



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

November 30, 2022

MEMORANDUM TO: Philip J. McKenna, Chief  
Reactor Assessment Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

FROM: David M. Aird, Reactor Operations Engineer */RA/*  
Reactor Assessment Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS  
BI-MONTHLY PUBLIC MEETING HELD ON NOVEMBER 17, 2022

On November 17, 2022, the U.S. Nuclear Regulatory Commission (NRC) staff hosted a public meeting with the Nuclear Energy Institute's (NEI's) Reactor Oversight Process (ROP) Task Force executives, other senior industry executives, and various external stakeholders to discuss the staff's progress on initiatives related to the ROP. The topics discussed during this hybrid meeting are described below.

**Significance Determination Process Timeliness Review**

The NRC staff provided an update to an ongoing review of timeliness associated with potentially greater-than-Green findings in the Significance Determination Process (SDP). The purpose of the review was to identify any common themes or trends associated with findings that exceeded the 255-day metric as defined in Inspection Manual Chapter (IMC) 0307, Appendix A, "Reactor Oversight Process Self-Assessment Metrics and Data Trending" and develop recommendations to improve timeliness. Staff presented a revised list of five recommendations to improve the metric and/or program guidance. These five recommendations will be further reviewed and approved by NRC management. A summary of the review along with final recommendations will be documented in a publicly available memorandum by the end of calendar year 2022.

The NRC received a letter from NEI on November 16, 2022, providing comments on the SDP timeliness review (ADAMS Accession No. ML22321A315). At the meeting, NEI provided a summary of the comments described in the letter. NEI reiterated that throughout the timeline of the SDP, it is important to have open lines of communication and consider new information that may impact the performance deficiency. In their response to Recommendation #1, NEI provided a point of clarification in their letter that certain situations that may require a Planning Significance and Enforcement Review panel may warrant pausing the SDP metric clock.

CONTACT: David M. Aird, NRR/DRO  
301-287-0725

Presentation: Significance Determination Process Timeliness Review – (ML22311A546)  
<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML22311A546>

### **Status of ROP Enhancement Activities**

The NRC staff also gave an update of the status of the ROP Enhancement Commission SECY papers schedule (ML22025A132) that were last discussed at the September ROP Public Meeting. The Problem Identification and Resolution (PI&R) SECY paper, the 4th Quarter Performance Indicator (PI) Treatment and Greater-Than-Green PI Treatment SECY paper, and the Emergency Planning (EP) SDP revision SECY paper were all issued in September 2022 and were discussed in the September ROP Bi-monthly public meeting. The White/Yellow Findings Definitions revision in IMC 0609 is ready to be issued but will wait until a corresponding change to the Enforcement Policy is sent to the Commission by a SECY paper. This SECY paper is expected to be issued in January 2023. The replacement PI for Alert and Notification System and Emergency Response Facility Readiness SECY has been written, is in internal concurrence, and is projected to be issued in December 2022.

### **ROP Enhancement: Sample Changes from 2019 to 2023**

The NRC staff presented a summary of the inspection procedure changes that are being implemented for the 2023 ROP inspection program. The presentation highlighted both the consistencies and differences between the original proposals from the ROP Enhancement SECY-19-0067 (ML19070A036) and Engineering SECY-18-0113 (ML18144A567) compared to the final 2023 ROP inspection program that incorporated most of the original proposals.

*Industry comment:* With the advent of the new engineering inspection procedures, has the NRC evaluated the impact on efficiency for implementing the procedures that no one has experience with, either on the NRC side or the licensee side.

*NRC staff response:* NRC has been conducting dedicated training for the inspection staff at each region to minimize the impact of the lack of experience. But the NRC has not considered evaluating the efficiency change from implementing new procedures. NRC will monitor it as the new procedures are implemented.

Presentation: 2023 ROP Enhancement Implementation – ML22308A147  
<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML22308A147>

### **Safety Culture Program Effectiveness Review**

The NRC staff provided an update to an ongoing effectiveness review of the safety culture program. The purpose of the review is to conduct a holistic review of the safety culture program, identify any gaps, and develop recommendations to NRR management. Staff presented the results of the review and a list of recommendations to improve the safety culture program in the ROP. Additional outreach will be planned for calendar year 2023. Any recommendations related to changes to the treatment of safety culture in the ROP will be further reviewed and approved by NRC management. A summary of the review along with final recommendations will be documented in a publicly available report by the end of calendar year 2022.

