



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

December 6, 2021

MEMORANDUM TO: Dennis C. Morey, Chief
Licensing Projects Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: Ekaterina Lenning, Project Manager */RA/*
Licensing Projects Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF NOVEMBER 10, 2021, MEETING WITH NUCLEAR
ENERGY INSTITUTE REGULATORY ISSUES TASK FORCE
(EPID L-2019-TOP-0044)

On November 10, 2021, an observation public meeting was held virtually between the U.S. Nuclear Regulatory Commission (NRC) staff and representatives of the Nuclear Energy Institute (NEI) Regulatory Issues Task Force. The purpose of the meeting was to discuss regulatory issues associated with licensing and oversight. The presentation slides are available in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML21312A554. A list of attendees is provided as an enclosure to this memorandum.

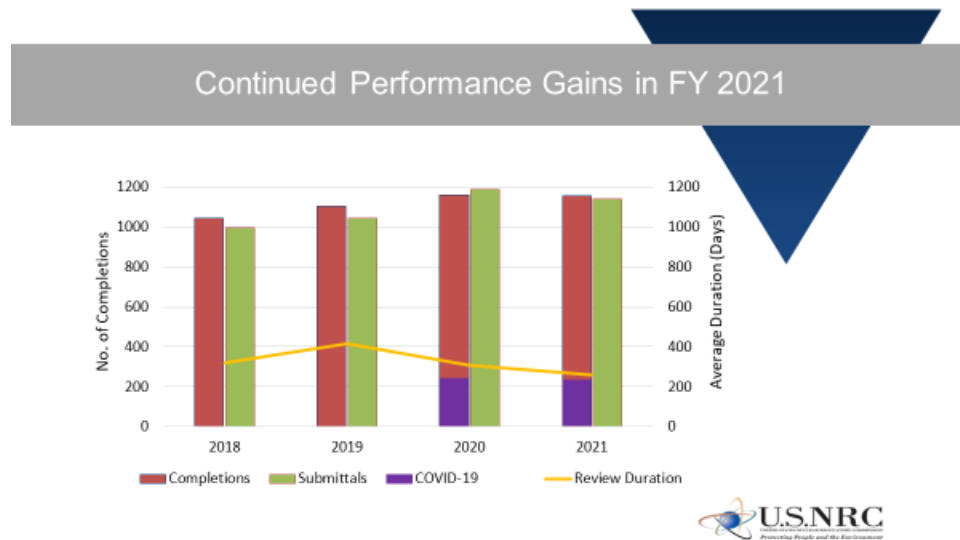
The NRC staff provided updates on the licensing actions/review of metrics including COVID-19 exemptions/licensing action support, licensing metrics and actions, the NRC's workload management tools and prediction capabilities, Standard Review Plan Modernization Effort, lessons learned from implementation of the efficiencies of very low safety significance issue resolution process, risk-informed process for evaluations, and 2022 Regulatory Information Conference. In addition, the NRC staff and NEI representatives discussed best practices for communicating with the NRC during potential Notice of Enforcement Discretion/Emergency Amendment situations. No regulatory decisions were made during this meeting.

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Operating Reactors Licensing Actions/Review of Metrics: COVID-19 exemptions/licensing action support, licensing metrics and actions, and NRC's workload management tools and prediction capabilities

The NRC staff provided updates on COVID-19 exemptions/licensing action support, licensing metrics and actions and NRC's workload management tools and prediction capabilities several licensing action workload initiatives including updates on the actions taken in response to the COVID-19 Public Health Emergency, enhanced workload management processes, and continued efficiencies gained in FY2021. The NRC staff mentioned the importance of licensees informing their respective project managers about future submittals of exemptions for planning purposes.

The staff presented information on the continued efficiencies gained in FY2021 (as demonstrated on the slide below).



The NRC staff provided an update on licensing metrics and actions and NRC's workload management tools and prediction capabilities. The NRC staff outlined the Nuclear Energy Innovation and Modernization Act (NEIMA) mentioned that Section 102(c) requires the NRC staff to develop Performance Metrics and Milestone Schedules for "requested activities of the Commission," while Section 3(10) defines "requested activities of the Commission," which encompasses most NRC licensing actions. The NRC staff reported that NEIMA Generic Milestone Schedule (GMS) Goal of 100 percent completed within the GMS (2-years for most actions) was reached for FY 2021.

