are implementing regulatory
14 changes to certain administrative requirements and how
15 that's going to move forward.

16 Also, we would like to hear from you today.

17 As Brett said, there are a number of opportunities
18 to ask questions. We would like to hear your questions
19 that you have on what our plans are, what the details
20 of our review. We would like to hear and understand
21 any recommendations you have about how we handled
22 certain questions that came in or certain
23 recommendations and understand from you your thoughts
24 on how that could be more effective or efficient as
25 we continue to move forward.

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1 So, again, my thanks for everyone attending
2 today, and I would now like to turn the meeting over
3 to Kevin Coyne.

4 MR. COYNE: Thanks very much, John. As
5 John said, I'm Kevin Coyne, and I'm the Deputy Director
6 of the Division of Rulemaking, Environmental, and
7 Financial Support. And I want to provide a little more
8 detail on the RROAR effort to help tee up the discussion
9 today.

10 In early February of 2020, the NRC
11 requested public input on any potentially outdated or
12 duplicative administrative requirements that may be
13 modified or eliminated. At the close of the comment
14 period, the NRC had received 100 individual comments.

15 The staff applied the Commission-approved
16 evaluation criteria described in the February 2020 FRN,
17 it's programmatic experience and the "Be riskSMART"
18 decision-making framework to review the comments
19 received. The staff finalized the review of
20 stakeholder comments and recommended 44 comments to
21 be further evaluated in a new RROAR-related rulemaking
22 effort. Ten additional items will be addressed in
23 other ongoing rulemaking activities.

24 So the comments that need further
25 evaluation within the context of the new RROAR-related

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1 rulemaking effort, we plan to submit one or more
2 coordinated rulemaking plans to the Commission for
3 review and approval.

4 The NRC documented the comment review
5 results of the RROAR effort in SECY-21-0056. There's
6 a link to that SECY on the public meeting announcement
7 and available on the NRC's public website.

8 Just a couple of quick, really quick
9 reminders. As Brett mentioned, there will be two Q&A
10 portions during this informational meeting; one to
11 discuss the staff comment disposition and another
12 focusing on the path forward. Also, in addition to
13 not accepting official comments during this meeting,
14 we will not be making any regulatory decisions today.

15 We look forward to an informative meeting
16 with you today. We very much appreciate your
17 participation in the meeting. And now I will hand the
18 meeting over to Andy Carrera, who is the project lead
19 for this effort.

20 MR. CARRERA: Thank you. Good morning,
21 everyone. Thank you, Kevin, and thank you, John and
22 Brett. So welcome, again, to the public meeting on
23 the NRC's Retrospective Review of Administrative
24 Requirements initiative. So I will also use the term
25 RROAR to denote the initiative from now on. So we,

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1 you know, as Kevin and John mentioned, we want to thank
2 you for the comment, and input, and feedback that you
3 provided to us on this very unique initiative.

4 So in today's meeting we're providing
5 overview of the RROAR initiative and the comment
6 evaluation process, the result of our analysis of a
7 comment we receive, and the next steps for this effort.

8 So we break in between to take questions
9 related to the project's path forward as well and
10 adjourn the meeting by hopefully noon today. Oh, and,
11 I forgot to introduce myself. My name is Andy Carrera.

12 I'm one of the project leads for this initiative.

13 So, before we begin, I just want to
14 reiterate what Kevin had just mentioned. You know,
15 it's very important to note that we are not here today
16 to solicit for new input or feedback on administrative
17 requirements for consideration of RROAR initiative,
18 nor do we plan to issue any additional responses to
19 the inputs and feedbacks provided in the past other
20 than what was provided in SECY-21-0056.

21 We will use the term inputs, feedbacks,
22 and comments interchangeably throughout the meeting
23 today, so and we also use the word we, and NRC staff,
24 and management interchangeably throughout the meeting
25 as well. Next slide, please.

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1 By way of background and overview of the
2 RROAR initiative in late 2017, the NRC issued a press
3 release to announce that the Agency would be initiating
4 a retrospective review of administrative regulations
5 to identify those rules that are outdated or
6 duplicative. Next slide, please.

7 And the goal of the review was to optimize
8 the management and administration of the regulatory
9 activities and to ensure that Agency's regulations
10 remains current and effective. And review was intended
11 to identify regulatory changes that are administrative
12 in nature and that will make information submission,
13 recordkeeping, and recording processes more efficient
14 for the NRC, the applicant, and the regulated entities.

15 And once identified, the administrative regulations
16 will be evaluated to determine whether they may be
17 eliminated or modified without impacting the Agency's
18 mission.

19 So in this context, administrative
20 regulations means recordkeeping of reported
21 requirements of regulations that addresses areas of
22 the Agency's organization procedural practice.

23 So in late of 2019, the Commission issue
24 was set up by evaluation criteria to serve as factors
25 for consideration to guide the NRC staff's evaluation.

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1 So the Commission also directed staff to request
2 stakeholders and NRC staff's input on any outdated or
3 duplicative administrative requirements in the 10 CFR
4 that may potentially be eliminated or modified to reduce
5 regulatory burdens to licensees and NRC as well.

6 Furthermore, and this is important, all
7 the criteria serve as useful guidelines in identifying
8 administrative requirements that should be considered
9 for modification or elimination.

10 The Commission also directed the staff to
11 consider its programmatic experience. The intent of
12 the requirement, and the effect of elimination or
13 modification of a requirement on NRC mission, and that
14 is, I mean, that is the, you know, the focus of our
15 effort is the NRC's not, you know, to do no harm to
16 the NRC's mission. So I need you to understand that
17 and the overall effect on resources when determining
18 whether to pursue a change in our regulations.

19 And in February of 2020, the NRC published
20 a Notice in the Federal Register. I believe it was
21 Volume 8, Page 6103, seeking public input on any
22 administrative requirements that may be outdated or
23 duplicative of nature. The five evaluation criteria
24 were also provided in the Federal Register Notice.

25 And, so the NRC conducted several public

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1 meetings over the course of the RROAR initiative, and
2 the meeting in May of 2018 to discuss the RROAR
3 initiative and the draft evaluation criteria meeting
4 on March 5th and March 24th of 2020, to facilitate public
5 comments. Additionally, the NRC also conducted public
6 meeting on August 27 of 2020, to discuss the comments
7 received.

8 And at the end of the public comment period,
9 the NRC received a total of a hundred individual
10 comments. Where multiple comments provided with
11 similar precision or rationale, the NRC staff blend
12 them together and consider them as a group and count
13 them as one individual comment.

14 So the comment impacted five NRC offices
15 and 17 NRC divisions. The NRC staff established an
16 agency-wide working group of approximately 40 staff
17 to evaluate the comments and to ensure consistency in
18 evaluation of the comments, including those that have
19 implication to cross, you know, with cross-cutting
20 issues among different NRC programmatic areas, for
21 example, licensing basis, tech specs, radiological
22 effluent reports, security clearance reports,
23 emergency preparedness, and so on and so forth.

24 The comments that we received span across
25 many of the Agency's programmatic areas and affect

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1 regulations in 14 different parts of the 10 CFR. And
2 at the end of the comments evaluation process, the NRC
3 staff determined 54 comments fall within the scope of
4 RROAR.

5 And, as you know, in SECY-21-0056, we
6 recommend the following path forward for these
7 recommended comments, you know, either to be further
8 evaluated in a new RROAR-related rulemaking, or to be
9 incorporated in an annual administrative correction
10 rulemaking, or to be further evaluated in an ongoing
11 rulemaking activity outside of the RROAR-related
12 rulemaking. Now, next slide, please.

13 So this slide shows various factors in
14 processes enhancement that inform the RROAR comment
15 evaluation process. We applied, as you know, we
16 applied five Commission-approved evaluation criteria
17 as described in the February 2020 FRN. And in order
18 to be considered for elimination, potential elimination
19 or modification through the rulemaking process, a
20 comment must meet at least one of the first four criteria
21 and not meet Criterion 5, with that being excluding
22 that criterion.

23 Also, per COMSECY-18-0027, the Commission
24 directed the staff to also rely on the NRC staff's
25 programmatic experience, look at the intent of the

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1 requirement, the effective elimination modification
2 requirement on the NRC's mission public health and
3 safety, and overall effect on resources when applying
4 the criteria.

5 We also applied the "Be riskSMART"
6 decision-making framework to the comment evaluation
7 process by considering the intent of the requirements,
8 the risk of eliminating a modification requirement on
9 the NRC mission. For example, we started reporting
10 requirements that may look to be administrative in
11 nature; however, upon consideration of these comments
12 or requirements, we determined they are more than
13 administrative in nature. They are in place to provide
14 reasonable assurance of adequate protection, in place
15 to support programmatic needs. They're in place to
16 provide regulatory efficiency and transparency. And
17 by applying "Be riskSMART" decision-making framework,
18 we determined that modifying or eliminating the
19 requirements would impact the NRC's mission and the
20 benefit would not justify the risk. That is why we
21 screened these requirements out from the way we did.

22 The majority of these comments are found
23 in Section II of the Comment Evaluation Summary, which
24 is, I believe, Enclosure 1 to SECY-21-0056. So these
25 items are items Number 55 to 100 in Enclosure 1.

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1 Now we also spotted requirements that are
2 borderline administrative in nature. By applying "Be
3 riskSMART" decision-making framework, we determined
4 that we still need the requirements to be submitted
5 to maintain the NRC's mission; however, there may be
6 regulatory burden reductions or efficiency gain
7 opportunities dependent upon how we modify the
8 requirements so that the risk would be minimal and the
9 benefit would outweigh the risk.

10 So for these requirements we determined
11 the benefit may outweigh the risk if we do it right.

12 And we like to explore them further in the rulemaking
13 process to allow ample opportunities for stakeholders
14 to be engaged and provide feedback. So the majority
15 of these comments are found in Section I of the Comment
16 Evaluation Summary.

