MEETING SUMMARY
USNRC Public Meeting June 2, 2015
Regulatory Guide 1.206 Revision Project

On June 2, 2015, the Nuclear Regulatory Commission (NRC) staff conducted a Category 2 public meeting at NRC headquarters in Rockville, MD regarding the staff's proposed revision to Regulatory Guide (RG) 1.206, "License Applications for Nuclear Power Plants," which provides the format and content guidance for 10 CFR Part 52 applications. The purpose of this meeting was to provide a workshop venue for stakeholders to provide input to the NRC staff in the development of guidance on select topics to be included in the revised RG 1.206.

The meeting announcement at http://meetings.nrc.gov/pmns/mtg?do=details&Code=20150760 includes links to the agenda, presentation slides, and draft documents. All meeting materials are publicly available at ADAMS Accession Nos. ML15138A461, ML15152A297, and ML15149A332. An official transcript of the meeting, which includes identification of participants, is attached and is an integral part of this meeting summary.

Background

RG 1.206 was issued in 2007 as applicant guidance in anticipation of the submittal of new combined license applications under Part 52. The "New Reactor Licensing Process Lessons Learned Review: 10 CFR Part 52," issued in 2013, (ADAMS Accession No. ML13059A239) identified the need to revise RG 1.206. The NRC staff initiated the revision in 2014 with the overall intent to institutionalize lessons learned from prior and ongoing Part 52 application reviews and to provide updated guidance to future applicants.

In September 2014, the NRC staff held a public meeting to present the proposed RG 1.206 revision initiative and to solicit stakeholder feedback. The June 2, 2015 meeting was the latest in a series of public meetings conducted by the NRC staff to engage stakeholders and acquire feedback in the revision of RG 1.206.

The revised RG 1.206 is separated, by subject matter, into three sections of guidance: 1) Section C.1, Application Format & Content, addresses the standard 11 parts of an application; 2) Section C.2, Application Regulatory Topics, addresses a number of regulatory topics related to application preparation, submittal, and review; and, 3) Appendices A – D address the content and format of an application's safety analysis report.

Meeting highlights

The NRC staff presented an overview of the RG 1.206 revision initiative and an update of the draft guidance being developed for Sections C.1 and C.2. The NRC staff explained the workshop venue for the meeting – which was identified as a staff-facilitated interactive discussion among the meeting participants and the staff for development of draft guidance for select Section C.2 topics. As identified in the agenda, the topics included: 1) C.2.6, Application Acceptance Review; 2) C.2.7, Requests for Additional Information; and, 3) Integrated Final Safety Analysis Report (FSAR) for COL Applications (a new topic proposed by industry for inclusion in Section C.2).

The three topics were addressed in the workshop venue and each topic engendered extensive discussion among the NRC staff and meeting participants. The official transcript documents the details of the discussions.

Actions

The NRC staff will continue the initiative to revise RG 1.206 and will conduct additional public meetings to engage stakeholders in the revision process. The NRC staff will address draft guidance for the topics of Application Acceptance Review and Requests for Additional Information consistent with the discussion documented in the transcript. The Nuclear Energy Institute will further address the topic of Integrated Final Safety Analysis Report (FSAR) for COL Applications at a future RG 1.206 public meeting.

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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DIVISION OF ADVANCED REACTORS AND RULEMAKING

OFFICE OF NEW REACTORS

REGULATORY GUIDE 1.206 (REVISION) PUBLIC MEETING

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TUESDAY

JUNE 2, 2015

+ + + + +

ROCKVILLE, MARYLAND

+ + + + +

NRC STAFF PRESENT:

LAWRENCE BURKHART, NRC/NRO

TOM KEVERN, NRC/NRO

MARK NOTICH, DARR

JOHN RYCYNA, NRC/NRO

LISA WALSH, NRC/NRO

SUSAN VRAHORETIS, NRC OGC

COURTNEY ST. PETERS, NRC/NRO

ALAN BJORNSEN, NRC/NSIR

YANELY MALAVE, NRC/NRO

BRUCE MUSICO, NRC/NSIR/DPR (EP)

THOMAS SCARBROUGH, NRC/NRO/DE/MEB

JOE ASHCRAFT, NRC/NRO/DE/ICE

SHEILA RAY, NRC/NRR/DE/EEEB

JOHN LAI, NRC/ACRS

JERRY CHUANG, NRC/NRO/DE/SEB

ANGELO STUBBS, NRC/NRO

DEBORAH JACKSON, NRC/NRO

CHRIS WELCH, NRC*

WES HELD, NRC/NSIR*

ALSO PRESENT:

MICHAEL BRANDON, DTE - Fermi3

HOWARD MAHAN, Southern Nuclear Licensing

THOMAS HICKS, Southern Nuclear Licensing

GINA BORSH, Dominion

KATI AUSTGEN, Nuclear Energy Institute

JANA BERGMAN, CW/Scientech

YUN HO KIM, Korea Hydro & Nuclear Power

STEVEN POPE, NuScale Power

MARY JAWORSKI, Duke Energy*

MARK NICHOL, Nuclear Energy Institute*

LISA MATIS, Tetra Tech*

JOHN HAWKINSON, Enercon Services, Inc.

*Present via telephone

P-R-O-C-E-E-D-I-N-G-S

(1:05 p.m.)

OPERATOR: Welcome and thank you for standing by. At this time all participants are in listen-only mode until the question and answer session of today's conference call.

At that time you may press star 1 to ask a question over the phone and now I will hand the meeting over to Mr. Tom Kevern. Thank you, you may begin.

