

U.S. Nuclear Regulatory Commission Public Meeting Summary

Title: Public Meeting to Provide and Discuss U.S. Nuclear Regulatory Commission Preliminary Assessment of Nuclear Energy Institute's Recommendations on Risk-Informed Process for Evaluations

Meeting Identifier: 20231055

Date of Meeting: 10/5/2023

Location: Webinar

Type of Meeting: Comment-Gathering

Purpose of the Meeting: The purpose of this meeting between the U.S. Nuclear Regulatory Commission (NRC) staff, and representatives from the Nuclear Energy Institute (NEI) and industry was to discuss the staff's assessment of the recommendations by the NEI in its letter dated April 19, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML23163A048](#)) on Risk-Informed Process for Evaluations (RIPE). Further, the purpose of this meeting was to communicate the NRC's recent issuance of temporary staff guidance (TSG), TSG-DORL-2021-01, Revision 3, "Risk-Informed Process for Evaluations" incorporating observations from the first application submitted using RIPE ([ML23122A014](#)).

General Details: The meeting was a virtual meeting conducted via the Microsoft Teams platform. The meeting started at 11:15 AM eastern time (ET) and concluded at 12:00 PM ET. There were 25 NRC staff, and 23 external participants, representing Breakthrough Institute, Constellation, Curtis Wright, Duke-Energy, Enercon Services, Inc., Energy Harbor, Information Systems Laboratories, Jensen Hughes, NextEra, NEI, RSL Safety Corporation, Spanish Nuclear Safety Council, Tennessee Valley Authority (TVA), Union of Concerned Scientists, and Westinghouse that attended the meeting. In addition, there was a member of the public present at the meeting who had the opportunity to ask questions or make comments. Comments were received from a public member, Mr. Edwin Lyman of the Union of Concerned Scientists. Details of Mr. Lyman's comments are provided in section, "Public Participation," below. A facilitator was not used to conduct the meeting. A list of attendees is provided below.

Summary of Presentations:

Antonios Zoulis, Chief, Probabilistic Risk Assessment Oversight Branch (APOB), Division of Risk Assessment, Office of Nuclear Reactor Regulation (NRR) and Michelle Kichline, Senior Reliability and Risk Analyst, APOB, presented information, which included the following:

- Communicated issuance of NRR's RIPE TSG, TSG-DORL2021-01, Revision 3, reflecting NRC staff's observations and best practices from the first RIPE review. This revision provided additional information to the NRC staff on defense-in-depth, safety margins, performance monitoring, flexibility on schedule for the no technical objection, review with no change to the overall schedule for RIPE review, and more clarification on the validity of special circumstances for exemptions.
- Addressed NRC staff's preliminary assessment of NEI's recommendations to revise the risk thresholds as discussed in NEI's April 19, 2023, letter referenced above. The NRC staff stated that the increase in risk acceptance criteria appears reasonable based on

similar thresholds established for the NRC Enforcement Manual, Appendix F, “Notices of Enforcement Discretion” (ML19193A023), and meeting the five principles of Regulatory Guide (RG) 1.174, Revision 3, “An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis” ([ML17317A256](#)).

- Communicated an alternative option in lieu of NEI’s recommendation to revise the risk acceptance criteria for RIPE so that they are not pass/fail criteria because this could cause complexity and delays in the staff’s review process. The NRC staff offered that for those RIPE applications where the risk acceptance criteria are slightly exceeded, the licensee could provide a supporting explanation as to why the deviation is acceptable, and the NRC staff would consider for review using RIPE on a case-by-case basis.

Public Participation: A member of the public was present and had the opportunity to ask questions or make comments. Mr. Edwin Lyman provided comments about NEI’s request to increase the risk acceptance criteria. NRC staff addressed these comments.

Action Items/Next Steps:

The NRC staff conveyed two options as paths forward during the meeting. The first option was that the NRC staff could pursue updating its guidance documents to reflect its final assessment of NEI’s recommendations based on the feedback from the public meeting. The second option was that NEI may choose to revise its RIPE guidance document reflecting the higher risk thresholds and submit to NRC with the understanding that it would be made publicly available, and that the staff would leverage COM-204, Revision 5, “Informal Interfacing with and Handling Documents from Owners Groups, Vendors, Nuclear Energy Institute, Licensees, and Other External Stakeholders” ([ML20027A598](#)), to conduct its review and issue a letter with its final assessment of NEI’s recommendations. Andrew Mauer of NEI conveyed that NEI planned to submit their updated RIPE guidance document to the NRC and agreed to making it publicly available. NRC management conveyed that based on the feedback received from this meeting, we would determine the appropriate path forward. The NRC staff also conveyed that after several RIPE reviews, NRC will consider providing endorsement to industry guidance using the RG process.