17 Now we also spotted requirements that are
18 administrative in nature and modifying or eliminating
19 these report requirements would represent minimal risk
20 to the NRC's mission. We also apply improvement
21 identified from the Process Simplification
22 Transformation Initiative such as we establish an
23 Agency side division office-level committees to
24 facilitate coordination and communication and to ensure
25 the consistency in the Comment Evaluation process,

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1 including those with cost-cutting issues among
2 different NRC programmatic areas.

3 We also make use of modern information
4 technology in the document development and concurrence
5 process for the SECY paper. Next slide, please.

6 So this slide shows the end result for the
7 100 comments received on the administrative
8 requirements. According to our evaluation, 54
9 comments met at least one of the Commission-approved
10 criteria and did not meet Criterion 5 and should be
11 considered further consideration in the rulemaking
12 process for potential elimination or modification.
13 So these comments are divided into the following
14 categories.

15 Forty-four comments to be further
16 evaluated in a new RROAR-related rulemaking effort.
17 Five comments to be incorporated in an annual
18 administrative correction rulemaking. And five
19 comments to be further evaluated as part of the ongoing
20 rulemaking activities outside of the RROAR-related
21 rulemaking.

22 Just a quick note here, on the five comments
23 to be incorporated in an annual administrative
24 correction rule, the NRC is in the process of publishing
25 a rule for those administrative correction, and I

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1 believe we are expecting to see the rule sometime later
2 this fall.

3 So these comments I mentioned, we are in
4 Enclosure 1 to SECY 21-0056. And as mentioned before
5 the comments that need further evaluation within the
6 context of a new RROAR-related rulemaking effort, we
7 plan to submit one or more coordinated rulemaking plans
8 to the Commission for review and approval. And we
9 discuss more on these rulemaking steps later in the
10 second of today's meeting.

11 Now we also identified 46 comments that
12 did not meet the Commission-approved Criteria of 1
13 through 4 or didn't meet Criterion 5. These comments
14 can be found in Section II of Enclosure 1 to
15 SECY-21-0056. These are items 5 to 100. And of those
16 46 comments, the NRC has taken no further action for
17 44 comments; however, in accordance with Commission
18 direction in SRM to SECY 17-0119, we have also
19 identified two comments in this category. I believe
20 these are items on the table as Items Number 87 and
21 Items Number 94 Enclosure 1 that may be considered by
22 a process outside the RROAR initiative as appropriate.

23 And we have provided these comments to those conducting
24 the Agency's innovation and transformation efforts for
25 consideration. Next slide, please.

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1 So we are going to stop here to take
2 questions from meeting participants. With that, I will
3 turn the floor over to, back to Brett to start this
4 up. Brett, I believe you will calling on NEI's
5 delegation to see if they would like to make a statement
6 at this time.

7 MR. KLUKAN: Yes, Andy. Thank you very
8 much. So I'm going to explain the process, and then
9 I will turn it over to NEI. So if you would like to
10 ask a question or to make a comment, please press star
11 one on your phone to enter into the queue, and then
12 the operator will take your information and then place
13 you in line to speak; however, as an alternative to
14 that, if it's a quick question or comment, please feel
15 free to add that to the question and answer function.

16 When you put the question into the question and answer
17 box, I will read it out loud, and then we will address
18 it verbally as, you know, time permits.

19 So, again, there are two options to
20 participate. You can verbally ask your question, as
21 well as your comment by pressing star one, or you can
22 directly enter your comment into the question and answer
23 function of the Webex, and then we'll go through them.

24 So with that, I'd like to get, if the NEI
25 delegation would please press star one on their phone

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1 at this time to be entered into the queue, we will go
2 from there. So once they are in line and ready to go,
3 Operator, if you could please unmute them.

4 OPERATOR: We will take questions at this
5 time. One moment, please. This question is from
6 Justin Wearne. Your line is open, sir.

7 MR. WEARNE: Thanks. I did have a couple
8 of questions on the slides, but Jim Slider from NEI
9 has some comments that we'd like to go through. Do
10 you want to go through Jim Slider's questions or
11 comments first, and then questions on the slides, or
12 how would you guys like to do that?

13 MR. CARRERA: Good morning, Jim. So let's
14 go through your comment, your question on the slide,
15 and then we'll provide the time to Jim for his comment.

16 MR. WEARNE: Thanks, Andrew. This is
17 Justin Wearne, I'm from PSEG, and I've been helping
18 Jim Slider at NEI work through these, work through this
19 issue.

20 The first question I had was on Slide 4,
21 and I'm interested in how -- yeah, that slide right
22 there -- interested in how the regions were involved
23 looking at the five offices impacted and the 17
24 divisions involved. Can you talk through how the
25 regions were engaged on this process?

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1 MR. CARRERA: Yes, thank you for that
2 question, Justin. So the regions were engaged through
3 the programmatic reviewing staff, the 40 staff
4 participated in the review. These staff would reach
5 out to the regions, the partner that they have and work
6 with them to provide a directional path forward or
7 recommendation on how to proceed forward with that
8 particular comment.

9 MR. WEARNE: Thanks, Andrew. On Slide 5,
10 the next slide, the, kind of the bottom bullet there,
11 talks about a process simplification. Can you explain
12 a little bit more on that? I didn't quite get
13 everything you said. Can you just kind of go through
14 that one more time?

15 MR. CARRERA: Yes. So process
16 simplification that we use is really we request and
17 receive support from high-level NRC management, and
18 we have access to management to help us making decision
19 throughout the review process, provide input, provide
20 additional direction for us. So that is something that
21 we believe is a bulk of the arm or the typical project
22 case.

23 And also other process simplification in
24 terms of trying to, you know, gaining working product,
25 as you know, with the SECY paper and the Enclosure out

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1 in a timely manner, we do things like concurrence, or
2 parallel concurrence process to help facilitate, you
3 know, getting the process, the product out faster.

4 MR. WEARNE: And thanks. So this was
5 really, this is a process that you put together. Is
6 this just for the RROAR, or is it going to be part of
7 the rulemaking effort as well, and is it part of any
8 other Agency efforts?

9 MR. CARRERA: It is, yes. It is a process
10 that we are starting to use, starting to really lean
11 on and rely on to get, to be more efficient in terms
12 of, you know, getting management buying in as well as
13 getting documents through the process faster. And that
14 is something that we have been using and are repurposing
15 that for the RROAR comment evaluation.

16 MR. WEARNE: Thanks. I have one more
17 question, and then I'll kick it over to Jim for our
18 comments. On Slide 9, if you can go there, Andrew.

19 MR. CARRERA: Slide 9.

20 MR. WEARNE: I guess we haven't gotten
21 there yet. I'll hold off for the next Q&A session then.

22 MR. CARRERA: Okay. Thank you, Justin.

23 MR. WEARNE: For the Operator, can I just
24 hold on. Can you give Jim Slider access, and then I
25 might have some back-up for Jim as he's going through

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1 his comments?

2 OPERATOR: Thank you. Jim Slider, your
3 line is open as well, sir.

4 MR. SLIDER: Thank you. This is Jim
5 Slider from NEI. Andy, I appreciate the part of the
6 briefing you've gone through this morning, and we
7 appreciate this opportunity to participate in this
8 public meeting. We think it's a vital effort to bring
9 the NRC's reporting requirements into the 21st century.

10 It's been a long process to get here, and part of our
11 frustration is over the pace.

12 The project is coming up on four years old
13 now, and we have yet to see true relief or improvement
14 in the regulations. And we would urge that as you go
15 forward with this that you do everything possible to
16 expedite, and we are quite willing and eager to work
17 with the staff to make sure that we do our part to support
18 efforts to streamline and prioritize the
19 recommendations and actions.

20 We're particularly frustrated at this
21 point that only now are you talking about a rulemaking
22 plan by the end of the year, and you've outlined some
23 steps that sound like they are promising this morning,
24 but again, we haven't seen any concrete results yet.

25 And we're eager to see that.

1 We think it's vital to streamline and
2 modernize these reporting requirements so that the
3 plants and facilities can continue to focus on what
4 matters most to safety. And streamlining these
5 reporting requirements, bringing them into the 21st
6 century through use of technology, through innovation,
7 through transformative thinking and so forth are vital.

8 And we don't see that in the SECY paper
9 that has been provided. The word transformation
10 doesn't appear. We don't see innovation in there.
11 No mention of the EMBARK Studio, and we're just eager
12 as we can be to see the staff embrace innovation and
13 transformation throughout these reporting
14 requirements.

15 And I hope that as you go through this
16 presentation you'll be able to show us where you have
17 because this presentation today is the first time we've
18 seen mention of use of the "Be riskSMART" framework
19 and simplifying your concurrence process and so forth.

20 So we're absolutely eager to see concrete results and
21 eager to see the RROAR project embrace transformation
22 and transformational thinking. We just don't see it
23 so far, and we're eager for the staff to get through
24 this and get through it as quickly as possible.

25 That's all I have to say right now, Andy.

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1 And I'll have some other things to say later after
2 we talk about the path forward. But thank you, and
3 I look forward to your response.

4 MR. CARRERA: Thank you, Jim. So I just
5 want to bring this back to why we're doing this in the
6 first place, right? We're, you know, people don't
7 understand that we are not in the rulemaking process
8 yet. We are in the exploratory stage where we are
9 trying to identify any potential requirements,
10 administrative requirements that may be eliminated or
11 modified.

12 Once we have those information, those
13 requirements together, it's something that we can pass
14 forward and make recommendations to the Commission and
15 the Commission approves. That's one we're going to
16 start doing, you know, getting to the rulemaking
17 process, which I will be talking a little bit later
18 on today.

19 You know, you mentioned EMBARK. We did,
20 you know, reach out to EMBARK, and we do share
21 information with EMBARK during the process. It's
22 unclear to me what your thoughts on EMBARK's role in
23 rulemaking is. Right now we're trying to identify
24 requirements that we can do rulemaking on. You know,
25 of course, we continue to engage EMBARK and, you know,

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1 recently we did engage EMBARK.

2 Now we're going to be talking about what
3 we're considering revising or modifying, you know, 50.4
4 Communications section. We did reach out to EMBARK
5 regarding the portal, and we got some good information
6 on that.