MR. KEVERN: Thank you. Okay, excuse the slowness of getting started here. This is Tom Kevern with the Nuclear Regulatory Commission and we are ready to start today's public meeting on the topic of the revision to Regulatory Guide 1.206 entitled "Applications for Nuclear Power Plants."

Going on to the second slide, this is a public meeting. Actually, it's a public workshop with a purpose, as noted on the slide, to provide input to the NRC Staff in the development of guidance on several of the topics that we intend to have included in the revision to Regulatory Guide 1.206.

As you see on the slide and obviously on the phone now we've got teleconference capability. We will have some number of participants, we'll be introducing them in a few minutes, that will also participate in the meeting today in addition to the folks here in the room.

Again, as you see on the slide we've got a number of reference documents. This was updated today to address, or rather to include not only what you see there but also the presentation from which I am speaking now as well as another presentation that Industry, the Nuclear Energy Institute, will be doing

later this afternoon.

All those documents are either linked on the public meeting website or they are in our document control system ADAMS at the identifying numbers you see on the slide.

Probably the most important administrative-type item for the day's meeting is that we are going to be transcribing this meeting, so it will be incumbent upon all of us to speak into the microphone, speak clearly, distinctly, succinctly, and it may be necessary to spell individual names or your affiliations.

The transcript that will result from the meeting is going to capture all of today's interactive discussions, which is the primary reason for having it transcribed.

That transcript will be publicly available and will serve as my meeting summary for today's meeting.

Going on with some other administrative items, behind the pillar here we've got the sign-in sheet so I would request that all of you, including Staff, please sign in to the meeting.

Back where Debbie is now on the shelf we have hard copies of the meeting agenda as well as the two presentations we'll be having today, as well as hard copies of the public meeting and feedback form.

So a feedback form is available linked on the meeting announcement on the public website and also we have hard copies for those of you in the room if you wish to use a hard copy.

Because the meeting is being transcribed, for the folks on the conference line, we're going to have the phones muted during the presentations and then we'll be opening them multiple times during the afternoon when we do the interactive discussions and when we do the public feedback near the end of the meeting.

Let's see, a couple housekeeping items that you've got here. If you're not a member of the NRC Staff you got here with an escort, so just a reminder that if -- Between here and the lobby you need an escort.

Public restrooms are out through the lobby. You do not need an escort going to the restroom. The men's room on the left at the other end of the lobby, women's room on the right.

And in the event of an emergency evacuation we'll collect out in the elevator lobby area and we'll all exit as a group. So I think that covers the administration/housekeeping items.

Okay, so as you see on the slide, let me start with introductions of the folks who are going to be facilitating the meeting. I am Tom Kevern, Project Manager in the Office of New Reactors, I'll be facilitating the meeting today.

To my right, Larry, please.

MR. BURKHART: Yes. I am Larry Burkhart. I am the acting Branch Chief for the New Reactor Rulemaking and Guidance Ranch. I am taking over for Joe Colaccino for six or seven weeks.

MR. KEVERN: And, Mark?

MR. NOTICH: And I am Mark Notich. I am a Senior Project Manager also in

DARR. I will be developing the regulatory topic documents for the acceptance of review and for RAIs.

MR. KEVERN: Thank you. And Larry just reminded me that I forgot a housekeeping item. The microphones in front of you who are sitting here at the table, the green light indicates on.

So press the, at just the head of the microphone there until it comes on. I don't know, if you're planning on rustling papers please turn it off during the meeting, but if, especially if you're going to speak why you need to see the green light coming on. Okay, Yanely?

MS. MALAVE: Yanely Malave.

MR. KEVERN: You're not speaking in a microphone, but that's okay. You speak so clearly and succinctly that's okay. And sitting next to Yanely is our Court Reporter that will be doing just a superb job of transcribing everything today.

So let's see, Kat, start over here.

MS. PODOLAK: Hi, I'm Kat. I'm the Secretary for the Division of Advanced Reactor Rulemaking.

MR. KEVERN: Susan?

MS. VRAHORETIS: Susan Vrahoretis, OGC.

MR. KEVERN: And let's go around the table then we'll go in back. So, sir?

MR. BRANDON: Mike Brandon, DTE Energy.

MR. HICKS: Tom Hicks with Southern Nuclear Licensing.

MS. BORSH: Gina Borsh, Dominion.

MS. AUSTGEN: Katie Austgen, Nuclear Energy Institute.

MR. MAHAN: Howard Mahan, Southern Nuclear.

MR. POPE: Steve Pope, NuScale Power.

MR. KEVERN: Okay and in the back, Tom?

MR. SCARBROUGH: I'm Tom Scarbrough.

MR. CHUANG: Jerry Chuang.

MR. KEVERN: Joe?

MR. ASHCRAFT: Okay. Joe Ashcraft, NRO.

MR. KEVERN: You can also use the microphone back on the table there. Sam, do we need people -- Can you catch names or did you get them. Do we need everyone to come up to a microphone?

COURT REPORTER: I do need people talk to a microphone in order to get it.

MR. KEVERN: Okay. So, please, at the table.

MS. WALSH: I'm Lisa Walsh, NRO, NRC. I'm on rotation in DARR as a Project Manager right now.

MS. RAY: Sheila Ray, NRR Electrical Branch.

MR. KEVERN: Well, folks, don't be bashful.

MR. BJORNSEN: Alan Bjornsen, NRC/NCIR/NSIR.

MR. KIM: Yun Ho Kim, KHNP.

MS. ST. PETERS: I'm Courtney St. Peters, I'm with the PRA and Severe Accidents Branch.

MS. JACKSON: I'm Debbie Jackson, NRC Deputy Division Director for the

Division of Advanced Reactors and Rulemaking, DARR.

MR. RYCYNA: John Rycyna, NRC/NSIR Cyber Security.

