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ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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723rd MEETING

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
(ACRS)

+ + + + +

WEDNESDAY

MARCH 5, 2025

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The Advisory Committee met via Video
Teleconference, at 8:30 a.m. EST, Walter L. Kirchner,
Chair, presiding.

COMMITTEE MEMBERS:

WALTER L. KIRCHNER, Chair
GREGORY H. HALNON, Vice Chair
DAVID A. PETTI, Member-at-Large
RONALD G. BALLINGER
VICKI M. BIER
VESNA B. DIMITRIJEVIC
CRAIG D. HARRINGTON
ROBERT P. MARTIN
SCOTT P. PALMTAG
THOMAS E. ROBERTS
MATTHEW W. SUNSERI

1 ACRS CONSULTANTS:

2 DENNIS BLEY

3 CHARLIE BROWN

4

5 DESIGNATED FEDERAL OFFICIAL:

6 CHRISTINA ANTONESCU

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P R O C E E D I N G S

8:30 a.m.

CHAIR KIRCHNER: Good morning. The meeting will now come to order. This is the first day of the 723rd meeting of the Advisory Committee on Reactor Safeguards.

I'm Walt Kirchner, Chairman of the ACRS. ACRS members in attendance in person are Ron Ballinger, Greg Halnon, Robert Martin, Scott Palmtag, Dave Petti, Thomas Roberts, Craig Harrington, Vicki Bier, and we expect Matt Sunseri to join us after lunch. In attendance virtually is Vesna Dimitrijevic. And we have, from our consultants, Dennis Bley and Charlie Brown joining us virtually.

If I've missed anyone, either ACRS members or consultants, please speak up now.

Christina Antonescu of the ACRS staff is the Designated Federal Officer for this morning's full committee meeting. No member conflicts of interest were identified, and I note that we have a quorum.

The ACRS was established by statute and is governed by the Federal Advisory Committee Act, or FACA. The NRC implements FACA in accordance with its regulations. Per these regulations and the Committee's bylaws, the ACRS speaks only through its

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1 published letter reports. Therefore, all member
2 comments should be regarded as only the individual
3 opinion of that member, and not a Committee position.

4 All relevant information related to ACRS
5 activities, such as letters, rules for meeting
6 participation, and transcripts are located on the NRC
7 public website, and can easily be found by typing
8 about us ACRS in the search field on the NRC's
9 homepage.

10 The ACRS, consistent with the Agency's
11 value of public transparency and regulation of nuclear
12 facilities, provides opportunity for public input and
13 comment during our proceedings.

14 We have received no written statements or
15 requests to make an oral statement from the republic
16 -- I'm sorry, the public.

17 (Laughter.)

18 CHAIR KIRCHNER: And the republic --
19 that's the broader public.

20 Written statements may be forwarded to
21 today's Designated Federal Officer, and we have also
22 set aside time at the end of this meeting for public
23 comments.

24 The transcript of the meeting is being
25 kept, and will be posted on our website.

1 When addressing the Committee, the
2 participants should first identify themselves and
3 speak with sufficient clarity and volume so that they
4 may be readily heard. If you are not speaking, please
5 mute your computer on Teams. If you're participating
6 by phone, press star-six to mute your phone, and star-
7 five to raise your hand on Teams.

8 The Teams chat feature will not be
9 available for use during the meeting. For everyone in
10 the room, please put all your electronic devices in
11 silent mode and mute your laptop microphone and
12 speakers. In addition, please keep sidebar discussing
13 in the room to a minimum, since the ceiling
14 microphones are live.

15 For presenters, your table microphones are
16 unidirectional and you'll need to speak directly into
17 the front of the microphone to be heard online.

18 Finally, if you have any feedback for the
19 ACRS about today's meeting, we encourage you to fill
20 out the public meeting feedback form on the NRC's
21 website.

22 During today's meeting, the Committee will
23 consider the following topic, incorporation by
24 reference of IEEE 603-2018 Rulemaking. And this is an
25 update to Title 10 of the Code of Federal Regulations

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1 Part 50.55 AH.

2 With that, if there are not any opening
3 comments from members, we'll turn in a moment to
4 Member Tom Roberts. But before we do, I would just
5 point at that today's morning session is likely to be
6 brief. After we're finished with this, for the court
7 reporter we will not need you again until tomorrow
8 morning.

9 Tomorrow morning we will take up the VC
10 Summer subsequent license renewal application. This
11 afternoon is devoted to our planning and procedures
12 session.

13 So with that, I will now turn to Tom
14 Roberts who chairs our Digital INC and Electrical
15 Systems Subcommittee. Tom?

16 MR. ROBERTS: Thank you, Mr. Chairman, and
17 good morning. We held a meeting of the Digital INC
18 Subcommittee on February 20, about two weeks ago, to
19 receive a briefing from the staff on proposed
20 rulemaking that Walt mentioned to incorporate by
21 reference the 2018 version of the IEEE standard 603 to
22 regulation.