7 But I, you know, and maybe you can elaborate
8 a little bit on what you're expecting EMBARK or the
9 transformational innovation effort in the rulemaking
10 process. So that's all I have, Jim. Thank you.

11 MR. KLUKAN: Thanks, Andy. Would you like
12 me to open it up to other, potential other speakers
13 at this time?

14 MR. CARRERA: Yes, please, Brett.

15 MR. KLUKAN: Okay, thank you. So, again,
16 if you would like to ask a question or post a comment
17 regarding the material that's already discussed, please
18 press star one on your phone. Again, that is star one
19 to be entered into the queue.

20 As an alternative to that, you can also
21 directly enter your question into the question and
22 answer function within the Webex portal. So I will
23 give individuals there a moment to enter themselves
24 into the queue at this time. Operator, it looks like
25 we have one individual in the queue, if you could unmute

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1 them, please.

2 OPERATOR: Thank you, Justin. NEI, your
3 line is open.

4 MR. WEARNE: Yes, again, this is Justin
5 Wearne from PSEG, and I've been working with NEI on
6 this topic. Andrew, I just wanted to, kind of, address
7 your comment about the role that EMBARK and innovation
8 might play in this. So recently some of the power
9 reactor light reviews have received requests from the
10 region to establish SharePoint sites for posting the
11 UFSAR for common use by the regional staff and the
12 project manager and other NRC staff.

13 But what's confusing to us is that the
14 response in SECY 21-56 indicate that that's the, that's
15 the reason why these things need to be sent to the
16 Document Control Desk is so that that can get
17 distributed out to the NRC stakeholders that need copies
18 of a document.

19 And so now the practice that we're going
20 to have is sending the reports to the Document Control
21 Desk, and then updating this SharePoint site, as well
22 as providing inspectors that come on site with the
23 selective chapters of the UFSAR that they're interested
24 in. And in so much that not duplicative but a
25 triplicative practice here of reporting.

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1 And I'd also like to note that Manual
2 Chapter 0620 indicates that the inspectors should not
3 be asking for duplicative or copies of information
4 that's already publicly available. And we really see
5 the EMBARK's NDOs as being able to, you know, create
6 a web portal or some sort of cloud, a system where this
7 free flow of information could take place. And that's
8 really the role that we see here of the EMBARK Studios.
9 Does that make sense to you, Andrew?

10 MR. CARRERA: It does. Thank you, Justin,
11 for clarifying it.

12 MR. KLUKAN: Okay. Again, I'm not seeing
13 anyone in the queue. If you'd like to ask a question
14 or further comment at this time, please press star one
15 on your phone. Again, that is star one, or, again,
16 enter your question into the question, question or
17 comment into the question and answer function, and I
18 will read that out loud. So I'll give individuals a
19 moment or two to see if they would like to pose any
20 questions and comments at this time.

21 And we actually have one from Janet
22 Schlueter, S-C-H-L-U-E-T-E-R. To elaborate on Jim
23 Slider's remarks, industry does not see evidence that
24 the NRC relied on data (e.g., inspection results) to
25 identify low-risk items where the administrative

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1 requirement could be modified or deleted. To say the
2 NRC will address stakeholder input during the
3 rulemaking, it has already dismissed, it dismissed over
4 50 percent of comments.

5 Let me read that again because I had a
6 pop-up break up my comment, so, and also just to give
7 additional people any time to enter into the queue.
8 So, again, this is from Janet Schlueter. To elaborate
9 on Jim Slider's remarks, industry does not see evidence
10 that the NRC relied on data (e.g., inspection results)
11 to identify low-risk items where the administrative
12 requirement could be modified or deleted. To say that
13 the NRC will address stakeholder input during the
14 rulemaking dismisses the fact that the NRC has already
15 dismissed over 50 percent of comments. Again, thank
16 you for that comment.

17 Again, give people here another minute or
18 two to ask any questions or comments. If not, we will
19 proceed forward. Okay, Andy, I'm not seeing any
20 additional individuals in the queue --

21 MR. LUBINSKI: Hey, Brett?

22 MR. KLUKAN: -- at this time, so -- yes?

23 MR. LUBINSKI: John Lubinski here, how are
24 you?

25 MR. KLUKAN: Good.

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1 MR. LUBINSKI: Can I just, can I jump in
2 and ask a quick question here?

3 MR. KLUKAN: Absolutely, of course.

4 MR. LUBINSKI: Okay. Thanks. Hey, Jim,
5 I really appreciate your question and the further, or
6 your comment about EMBARK. And Janet, thanks for your
7 further clarification, so I appreciate that.

8 Can I ask, I heard two things there, and
9 I just want to make sure I fully understand as we
10 continue to move forward because of your comment you
11 mentioned use of EMBARK a couple of times. And I think
12 what I heard was two things so far, and I just want
13 to make sure we fully capture them.

14 Number one is the use of something or the
15 idea of using something like a SharePoint site or a
16 web portal to capture the information that currently
17 is recorded under the regulations vice having it be
18 provided to us in writing under the current regulations.

19 And I heard you say, Jim, that that's one of the areas
20 where you felt EMBARK could provide further insights.

21 And then, so I think I understand that and that's really
22 just putting something on a web portal vice setting
23 something in writing.

24 But then I heard Janet go a little further
25 in use of information in an inspection report. Maybe

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1 if I could understand more on that because many of the
2 reporting requirements that we're talking about may
3 be how they were used on the front end to improve our
4 efficiency in preparing for inspections vice what
5 resulted in may be findings in an inspection report
6 or documentation of how we actually use that information
7 when we did our inspections.

8 So I'm trying to understand is that also
9 related to EMBARK, where you're questioning our use
10 of whether we have specific data that would support
11 the efficient and effective use of information that
12 was provided through reporting and how it came out on
13 the back end because I think a lot of our discussion
14 when Andy felt about "Be riskSMART" model was looking
15 at the benefits from a cost standpoint of having this
16 information and being able to review it electronically,
17 either in writing vice having to wait to go out to the
18 site and not be prepared and have to review it at a
19 later time even if it doesn't result in any type of
20 finding or issue, but it's still a verification that
21 we believe was done more effectively and more
22 efficiently by having information beforehand.

23 So can either Jim or Janet maybe expand
24 on if there's more use that you saw at EMBARK that would
25 help in coming up with a disposition of comments?

1 MR. KLUKAN: Melinda, I think we have both
2 James and Janet on the line, so why don't we start with
3 James, or Janet first, and then, oh, it looks like Janet
4 is now the person in the queue, so why don't we open
5 up her line and go forward with that. So thank you
6 very much.

7 MS. SCHLUETER: Okay, can you hear me?

8 MR. KLUKAN: Yes, we can, thank you.

9 MR. LUBINSKI: Yes, Janet, thanks.

10 MS. SCHLUETER: Okay. All right. I'll
11 let Jim Slider talk about the EMBARK Studio because
12 that's not really my area of experience. John, so I
13 was coming at my comment more from the fuel cycle side
14 of the world, and one where, you know, NRC has
15 successfully, in the last couple of years, used
16 inspection results and their own experience in the
17 Oversight Program to risk-inform the Inspection Program
18 at the fuel facilities by relying on existing
19 inspections data findings violations. You know, to
20 be able to use less resources to focus on those low-risk
21 program areas that are stable, for example, that don't
22 change a lot, that aren't high-risk operational areas,
23 and then shift the resources more into those program
24 areas that are a higher risk area with regards to safety
25 and security.

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1 So when I looked at the whole RROAR results
2 and the Enclosure to the SECY paper, which was very,
3 very useful, thank you for the attachments, I had to
4 kind of just stop and think. Well, how is NRC using
5 your own data, your availability of information that
6 you have from your licensing experts and inspectors
7 to risk-inform this effort.

8 And so I didn't really see any evidence
9 to say, yes, we stopped, and we paused, and we've looked
10 out there. And we've said, hey, this is a really
11 low-risk, stable program, and we're not getting any
12 violations in this area, so what's the harm in modifying
13 a reporting requirement. Whether that's a change in
14 frequencies? How, you know, the periodicities,
15 whether it comes into you at all or could be reviewed
16 on a site visit basis.

17 And I just don't see any of that. So my
18 comment is coming from the positive experience that
19 we've had with NRC in the fuel cycle industry through
20 the Smarter Program initiative.

21 And I think that's what, you know, I was
22 looking to see some data-based evidence of change here,
23 and I'm just not seeing that. That's all.

24 MR. LUBINSKI: Thanks, Janet. I
25 appreciate that for the clarification, thanks. And,

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1 Jim, did you have some thoughts?

2 MR. SLIDER: I do, John. Can you hear me?

3 I don't know if my line is open or not.

4 MR. LUBINSKI: I can hear you fine, thank
5 you.

6 MR. SLIDER: Great. Thank you. John, I
7 really appreciate your question. And Janet really hit
8 on one of the key points that struck us. The Enclosure,
9 which summarizes the stash rationale for accepting or
10 rejecting various comments is qualitative, and we don't
11 know the entire analysis that the staff put into its
12 examination of each of those comments.

13 So we don't know what consideration
14 might've been given to creative ways to meet those
15 reporting requirements that need to be retained or
16 which, as Janet said, which could be eliminated on a
17 risk-informed basis, or whatever. We just don't know
18 that rationale. We don't know the details of the
19 analysis. We don't know how much consideration was
20 given to really creatively thinking how could we use
21 technology and the innovative approaches being
22 pioneered by EMBARK right now. We don't know any of
23 that.

24 The communications on the project have been
25 fairly closed to our examination throughout this past

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1 year and over the life of the project. And so it's
2 been deeply frustrating. We have no idea how this
3 project has been plugged into the efforts of the
4 Commissioners to transform the NRC.

5 And these administrative reporting
6 requirements are just emblematic of legacy obligations
7 that we're all still adhering to, even to the point
8 of, as Justin said in his example, having to submit,
9 change pages to FSARs, and so forth, only so that we
10 then later upload an electronic copy to a SharePoint
11 site.