MS. BERGMAN: Jana Bergman, Curtiss-Wright Scientech.

MR. STUBBS: Angelo Stubbs, NRO Plant Assistance Branch.

MR. LAI: John Lai, ACRS Staff.

MR. KEVERN: Okay, we have everyone here. So if we could unmute the phones and if we could go to the phones for introductions for the folks participating on the bridge, please?

Don't be bashful, go ahead. Is anyone on the bridge line?

(No audible response)

MR. KEVERN: Ah, this is not good. Operator, are you there?

OPERATOR: Yes?

MR. KEVERN: Are the phones not muted?

OPERATOR: No, they are muted.

MR. KEVERN: Please unmute the phones so we can do introductions.

OPERATOR: One moment. So you're wanting to leave the lines open because it's on for listen-only mode?

MR. KEVERN: Leave them open, please.

OPERATOR: Okay, one moment. One of your participants must have put it on hold. I'm trying to find that line, I apologize.

MR. KEVERN: All right, folks on the bridge line can you hear me?

MR. WELCH: Yes. This is Chris Welch, NRC.

MR. KEVERN: Great. We just finished the introductions around the room,

I'd like to do introductions on the bridge line, please, just one at a time if you would introduce yourselves and your organization, please.

MS. JAWORSKI: Mary Jaworski, Duke Energy.

MR. KEVERN: Thank you, Mary.

MR. NICHOL: Mark Nichol, NEI.

MR. KEVERN: Thank you, Mark.

MR. HOSACK: Korey Hosack, Westinghouse Electric Company.

MR. KEVERN: Okay, thank you.

MR. HAWKINSON: John Hawkinson.

(Simultaneous speaking)

MR. KEVERN: I'm sorry, please repeat, there was two people talking at the same time.

MR. HAWKINSON: John Hawkinson, Enercon Services.

MR. KEVERN: Thank you, John.

MR. HELD: Wes Held, NSIR.

MR. KEVERN: Okay.

MR. KLINVEX: Mike Klinvex, Westinghouse.

MS. MATIS: Lisa Matis with Tetra Tech.

MR. KEVERN: Thank you. Anyone else on the bridge line, please?

(No audible response)

MR. KEVERN: All right, thank you, folks. We're having more difficulty with the conference line than usual, so what I intend to do is rather than going back and forth and muting we'll just leave it open.

So I request that you folks on the bridge line, you know, hold down the paper rustling or other miscellaneous things at your location or put it on your local mute or silence, however you can do it at your end, and we'll continue with the lines open.

So moving on to the next slide, the agenda we have for today. The focus of the workshop as stated in the purpose of the meeting is to require stakeholder input for developing application of related guidance on the three topics you see listed here on the agenda.

It is a two-page agenda and what we've got listed here is the true agenda for today's meeting and the flip side is going to be talking points that Mark will be talking about when we do our interactive discussions on the other topics later.

Make a note that this is our first workshop on Regulatory Guide 1.206, have not tried this approach before, as will be talked about here in a few minutes.

So I intend to adhere to the agenda but expect to have some flexibility in the timing as far as when we do the various items on the agenda, depending on how much, or rather to the extent of participation in the interactive discussion.

So extensive interaction, we're going to try to not curtail any of the feedback we're getting, and so we may continue on it a little longer than the time. In the absence of participation why we'll be moving along a little quicker than you see the times in the agenda.

So with that we are ready to start and, Larry, would you like to make some

opening comments?

MR. BURKHART: Yes. I just wanted to thank everybody for participating in this, the Staff, the Industry, everybody who is here.

Just to be clear, a little last minute change, we're going to run this as a Category 3 meeting and it doesn't really change exactly how we're going to move forward on this, we have the presentations, et cetera.

But the purpose of the Category 3 meeting is to get as much stakeholder input as possible, all stakeholders, public, NRC, Industry, so I just wanted to make sure that that was clear and any future meetings we have on Reg Guide 1.206 will probably be held as Category 3 meetings also.

So other than that that's just all I wanted to say, Tom. Thanks.

MR. KEVERN: Okay. Thank you, Larry. Okay, moving on and starting the workshop this afternoon, Slide 4, and I want to do a brief background to put us all on the same page of where we are and why we're doing what we're doing.

Regulatory Guide 1.206 was initially developed and issued back in the 2007 timeframe. That issuance was correlated with a major revision of the Standard Review Plan, NUREG-0800, in anticipation of the wave of new combined license applications back in that timeframe and after the 2005 energy policy enacted by Congress and these were the applications that were the first single applications under Part 52 of the Commission's regulations.

So since that time, now we've got a number of changes in regulations and

guidance and certainly a number of lessons learned having been through the years of license reviews, lessons learned from both the Industry side as well as the NRC Staff side.

And so last summer, Summer of '14, we took the initiative to consider an extensive revision of this guidance document. We had our first public meeting in September of last year and the link you see on this slide will get you back to that meeting announcement and all of the documentation associated with that meeting.

At that meeting we presented the initiative, what we were planning on doing, solicited feedback, and, of course, we got feedback, some of it verbally there at the meeting and then the formal documentation in the form of an NEI letter on behalf of Industry later.

In general, while there was a support for the Staff's initiative and approach, and, of course, there were a number of comments. We proceeded on. We, the Staff, proceeded on developing some of the guidance documentation.

We held our next public meeting at the end of March of this year and, again, the link you see there on the page is the link to that meeting announcement and all of the associated documentation.

At that meeting, we're getting down into more detail, so we presented specific draft guidance documents on several of the topics and solicited feedback again.

