



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

January 24, 2024

MEMORANDUM TO: Gerond A. George, Chief  
Licensing Projects Branch  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

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

SUBJECT: SUMMARY OF THE NOVEMBER 28, 2023, U.S. NUCLEAR  
REGULATORY COMMISSION'S PUBLIC MEETING WITH THE  
NUCLEAR ENERGY INSTITUTE REGULATORY ISSUES TASK FORCE  
(EPID L-2019-TOP-0044)

On November 28, 2023, the U.S. Nuclear Regulatory Commission (NRC) staff held a public meeting with representatives of the Nuclear Energy Institute's (NEI) Regulatory Issues Task Force (RITF). The meeting was held in a hybrid format (i.e., attendance in-person, virtual, and teleconference) and all in-person attendees followed the protocols for visitors to NRC facilities with respect to NRC-sponsored events. The NRC meets biannually (every 6 months) with the NEI RITF to discuss current licensing topics. The objective of this meeting was to discuss regulatory issues associated with licensing and oversight. The meeting notice is available in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML23331A548. The NRC presentation slides are available in ADAMS under Accession No. ML23331A966. The list of attendees for this meeting is enclosed in this memorandum.

The NRC staff began the public meeting with an introduction and explanation of logistical information. Bo Pham, NRC's Division Director of Operating Reactor Licensing, and Brett Titus, NEI's Director of Licensing, provided opening and closing remarks. The topics discussed during the meeting are summarized below. At the end of the presentation, the public had an opportunity to ask questions of the NRC staff. All public comments were addressed during the meeting. No regulatory decisions were made during this meeting.

### **Readiness to License Power Uprates**

The NRC staff delivered a presentation on power uprates, beginning with an overview on the three different types (measurement uncertainty recapture, stretch power uprates, and extended power uprates) and their respective timeliness goals. Due to the incentives provided by legislation, such as the Inflation Reduction Act, and industry innovations, such as Accident Tolerant Fuel, a significant number of power uprates and license renewals could be submitted in the coming years. Potentially, the combined increase in thermal power across the commercial fleet resulting from power uprates could be equivalent to two large light water reactors.

The NRC staff explained how the staff is analyzing over 30 years of historical data to identify improvements, as well as preemptively identifying key staff and including more risk informed approaches, to efficiently process license amendments. Other improvement efforts included developing a Regulatory Issue Summary, preparing a session during the 2024 Regulatory Issues Conference, and revising the NRC office instruction for processing power updates.

### **Mission Analytics Portal (External) (MAP-X)**

The NRC staff gave a brief introduction to the EMBARK venture studios, a change organization within the Office of Nuclear Reactor Regulation, which works with both data owners and the Office of the Chief Information Officer. The EMBARK Director gave a presentation on MAP-X, an application developed by EMBARK, which serves as a user authenticated web application used to exchange data between the NRC and approved stakeholders. MAP-X currently has several active modules such as “Web-Based Relief Requests” and “Event Reporting” as well as proposed modules such as “Fitness for Duty” and “Operator Licensing.”

The NRC staff stated that MAP-X is continuously updated to meet the needs of external stakeholders. During the meeting, the NRC requested feedback to improve or add functionality. The NRC also provided various links to resources and a test environment for use by approved users.

### **Differing Views Program**

The Office of Enforcement provided a detailed description of the NRC’s Differing Views Program, including the Open Door Policy, the Nonconcurrency Process, and the Differing Professional Opinion Program, which are all designed to allow any member of the NRC to raise concerns without fear of reprisal. At the lowest level, informal discussions with the immediate supervisor are the routine and recommended process to resolve a differing view. The Open Door Policy allows for an employee to discuss any work-related concerns with any supervisor or manager within the NRC. The briefing explained how an employee involved in the concurrence process may use the Nonconcurrency Process to formally communicate a disagreement with a document in review. The Differing Professional Opinion Program serves as means of communicating a position that differs from an established agency position. Historical data of NCPs and DPOs was also provided which showed that NCPs occurred much more frequently than DPOs.

A Differing Views Program Improvement Project was initiated in 2018 and led to several developments for the program, including the rapid resolution stage, kick off meeting, and a tiger team, but the NRC is always open to further improvements.

### **Enhanced Weapons Rule**

The NRC staff delivered an oral presentation on the new Enhanced Weapons Rule which was published in March 2023 and became effective in April 2023. The new rule requires affected licensees to come into compliance in January 2024. The rule consists of three components: establishment of requirements to report suspicious activities, a new framework for reporting security events, and a process for updating preemption of enhanced weapons authority.

As part of the implementation of the rule, the NRC conducted workshops with stakeholders and identified three regulatory guides (RGs) would need corrections. The workshops also identified clarifications were necessary regarding the definition of contraband and reporting to the Federal

Aviation Administration (FAA). The NRC anticipates the RGs will be finalized early next year and other issues to be resolved prior to the compliance date.

### **Generic Communications**

The NRC staff provided a list, copied below, of approved and proposed recent generic communications.