12 It's just maddening redundancy and inefficiency
13 and so forth. And that's what we were trying to get
14 at by using EMBARK as a symbol of the opportunity and
15 the resources within the Agency to use technology to
16 solve some of these administrative problems.

17 And to the earlier point about addressing
18 these things through rulemaking, this project has been,
19 in terms of public communications, the project has been
20 handled with the formality of rulemaking. And so there
21 hasn't been a lot of interaction that could help us
22 to see the progress, see what's coming, help have the
23 back and forth that we're used to in other areas where
24 regulatory requirements are being reconsidered or
25 considered for modification.

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1 And so at this point, we don't know what
2 lies ahead. And as Janet said, if our only opportunity
3 to discuss these options occurs under the rigors of
4 rulemaking, it's going to be three, four, five years
5 before we get through all of that. And that would be
6 just a waste of public resources and a waste of industry
7 resources to take that long to address some of these
8 technology challenges, or technology solutions that
9 we know are available in business today.

10 So that's my vent, John, and I appreciate
11 you being on the call today to hear us out.

12 MR. LUBINSKI: Hey, Jim, thanks for that.

13 Can I ask one more follow-up on that because I think
14 it was a good question you brought up, and it's a
15 question I had along related to some of the comments
16 I've heard from the industry.

17 All the requirements we're talking about
18 right now are requirements during the regulation. And,
19 therefore, the only way to change those requirements
20 is either to go through rulemaking, issue an order,
21 use enforcement discretion, or some other vehicle that,
22 you know, specific exemptions.

23 So I would ask, when you're looking at
24 vehicles, if we were to agree, and I'm using the if
25 there, if we were to agree that some requirements should

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1 be modified earlier and maybe codified later through
2 rulemaking, what are you seeing as the vehicle, and
3 what are you seeing as the real cost benefits associated
4 with doing that through process that's outside of
5 rulemaking?

6 MR. SLIDER: John, I'm not sure I can
7 answer your question as you asked it. Let me try to
8 address it in the following way. We're not suggesting
9 at all that the Commission should bypass the rulemaking
10 process. We understand you're obligated by the
11 Administrative Procedures Act to go through that legal
12 process, fair and open public comment, and so forth.
13 We get that, and we're not suggesting at all doing
14 anything contrary to that.

15 But at this point, what we have available
16 to us is a set of recommendations for the disposition
17 of public comments and no idea, we've had no opportunity
18 to dialogue with the staff about brainstorming creative
19 solutions that we then could take into that rulemaking
20 process.

21 And the brainstorming on creative
22 alternatives might even lead to a shared understanding
23 that some of these rules are outdated enough, simple
24 enough, or the options today because of technology are
25 straightforward enough that we can use within the

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1 rulemaking process. We can use accelerated means to
2 accomplish these changes.

3 At this point, we have no hope, no optimism
4 that that actually, that sort of prioritization, that
5 sort of let's work out the what looks like an improved
6 situation before we go into the formality of rulemaking.

7 And we just don't see any of that forthcoming.

8 What we see is a product that says here's
9 where we are. A year from now we'll be starting
10 rulemaking, and we don't know when that's going to
11 happen. Does that answer your question, John?

12 MR. LUBINSKI: Thanks, Jim. I appreciate
13 that clarification, thank you.

14 MR. CARRERA: Hi, this is Andy. If I can
15 start for a minute. I heard EMBARK mentioned a lot,
16 so if I may, I'd like to call on Jeremy Groom, who is
17 the Director of EMBARK at the time, maybe to chime in
18 on his perspective on this.

19 MR. GROOM: Yes, great, great. Thanks,
20 Andrew. Can everybody hear me?

21 MR. CARRERA: Yes.

22 MR. GROOM: Great. So, Jim, appreciate
23 your comments and the rest of the comments from NEI.

24 I think you've got a good perspective on EMBARK's role.

25 And I can tell you, we have reviewed, you know, the

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1 SECY and the various administrative requirements that
2 were captured in RROAR and the staff screening.

3 Just a little bit of clarity on how EMBARK
4 fits into this. My staff is not experts in the various
5 administrative requirements and how they're used. And
6 so the respective screening Criterias 1 through 4, and
7 5, you know, we didn't, we weren't in a place to
8 necessarily challenge those and say to the staff you
9 did the right job in screening those. You know, the
10 individual members who use these various administrative
11 reports are the ones that have the expertise to do that.

12 And as you heard earlier in the presentation, the NRC
13 assembled a, you know, a skilled panel of subject matter
14 experts to perform that task.

15 (Audio interference.)

16 Jim, is exactly what you said. You know,
17 we're an innovation accelerator, and we're a group that
18 can help, you know, leverage technology, find better
19 ways to do things, and to that end, I think if you go
20 through the document it's probably not as overt as what
21 you're looking for.

22 But if you go through the SECY attachment,
23 there are various places where we talk about enabling,
24 you know, electronic submissions, looking at ways to
25 replace outdated processes. I'd call your attention

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1 to items like 31, 32, 33, 34. Thirty-four, in
2 particular, talks about written communications, and
3 it talks about the staff considering alternatives, you
4 know, use of current technology and whatnot.

5 You know, it's a small line item in the
6 SECY attachment, but it's a big impact. It could be
7 one that, you know, really could have widespread
8 implications. I think Item Number 44 in the SECY
9 attachment also could have widespread implications.
10 It talks about submitting written documents into ADAMS,
11 and maybe there's a better way through a portal or
12 whatnot to perform that task.

13 So I can assure you that EMBARK is engaged
14 on this. Your perspective on our role is correct.
15 You know, we're not rulemaking experts. We're not
16 experts on administrative requirements. We're a group
17 that can help leverage technology and, you know, even
18 if there are certain specific line items that talk about
19 maybe enabling some electronic technology, so that's
20 really where we fit in. I just wanted to clarify
21 EMBARK's role in this process.

22 MR. CARRERA: Thank you so much, Jeremy.

23 And Greg, if I may just get back a little bit on the
24 Commission-approved, the five Commission-approved
25 evaluation criteria. So, as you remember, early in

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1 the RROAR initiative process, we did, a large portion
2 of those at that time was to, you know, commission the
3 regular staff to go ahead and develop these, you know,
4 develop these evaluation criteria. And the NRC staff
5 has did a significant outreach to the public at that
6 time to engage the public on developing and finalizing
7 that evaluation criteria.

8 So, you know, I just want to stress that
9 those criteria is not something that no one ever mind.

10 It's heavy. It has weight, and it has gravity because
11 of those, you know, action the staff engaged the public
12 and public comments on, and finally the Commission
13 reviewed the staff's propose based on public comment
14 and approve those criteria. So that's all I want to
15 bring up. Brett, back to you. Thank you.

16 MR. KLUKAN: Thank you, Andy. So it looks
17 like we have one additional speaker in the queue.
18 Again, if you'd like to ask a question or comment, please
19 press star one or enter it into the question and answer
20 box. So could you unmute in the queue, please.

21 OPERATOR: Justin Wearne, your line is
22 open.

23 MR. WEARNE: Yes, thanks. Again, this is
24 Justin Wearne from PSEG. John, I just wanted to, I
25 wasn't fast enough on the unmute to get ahold of you

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1 during some of that discussion. But, you know, you're
2 kind of mentioning, you know, hey, we have to do
3 rulemaking or enforcement discretion or orders as the
4 vehicles to modify the regulations, right?

5 And I just wanted to point out that, oh,
6 boy, about 10 years ago, right, we did an enforcement
7 discretion to alleviate the need to deal with porting
8 of emergency plan implementing procedures. And that
9 was a very quick win for us, right? That was a large
10 burden for the stations, and by doing it, kind of, in
11 that expedited process, you know, that was a big win.

12 So that might be something we want to keep on our radar
13 screen as something to kind of model going forward.

14 And then the other comment I had for you,
15 John, was we kind of talked about like the risk ranking
16 of these reports. And, so if you take the population
17 of event follow-up reports, you know, there's an event
18 that happens at the station, and then you have to do
19 a written follow-up to the Agency. Those timeframes
20 vary from 30 days up to 18 months, and it's not clear
21 to us why some of those are at 30 days and why some
22 of them are at 18 months. And I think we all know that
23 licensing event reports, you know, for the power
24 reactors, are at 60 days.

25 So that's kind of one of the things we were

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1 hoping to see was some sort of, kind of harmonization
2 or understanding of why these reporting frequencies,
3 and let's just take the event follow-up, why they are
4 at that different timeframes. So I just wanted to add
5 those two comments. Thanks, John.

6 MR. LUBINSKI: Yes, John Lubinski here.
7 Thanks for that additional clarification. I
8 completely understand your second point about the event
9 reporting. On the first part, what else I'm not
10 familiar exactly what was accomplished under the, you
11 know, the enforcement discretion we used under for
12 emergency plans and how big an impact that was. And
13 so I can't really compare it since I was not involved
14 with that and don't have the awareness.

15 And in looking at what we saw today though,
16 I do believe folks looked at whether or not we saw
17 something significant enough in that area that would
18 really say that the costs to NRC and the industry, you
19 know, is such a burden that it would, you know, benefit
20 from as you said a minute ago, a big win, if you will,
21 of having something change much sooner through
22 enforcement discretion. If there was something like
23 that, we would certainly want to hear that, and I think
24 our initial look did not necessarily show that. Thanks
25 for that further information. I greatly appreciate

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1 it.

2 MR. KLUKAN: Okay, and this is Brett. If
3 you would like to ask a question or comment, please
4 enter star one. Again, that is star one, or otherwise
5 type your comment into the question and answer feature
6 of the Webex portal. And I'll give individuals a minute
7 or two to do that if there are any additional questions
8 and comments at this time.

9 Okay. Andy and NRC staff, I'm not seeing
10 any additional questions or comments either in the
11 question and answer box or on the, or in the Verizon
12 queue. So if you'd like to, know, proceed forward,
13 please.

14 MR. CARRERA: Yes. Thank you, Brett, and
15 thank you, everyone for the discussions. And so let's
16 continue on, moving on. May I have next slide, please?