The NRC staff discussed early returns on data modernization efforts and indicated that the workload management tools enable the staff to better monitor and drive performance improvement, while also helping to identify best practices to optimize review timelines (including

pre-submittal meetings, increased use of audits, and use of the request for confirmation of information process when appropriate).

The NRC staff indicated that interactive historical licensing data tool is currently being developed will include additional insights gained through the increased use of analytical tools and will be available on the NRC public website. The NRC staff mentioned that the near-term goal is to provide static, web-based fee estimates at a highly detailed level for each type of licensing action with the improved ability to plan resources for the licensing actions and emphasized potential future capability that could allow licensees to have some level of interactive capability with near-real-time data, which will further improve the resource planning.

The NEI representatives provided feedback on licensing reviews and web tools. They highlighted good communication between the NRC staff and licensees and more efficient reviews.

Updated on Standard Review Plan Modernization Effort

The NRC staff provided an update on the status of Standard Review Plan Modernization (SRPMod) effort along with a refresher on the SRPMod effort's purpose and objectives. The NRC staff mentioned plans for submitting batches of modernized SRP sections to Office of Management and Budget for review, with the first batch submittal planned for December 2021.

The NRC staff reiterated that the SRPMod effort focuses on what is important to safety and guidance that is focused on the requirements. The SRPMod effort goals are clear and concise guidance for completing reviews and improved quality of the NRC review products including requests for additional information and safety evaluations with the consistent application of risk-insights and engineering judgement. The NEI representatives indicated that they would continue to monitor progress of this effort and will offer their support as needed and asked the NRC staff to let NEI know if the need for support is identified.

Feedback on the Use of Diverse and Flexible Coping Strategies in Licensing Submittals

The NRC staff discussed the use of diverse and flexible coping strategies (FLEX) in licensing submittals. The NRC memorandum dated May 30, 2017 (ADAMS Accession No. ML17031A269) documented the NRC staff concerns on FLEX credit in probabilistic risk assessment (PRA). The NRC staff mentioned that industry made great progress on developing guidance for modeling FLEX in PRA to address NRC concerns. The NRC staff noted licensees' crediting of FLEX in their PRA to reflect the as built as operated plant which supports the expanded use of risk-informed programs and regulatory oversight. The NRC staff indicated will continue to evaluate FLEX during the review of risk-informed licensing actions.

Update on Risk-informed Process for Evaluations and Discussion on Exclusions

The NRC staff provided an update on Risk-informed Process for Evaluations (RIPE). The NRC staff indicated that the NRC plans to conduct a lessons-learned review of RIPE after the initial implementation period and make enhancements. The NRC emphasized the importance of RIPE submittals' pre-application activities that will support NRC's streamlined review.

The NEI representatives asked the NRC staff to indicate if industry support on RIPE is needed. The staff stated that there is a need to address any lessons learned and to engage broader stakeholder groups to highlight the potential benefit of using RIPE.

Lessons Learned from Implementation of the Efficiencies of the Very Low Safety Significance Issue Resolution Process

The NRC staff provided an overview of the lessons learned from implementation of the very low safety significance issue resolution (VLSSIR) process which became effective on January 1, 2020, with the effectiveness review of VLSSIR process execution in CY 2020 completed on March 2, 2021 (ADAMS Accession No. ML21070A334). The staff shared that the VLSSIR process is meeting the goals and objectives outlined in the February 5, 2020 (ADAMS Accession No. ML19260G224), memorandum from the Low Safety Significance Issue Resolution working group to the Director, Office of Nuclear Reactor Regulation. The effectiveness review also identified an area where procedural guidance may be enhanced to help facilitate the processing of issues where a Detailed Risk Evaluation is required. The NRC staff monitors the implementation of the VLSSIR process. Seven issues in CY 2020 and three issues in CY 2021 (to date) were closed using the VLSSIR process. The VLSSIR process helped focus resources on issues that are clearly within the licensing basis and reduce the backlog of open and long-standing unresolved items.

Best Practices for Communicating with the NRC During Potential Notice of Enforcement Discretion/Emergency Amendment Situations

The NRC staff emphasized the need for early and clear communications during the notice of enforcement discretion (NOED)/potential emergency amendment situations. The NRC staff indicated that a checklist with standard questions might be developed to assist in assessing such situations.