Industry representatives provided several comments and questions during the meeting related to this review, which are listed below:

- 1) There was concern expressed about licensee level of effort required if a safety culture survey would become a requirement of Inspection Procedure (IP) 95001,
- 2) One industry member stated that IP 95001 already reviews safety culture in the licensee's causal evaluation of the issue,
- 3) One industry member stated that the NRC already has enough tools to inspect safety culture,
- 4) Several industry members agreed with the recommendation of providing the NRC inspectors more training,
- 5) One industry member stated that licensees have improved their oversight of safety culture with the implementation of safety culture panels.

One member of the public stated that if safety culture issues are documented in an inspection report, then the NRC should be able to follow-up and inspect those issues.

Presentation: 2022 ROP Self-Assessment: Safety Culture Effectiveness Review –  
ML22308A138

<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML22308A138>

### **Draft Regulatory Basis for 10 CFR 50.72 Nonemergency Reporting Requirements Rulemaking**

The NRC staff provided an update on the Draft Regulatory Basis for 10 CFR 50.72 Nonemergency Reporting Requirements Rulemaking. A Federal Register Notice was published on November 9, 2022 for public comments (87 FR 67571) providing the Draft Regulatory Basis for the rulemaking (ML22108A004). The staff recommended six nonemergency criteria for removal and that additional clarity be provided for two criteria in the guidance document, NUREG-1022, Rev. 3, Event Report Guidelines 10 CFR 50.72 and 50.73 (ML13032A220). The 60-day comment period for the document will close on January 9, 2023. The staff plans to hold a public meeting in early December focused on the nonemergency reporting requirements rulemaking to communicate the rulemaking process, describe the recommendations and the reasoning, explain the comment submittal process, and to answer questions.

During the meeting, the NRC staff was questioned whether the updates to NUREG-1022 would be on the same timeframe as the rulemaking currently scheduled for completion in February 2026. The NRC staff responded that it plans a short-term update to NUREG-1022 on items such as risk-informed reportability guidance, but any changes associated with the rulemaking would be on a longer timeframe. The NRC staff received an objection to the recommendations from Mr. Edwin Lyman, Union of Concerned Scientists, because of the degradation in NRC openness and transparency. He questioned whether public openness was a consideration in the NRC staff's assessments of changes. The NRC staff responded that public openness and transparency was part of its decision-making process, that his concerns are welcome to be submitted through the formal comment process, and that more discussion would occur at the next public meeting, scheduled for December 13, 2022. Positive feedback was received from industry representatives.

Presentation: 10 CFR 50.72 Update – ML22318A233

<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML22318A233>

### **The Next ROP Meeting**

The next ROP bi-monthly public meeting is tentatively scheduled for January 18, 2023.

**Communicating with the NRC Staff**

At the start of all ROP public meetings, the project manager provides contact information for the public to use to provide their name as a participant in the meeting. This contact information is also provided for submitting questions and comments to the NRC technical staff. Please note that any questions and/or comments pertaining to the ROP project can be sent to [David.Aird@nrc.gov](mailto:David.Aird@nrc.gov). Questions and/or comments will be forward to the appropriate NRC staff. The staff also mentioned the role out of the “Contact Us about ROP” page on the ROP website, which can also be used to submit questions and comments regarding the ROP initiative (<https://www.nrc.gov/reactors/operating/oversight/contactus.html>).

**Conclusion**

At the end of the meeting, NRC and industry management gave closing remarks. The industry representatives expressed appreciation for the open dialogue and willingness of NRC staff to hear industry views. The NRC management stressed the importance of the NRC being focused on providing reasonable assurance of public health and safety when considering changes to the ROP.

The enclosure provides the attendance list for this meeting.