17 All right. So we resume this meeting. You know, we
18 discussed some of the past reviews and looked at the
19 administrative requirement looking in the rearview
20 mirror retrospectively, but I also want to discuss,
21 you know, look prospectively into the future towards
22 development of rulemaking plans for the requirement
23 based on, you know, based on your inputs as well to
24 recommend for consideration in the rulemaking process.

25 Now, in developing the rulemaking plans,

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1 moving forward we will leverage some of the new
2 rulemaking decision guidance and rulemaking approach
3 tools to identify effective and efficient options to
4 address the rulemaking needs.

5 Now we'll continue to apply the "Be
6 riskSMART" decision-making framework and other process
7 enhancements. We also consider your input and feedback
8 today that you provided, you know, in the previous Q&A
9 session, and as well as in the upcoming Q&A session
10 to inform our, you know, decision-making process and
11 how we're going to move forward. Next slide, please.

12 So this slide shows some of the factors
13 that we really think about, need to think about in order
14 to identify and compose an effective decision and
15 appropriate options and recommendations to address our
16 rulemaking needs. And I'm saying our rulemaking needs,
17 and then there'd be a, you know, we touch a little bit
18 on what things that we can do outside of rulemaking
19 that John Lubinski has touched a little bit on.

20 But I'm talking about, you know, looking
21 at the rulemaking portion of this now. So first and
22 foremost, the majority of requirement, as you know,
23 that we recommended, you provided, and we recommended
24 consideration of rulemaking process involve
25 information collection clearance changes and would

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1 require the Office of Management & Budget, OMB, to
2 review these associated changes to the information
3 collection clearance. And it's going to be for
4 multiple tangible parts and related information
5 collection.

6 Now this requirement would add additional
7 time, complexity level, and uncertainty to the
8 rulemaking process when compared to the rulemaking
9 process that do not involve these type of information
10 collection clearance changes. So that's one of the
11 factors that we need to consider how we're going to
12 slice and dice it, and, you know, do it in a way that
13 would be most efficient.

14 In addition, OMB process is also only
15 allowed a submission of one action per OMB control
16 number at a time. So the schedule for issuing the rule,
17 you know, we would have to be really think about it
18 and be careful about this and think it broadly in terms
19 of, you know, what rules that we have out there. So
20 the schedule of issuing the rule may be negatively
21 impacted if one or more of the rule related OMB control
22 numbers is blocked by prior submission.

23 So there is other slides are good examples
24 of where we can apply the "Be riskSMART" decision-making
25 framework as well as spot the risk, manage the risk

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1 and act on that decision.

2 Another area that we need to look at as
3 well as agreement states involvement, right? RROAR
4 evaluation identified administrative regulation in
5 Parts 20, Parts 37, Parts 70, and that would be in the
6 scope of RROAR and also have compatible agreement state
7 regulations. So we have to consider the impact on the
8 rulemaking process and determine what rulemaking
9 approach is appropriate and will be supported by our
10 agreement states partner. So we need to think about
11 that, you know.

12 So we'll also consider complexity of
13 revision, right? Whether the change is
14 straightforward and do not require compilation of, you
15 know, a regulatory basis, or something more complex
16 that, you know, when do it, you know, make a wrong
17 change, we don't think it really through, it may produce
18 unintended consequences that, you know.

19 And, so you know, those items would benefit
20 from additional stakeholders input, Jim, during the
21 rulemaking phase talking about regulatory basis.
22 That's where we would love to have additional, you know,
23 communication/dialogue with you just to really hammer
24 it out and get it right. You know, we don't want to
25 go back and change it later.

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1 And also, could changes be addressed
2 through rulemaking process because if no, never mind
3 type of changes or, you know, it could be it needs to
4 be addressed through conventional notice and comment
5 rulemaking process because we want your input. We want
6 your, you know, Commission input as well before we make
7 it final.

8 So also considering the priority of
9 rulemaking and our desire to make tangible progress
10 given that these changes will be very broad and would
11 impact resource from programs across Agency, you know,
12 what are we going to do if we have a large portion of
13 technical staff who are working on Part 53 rulemaking
14 right now who also are working rulemaking for RROAR?
15 Are we going to reassign them back to RROAR? It's
16 something that we really need to think about and, you
17 know, and discuss. So that's part of what I'm talking
18 on the slides about.

19 And lastly, you know, we really appreciate
20 your feedback, Jim, Justin, and Janet. And, you know,
21 further discussion on your recommendation is part of
22 this meeting. So we will use your feedback from our
23 discussions to inform the rulemaking plan development
24 for revisions of these administrative requirements.
25 Next slide, please.

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1 Okay so some of you spotted that we're
2 missing an "R" in the ROAR Rulemaking Plan. So we would
3 drop the two R's as in retrospective review because
4 we've reached an important milestone in the project
5 where we stop looking to the past despite managed
6 questions relating to this administrative requirements
7 and regulatory burden reduction. We now look into the
8 future where we can act on our decision and we realize
9 the results through the rulemaking process.

10 Now the new R you see now in RROAR stands
11 for revisions of administrative requirements, which
12 is the title of future rulemaking.

13 So that aside, for comments that need
14 further evaluation within the context of the new
15 RROAR-related rulemaking effort, we plan to submit one
16 or more coordinated rulemaking plan to a SECY for review
17 and approval by, you know, late 2021 timeframe. And
18 if the Commission approved the rulemaking plans, we
19 will conduct further stakeholder engagement during the
20 rulemaking process that I mentioned earlier.

21 I just want to stress this again. It is
22 important to know that the RROAR initiative was part
23 of a, you know, dialogue and exploratory phase that
24 we have not yet reached or entered the rulemaking
25 process.

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1 On the right-hand side of the slide shows
2 the steps in the rulemaking process. And we are working
3 to develop one or more coordinated rulemaking plans
4 for those administrative requirement changes needing
5 Commission approval to pursue. And once the Commission
6 approves, the staff will be making plan the process
7 officially, the NRC rulemaking process officially
8 starts.

9 So the next step after the rulemaking plan
10 is to declare a separate regulatory basis document that
11 we identified as a clear need and benefit for those.

12 So the regulatory basis document, as you know, provide
13 NRC scope and objective rulemaking with the "Be
14 riskSMART" decision-making framework option including
15 rulemaking and non-rulemaking and, you know,
16 preliminary analysis, including cost and benefit
17 analysis, back fitting analysis, schedule and estimate
18 of resource. So with the regulatory basis, we have
19 an option of publishing it for comment and get your
20 feedback and input on the direction of the rule at that
21 time, although not required by the Administrative
22 Procedure Act of 1946 as amended. Public comments can
23 sometimes be, you know, in this phase, I believe, is
24 going to be beneficial in getting the rulemaking
25 approach, in particular rulemaking issue or a path

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1 forward for complex and regulatory changes. However,
2 if the staff believes the regulatory changes are
3 straightforward and may, may not need to prepare a
4 separate regulatory basis document after we request
5 the Commission's approval to skip the step in the
6 rulemaking plan.

7 And the preparation of regulatory basis,
8 I have in a slide, it's in quotation in parenthesis
9 optional. It's optional insofar as the staff request
10 to skip step in the rulemaking plan and the Commission
11 approved the rulemaking plan. And if the Commission
12 approves to skip the preparation of separate regulatory
13 basis for regulatory changes we believe to be
14 straightforward, we will draft the changes in the
15 preamble of the Notice in the Comment Report.

16 The after Commission approved the
17 rulemaking plan, we develop adequate regulatory basis
18 if one is needed. We can proceed forward with
19 development of proposed rule. The proposed rule
20 notifies the public that NRC is considering amending
21 its regulation and would include description of how
22 Agency proposes to amend its regulations. The preamble
23 would provide the Agency's rationale for proposal and
24 the proposal would then list regulatory text that if
25 adopted would be codified in the Code of Federal

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1 Regulations.

2 And if the Commission approves the proposed
3 rule, the proposed rule is published in the proposal
4 section of Federal Register Notice and request public
5 comment on the proposal. Typically the public comment
6 period is 75 days. Also, typically, we would conduct
7 public meetings in comment period of the proposed rule
8 to facilitate information to inform stakeholders
9 comments on the proposed rule.

10 And at the end of public comment period
11 for the proposed rule, the NRC would consider the
12 comments we see in finalizing and issue the rule in
13 accordance with APA, final rule is the official Agency
14 statement of law or policy includes important dates
15 such as effective days and sometimes, you know,
16 implementation or compliance dates, and provides a
17 summary of public comment and NRC's response to each
18 of those comments.

19 So it is important to stress again that
20 the RROAR initiative was part of, you know, a phased
21 exploration, if you will, effort, and that we have not
22 yet entered the rulemaking process that I just
23 mentioned.

24 I believe that's all I want to touch on
25 the rulemaking process. I believe there was much more

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1 than what anyone wanted to know. So may I have the
2 next slide, please?

3 So we, again, going to take a, you know,
4 stop here and take questions from the meeting
5 participants on the path forward for this initiative.

6 And to facilitate the Q&A session this time we have
7 three questions, some of which John has previously
8 touched on, but we're interested in hearing your
9 thoughts on; however, we are not requesting for or
10 requiring any of the comments to be submitted based
11 on these questions following this meeting, and that's
12 because of the Paperwork Reduction Act where we need
13 information clearance from OMB to receive submittal
14 of your comments.

15 So the first question is: What are your
16 thoughts on how the RROAR initiative has applied the
17 "Be riskSMART" decision-making framework to the
18 evaluation process? We touched a little bit on that.

19 The second question is: What does the
20 industry see as ways for more timely and efficient
21 regulatory burden relief? I think we touched a little
22 bit on that as well.

23 And the third question that we'd like to
24 get your thoughts on or pick your brains on: What are
25 the appropriate means to communicate project status

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1 with the industry?