Additional Information:

- Meeting notice and agenda – [ML23264A801](#)
- NRC presentation slides – [ML23275A241](#)

Meeting Participants:

LIST OF ATTENDEES FOR OCTOBER 5, 2023, COMMENT-GATHERING PUBLIC MEETING	
Name	Affiliation
Surinder Arora	NRC
Eric Benner	NRC
Kristy Bucholtz	NRC
Kevin Coyne	NRC
Stephen Cumblidge	NRC
Vic Cusumano	NRC
Jennifer Dixon-Herrity	NRC
Leslie Fields	NRC
Gerond George	NRC
John Hughey	NRC
Meena Khanna	NRC
Michelle Kichline	NRC
Daniel King	NRC
Mike King	NRC
Ming Li	NRC
Steve Koenick	NRC
Siva Lingam	NRC
Michael Mahoney	NRC
William Orders	NRC
Charley Peabody	NRC
Bo Pham	NRC
Reinaldo Rodriguez	NRC
Steve Smith	NRC
Brian Wittick	NRC
Antonios Zoulis	NRC
Leigh Lloveras	Breakthrough Institute
Charlyne Smith	Breakthrough Institute
Roy Linthicum	Constellation
Christian Williams	Constellation
Deanne Raleigh	Curtis Wright
Dennis Earp, Jr.	Duke-Energy
Chris Vera-Burgos	Enercon Services, Inc.
Rob Drsek	Energy Harbor
Tony Mangan	Energy Harbor
Steven Pope	Information Systems Laboratories
Andy Ratchford	Jensen Hughes
Steve Catron	NextEra
Jarrett Mack	NextEra
Kenneth Mack	NextEra
Keith Vincent	NextEra
Janet Schlueter	NEI
Brett Titus	NEI
Michael Miller	RSL Safety Corporation

LIST OF ATTENDEES FOR OCTOBER 5, 2023, COMMENT-GATHERING PUBLIC MEETING	
Name	Affiliation
Enrique Melendez Asensio	Spanish Nuclear Safety Council
Beau Eckermann	TVA
Stuart Rymer	TVA
Edwin Lyman	Union of Concerned Scientists
Andrea Maioli	Westinghouse

SUBJECT: PUBLIC MEETING TO DISCUSS U.S. NUCLEAR REGULATORY COMMISSION PRELIMINARY ASSESSMENT OF NUCLEAR ENERGY INSTITUTE RECOMMENDATIONS ON RISK-INFORMED PROCESS FOR EVALUATIONS DATED NOVEMBER 13, 2023

DISTRIBUTION:

PUBLIC	RidsRgn3MailCenter	CPeabody, NRR
PM File Copy	RidsRgn4MailCenter	SSmith, NRR
RidsACRS_MailCTR	SArora, NRR	JHoellman, NRR
RidsNrrOd	KBucholtz, NRR	ARamirez, NRR
RidsNrrDex	KCoynne, RES	KJamerson, NRR
RidsNrrDorl	SCumblidge, NRR	TKeene, OEDO
RidsNrrDra	JDrake, NRR	JHamman, OEDO
RidsNrrDexEicb	LFields, NRR	DScrenci, OPA RI
RidsNrrDorlLpl4	JHughey, NRR	RHannah, OPA, RII
RidsNrrDorlLlpb	MKichline, NRR	VMitlyng, OPA RIII
RidsNrrDraApob	DKing, NRR	VDricks, OPA RIV
RidsNrrDssScpb	MLi, NRR	SBurnell, OPA
RidsNrrDssStsb	SKoenick, NMSS	EBowman, COMM
RidsNrrLAPBlechman	SLingam, NRR	TNakanishi, COMM
RidsRgn1MailCenter	MMahoney, NRR	
RidsRgn2MailCenter	WOrders, NRR	

ADAMS Accession Nos.:

Package: ML23304A269

Meeting Notice: ML23264A801

Meeting Slides: ML23275A241

Meeting Summary: ML23304A267

***by email**

NRC-001

OFFICE	NRR/DORL/LPL4/PM*	NRR/DORL/LPL4/LA*	NRR/DRA/APOB/BC (A)*
NAME	SLingam	PBlechman	RRodriguez
DATE	10/25/2023	11/1/2023	11/1/2023
OFFICE	NRR/DORL/LPL4/BC*	NRR/DORL/LPL4/PM*	
NAME	JDixon-Herrity	SLingam	
DATE	11/13/2023	11/13/2023	

OFFICIAL RECORD COPY