



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

April 14, 2015

MEMORANDUM TO: Mark A. Satorius
Executive Director for Operations

FROM: K. Steven West, Chairman **/RA/**
Committee to Review Generic Requirements

SUBJECT: COMMITTEE TO REVIEW GENERIC REQUIREMENTS:
MINUTES OF MEETING NUMBER 437

By memorandum of March 20, 2015, the Office of Nuclear Reactor Regulation (NRR) requested that the Committee to Review Generic Requirements (CRGR, the Committee) review and endorse Regulatory Issue Summary (RIS) 2015-XX, "Tornado Missile Protection" (Agencywide Documents Access and Management System [ADAMS] Accession No. ML15077A534). On March 25, 2015, the CRGR held Meeting Number 437 with the staff to discuss the RIS (ADAMS Accession No. ML15020A419). The list of meeting attendees is enclosed.

In March 2014, the CRGR Chairman waived the CRGR review of the proposed draft RIS until after the public comment phase and NRR had addressed the public comments. Later, in a letter of June 16, 2014 (ADAMS Accession No. ML14169A262), the Nuclear Energy Institute (NEI) stated that the proposed RIS constituted a backfit requiring a backfit analysis in accordance with 10 CFR 50.109. Additionally, they requested that the CRGR review the proposed RIS, and requested that industry be allowed to participate in the CRGR review process. In response to NEI's requests, the CRGR Chairman met with the NRR staff to obtain additional information about the industry concerns.

Subsequently, to fulfill its responsibility to inform licensees of NRC's generic backfit management process and to obtain additional information about NEI's backfitting concerns, on August 25, 2014, the CRGR Chairman, the OGC member of the CRGR, and the NRR branch chief sponsoring the RIS held a conference call with NEI and industry representatives. The CRGR Chairman and OGC representative summarized the CRGR review process and informed the industry representatives that the CRGR would formally review the proposed RIS before it is issued. NEI expressed appreciation that CRGR had responded to its letter (through the conference call). NEI also stated that it had had appropriate opportunities to make its positions on the proposed RIS known to the staff and did not have any new information or positions to offer during the call. Furthermore, NEI indicated that it was satisfied that CRGR would review the proposed RIS at the appropriate point in the generic communication and CRGR processes. Finally, NEI indicated that the call and the knowledge that CRGR would review the proposed RIS addressed its request for CRGR engagement.

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Within the CRGR process, the CRGR typically reviews proposed RISs informally as opposed to a formal review that includes meeting with the staff and having the full complement of the CRGR members in attendance. In addition, as part of its process, the CRGR normally conducts a formal review when a proposed RIS involves controversial issues or if a backfit claim has been made. Since both conditions applied in this case, the CRGR informed the staff to request a formal review of the subject RIS.

Consequently, Todd Keene with the support of Timothy McGinty, Sheldon Stuchell, and Greg Casto—all from NRR—briefed the CRGR on the purpose of the RIS and addressed the CRGR's questions. The staff's presentation materials are located in ADAMS Accession No. ML15085A180.

The staff informed the CRGR that the purpose of issuing this RIS is to (1) remind licensees of the need to conform with a plant's current site-specific licensing basis for tornado-generated missile protection, (2) provide examples of failure to conform with a plant's tornado-generated missile licensing basis, and (3) remind licensees of the staff's position that a licensee's SEP and IPEEE results do not constitute regulatory requirements and are not part of the plant-specific licensing basis unless the NRC or licensee took action to specifically amend the operating license. This RIS does not require any actions or written response on the part of the addressees.

The CRGR engaged in discussion with the staff and requested that the staff clarify certain aspects of its characterization of the licensing basis and strengthen its position that the proposed RIS did not constitute a backfit. The CRGR also recommended several editorial changes. The staff agreed with the CRGR's requested clarifications and suggested editorial changes and indicated that they would strengthen the final document.

On March 25, 2015, the staff provided its revised version of the RIS to the CRGR for review and endorsement. The CRGR reviewed the revision and concluded that it addressed the CRGR comments noted above. Subsequently, on April 2, 2015, during CRGR Meeting Number 438, the CRGR endorsed the revised RIS for issuance. This memorandum documents the CRGR's review and endorsement of final proposed RIS 2015-XX, "Tornado Missile Protection," and completes the CRGR action on the staff's request of March 20, 2015.

Enclosure:
CRGR Meeting No. 437
List of Attendees

CRGR MEETING No. 437
LIST OF ATTENDEES
(March 25, 2015)

CRGR Members

K. Steven West, Chairman
Brian McDermott, NSIR
Brian E. Holian, NRR
Scott W. Moore, NMSS
Gary M. Holahan, NRO (not available)
James P. Biggins, OGC
David C. Lew, RI
Les R. Cupidon, CRGR Staff

NRC Staff

Lawrence E. Kokajko, NRR/DPR
Sheldon D. Stuchell, NRR/DPR
Todd Keene, NRR/DPR/PGCB
Scott T. Krepel, NRR/DSS
Joseph G. Giitter, NRR/DSS
Robert M. Taylor, NRR/DSS
Margaret M. Watford, NRR/DORL/LPL4-1
Robert L. Gladney, NRR/DORL/LPL1-2
April L. Pulvirenti, NRR/DORL/LPL4-2
Allison W. Dietrich, NRR/DORL/LPL3-1
Diane L. Render, NRR/DORL/LPL1-1
Aby S. Mohseni, NRR/DPO
Kenneth G. O'Brien, RIII

Enclosure

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Scott W. Moore, NMSS
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Gary M. Holahan, NRO
William M. Dean, NRR
Brian E. Holian, NRR
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Marc Dapas, Region IV
CRGR r/f

ADAMS Accession No.: ML15090A373

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NAME	L. Cupidon	J. Zabel (by e-mail)	K. S. West
DATE	04/14/15	04/09/15	04/14/15

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