Once again we had verbal feedback on a number of interactive discussions on the different topics in that March 31st meeting, and then we, last month,

got the formal documentation, the feedback in the NEI letter.

So that brings us up to date. We are now ready to have today's workshop and just in continuing a little bit of background to get us all on the same page, what you see here on this slide is a, this is Slide 5 for those of you on the phone, illustrates the Table of the Contents of the Revised Regulatory Guide.

So what you see in red font are the three different flavors or types, subject matter, of guidance that we've got organized in this revised regulatory guide.

Section C.1 addresses the standard 11 parts, the format and content, the 11 parts of an application. That's any kind of application under Part 52, and all of Section C.1 with Parts 1 through 11 were presented and discussed at the March 31st public meeting.

Section C.2 consists of a number of application-related policy and regulatory topics, and that's going to be the focus of -- Three of those topics are going to be the focus of today's meeting.

And then the appendices provide the standard format and content of a safety analysis report, so, again, broken up into four different specific appendices depending on their focus on the specific type of application.

Going into more detail on Section C.2, C.2 addresses those regulatory topics related to the application preparation, submittal and, review. One way or another that guidance is considered most needed by the Staff and/or by Industry.

So a combination of we think we need it, we think you need it, or you think

you need, or you think we need it because what it is that we have expected you to do, whichever way you want to look at it, but they are topics that are necessary to help to have an effective and efficient application and review of that application.

Now the topics in -- The first three topics are in blue font and those indicate the topics that were specifically discussed and had interactive discussion back at the March 31st meeting, so that was in addition to the Section C.1 topics on the previous page.

Now the red arrows here indicate the two topics that the Staff is going to present today, that Mark is going to be leading the discussion on, the application acceptance review and request for additional information.

Now the next slide shows the remainder of what we currently envision as the C.2 topics and as you see at the note there, the last item on this slide, we continue to refine Section C.2.

So we may add, modify, delete, expand the scope of, et cetera, the topics in Section C.2, whatever the Staff and stakeholders together think is the most, the best or the most prudent content of Section C.2.

And, for example, the third topic being presented today by NEI is a topic you do not see in this current draft of the Table of Contents and that's a topic that industry is proposing be added as an additional topic.

So with that background we're ready to go into the way we're going to conduct the workshop today. Looking at the second bullet, this is -- Excuse me, this is Slide 8 for those of you on the phone.

We've identified two approaches to developing guidance. What I've listed here in the sub-bullets, the Staff approach and workshop approach. So the Staff approach is what we've been doing in the past.

That's the way we developed all of the C.1 and the first three topics in Section C.2, and that in a nutshell it's the typical way the Staff develops regulatory guidance.

Next, the number of individuals, technical experts, and project managers and the Staff do the initial draft of a guidance topic and it gets routed around for technical management review, legal counsel review.

It gets presented one way or another at a public meeting, gets public feedback, goes through the process again, and then gets issued in a Federal Register Notice, a formal Federal Register Notice for public review and comment, and then it finally gets issued as a draft guidance and then finally as a formal guidance.

What we are suggesting as an alternative to that is the, and it wasn't our idea, what was proposed by Industry is the workshop approach, and so in this case what I worded out here, and there's some variations, but the Staff is going to do this initial drafting of the purpose and scope of a topic, and then we come to a meeting like today, a workshop, and we interactively decide how to go the next step.

What should be the scope of it? What should be the content? What are the key bullets that should be there and what is the extraneous stuff that isn't worth talking about? What's the important information that needs to be in

that guidance for both the Staff and for the applicants? And that's what we're going to try to do today.

And as I said it is our first workshop and we do consider it to be a pilot and if we consider it successful, and successful meaning mutually agree upon that it is an efficient way of developing guidance both by stakeholders and by Staff, by then we'll continue doing this for future topics.

And as I mentioned, the last bullet here, the third topic is one example, it's a variation of that where it's a topic that we had not envisioned, "we" the Staff, but Industry suggested it would be a good topic to expand and address in the Section C.2.

So with that as a background we're ready to move on to the first topic and the next slide, Slide 9, the first topic we're going to address is the acceptance review process for an application submitted under Part 52 and, specifically as you see, the primary reference we have for this topic is an office instruction put out by the Office of New Reactors and as you see by the title there in that first bullet it addresses the three most used parts of, I'm sorry, aspects of Part 52 in the early site permit design certification and COL.

This is a good topic to use as an example for the workshop because at the present time we have guidance for the Staff, this Office Instruction, but we have no current guidance for applicants, so this is a, what we think, and I think we mutually agree, that this is a good topic to start with and see if we can turn this into something that's worthwhile.

So we've got various options we'll be talking about, and I don't want to steal

Mark's thunder, but one option will be we don't do anything, we just leave this as an Office Instruction and Industry and potential applicants take that, read it, and it is publicly available, and use that as guidance.

Well maybe there's a better way to do that. Maybe we ought to have an Office Instruction that's very explicitly written for the Staff, but also a different type of document that provides guidance for applicants.

So I'm not going to read through the summary I've got here on this OI, but there are two key points there, the review has two types of elements, this acceptance review.

It's a completeness review and a technical sufficiency review. So let's go on that for just a moment. This is something new in the revision to this OI, so the completeness review ensures that the applicant has submitted the information required by the requirements and regulations of Part 52.

The technical sufficiency review on top of that ensures that the application contains sufficient information, scope and depth, for the Staff to conduct its detailed technical review of the application and with that important caveat, within a predicted timeframe, so two parts.

It used to be that it was a completeness review. And I'm not going to go into lengthy discussion, but in order to get the improvements and efficiency and a shortened review schedule that both the Staff and Industry want we have expanded the scope of the acceptance review for that technical sufficiency item.