23 603 is titled the IEEE Standard Criteria
24 for Safety Systems for Nuclear Power Generating
25 Stations. And Title 10 of the Code of Federal

1 Regulations Part 50 subsection 55 AH currently
2 incorporates by reference the 1991 version of that
3 standard, as well as two versions of an earlier
4 standard of the IEEE 279.

5 While this rulemaking may seem
6 straightforward, there are several issues important
7 safety that are of interest to us. For one, the 2018
8 version of IEEE Standard 603 includes guidance for
9 mitigating common cause failures within a protection
10 or safety system, and the proposed rulemaking intends
11 to exclude all but the first sentence of this
12 guidance.

13 Also, there was an earlier attempt in 2015
14 to incorporate the latest version of IEEE 603 into
15 regulation, and this attempt resulted in several NRC
16 staff non-concurrences, three suggestions from this
17 Committee, and disapproval from the Commission to
18 proceed with the rulemaking.

19 The staff covered that history in their
20 briefing, including how each of the previous issues
21 was resolved into this relatively straightforward
22 proposed rulemaking.

23 Most of the discussion at our subcommittee
24 meeting related to the scope of the accompanying
25 guidance, that we replace the non-endorsed IEEE

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1 guidance on common cause failure and resolve open
2 items from the earlier ACRS letter report.

3 During the subcommittee meeting, we
4 learned that the staff's rulemaking plan had changed
5 shortly before the subcommittee meeting. In the
6 original plan that we were presented before the
7 meeting, staff was planning to request public input on
8 the scope of guidance that should accompany the
9 revised rule, with the intent of writing the guidance
10 as part of the final rulemaking.

11 Shortly before our subcommittee meeting,
12 the staff changed that plan to instead draft the
13 accompanying guidance before requesting a vote from
14 the public. With this change, the staff worked to
15 prepare the proposed rulemaking doc which is not
16 complete, and a detailed review by this Committee is
17 therefore premature. Because of that, we are not
18 asking the staff to make a presentation to the full
19 Committee at this time.

20 So, I propose that our next action is to
21 review the draft guidance when the staff is ready to
22 provide it to us. At the meeting last month, they
23 estimated June. But it's yet to be written and I'm
24 sure the plan will evolve as they write the guidance.

25 When we get the guidance, we would

1 evaluate the need for the ACRS to review the guidance
2 in the same manner that we would consider the need to
3 review revisions to regulatory guidance. So, we have
4 a process that has us consider the need to have a
5 review before going out to public comment, and a
6 second review is whether we should -- or second
7 consideration is whether we need to review it after we
8 get it back and they've incorporated public comments.

9 So, we -- I reckon we follow that same
10 process. I'll review the guidance when it's provided,
11 and I'll provide a recommendation in the planning and
12 procedures portion of a full committee meeting as to
13 whether or not we should review the guidance prior to
14 release for public comment.

15 In the meantime, the ACRS staff has
16 reserved a time slot in June as a placeholder, in case
17 we determine a subsequent subcommittee review the
18 guidance is necessary.

19 So, in summary, it's very, I think,
20 premature to have more review of this, as the staff
21 has changed their plan to write the guidance before
22 they go out for public comment. I suggest we stand
23 back, let them follow their process, come back to us
24 when they've got the guidance ready, and then we'll
25 reconsider whether or not we should have a

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1 subcommittee review and then a subsequent full
2 committee review at that time, before it goes out for
3 public comment.

4 Do members have any comments or questions
5 on the plan?

6 MR. HARRINGTON: Just one, Tom -- this is
7 Greg. I may have missed it, but why did we spend four
8 hours talking about this already, instead of waiting
9 for the public comments? Which is typical -- what we
10 typically do is wait for public comments.

11 MR. ROBERTS: Sure. The rulemaking is
12 provided to us, ask the public to suggest the scope of
13 guidance, but they were going to go out this month --
14 you know, as I understand it, at least -- after we
15 finished the meeting. So, they briefing us before
16 they went out for public comment.

17 MR. HARRINGTON: So, they requested the
18 meeting to brief us --

19 (Simultaneous speaking.)

20 MR. ROBERTS: They requested the meeting
21 to brief, because they said they were ready -- they
22 had an unexpected change in their plan, part of the
23 management review, as I understand it, to write the
24 guidance first.

25 (Simultaneous speaking.)

1 MR. HARRINGTON: I was virtual for the --
2 virtual for the meeting, and sometimes you miss
3 snippets and you don't have the opportunity to go back
4 and ask. Was there -- as I listened to it, I didn't
5 hear anything unique about this from the standpoint of
6 earthshattering safety issues, from the standpoint of
7 incorporating this IEEE into the rule. Did I miss
8 something there?

