



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

January 31, 2024

MEMORANDUM TO: Mahmoud Jardaneh, Chief
New Reactor Licensing Branch
Division of New and Renewed Licenses
Office of Nuclear Reactor Regulation

FROM: Tommy Hayden, Project Manager **/RA/**
New Reactor Licensing Branch
Division of New and Renewed Licenses
Office of Nuclear Reactor Regulation

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION SUMMARY OF
THE NOVEMBER 16, 2023, OBSERVATION PUBLIC MEETING
TO DISCUSS NUSCALE'S US600 EXEMPTION REQUEST

The U.S. Nuclear Regulatory Commission (NRC) conducted a virtual observation public meeting/teleconference on November 16, 2023. The purpose of this meeting was to discuss NuScale Power, LLC (NuScale) request for exemption to the reporting requirements of Title 10 of the Code of Federal Regulation (10 CFR) Part 50, Section 46, "Acceptance criteria for emergency core cooling systems for light-water nuclear power reactors," pertaining to the certified and approved US600 design.

The periodically scheduled public meeting notice was updated and posted on the NRC public website and can be found under Agencywide Documents Access and Management System (ADAMS) Accession No. ML23317A388. The enclosure to this memorandum provides a list of the meeting participants.

During the open portion of the meeting, NuScale outlined the request for exemption referencing the submittal letter dated June 29, 2023 (ADAMS ML23180A151), noting that the criteria for an exemption has been met and demonstrated within the submittal letter. The NRC Staff responded that NuScale's justification for the exemption request is understood.

The NRC staff sought verification from NuScale that their processes remain compliant with the requirements in 10 CFR 50.46(a)(3)(i). NuScale confirmed compliance with this regulation and the intent to continue that compliance should the exemption request be granted; this point was also outlined previously in the submittal letter.

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NuScale and NRC staff discussed the burden associated with the reporting requirements of 10 CFR 50.46(a)(3)(iii), namely the burden of documenting and evaluating changes to, or errors discovered in, the evaluation model (EM) for the emergency core cooling system (ECCS) performance. NuScale also highlighted differences in the timelines for evaluating such changes or errors should the exemption request be granted.

Lastly, NuScale stated that other reporting requirements would continue to apply that could potentially make the NRC aware of changes to or errors in the applicable EM. However, it was noted that generic impacts would not be reported under 10 CFR Part 21, Reporting of Defects and Noncompliance, as allowed in Regulatory Information Summary (RIS) 2010-05 (ADAMS ML ML091620498).

The open portion of the meeting was followed by a closed portion to discuss proprietary information relating to the meeting topic. From these discussions, the NRC staff gained a better understanding of the corrective action process and the implications for timeliness in evaluating the effect of changes to, or errors found in the EM, should the exemption be granted.

The NRC staff relayed to NuScale that the request is understood, and it is not anticipated that requests for additional information will be needed. The NRC staff also stated the issuance of a final determination of the exemption request is scheduled for January 31, 2024.

Docket No. 05200048

Enclosure:
List of Meeting Attendees

cc: DC NuScale Power, LLC Listserv

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DATED: JANUARY 31, 2024

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NAME	MJardaneh*	THayden	
DATE	1/3/2024	1/31/24	

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**U.S. NUCLEAR REGULATORY COMMISSION SUMMARY OF THE NOVEMBER 16, 2023,
OBSERVATION PUBLIC MEETING TO DISCUSS NUSCALE'S US600 EXEMPTION
REQUEST**

Meeting Attendees

November 16, 2023

Name	Organization
Thomas Hayden	U. S. Nuclear Regulatory Commission (NRC)
Getachew Tesfaye	NRC
Stacy Joseph	NRC
Mahmoud Jardaneh	NRC
Rebecca Patton	NRC
Ryan Nolan	NRC
John Lehning	NRC
Elisa Fairbanks	NuScale
Gary Becker	NuScale
Mark Shaver	NuScale
Thomas Griffith	NuScale
Wren Fowler	NuScale
Samuel D'Amico	NuScale
Tom Case	NuScale
Michael McAuliffe	S&P Global Commodity Insights
Kalene Walker	Unaffiliated
Donna Gilmore	San Onofre Safety Systems analyst
Charlyne Smith	Breakthrough Institute
Leigh Lloveras	Unaffiliated
Jan Boudart	Nuclear Energy Information
Edwin Lyman	Union of Concerned Scientists
Sarah Fields	Uranium Watch

Enclosure