Then on the next slide on this particular topic we have what I call a

secondary reference. Back in 2007 the initial issuance of Reg Guide 1.206 we did address the issue of the topic of acceptance review, but it was somewhat limited.

It was focused on the COL Final Safety Analysis Report, the content of that report, and it only dealt with a completeness standard, acceptance standard, as opposed to the sufficiency. Of course, it was a 2007 issuance and has not been updated since then.

So with that brief backdrop and background and a summary of where we are on this first topic we're ready to move on to what we've listed in the Agenda as interactive discussions and I'll turn it over to Mark.

MR. NOTICH: Thanks, Tom. Again, my name is Mark Notich, Senior Project Manager within DARR. With this list that you see, the interactive discussion points, I talked with several branch chiefs and the Staff involved in the application review process and also in the development of RAIs and arrived at this list of discussion points to help guide our talks during this meeting.

This was included in the meeting notice and hopefully everyone has taken the time to read it and we'll be referring back to it frequently during our discussions now.

Kat, if you'd just leave this slide up for a little while. Okay, anyway -- Okay, so acceptance review process for ESP, DC, and COLs, Industry asked for this regulatory topic to be among the first drafted as new applications are being proposed for the near future and this regulatory topic could help

applicants get through the acceptance process.

The Staff agreed with this and we think this is a very important issue and, you know, in order to guide applicants through in this process. Right now the Staff currently envisions a regulatory topic document to be developed in three sections.

The first is the overview of the topic. The second section is guidance to applicants and the third section is a discussion of the pertinent aspects contained in NRO Reg 100.

And the development of the overview and the NRO Reg Guide, or Reg Office Instruction, portions of this regulatory topic guidance document can be accomplished by the Staff with minimal public input.

The guidance portion, Portion Number 2, however, should be discussed with the stakeholders, as we are doing now, in order to ensure that appropriate and effective guidance is included in the regulatory topic document, i.e. guidance that helps the applicant provide the information in the application in the detail and format that the Staff needs to develop the SER and the EIS.

Let me stress our purpose today is to discuss just what guidance should be included in the regulatory topic document for application review, of application acceptance review and RAIs later on, okay, guidance other than "comply with the SRP," all right.

Now should the guidance include, for example, a step-by-step guide of how the application is reviewed by the staff and where applicants involvement in that review would be good, okay, or so we talked about a generic examples

of both satisfactory and unsatisfactory data quality and formatting, or should we talk about information on current NUREGs, Reg Guides, Branch Technical Positions, and ISGs, or should we talk about information on communicating with the Staff during the acceptance review process.

These are just examples of some of the ideas that the Staff has come up with. Of course, you know, these are meant to stimulate a discussion here.

Now one of the, probably one of the most predominant issues that I heard when I went and talked to branch chiefs and Staff about the acceptance review process is that what we get, or what the Staff sees in applications is a presentation of data and information and then a conclusion with a minimal discussion of the analysis that occurred to get from the data to the conclusion, all right.

Again, I mean that was almost universal of what I heard. So, again, using that as a like starting point and using the discussion points on the screen, what I'd like to do is start off by asking Industry for your thoughts on these points and, you know, what would you like to see in guidance for this particular regulatory topic document and we can start on any of these points on the screen or any of your own.

This is a workshop meeting so I'd like to hear from Industry. Okay, let's not all talk at once.

MS. AUSTGEN: This is Kati Austgen at NEI. Okay, so thank you for making this one of the topics at the workshop.

I think primarily we were really interested in actually seeing NRO 100, it was

difficult to get a hold of at first, and now that we have seen it I guess I'll let various members of the team go ahead and speak up on what they think is useful or where we might also want more information.

MR. BURKHART: So this is Larry Burkhart, so let me just a question. It wasn't available until a certain date or -- The Office Instruction?

MS. AUSTGEN: Yes. It wasn't available until, I think we first saw it in January maybe.

MR. BURKHART: Okay. And now it is publicly available?

MS. AUSTGEN: Yes, as publicly available.

MR. BURKHART: Okay.

MS. AUSTGEN: So I guess my first question or thought is you said that the Staff observed that applicants were submitting data and conclusions without much analysis coming up one way to another.

MR. NOTICH: Correct.

MS. AUSTGEN: Has there been any discussion or anywhere that the Staff has written down initial thoughts on what amount of analysis is appropriate to submit?

I expect you wouldn't want to know every single thing that went through the applicant's head as they went from Point A to Point B.

MR. NOTICH: No.

MS. AUSTGEN: But absent any info on how much to include, they probably included nothing.

MR. NOTICH: Well, okay, I'll say some words and then I will expect some of

my fellow Staff members to help answer this question.

I, you know, worked on EISs, Staff EISs, for about ten years, so, you know, I would see this in that situation also.

Based on my experience there I would say, you know, that the level of detail that the Staff needs to see in your assessment of the data, okay, is enough that, you know, you can logically go from this set of like data, okay, describe what your analysis process was, describe the end results, okay, and then how you formed your conclusion, okay.

You know, I'm not a safety project manager yet, I'm working on it, but, you know, again, that's what I saw on the EIS side, you know. It could and probably is different on the safety side.

Would any of my colleagues on the safety side like to address Kati's question?

MR. BURKHART: And, again, the only question I have for the Staff is, and I know, I realize the object of this discussion is what should go in Reg Guide 1.206, but is there any discussion to this level of what's expected in the SRP?

MR. KEVERN: Okay, I'm sorry, I didn't follow.

MR. BURKHART: I was just curious if there was any discussion of what the reviewer should look at with respect to something like the analysis in the SRP that we could start from.

Perhaps that's a starting point, I don't know. I'm not sure and it may be different.