2 So with that, Brett, I will kick this
3 meeting back to you and tee us off for the Q&A session.

4 Thank you.

5 MR. KLUKAN: Thank you very much, Andy.
6 So, again, if you would like to weigh in on any of these
7 questions, you see up here on the slide that Andy just
8 discussed, or if you have other questions (audio
9 interference), and it may be noted again, and I will
10 reiterate, we are not formally soliciting comments at
11 this time regarding these questions, or you can always
12 write in the effort.

13 So with that said, the process is the same
14 as before. If you would like to speak, please press
15 star one at this time; again, that is star one. Or
16 feel free alternatively to enter your response or your
17 question or comment into the question/answer function
18 in the Webex portal. So with that said, I will give
19 people a few moments to queue up, and then we'll get
20 started. So, thank you.

21 All right, Melinda, it looks like we have
22 one individual, two individuals in the queue, so why
23 don't we get started and unmute Jim first. Thank you.

24 OPERATOR: You're welcome. Jim, your
25 line is open at this time.

1 MR. SLIDER: Thank you. Jim Slider from
2 NEI. Andy, I appreciate what you shared this morning.

3 I do want to respond to the example that Justin Wearne
4 mentioned about eQIP submittals. He found their
5 reference for that with, for John Lubinski's benefit
6 since John indicated he wasn't familiar with that
7 example, it involves risks 2015-14 and EGM15-003. So
8 those references can provide some useful background
9 on how the Agency handled the sort of opportunity to
10 provide prompt relief prior to getting through the
11 rulemaking process.

12 Andy, I understand and sympathize with all
13 of the constraints that you mentioned about the
14 rulemaking process and all the effort that has gone
15 in to producing the SECY paper that we now have. There
16 are parts of, there are entries in the SECY attachment
17 that explain the staff's rationale for dispositioning
18 various comments that are not clear to us. And I'm
19 wondering what our opportunity is to go through all
20 of those line items with you.

21 I'm wondering is it an option for you to
22 schedule a separate public meeting where we can get
23 into those details, and so we can better understand
24 what the staff's thinking is on each and every one of
25 the items in that attachment where I respect the fact

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1 that you're not looking to change. You're not
2 soliciting comments today. You don't want to change
3 the staff's evaluation, but there are some that are
4 fairly obscure to us, and it would help us if we could
5 walk through them one at a time with you.

6 MR. CARRERA: Hi, Jim. This is Andy.
7 Thank you, thank you, again for that question. So at
8 this time, I hadn't planned to because the reason being
9 that these are recommendations that the Commission has
10 not seen yet, and the Commission will see it in the
11 rulemaking plan us moving forward.

12 And, I mean, we don't know what Commission
13 is going to approve or disapprove in the recommendations
14 that we're going to make. You know, in the Enclosure
15 I we provided, where we can, we can be specific on it.

16 Where we mention there are changes to periodicity or
17 frequency of document submittals, that's something that
18 we will intend to look at during the rulemaking phase,
19 you know, during the regulatory basis and discuss that
20 with you to make sure that we, you know, what the
21 frequencies are, what the right, correct frequency
22 would be.

23 So at this time, I cannot answer or give
24 you a definite answer whether we, you know, I will have
25 to check back with my management on that whether, you

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1 know, we're going to be open to a meeting, you know,
2 a sit down meeting or chat meeting on each of the items
3 that we are proposing to send in or recommend for
4 rulemaking.

5 MR. SLIDER: I hope you can persuade them,
6 Andy.

7 MR. KLUKAN: Okay. Thank you very much.
8 Next we are going to go to a question, well, I'm going
9 to read out loud a comment from Janet Schlueter in the
10 question and answer box. And Janet writes, assuming
11 the NRC decides to continue with this initiative,
12 establishing a RROAR dedicated webpage would be
13 helpful. DFM established one for the -- that is very
14 helpful. That is from Janet Schlueter. Andy, or
15 anyone from the NRC staff, any response or comments
16 with respect to that?

17 MR. CARRERA: Hi, Brett. I apologize.
18 Could you please repeat Janet's comment?

19 MR. KLUKAN: Sure, of course. So assuming
20 the NRC decides to continue with this initiative,
21 establishing a RROAR dedicated webpage would be
22 helpful. DFM established one for the Smarter Program
23 initiative that is very helpful.

24 So Janet is asking if there's any
25 consideration with respect to creating a dedicated

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1 webpage for RROAR.

2 MR. CARRERA: Yes, I do not have any
3 comment on that. Maybe someone else, you know, would
4 like to chime in there.

5 MR. LUBINSKI: Hey, this is John Lubinski.
6 Yes, in response to Janet's comment, and I'm going
7 to go back to Jim's as well, let me just say hey, Janet,
8 thanks for the comment. That is something we'll
9 definitely consider from a communication standpoint.

10 I was actually going to follow-up with it
11 on Jim's question is, you know, our question on the
12 slide right there is what are the appropriate means
13 to communicate project status with the industry?

14 And I assume, Janet, your response to that
15 is that the webpage similar to what we've done with
16 the one DFM would be appropriate. So thanks for that
17 recommendation, and we'll take that as a consideration
18 as we move forward. And, of course, respond publicly
19 to everyone letting them know we'll do that, if we do
20 that.

21 Hey, Jim, I think your comment was, or
22 question/recommendation to the same question was having
23 another public meeting where I'll say it's getting more
24 into detail of each of the recommendations and how they
25 reached this decision. So we'll, as Andy said, we'll

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1 take that back as a request from to have another public
2 meeting and get back on that as well. So, you know,
3 I'm going to ask our folks to take those as two takeaways
4 that we'll definitely be communicating back to the
5 industry.

6 And let me add to that. You know, Jim,
7 I'll ask maybe Jim specifically since you brought up
8 that meeting. Are there other topics that you would
9 see that we're not covering in today's meeting besides
10 just going down a list by list item of the items that
11 you would want to see more engagement of before we move
12 forward?

13 MR. SLIDER: John, I don't know. Can you,
14 is my line open? I don't know if you can hear me.

15 MR. LUBINSKI: I can hear you. You're
16 open.

17 MR. SLIDER: Okay, great. Thank you.
18 Well, we also, yes, we'd like to go through the items
19 one by one if we can. And we understand that's a tedious
20 process, but it would really help us to understand the
21 staff's thinking about their requirements that they
22 chose to retain. Some of the narratives that's
23 provided in the Enclosure to the SECY are very thorough
24 and complete. Some look like they're just cut and
25 paste, boilerplate language, which isn't so helpful

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1 as some of the lengthier detailed ones. So we'd like
2 to go through what's there.

3 We did identify one of our comments on
4 5071-Echo, which doesn't seem to appear in the staff's
5 response, and we wanted to discuss that as well, see
6 what happened to that comment.

7 And then just, the other issues, John,
8 nothing comes to mind other than helping us to
9 understand what the staff decided, the basis for the
10 decision, and then any opportunity to help that where
11 we can help to do anything at all to expedite the work
12 that we have to happen before you enter into the
13 formality of rulemaking.

14 Andy makes a pretty convincing case on the
15 rulemaking description slide that this effort, the
16 results of this effort are heading into a bog and none
17 of us, neither you all nor us have any idea how we're
18 going to get through all of that in a reasonably timely
19 way. So anything that we can do in that subsequent
20 meeting to talk about options or priorities or other
21 things, I think that would be helpful to us, John.

22 MR. LUBINSKI: Thank you for that
23 clarification, appreciate that.

24 MR. SLIDER: Thanks for the question.

25 MR. KLUKAN: Okay, Melinda, we'll go back

1 to the phone. Could you please unmute our next speaker?

2 OPERATOR: Andrew Mauer, your line is
3 open.

4 MR. MAUER: Hi, good morning. Can you
5 hear me?

6 MR. KLUKAN: Yes, we can hear you. Thank
7 you.

8 MR. MAUER: Oh, great. Thank you. This
9 is Andrew Mauer from NEI, and I really just wanted to
10 reinforce some of the comments that Jim had and also
11 appreciate the staff for holding this meeting today
12 and for their efforts on this.

13 As you know, we've gotten nearly 300
14 reporting requirements that the industry is faced with
15 submitting and the NRC effort on this project is only
16 a fraction of the effort that the industry expends
17 submitting the hundreds of reports to the staff each
18 year. And, obviously, we believe that time and
19 attention would be better spent focused on what's most
20 important to safety.

21 So this last discussion on the industry
22 comments, you know, we're faced with a situation today
23 where over half of the industry comments have been
24 dispensed with or taken off the table without
25 explanation. And so there's not really an opportunity

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1 in the process, as we sit here today, to really have
2 the discussion that we think is warranted on those.
3 They simply have been dispensed and the rulemaking plan
4 is scheduled to follow in eight months with those taken
5 off the table. We don't know why those comments were
6 not addressed. We have a question on the slide in front
7 of us that asks about how the riskSMART decision-making
8 framework was applied and, hopefully, if we have a
9 follow-up meeting, as we hear the disposition of those
10 comments in a more wholesome way, we can actually
11 understand, I would offer from the NRC staff how that
12 riskSMART framework was applied in dispositioning those
13 comments and continuing on the path that you're on right
14 now. So we look forward to any potential meeting on
15 that.

16 But as we sit here today, with most of those
17 comments taken off table, we see this really as a missed
18 opportunity. What we, I guess I'm not clear on whether
19 this effort is part of the transformation effort or
20 not. Jim pointed out that the word wasn't used in the
21 paper. What we see before, what we see before us is
22 sort of a compilation that's incremental change.

23 So I guess I would just sit here maybe
24 asking the question, you know, is this intended to be
25 transformation and modernization or is it being looked

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1 at as a complex set of incremental changes?

2 And then, you know, finally, I would ask
3 a question also on sort of the overall schedule. Andy
4 had a slide up that goes to the different parts of the
5 rulemaking process. And as we've heard today, we've
6 spent four years on this already. I would ask for,
7 what is the schedule that goes along with that process?

8 So they list, you know, a set of incremental change
9 here, you know, we've already invested four years.
10 What is the schedule going forward to continue on this
11 effort? So just a few questions there and some
12 comments. Thank you.