Enclosure:  
As stated

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS BI-MONTHLY PUBLIC MEETING HELD ON NOVEMBER 17, 2022 - DATED NOVEMBER 30, 2022

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**ADAMS Accession No.: ML22334A096**

**\* = via email**

<b>OFFICE</b>	<b>NRR/DRO/IRAB</b>	<b>NRR/DRO/IRAB/BC</b>	<b>NRR/DRO/IRAB</b>
<b>NAME</b>	DAird	PMcKenna*	DAird
<b>DATE</b>	11/28/2022	11/29/2022	11/30/2022

**OFFICIAL RECORD COPY**

## LIST OF ATTENDEES

### REACTOR OVERSIGHT PROCESS BI-MONTHLY PUBLIC MEETING

**November 17, 2022, 9:00 AM to 12:00 PM**

<b>Name</b>	<b>Organization<sup>1</sup></b>	<b>Name</b>	<b>Organization</b>
Tim Riti	NEI	David Aird	NRC
Tony Brown	NEI	Phil McKenna	NRC
Darlene Delk	TVA	Ami Agrawal	NRC
Steve Catron	NextEra	Ashley Demeter	NRC
Brandon Shultz	Constellation Nuclear	Russell Felts	NRC
Russell Thompson	TVA	Billy Gleaves	NRC
Jonathan Thomas	Duke Energy	Brian Benney	NRC
Edwin Lyman	UCS	Zachary Hollcraft	NRC
Robin Ritzman	Curtiss-Wright	Dan Merzke	NRC
Larry Nicholson	Certrec	Alex Garmoe	NRC
David Gudger	Constellation Nuclear	Chris Cauffman	NRC
Stephenie Pyle	Entergy	David Jones	NRC
Nicole Good	Stars Alliance	Kenneth Kolaczyk	NRC
Rob Burg	EPM, Inc.	Mike King	NRC
Melody Rodriguez	NEI	Reinaldo Rodriguez	NRC
James Pak	Dominion Energy	William Rautzen	NRC
Tony Zimmerman	Duke Energy	Brian Hughes	NRC
Marty Murphy	Xcel	Stephen Campbell	NRC
Andrew Mauer	NEI	Jared Justice	NRC
Charlene Chotalal	Dominion Energy	Tom Hipschman	NRC
Deann Raleigh	Unknown	Ronald Cureton	NRC
Andrew Zach	EPW	Avinash Jaigobind	NRC
Jeffery Stone	Constellation Nuclear	Lundy Pressley	NRC
Jeremy Aiello	Constellation Nuclear	Julie Winslow	NRC
Matthew Rossi	Constellation Nuclear	Jeff Bream	NRC
Roy Linthicum	Constellation Nuclear	Charity Pantalo	NRC
James Orr	Constellation Nuclear	Scott Wilson	NRC
Eric Kraus	Constellation Nuclear	Laura Kozak	NRC
Cecil Fletcher II	Duke Energy	Paul Laflamme	NRC
Lori Hayes	Unknown	Rob Krsek	NRC
Justin Wearn	PSEG	Rebecca Sigmon	NRC
Victoria Dennis	TVA	Shakur Walker	NRC
Cheryl Ann Gayheart	Southern Company	Lisa Regner	NRC
Linda Dewhirst	NPPD	John Hughey	NRC
Melisa Krick	Talen Energy	Naeem Iqbal	NRC
Christopher Courtenay	Duke Energy	Gabe Taylor	NRC
Richard Stadtlander	Xcel	Manuel Crespo	NRC
David Mannai	PSEG	Jen Whitman	NRC

<sup>1</sup> Unknown organization indicates that the participant's affiliation was not provided by the issuance of this meeting summary.

<b>Name</b>	<b>Organization<sup>1</sup></b>	<b>Name</b>	<b>Organization</b>
Carlos Sisco	Winston & Strawn	Joshua Havertape	NRC
		Charles Murray	NRC
		Nikki Warnek	NRC
		Candace de Messieres	NRC
		Nicole Fields	NRC
		Doug Bollock	NRC
		Joey McPherson	NRC
		Shane Sandal	NRC
		Mario Fernandez	NRC
		Eric Bowman	NRC
		Eric Schrader	NRC
		Paul Rades	NRC
		Chris Speer	NRC
		Stephanie Mercurio	NRC
		Jonathan Fiske	NRC
		Joe Gillespie	NRC
		Marcus Chisolm	NRC
		Atif Shaikh	NRC
		Larry Grimes	NRC
		Zee St Hilaire	NRC
		Jack Vande Polder	NRC
		Maxine Keefe	NRC
		Shawn Lichvar	NRC
		Ty Ospino	NRC
		James Kepley	NRC
		James Mejia	NRC