Information Notices: Emergency Telecommunications System Changes (ML23289A249) – information on options for emergency communications as legacy systems are retired; Operating Experience Related to Fire Events at Decommissioning Nuclear Power Plants in the United States (ML23088A143); Lessons Learned from NRC Inspections of Design-Basis Capability of Power-Operated Valves at Nuclear Power Plants (ML23129A014); Recent Human Performance Issues at Non-Power Production and Utilization Facilities (ML23059A539); Discontinuation of Recognition of American Board of Radiology Training Certification - proposed.

Regulatory Issue Summaries: Power Uprates – proposed; Digital Instrumentation and Control – proposed; Scheduling Information for the Licensing of Accident Tolerant, Increased Enrichment, and Higher Burnup Fuels (ML23123A166); Preparation and Scheduling of Operator Licensing Examinations (ML23025A219); Consideration of Current Operating Issues and Licensing Actions in License Renewal (ML23167A044); Required Assessments of DOE Labs – proposed.

### **Process for Ongoing Assessment of Natural Hazard Information (POANHI)**

The NRC staff provided an update on the status of POANHI. A public meeting was recently held in September 2023. Since then, an additional seismic hazard and risk evaluation was completed for a total of six complete evaluations. Currently, seven evaluations remain based on the Near-Term Task Force recommendation (ML21344A126). A decision-making flowchart was provided which uses site geologic profile tables and computations of new ground-motion response spectrum and hazard curves. After consideration of any plant-specific seismic risk insights, a determination of any remaining issues proceeds to either issuance of a final letter and hazard report, or a senior management review panel.

Updates on the non-seismic side of POANHI were also provided, including a website featuring information on staff activities related to hydrology, meteorology, geology, and seismology. The NRC also recently conducted a modification on an existing contract with Idaho National Laboratory which maintains the National Hazards Information Digest. Recent outreach included coordination with resident inspectors and project managers for six plants located along the Mississippi River to determine that placement into a regulatory process was not required due to lower-than-normal water levels.

### **Regulatory Guide 1.183 Revision 1, "Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors"**

On September 6, 2023, the NRC staff briefed the Advisory Committee on Reactor Safeguards on the draft final Revision 1 of RG 1.183 which was developed using new experience, research data, and analyzes since Revision 0. Advancements include expanding applicability to encompass fuel burnup extensions to 68 GWd/MTU rod average and enrichments up to 8 weight-percent U-235 for certain near-term ATF designs. ACRS recommended that Revision 2 be developed to align with the Increased Enrichment rulemaking which staff have begun working on with a proposed draft completion date of December 2024.

## **Risk Informed Process for Evaluations (RIPE)**

The NRC staff gave a brief status on RIPE, a tool for addressing compliance issues that have minimal safety impact, on April 19, 2023. NEI provided feedback to NRC by letter making two recommendations regarding RIPE: (1) revise the risk acceptance criteria for use of RIPE, and (2) do not treat the risk acceptance criteria as pass/fail criteria. On October 5, 2023, the NRC held a public meeting to communicate a preliminary assessment which was followed by a letter response on October 25, 2023. The NRC found the first recommendation reasonable but noted that increasing the risk acceptance criteria for RIPE should be accompanied by increased flexibility review timelines and resources. The second recommendation was noted to potentially add complexity and delays in the review process that would not align with the goals of RIPE. However, the NRC stated applications for review under RIPE with minor deviations will be considered on a case-by-case basis provided an explanation on acceptability included.

The NRC has produced Temporary Staff Guidance and Safety Impact Characterization to communicate a path forward for incorporating NEI's recommendations and will continue to update its guidance, eventually establishing a final agency position via the RG process.

## **Open Discussion**

Discussion was opened to several standing RITF topics. First was an announcement on the upcoming 2024 Regulatory Information Conference (RIC) given by NRC Co-Champions Jorge Hernandez-Munoz and Jonathan Evans. The theme of this 36<sup>th</sup> RIC will be "Adapting to a Changing Landscape" and will take place on March 12-14, 2024.

A concept to hold a workshop on License Amendment Requests was discussed to improve clarity and efficiency in the regulatory process for both the NRC and industry stakeholders. The planning for setting up this workshop was taken up as an action item by DORL.

The NRC staff and NEI representatives discussed knowledge management questions regarding the difference between Requests for Additional Information (RAI) and Requests for Confirmatory Information (RCI). Internally, the NRC uses an RAI application to more effectively coordinate staff and manage timelines through data analytics. The idea of an online platform to exchange information with applicants as previously discussed during the April 2023 meeting was also brought up.

## **Public Comments**

The following comments and questions were received:

(Regarding MAP-X) "A user-authenticated web portal that improves the way that the agency can exchange data and information with our external stakeholders sounds good. Might it be efficient if the NRC library loaded (from say Taylor and Francis) journal papers referenced in TRs and LARs under review?" The NRC staff responded that submissions via MAP-X do go through ADAMS, such that information submitted by licensees are captured in the library as well as appropriately marked as public or non-public.