MR. KEVERN: Yes.

MR. BURKHART: Of course it's different for each technical area, too. So, Gina?

MS. BORSH: Yes. Larry, to me that type of information is important to us because we've gotten a number of comments, RAIs, from reviewers that are asking for more information, more explanation, about the analyses that we do on different topics.

And so I think it really would be the particular SRP that would be most beneficial, because that's what we work to, we're trying to.

And a lot of, as far as providing some guidance on what level of detail and would be appropriate for that particular topic because it can be very subjective and the more guidance you could put there the better. But that's been Dominion's experience.

MR. BURKHART: Has the Industry looked at however many applications we have had and gone into this technical area, this is what the NRC has asked, is there any sort of analysis -- I realize you could ask me the same thing, but has the Industry done anything like that for however many applications we've done, COLs, here are the RAIs and we're seeing a constant theme for visual I&C?

MS. BORSH: Yes. What we've done related to that, Larry, is we've looked, for example, in ESBWR space some of the AP-1000s at some point or when we were in APWR, you know, we've tested different designs, that we've looked and we've said okay, well what did Vogtle or Summer get as far as

RAIs on this topic or what does their FSARs say about this analysis.

So we do comparisons to see if the NRC reviewers are asking for a consistent level of detail and we found that sometimes yes, they are, and sometimes it varies.

But at Dominion I am not aware of any Industry effort to systematically go through and take an SRP or a set of SRPs to see, to compare what the SRP says to what the different applications are saying.

MR. BURKHART: Right. And has NEI?

MS. AUSTGEN: No, we have not done any kind of roll-up of the applications to date to compare that information.

MR. BURKHART: Yes, just wondering. I don't want to expand this into more than what it already is, but since it's going to be --

MS. BORSH: But we can say for Dominion, you know, because we were ESBWR, then we were APWR, now we're back to ESBWR, and so what we have seen is we had an ESBWR that went all the way, and Tom Kevern boldly took us there, all the way to the full ACRS Committee, through that, and we had an application that was ready basically to be done.

Then we switched to APWR, we got some more questions, we came back to ESBWR, we had some different reviewers, and some of the different reviewers are asking for -- We didn't make any changes to certain portions of our old ESBWR COLA, it's exactly the same.

Some new reviewers have come in and they're asking for more information on a topic that was closed before, where the guidance hasn't changed. So

we're getting different requests, it's not consistent between the reviewers.

MR. BURKHART: Right. So the whole thing started with a question to the Industry on what do you think would be good to, what might be good to add into the Reg Guide that might fill this hole.

So I don't think we've heard an answer, I understand, and neither have you heard an answer from us.

MS. AUSTGEN: Yes.

MR. BURKHART: So the question is what do we do about that, is that a hole that needs to be filled?

MS. BORSH: The hole being, which specific part?

MR. BURKHART: A discussion about, I think what we were at was the discussion of the analysis from --

MS. BORSH: Analyses, yes.

MR. NOTICH: Right.

MR. BURKHART: -- taking you from the data to the conclusion.

MR. NOTICH: Right.

MS. BORSH: And my suggestion, just speaking for Dominion and new plants, is that we put that kind of guidance in the particular SRP because it varies depending, I mean you could have some general statement in an acceptance, in this Guide 100, but I think I would refer people to the SRP and say this is really where it needs to me.

MR. NOTICH: Right. Okay. This is Mark Notich. One of the themes that keeps coming back to me is that, you know, we're trying to write these

regulatory topic documents so that experienced applicants and new applicants can use them, okay.

So one of the things that we were looking for out of this meeting is some information that would really help new applicants, you know, what's the term I'm looking for? You know, use the process better, all right.

I know, you know, people are, industries that have, you know, that have come into us several times and have gone through the RAI process and the acceptance process, you know, are up to speed, okay, but we're also concerned about new applicants also.

So I'm, you know -- And what you say about using the SRPs is good, but, you know, I would be concerned if a new applicant would be savvy enough to go and understand what the SRPs really mean and what they really ask for, okay.

So, I mean, you know, I was really hoping to have some information in here from you guys that would, you know, sort of help out new applicants as well as yourselves, okay. Am I making sense here?

MS. BORSH: Yes.

MR. BURKHART: That's a first. All right.

MS. AUSTGEN: This is Kati Austgen. So, of course, you could include something in Reg Guide 1.206 that explains the purpose of the SRP before referencing out to it as, you know, this is what the Staff uses as their guidance to review your application.

But also I would maybe turn that around. If a brand new applicant can't go

look up the SRP and understand its purpose and what it's asking the NRC reviewer to look for, can a brand new NRC reviewer understand what they are supposed to be looking for?

MR. BURKHART: Yes, I mean that's a good point, and there is a requirement for a DC and COL applicant to compare what their approach with the SRP, so if it's not understandable that's an issue.

MS. AUSTGEN: Right.

MR. BURKHART: And I think I've heard the common thing from you two is really you are getting at changes to the SRP not really through Reg Guide 1.206 is what I think I'm hearing from --

MS. AUSTGEN: Potentially, yes.

MS. BORSH: I do think it would be great to have words in every section of 1.206 where you say, you know, you've got to provide, this is the data we're looking for, for example, in 3.71 about your seismic inputs, right, this is the kind of conclusion we need, the information we need for your conclusion, and this is what we need in between, you know, please describe the analysis and methodologies you used and summarize them so we can see how you got there.

So, yes, always good to have that in 1.206, but it's too much information to put in 1.206. You're going to have to put the detail in the SRP because I think that's one of the things that we struggle with now as applicants is we read the SRP and we think, yes, we provided the information that's requested there.