9 I understand the common cause issue, we've
10 litigated that and adjudicated that, and every other
11 word-itigated -- whatever word you want to put out
12 there. What was -- what do we expect, I guess, coming
13 down to -- is the public or the NEI and the industry
14 in line with this? Are they okay with it? Or do we
15 expect a huge pushback?

16 MR. ROBERTS: I think from my perspective,
17 that's all future, it hasn't gone out for public
18 comment. They've had some public meetings in
19 preparation for setting the guidance out, and they've
20 incorporated some of the NEI suggestions into the
21 proposed rulemaking.

22 MR. HARRINGTON: But there's no -- I mean,
23 from the results of those public meetings, there's
24 nothing too toxic about this? There an anticipation
25 of getting this done without a lot of extra time, our

1 review time put into it, or is there some issue that
2 we have to really focus in on?

3 MR. ROBERTS: Yeah, I'll let -- the staff
4 is here, I'll let them answer, too. There's two
5 things I would point out, one is the scope of the
6 common cause failure guidance is something that may be
7 either future work when they're done with this
8 guidance. Because there is more, if you'll actually
9 be working on the next revision of the 603 --

10 (Simultaneous speaking.)

11 MR. HARRINGTON: Yeah, and this sort of
12 kicks the can down the road --

13 (Simultaneous speaking.)

14 MR. ROBERTS: It may kick the can down the
15 road. But we've had comments from this Committee last
16 year on this, on the treatment of common cause
17 failures, and this guidance will be a chance when
18 we'll sum that up. You know, things like where the
19 echelons of defense that used to be in the branch
20 faculty position via that NUREG CR 6303, where that
21 ends up -- you know, that may roll into this, it may
22 be a future effort.

23 But I think there is -- it's yet to come.
24 But I'm not aware of anything that's controversial,
25 beyond the questions that we were asking back in

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1 February. And I'll let Sam talk.

2 MR. BLAS: Just to --

3 MR. ROBERTS: Yeah, if you could either
4 stand under that green light there, or --

5 CHAIR KIRCHNER: You can, better yet, just
6 take this mic. You can just come over here.

7 MR. BLAS: Whatever you guys prefer, I'm
8 just here to support.

9 MR. ROBERTS: Yeah, come up -- just give
10 us your name and then, if you could just --

11 (Simultaneous speaking.)

12 CHAIR KIRCHNER: You can just come right
13 up here.

14 MR. BLAS: So, good morning. I'm Gilberto
15 Blas, one of the staff who presented on the
16 incorporation by reference of IEEE 603-2018. With
17 regards to the comment with regards to NEI, so we did
18 hold a meeting back in 2023 and we did receive a
19 letter from NEI supporting the incorporation by
20 reference of 2018 to the regulations at the time.

21 So aside from that, they have submitted
22 letters in response to the ADVANCE Act, 50.55 AH, but
23 that's being treated in parallel.

24 MR. HARRINGTON: Okay, so right now a
25 common cause issue, there's not a real hanging issue

1 out there?

2 MR. BLAS: Not at this time, that we know
3 of.

4 MR. HARRINGTON: Okay, thank you.

5 MR. ROBERTS: Yeah, I would observe that
6 the ACRS wrote a letter in 2014 on the previous
7 version, and there were three suggestions. And at
8 least one of them is going to be rolled into the
9 guidance that's yet to be written, and the other two
10 probably will also have some tentacles into the
11 guidance. So, we'll be interested in seeing how the
12 previous ACRS comments will be incorporated into the
13 guidance.

14 CHAIR KIRCHNER: Okay, further comment?

15 (No audible response.)

16 CHAIR KIRCHNER: Thank you, Tom. So, this
17 is somewhat unusual, and I see we have a number of
18 people online, so let me just explain why we're in
19 this situation, why we have a truncated meeting this
20 morning.

21 We provide, through the Federal Register,
22 a notice of our agenda well in advance of the meeting.
23 So, that ties us down a little bit in terms of our
24 flexibility. We try and write our Federal Register
25 notice as general as possible in anticipation of

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1 sometimes a change coming within the -- after we've
2 already sent that out for public notice.

3 So, we will close this morning session
4 here and then reconvene at 1:00 o'clock this afternoon
5 in our planning and procedures session, and that is
6 also open to the public.

7 And with that, we are in recess until 1:00
8 eastern time.

9 PARTICIPANT: It's been noticed to start
10 at noon.

11 CHAIR KIRCHNER: Okay, my mistake, let me
12 make that clear again. We will then take up our
13 planning and procedures session at 12:00 o'clock
14 Eastern Time. Thank you.

15 (Whereupon, the above-entitled matter went
16 off the record at 8:44 a.m.)
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