(Regarding a discussion from the April meeting "Docs with Proprietary info are often marked '[[ ]]' NRC should, for its own docs, place within the brackets an estimate of the amount of material covered." The NRC staff responded that the suggestion would be taken under consideration.

(Regarding power uprates) “Over 50% of the sites are planning for one or more power uprates with a combined capacity equivalent to two large LWRs, which in my mind would equal 100%.” NRC staff clarified that the “two large LWRs” figure quoted per the presentation was the increased approximate aggregate power that would be produced by all plants due to power uprates.

(Regarding the NRC's website) “It says that for power uprates, components such as pipes, valves, pumps, heat exchangers, electrical transformers, and generators must be capable of handling the higher steam and water flow. Licensees may need to modify and/or replace components and depending on the desired increase in power level and the original equipment design, this can involve major and costly modifications to the plant, such as replacement of main turbines. All of these factors, which span through many technical disciplines and may be complex, must be analyzed by the licensee as part of the request for power uprate and reviewed by the NRC's technical, legal, and management before request for power uprate is approved. Is this actually being done?” NRC staff responded that reviews are still being performed as required to provide reasonable assurance of adequate safety as they have always been.

Please direct any inquiries to James Delosreyes at [James.Delosreyes@nrc.gov](mailto:James.Delosreyes@nrc.gov).

Docket No. 99902028

Enclosure:  
List of Attendees

**LIST OF ATTENDEES**

**U.S. Nuclear Regulatory Commission and Nuclear Energy Institute  
Regulatory Issues Task Force Public Meeting  
November 28, 2023  
1:00 pm – 4:30 pm**

<b>Name</b>	<b>Organization</b>
Bo Pham	U.S. Nuclear Regulatory Commission (NRC)
Vic Cusumano	NRC
Jamie Heisserer	NRC
Jordon Alston	NRC
Melissa Ash	NRC
Brent Ballard	NRC
Sam Bina	NRC
Jeff Bream	NRC
Doug Broaddus	NRC
James Delosreyes	NRC
Theo Edwards	NRC
Leslie Fields	NRC
Gladys Figueroa Toledo	NRC
Gerond George	NRC
Luke Haeg	NRC
Jorge Hernandez Munoz	NRC
Elena Herrera Torres	NRC
John Hughey	NRC
Andrea Johnson	NRC
Michelle Kichline	NRC
Daniel King	NRC
Audrey Klett	NRC
Terri McLaughlin	NRC
Ed Miller	NRC
Jack Minzer Bryant	NRC
William Orders	NRC
Sunwoo Park	NRC
Kevin Quinlan	NRC
Jennie Rankin	NRC
Lisa Regner	NRC
Reinaldo Rodriguez	NRC
Carla Roque-Cruz	NRC
Undine Shoop	NRC
Daniel Silverstein	NRC
Laura Smith	NRC
Bonnie Stohr	NRC
Michael Swim	NRC
Catherine Thompson	NRC
Zach Turner	NRC
Shilp Vasavada	NRC

Melissa Walker	NRC
David Wrona	NRC
Brett Titus	Nuclear Energy Institute (NEI)
Tony Brown	NEI
Nicole Good	NEI
Deann Raleigh	NEI
Melody Rodriguez	NEI
Ryan Treadway	NEI
Andrew Zach	EPW
Richard Montgomery	TVA
Stuart Rymer	PSEG
Leigh Lloveras	Breakthrough Institute
Charlyne Smith	Breakthrough Institute
Jamie Marquess Coleman	
Phil Couture	
William Freebairn	
Ryan M. Joyce	
Shane Jurek	
Phil L.	
Brian Mann	
Andrew Mauer	
Stephen J. Meyer	
Mary H. Miller	
Michael A. Miller	
Marty Murphy	
Harold Scott	
Carlos Sisco	
Kalene Walker	
Jason Weathersby	

SUBJECT: SUMMARY OF THE NOVEMBER 28, 2023, U.S. NUCLEAR REGULATORY COMMISSION'S PUBLIC MEETING WITH THE NUCLEAR ENERGY INSTITUTE REGULATORY ISSUES TASK FORCE (EPID L-2019-TOP-0044) DATED JANUARY 24, 2024

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JHeisserer, NRR	DBroaddus, NRR
VCusumano, NRR	GGeorge, NRR
MFranovich, NRR	LFields, NRR
MKhanna, NRR	JDelosreyes, NRR
KMcCurry, NRR	

**ADAMS Accession Nos.:**

**Package: ML24017A097**

**Notice: ML23331A548**

**NRC Presentation: ML23331A966**

**Mtg. Summary: ML24017A098**

OFFICE	NRR/DORL/LLPB/PM	NRR/DORL/LLPB/LA	NRR/DORL/LLPB/BC	NRR/DORL/LLPB/PM
NAME	JDelosreyes	DHarrison	GGeorge	JDelosreyes
DATE	1/22/2024	1/22/2024	1/24/2024	1/24/2024

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