The NEI representatives indicated that licensees keep NRC resident inspectors and regional offices informed and engaged. The NEI representatives also stated that there is constant response and coordination communication between the sites and their corporate offices.

2022 Hybrid Regulatory Information Conference

2022 Regulatory Information Conference (RIC) will be held both virtually and in-person (in-person component will follow all applicable safety guidelines). The 2022 RIC is planned to take place on March 8 and March 9 (8:30 am – 4:30 pm eastern time) and March 10 (8:30 am – 12:00 pm eastern time). Five-to-seven plenary sessions are being planned, along with 30 technical sessions and 16 digital exhibits.

Please direct any inquiries to Ekaterina Lenning at Ekaterina.Lenning@nrc.gov.

Docket No. 99902028

Enclosure: List of attendees

List of Attendees
Nuclear Energy Institute Regulatory Issues Task Force Public Meeting
November 10, 2021
9:00 am – 12:00 pm

Name	Organization
Brett Titus	Nuclear Energy Institute (NEI)
Tim Riti	NEI
Victoria Anderson	NEI
Andrew Mauer	NEI
Everett Redmond	NEI
James Slider	NEI
Mike King	U.S. Nuclear Regulatory Commission (NRC)
Andrea Kock	NRC
Bo Pham	NRC
Caroline Carusone	NRC
Brian Wittick	NRC
Dana James	NRC
Candace De Messieres	NRC
Robert Krsek	NRC
Dennis Morey	NRC
Jason Paige	NRC
Ekaterina Lenning	NRC
Ed Miller	NRC
Stephanie	NRC
Doug Broaddus	NRC
Meena Khanna	NRC
Antonios Zoulis	NRC
Anthony Masters	NRC
Undine Shoop	NRC
Mihaela Biro	NRC
Alex Garmoe	NRC
Laura Kozak	NRC
Milton Valentin	NRC
Stephanie Devlin-Gill	NRC
Tekia Govan	NRC
Thomas Hipschman	NRC
Ronald Cureton	NRC
Russel Felts	NRC
Kenneth Kolaczyk	NRC
Evan Davidson	NRC
Caroline Wolf	NRC
DA Adams	NRC
Neil Sheehan	NRC
Frank Arner	NRC
David Aird	NRC
Julio Lara	NRC
Andrea Mayer	NRC

Name	Organization
Ed Miller	NRC
Charles Moulton	NRC
Meraj Rahimi	NRC
Christopher Regan	NRC
Reinaldo Rodriguez	NRC
Adam Stein	Breakthrough Institute
Larry Nicholson	Certrec
Deann Raleigh	Curtiss-Wright
Lee Grzeck	Duke Energy
Phil Lashley	Energy Harbor
Phillip Couture	Entergy
Ron Gaston	Entergy
Dave Gullott	Exelon Nuclear
Jason Zorn	Exelon Nuclear
Roy Linthicum	Exelon Nuclear
Andrew Zach	EPW
Susan Baughn	NextEra
Hossein Hamzehee	Strategic Teaming and Resource Sharing Group
Cheryl Gayheart	Southern Nuclear Company
Wendy Brost	South Texas Project
Brian Mann	Technical Specification Task Force
Michael Anthony Brown	Tennessee Valley Authority (TVA)
James Polickoski	TVA
Marty Murphy	Xcel Energy
Sarah Scott	Xcel Energy
Michelle Byman	Unknown

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INSTITUTE REGULATORY ISSUES TASK FORCE (EPID L-2019-TOP-0044)
DATED:

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MKing, NRR	SHelton, NMSS
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EXTERNAL DISTRIBUTION:

Brett Titus, NEI
bat@nei.org

ADAMS Accession Nos:
ML21336A463 (Package)
ML21313A264 (Meeting Notice)
ML21336A855 (Meeting Summary)

OFFICE	NRR/DORL/LLPB/PM	NRR/DORL/LLPB/LA	NRR/DORL/LLPB/BC	NRR/DORL/LLPB/PM
NAME	ELenning	DHarrison	DMorey	ELenning
DATE	12/2/2021	12/3/2021	12/3/2021	12/6/2021

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