The problem is that some of the reviewers are looking for more detail than what we provided and both of us think that we've read the SRP correctly. So I think you can't avoid, at least in some subjects, you can't avoid revising the SRP in order to accomplish what your intent is here.

MR. BURKHART: Okay, all right.

MR. NOTICH: Well I consider that a good comment, what you just gave us. I mean, you know, that's something that we could incorporate as guidance into this particular regulatory topic, okay.

MR. HICKS: But I think, you know -- This is Tom Hicks with Southern Nuclear. You know, the applicant's going to be shooting for a complete COLA for the SRP, not for the acceptability review, right?

So it's a higher threshold and really the acceptability document that we're talking about here is something for the Staff, what threshold, you know, does the Staff need to get past the acceptability point.

A COLA applicant is not going to write their application to the acceptability guidance, they're going to write to the Reg Guide 1.206 and the SRP.

MR. NOTICH: Right.

MR. HICKS: So the question I thought we were talking about here was the acceptability review guidance, so it's really what level, at what point does the Staff say we have enough to begin the review and really it should be --

MR. NOTICH: No, actually it's is there enough --

MR. HICKS: The docket document.

MR. NOTICH: -- information for the Staff to conduct it?

MR. HICKS: Right.

MR. NOTICH: Right.

MR. HICKS: Right, to conduct that review, to docket it right and begin that review.

MR. NOTICH: Right.

MR. HICKS: And so it's really kind of a different threshold even than what we're talking about for the SRP.

MR. BURKHART: Yes. No, that's true. We've kind of gone down into the actual review.

MR. HICKS: Yes. I mean we're getting, I mean the COL applicant is going to shoot for the Reg Guide 1.206 in the SRP and have a complete document, right?

But really this guidance is kind of a subset of that you might say, or a lower threshold, which is really what we should be talking about shooting here for, right, so I think.

It seems like we got a little bit off track, but anyway.

MR. BURKHART: Good point. Good point, because we went down, we went into the whole review. We went screaming into the review, so good point, Tom. Thanks for bringing us back to what our topic is.

It's what should we include in Reg Guide 1.206 about the acceptance review.

MR. HICKS: Right.

(Simultaneous speaking)

MR. KEVERN: Without interrupting Mark let me, I'm facilitating, so I'm going to try to facilitate a little bit here. So let's go, let me back up a couple of slides here, and not picking on anyone, but this is why I put the table of contents of 1.206 up here.

So we've got all of C.1, which is somewhat, some folks have called it administrative in nature. It's the format and content of the entire application, a standardized way of doing it because we've never done that, you folks have never standardized it in the past, so we all agree on what a standard application looks like.

Now all these C.2 topics are all these funny in-between topics that are supposed to be something that is worthwhile guidance on particular elements and you start with the one that no one argues with, the pre-application activities.

It's when do you start? What is it? How do you do it? For an inexperienced applicant how do you spell NRC and how do you get started on this whole process.

But what we slid off into, real quickly here, were the appendices. So we're talking specifically the format content of the Safety Analysis Reports. And so we will have plenty of opportunity to go into that in excruciating detail in future meetings.

We've got the Standard Review Plan. We have in some cases design-specific review standards for two select designs and we've got environmental review standards, we've got a variety of things.

But that's down in the detail and is not a topic of discussion, or is not supposed to be the content of the C.2 topic. So we look at these C.2 topics and like I said earlier, let me refocus on that again, right now we've got placeholders for six and seven, Application Acceptance Review and Request for Additional Information.

Now we got Office Instructions that tell the Staff what to do, how to do it, and so on, and that could be improved upon, but right now we're not asking, we're not soliciting your input for how to improve our Office Instruction.

We've got enough trouble with it ourselves, but anyway -- So the question here on the table is whether we ought to have something in the Section C.2, these mid-level, if you well, regulatory topics that would be helpful to an applicant.

And, of course, we would like to avoid, we would, as well as you would, like to avoid a repeat of the KHNP situation where the application came in the door and it was not docketed. So we'd like to avoid that.

And that's where, I forget, it was Larry or Mark mentioned that for new applicants or folks new to the game, so if we're talking an experienced utility, pick on you, Tom, where Southern has done umpteen of these things over decades, why that's not a target audience for this.

And so the topic you're going to talk about later is something of interest to you and that clearly fits in the C.2 category. But for something like acceptance review none of you folks at the table are really interested in this.

But that's the best we got because we can't go out and knock on doors and

ask folks that are just maybe ten years away thinking about an application, they're not here because they're not going to pay for it and they're not interested yet.

So we're trying to do that and maybe we can't do that, in which case we revert back to say well, we just will not have those two topics in 1.206, we'll just defer to, or refer to the Office Instruction the NRC has.

So and then while I'm still talking let me slide on to, because we very quickly went into RAIs, also. So we've got the two topics, and this is the reference and this is on Slide 13, and the only reference we have for a request for additional information is the Office Instruction.

And so this is just a summary of the Office Instruction and it goes through and it's primarily process oriented, but it does have key words in there about the purpose of an RAI and some constraints and options on what it is.

It needs to -- It isn't just a random, and I know it appears this way in some cases, not just a random wish list from a new reviewer. It's supposed to be a sound, regulatory basis for any requests for information that's asked.

And for any type of application that's going through a hearing process, for example, it goes through OGC for a review, so it's a lengthy process to get out the door.

Now the individual, or the applicant on the receiving end may not appreciate that, but it did go through a lengthy process. So there's going to be a difference of opinion in whether it is a valid RAI or not and we can't fix that because that's in the eye of the beholder.

But the Office Instruction does go through a lot of detail explaining what the process is, how it's done, how it's made available to the public for future use, future lessons learned, et cetera, and that's all we go for this topic.