13 MR. KLUKAN: Thank you for that. I just
14 want to see if the NRC had any response before I go
15 to the next question. If not, I'll move forward.
16 Okay. While they're thinking about it, I'm going to
17 reiterate that if you would like to ask a question,
18 please press star one or a question will come up, please
19 press star one on your phone or enter the question or
20 comment into the question/answer function into the
21 Webex portal.

22 MR. LUBINSKI: Hey, Brett, I think you're
23 looking for questions and comments. I'm going to go
24 back to Andy's comment. This is John Lubinski. Not
25 Andy, sorry, Andrew Mauer, jumped in there, and you

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1 had a lot in there, Andrew. I think your big question
2 you had, most of them were comments, I think your
3 question was really how are we looking at this from
4 a transformation vice incremental changes is what you
5 referred to there.

6 And I think you're really hitting that in
7 a wide range of items. You know, transformation does
8 envelope many things we do. In looking at this, we
9 did step back and try to look at this across the board,
10 and that's why we had so many similar type comments
11 and it was based actually on recommendation from NEI
12 to look at similar type reporting requirements and
13 handle them in a similar type-way, so we are doing that.

14 We are doing that as part of this process.

15 Are we looking at every one of our reporting
16 requirements that we have in regulations beyond those
17 that were provided in comments? And the answer to that
18 is no. We're looking at comments that we received,
19 and how we can address those. We are going to look
20 as we move forward from the standpoint of how can we
21 be more effective and efficient if we were to change
22 some of the requirements that were listed here, and
23 most of these being reported in recordkeeping as we
24 continue to move forward to determine are there more
25 effective ways, and can we be more innovative in

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1 transformation in the way we do that?

2 I think just the fact that the word
3 transformation is missing from an information paper
4 that was sent to the Commission doesn't mean that we're
5 not continuing to look in innovative ways of doing
6 things, and we'll continue to do that.

7 So I just wanted to address that. Many
8 of our activities may not be captured under a, you know,
9 specific "transformation" item at the Agency level,
10 but this is clearly something we're continuing to look
11 at mindset to continue to be innovative, and we'll
12 continue to do that.

13 And I do appreciate your other comments
14 that you had as well, and many of those were reiterated
15 what was said earlier.

16 I would ask the NRC staff and maybe we might
17 have to get clarification back a minute ago from Jim's
18 comment on 5071-E being missing from the table. Can
19 I ask from the NRC folks, Andy Carrera, is that something
20 that was not included in there or was it included
21 somewhere else that was not easily identified? And
22 if there is a question about that specific one, we do
23 have time now, can we address it?

24 MR. MAUER: Hi, John. Yes, we do see the
25 5071-D, but we have not seen 5071-B in the submittal.

1 Perhaps we can go back and check on the original
2 submittal of that.

3 MR. LUBINSKI: Okay, so it sounds like the
4 response to the question is we'll have to follow-up
5 on that one. There was no intent to not include it
6 if it was part of the comments, correct?

7 MR. MAUER: That is correct, John.

8 MR. LUBINSKI: Okay, thank you.

9 MR. KLUKAN: Okay. Now I'm going to go
10 to, we have three questions or comments and questions
11 in the portal from Ernest Bates, B-A-T-E-S. I'm going
12 to go through them one by one. I'm not going to, so
13 I'm going to reach each one, wait for an NRC response,
14 and then move to the next one, and then we'll go back
15 to the people on the phone.

16 So the first comment and question by
17 Ernest: The nuclear industry participants prepared
18 a list of burdensome and unnecessary reporting
19 regulations. But I do not see the list that the NRC
20 staff itself prepared. Did the NRC staff perform a
21 review at all or did they completely rely on the
22 industry? And I'll turn it over to the NRC staff for
23 the response.

24 MR. CARRERA: I guess, this is Andy.
25 Thank you for that comment and question. So the NRC

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1 staff did their own review. We did solicit internal
2 reporting of staff input just as we did with external
3 stakeholders, and comments were provided. And if you
4 look at the Evaluation Summary that we published under
5 the submittal affiliation, you would see where it's
6 indicated that NRC, that would be the NRC staff, comment
7 and not NEI's.

8 MR. KLUKAN: Okay. Thank you, Andy. So
9 next from Ernest. As an example of Jim Slider's comment
10 on the need for input from the industry on the list:
11 Item 4 on the list, and that's Item 4 on the list
12 indicates that the NRC misconstrued the most common
13 comment made by the industry. The intent was not to
14 suggest a 60-day reporting period for a summary of
15 emergency plan changes. The intent was a) to eliminate
16 the nonessential reports; and b) to align the remaining
17 essential reports around a common reporting period or
18 deadline, which would point more to a 24-month period
19 applicable to FSARs and QA procedures.

20 Again, let me read that one more time just
21 for the sake of the staff. As an example of Jim Slider's
22 comment on the need for input from the industry on the
23 list: Item 4 on the list indicates that the NRC
24 misconstrued the most common comment made by the
25 industry. The intent was not to suggest a 60-day

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1 reporting period for a summary of emergency plan
2 changes. The intent was to a) eliminate nonessential
3 reports; and b) to align the remaining essential reports
4 around a common reporting period or deadline, which
5 would point more to a 24-month period applicable to
6 FSAR and QA procedures.

7 Again, and I'll turn it over to the NRC
8 staff for a response or follow-up at this time.

9 MR. CARRERA: Hi, Brett. Thank you. So
10 I'm in communication with the organization who review,
11 who was responsible for reviewing that 5054-Q
12 requirement on Number 4 to see if they have any comment
13 or response on that.

14 MR. COYNE: Andrew, this is Kevin. So I
15 think while you're waiting for the Subject Matter Expert
16 to get queued up, I think one general comment we can
17 make is the staff did consider the suggestion to
18 eliminate reports or go to a much longer reporting
19 frequency in general, and the way the table is
20 structured, you know, if we said hey, we would put it
21 into the process or accept it into the process, and
22 we look at 60 days, that really should be interpreted
23 as we didn't look at whether we could eliminate the
24 report or go to a much longer reporting frequency and
25 the piece of the comment that the staff was going to,

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1 you know, put into the process for consideration of
2 rulemaking was the specific item that we had mentioned.

3 So, you know, I don't know that it's correct
4 to say we misconstrued it. We did consider it in the
5 way that many of the NEI comments were structured.
6 You know, it was can you do A? If not, can you do B?

7 If not, can you do C? And so we went through that
8 process and evaluated them in general, and I think for
9 this specific one we had to get the Subject Matter
10 Experts to speak. But I think when you see that in
11 the table, that's how they would interpret what the
12 table is trying to convey.

13 MR. CARRERA: Thank you, Kevin. And I
14 think Bob Kahler, who is the Subject Matter Expert for
15 this particular requirement will be chiming in.

16 MR. KAHLER: Yes, with regards to the
17 comment about the reporting requirements for EP changes
18 -- can everybody hear me, I guess?

19 MR. CARRERA: Yes, Bob.

20 MR. KAHLER: Okay. With that
21 requirement, that's 5054-Q5, it was suggested by NEI,
22 or it was a comment received that we either eliminate
23 the reporting requirement all together as it is
24 something that the residents could look at, or to extend
25 it to a 24-month period.

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1 And it was, as we had discussed before,
2 it was something that we did look at quite extensively,
3 got our regions involved in it as it is part of
4 inspection to an annual inspection process, I should
5 say. And the evaluation was assessed against the
6 significance of the changes that have typically been
7 submitted to us and where that reporting requirement
8 fit into the inspection process.

9 And so we did evaluate it against other
10 type of change submittals, and it was decided that going
11 to 60 days could be something that could be done in
12 order to help reduce burden of submitting changes with,
13 rather than submitting changes in 30 days, and still
14 maintain our oversight capabilities and ensuring that
15 the emergency plan maintained effectiveness and being
16 able to be implemented.

17 But there was a lot of, I just wanted to
18 let everybody know that because the comment was
19 submitted with a recommendation as to what it could
20 go to, we looked at that first, and then we looked at
21 what could be, something we could recommend as far as
22 EP plan change. And that was the fallout on that one,
23 but we comment. Those are things that we look at going
24 into the future, that we're making process goes along,
25 and we have it out there so we can always take that

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1 feedback and ascertain again what our process was to
2 reach the conclusion of going from 30 to 60 days. Thank
3 you.

4 MR. KLUKAN: Thank you very much. And the
5 last comment from Ernest: Eliminating the duplication
6 of requiring routine reports through all these 10 CFR
7 regulations to NRR and requiring the same routine
8 reports be provided to the Region again prior to
9 inspection would result in a "Big Win" in terms of
10 reducing regulatory burden, particularly when the same
11 records are already available to the NRC resident
12 inspectors in the plant recordkeeping system on an
13 ongoing basis every day.

14 And I'll read that one more time for the
15 sake of the staff, and this is from Ernest Bates.
16 Eliminating the duplication of requiring routine
17 reports through all these 10 CFR regulations to NRR
18 and requiring the same routine reports be provided to
19 the Region again prior to inspection would result in
20 a "Big Win" in terms of reducing regulatory burden,
21 particularly when the same records are already
22 available to the NRC resident inspectors in the plant
23 recordkeeping system on an ongoing basis every day.
24 And I'll turn it over to the NRC staff for any response
25 or comment.

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1 MR. CARRERA: Hi, Brett. This is Andy.
2 Thank you so much for that comment. And so that's
3 something that we also discussed during the comment
4 evaluation process and, you know, we discussed that
5 when we looked at what are the ways that we can further
6 make comment submittal more efficient under 50.4, and
7 that's something that we, you know, that's something
8 that we like to, we are considering that in terms of
9 providing a central portal or a central place where
10 licensee would be submitting records. And from there,
11 NRC would take over and, you know, yes.

12 You know, the region would be able to come
13 to the central site and pull the information when they
14 need it without having to resubmit it to another place.
15 So that's something that we've been talking about among
16 us as well.

17 MR. KLUKAN: Okay. Thank you very much,
18 Andy. And it looks like we have two speakers still
19 in the queue, so Melinda, could you unmute our next
20 speaker please?

