

August 20, 2014

MEMORANDUM TO: Anthony J. Mendiola, Chief
Licensing Processes Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

FROM: Joseph J. Holonich, Senior Project Manager */RA/*
Licensing Processes Branch
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SUBJECT: SUMMARY OF JULY 10, 2014, MEETING ON NUCLEAR ENERGY
INSTITUTE (NEI) GUIDANCE DOCUMENT NEI-01-01, "GUIDELINE ON
LICENSING DIGITAL UPGRADES: EPRI TR-102348, REVISION 1, NEI
01-01: A REVISION OF EPRI TR-102348 TO REFLECT CHANGES TO
THE 10 CFR 50.59 RULE"

On July 10, 2014, staff from the U.S. Nuclear Regulatory Commission (NRC) met with representatives from the Nuclear Energy Institute (NEI) and industry. The meeting was another in a series of meetings to discuss NEI 01-01, "Guideline on Licensing Digital Upgrades: EPRI [Electric Power Research Institute] TR [Technical Report]-102348, Revision 1, NEI 01-01: A Revision of EPRI TR-102348 To Reflect Changes To The 10 CFR 50.59 Rule" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML020860169). Regulatory Information Summary (RIS) 2002-22, "Use of EPRI/NEI Joint Task Force Report, 'Guideline on Licensing Digital Upgrades: EPRI TR-102348, Revision 1, NEI01-01: a Revision of EPRI TR-102348 to Reflect Changes to the 10 CFR 50.59 Rule'" (ADAMS Accession No. ML023160044), conditionally endorsed NEI 01-01.

The meeting centered on Item 4, the best way to document the understandings in RIS 2002-22, and Item 8, two topics: (1) Guidance for Digital Modifications, and (2) Guidance for Implementing Title 10 of the *Code of Federal Regulations* 50.59 (10 CFR 50.59) from the staff letter dated November 5, 2013 (ADAMS Accession No. ML13298A787). Information related to the meeting including attendees and presentations can be found in the ADAMS package Accession No. ML14168A121. During the introductions of the meeting, it was agreed that GoToMeeting would be considered for future meetings. This would allow the meetings to be recorded.

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The meeting began with an industry presentation addressing Items 4 and 8 from the November 5, 2013, NRC letter. In the last slide, industry also expressed a desire to talk about specific digital instrumentation and control (DI&C) modification examples and how they should be evaluated against the regulations (i.e., 10 CFR 50.59) using NEI 96-07, "Guidelines for 10 CFR 50.59 Evaluations," as endorsed by Regulatory Guide 1.187, "Guidance For Implementation Of 10 CFR 50.59, Changes, Tests, and Experiments." The discussion of these examples is meant to identify any need for DI&C-specific considerations that should be addressed in the revision of the guidance in NEI 01-01.

In addition, industry raised two concerns, which were identified as needing to be addressed to allow for a more effective implementation of 10 CFR 50.59. The two concerns identified by the industry were:

- (1) There are many modifications that are necessary at nuclear power plants (NPPs) and due to the additional work load associated with licensing, it is neither practical nor required, per 10 CFR 50.59, to request a license amendment for each; and
- (2) Uncertainty in the 50.59 process has resulted in industry delaying addressing obsolescence with the result being that roughly (industry wide) 25 percent of component types are no longer purchasable from their original equipment manufacturer.

The NRC then presented a set of slides that described the historical development of NEI 01-01, and the potential impact of the draft proposed rule for incorporating IEEE 603, "IEEE Standard Criteria for Safety Systems for Nuclear Power Generating Stations," by reference into 10 CFR 50.55a(h).

At the end of the meeting the following action item was identified:

- NRC staff will investigate the use of GoToMeeting for the next meeting.

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