21 OPERATOR: Next is from Justin Wearne.
22 Your line is open.

23 MR. WEARNE: Thanks. Andrew, I can
24 follow-up with you on the 5071-Echo disconnect that
25 we saw. I can just give you call after this and walk

1 you through that.

2 And then back to Ernest Bates' comments
3 on the inspectors requesting information that's already
4 been provided to the Agency. In addition to it being
5 available in the public, or in our records management
6 system, it's also available in ADAMS, and again, Manual
7 Chapter 0620, so that the inspector shouldn't be asking
8 for information that's already publicly available.

9 But the reason I wanted to kind of jump
10 on here was, and it's a comment for John Lubinski, is
11 a little bit more detail on this kind of like a follow-up
12 discussion we would like to have is, you know, kind
13 of going through it line by line.

14 So kind of one item I've learned in the
15 review that we did of the SECY was that the drug and
16 alcohol reports that we give to the Agency are used
17 to help risk-inform the inspection process. And that
18 was a learning for me, and, kind of, a little bit of
19 sidebar, like understand how that occurs.

20 But on one that we don't understand, if
21 I could just take a minute here to just kind of walk
22 you through our kind of what we don't understand of
23 what we really want to understand from the staff is
24 take the example of licensing event reports.

25 The staff comments back, provided three

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1 rationales for why licensing event reports need to be
2 submitted, and one was for event response. And we
3 really think that 5072 of the Event Notification System
4 covers the event response. So, again, don't want to
5 talk about it now, but we don't understand how an LER
6 is used for event response.

7 The second thing the staff of the three
8 items that is used for inspection planning, and, again,
9 that doesn't kind of jive with what's actually occurring
10 in that the inspectors in the region will call us up
11 and ask us, again, for a copy of the Licensing Event
12 Report. So we don't understand how the submittal to
13 Document Control Desk is satisfying that need when the
14 inspectors are calling and asking for copies of it.

15 And then the third thing is what the staff
16 said was that the LERs are used to maintain a record
17 of conformance with the facilities licensing basis.
18 And we don't understand that. We'd like to point out
19 that the LERs, if you're relying on LERs to maintain
20 a record of conformance with the licensing basis, LERs
21 may be kind of a faulty input and in that, you know,
22 5069 gives you an exemption to 5073. NUREG 1022 allows
23 engineering judgment to not do an LER, and then more
24 fundamental that not all nonconformances with current
25 licensing basis are documented in LER. So that's like

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1 what we don't understand.

2 And then what we kind of expected to see
3 was something about how the LERs are used to support
4 research done by our national labs. And so this is
5 the kind of follow-up discussion we want to have on,
6 and yes, we recognize it's going to be painful and
7 tedious, but we think we can learn things about like
8 why the staff thinks line items are important, and maybe
9 through this we co-understand, and we can help kind
10 of prioritize the subsequent rulemaking effort. Does
11 that make sense?

12 MR. LUBINSKI: This is John Lubinski.
13 Just for me, thanks for the clarification on what the
14 expectations would be if we have such a meeting, so
15 thank you.

16 MR. WEARNE: That's all I got. Thank you.

17 MR. KLUKAN: Thank you. Melinda, it looks
18 like there is one final speaker in the queue, so if
19 we could unmute them, please. Thank you.

20 OPERATOR: Next is from Andrew Zach. Your
21 line is open.

22 MR. ZACH: Good morning. This is Andrew
23 Zach from the Senate Environment and Public Works
24 Committee. I'm just making sure you guys can hear me.

25 MR. KLUKAN: Yes, we can hear you.

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1 MR. ZACH: Okay. Thanks, just wanted to
2 make sure. And as this tends to happen at the end of
3 a two-hour meeting, I think some of my observations
4 are probably reflected in comments that were previously
5 stated.

6 First off, I just want to thank the NRC
7 staff. You know, almost four years across the whole
8 organization, you know 40 NRC staff working on this
9 or more, you know, there's obviously a lot of effort
10 that's gone into this process, and I think that really
11 underscores the importance of getting a good end product
12 done, you know, getting some good return on investment
13 for all of the work that you guys have done, for all
14 the work that industry has put forward.

15 And so I really, you know, appreciate what
16 you've done so far, and I really urge you to kind of
17 have to take this opportunity to lean forward to make
18 sure that the end product is meaningful.

19 John, I appreciated what you said that,
20 you know, something doesn't have to say transformation
21 for it to still be transformational as part of, you
22 know, what the Agency is looking at. But I think that
23 that's really important to keep in mind, and to take
24 this opportunity that's in front of you to reduce some
25 of this regulatory burden.

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1 And when you look at other things that the
2 Commission has done before, for example, Project Aim.

3 You know, there was at least some cleaning up of low
4 priority items, and I really hope that this project
5 has a similar meaningful end.

6 I think that the question that I had, and
7 I kind of apologize because, again, some of the stuff
8 has been discussed already, it does feel as though
9 there's perhaps a little bit of lack of transparency
10 in what comments were screened in and what comments
11 were screened out, but I think my question is for both
12 what was proposed in the paper and the EDO Memo, as
13 well as going forward, what's the actual use of data
14 analysis to go through and actually say these are the
15 things that are productive and that we need to keep.

16 These are the sorts of things. How are you using your
17 experience and data thrashing to form this process?

18 MR. LUBINSKI: Hi, Andy. This is John
19 Lubinski. Thank you for participation today.
20 Appreciate your comments and on the question. With
21 the number of requirements that we have across the board
22 here that have been listed, as we said, there's over
23 a hundred different items listed in the table, some
24 of them have been qualitatively analyzed. Others,
25 where there is data on use of the reports where we tried

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1 to collect that as we've gone forward, if we go forward
2 in the rulemaking with the ones we have, of course,
3 we would make use of that data that we did have in putting
4 that together in a regulatory analysis. And even if
5 not, even if we don't do a Reg basis document up front,
6 there will be a regulatory analysis that would collect
7 that information going forward.

8 Where there were quantitative items,
9 again, they would be captured in the Reg analysis as
10 well. We have not captured the process to document
11 items that would be screened out necessarily to say
12 what kind of analysis, what data was used on those.
13 In some cases, there was data, but in most cases it
14 was qualitative analysis that was performed.

15 MR. ZACH: Thanks, John. I think just the
16 last thing I would close on is, you know, again, the
17 amount of work that's gone in in the nearly four years
18 to look at administrative requirements, you know, and
19 I understand that you guys are starting the process
20 of putting together a rulemaking plan to go to the
21 Commission. My understanding is you're allowing about
22 eight months to develop that for the rulemaking plan,
23 and then you have the plan, the Reg basis proposed rule,
24 the final rule, all of this requires public comment.
25 I really urge you to look for ways to, again, number

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1 one, making sure that it's a meaningful end product
2 that has a tangible result that validates all the work
3 that you guys have put in and that the industry has
4 put in, as well as ways to, you know perhaps accelerate
5 the process to get that sooner rather than later just
6 given the length of time and how much back and forth
7 has already gone on. So, thank you guys, and I look
8 forward to continuing to monitor this going forward.

9 MR. LUBINSKI: Thanks for that comment,
10 Andy. I appreciate it.

11 MR. KLUKAN: Thank you as well. Again,
12 at this point, I've read all the questions out loud
13 in the question and answer box, and I think we have
14 gone through our complete queue of speakers.

15 So with that, I'll turn it over to Andy,
16 but again, for me personally, thank you very much for
17 participating in the meeting today. So, with that,
18 I'll turn it over to Andy. Thank you.

19 MR. CARRERA: Thank you, Brett. And I
20 want to echo Brett. Thank you so much for our
21 discussion today. You know, we definitely take the
22 feedback and comments provided today to, you know,
23 consider that and inform our process moving forward.

24 And I think that's all I have. I would like to turn
25 this over to John to see if you have anything before

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1 we turn over to Kevin to close it off, John?

2 MR. LUBINSKI: Andy, thank you. I, you
3 know, I thank all the participants today. I appreciate
4 it. I appreciate the different dialogue. We do have
5 a couple of takeaways that we will get back to everyone,
6 so thank you for that. And I want to thank, Andy, I
7 want to thank you. I want to thank Brett. I appreciate
8 you running the meeting today. And I appreciate Lynn
9 Ronewicz and everyone else who supported the meeting
10 today and putting this together. So my thanks, and
11 we will be back in touch. So we can turn to Kevin to
12 close the meeting.

13 MR. COYNE: Okie doke. Thanks, thanks so
14 much Andy and John and Brett. And I want to thank
15 everyone for their participation and great discussion
16 today. And as John mentioned, we have a couple of
17 takeaways. You know, we look forward to getting the
18 details of the 5071-Echo issue, and we'll definitely
19 follow-up on that, and look at the request for a
20 subsequent meeting to provide a more detailed
21 background on the information in the table. On that,
22 I can just say there was a thorough evaluation made
23 by the staff, and I can understand a desire to get more
24 of the details, and that's something that we can likely
25 provide.

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1 And just to wrap up, you know your feedback
2 is very important to us, and it will definitely inform
3 the development of one or more coordinated rulemaking
4 plan that the staff is going to be pulling together.

5 And I just want to close out with a reminder
6 to fill out the Public Meeting Feedback form. You can
7 find that on the Public Meeting Notification System
8 website, and we definitely use those to help improve
9 our future public meetings. So with that, thanks so
10 much for your participation, and I hope all have a great
11 day.

12 MR. CARRERA: Okay. Thank you, Kevin.
13 And I just one last one. Sorry I'm holding people up
14 here. But regarding 5071-Echo, those are being
15 addressed in Comment Item Number 31 and 32. As it turns
16 out, NRC staff had also submitted it in comment and
17 that's how and we indicated under the NRC staff's
18 comments rather NEI's comment. So that's all. Thank
19 you.

20 OPERATOR: Thank you. That does conclude
21 today's conference. We do appreciate you attending.
22 You may disconnect at this time.

23 (Whereupon, the above-entitled matter went
24 off the record at 12:06 p.m.)

25