MR. HICKS: So for the --

MR. KEVERN: I'm sorry, one more point then. And we slid into this real quickly because with the expanded scope of the acceptance review process for this technical sufficiency review it's real easy to see this line being blurred between acceptance review and technical review with RAIs, so that's why we put them both together and that's why, and maybe they have to be merged as a topic, also.

But it's a real thin line here between sufficient information for a review and the technical review, and a deficiency being identified in that acceptance review process and moving on to a little while later, another month or so and getting a request for additional information.

So we're still getting used to that from the Staff point of view and of course you too, you folks are also. I'm sorry, so I'm through talking.

MR. HICKS: No, that's fine. I was just going to say so for the purpose of this discussion on RAIs are you looking for us to give you comments on the Office Instruction or are you looking for --

MR. KEVERN: No.

MR. HICKS: You're not?

MR. KEVERN: No.

MR. HICKS: So then what are we --

MS. AUSTGEN: Well before we move on to the RAIs I would like to go back to the Application Acceptance Review.

MR. NOTICH: Yes. Oh, please, yes, that's what's we were talking about.

MS. AUSTGEN: On your Slide 9, Tom, so, yes, we did quickly veer into referencing to the SRPs for what kind of technical information should be included.

Your bullet here on Slide 9, Technical Sufficiency Review, "ensure application contains sufficient information in scope and depth for the Staff to conduct its detailed review."

So this is where, you know, perhaps if there is something high level to include in the Reg Guide, because where are the applicants going to figure out what sufficient information in scope and depth is, well they're going to the SRP sections.

And, yes, that's going to be in your appendices in the Reg Guide so maybe there is just a brief pointer back to the appendices which are then going to reference all the SRP sections, I don't know, or maybe there is some overarching statement that can be made regarding what is sufficient scope and depth.

But, you know, if we are seeing that at one time an application section contained all the information it needed to be considered complete and ready for ACRS and ready for next steps and then some time later, even though the SRP section hasn't changed, the only difference is a different NRC reviewer, and now it's not sufficient, what happens? That's not apparent to

the applicants how there became a delta.

MR. BURKHART: Yes, I think you have a point. It's the whole, there's no discussion in the SRP about what's sufficient, what's enough for an acceptance review, right.

MS. AUSTGEN: Right.

MR. BURKHART: It's only what is the reviewer has to --

MR. HICKS: Right. It's not the right SER, right?

MR. BURKHART: Right. So the reviewer has to look at it, should look at it.

MS. AUSTGEN: And otherwise I agree. I think most of the items covered on this slide, you know, it's kind of a checklist of did I include this piece, that piece, sections x, y, and z.

MR. HICKS: Perhaps the Reg Guide could go into some examples for this topic and say as an example in this area, like the seismic area, here is an example of scope and depth that we think is adequate to being the review.

MR. NOTICH: Okay. This is Mark Notich. Are you talking about in the guidance portion of the regulatory topic for acceptance review? Is this -- Or were you talking about placing these examples?

MR. HICKS: You mean in every section have this is what's needed for acceptance and this is what's needed to be complete, I don't know if that --

MS. AUSTGEN: Are you talking about Reg Guide 1.206?

MR. HICKS: You're talking Reg Guide 1.206 or --

MR. NOTICH: No. I'm talking about this specific C.2.6, this regulatory topic document.

MR. HICKS: Yes, in this section we wouldn't go through every topic. I would --

MS. AUSTGEN: Right.

MR. NOTICH: Right, right.

MR. HICKS: What I said was just maybe, because this point may not be clear to some people what that means, to maybe have some examples where we've had problems in the past.

MR. NOTICH: Okay.

MR. BURKHART: Well I think that's something we can take on --

MS. AUSTGEN: Right.

MR. BURKHART: -- because we have some recent examples of things that were acceptance review issues.

MR. HICKS: Yes.

MR. BURKHART: So perhaps it might be useful to provide a discussion of those as examples.

MR. HICKS: But that would go on the Reg Guide and not in the Office Instruction, right.

MS. BORSH: Well, I'm -- Yes, I guess what is the, so the NRC reviewers are supposed to be using the Office Instruction 100 to perform that review, is that right?

MR. BURKHART: The Acceptance Review, yes.

MS. BORSH: Yes.

MR. BURKHART: Yes.

MS. BORSH: Okay. And so do your reviewers think that it has enough information there to help them make that determination?

MR. BURKHART: Well, you know, people are welcome to chime in. I mean we've gone through two acceptance reviews under this new OI.

MS. BORSH: Yes.

MR. BURKHART: And if anybody wants to -- I would say that we successfully completed the Acceptance Reviews with two different outcomes, right?

MS. BORSH: Yes.

MR. BURKHART: So I think each technical, just like we talked about the SRP, each technical area will have their own answer on what is sufficient enough to accept and provide a predicable review schedule.

MS. BORSH: Right.

MR. BURKHART: Because the bar has gone up, right, with this Office Instruction, the bar for acceptance has gone up. It used to be to begin the review, now it's to conduct the review in an expected timeframe.

So I don't know if any of the Staff would like to comment on your personal experiences with using the Office Instructions.

It's not really the topic of this, but I think it's relevant because we're asking you guys, you've looked at Office Instruction, do you think there's anything that could be put in the Reg Guide that might help the Industry understand it better?

MS. BORSH: Right.

MR. KEVERN: Jerry?

MR. CHUANG: This is Jerry Chuang. Working in the structural engineering area I can tell you about accepting review for this recent KEPCO APR-1400. I think we accepted the document because some sections, for example, AIA, this year alone have provided, but still we accept that hoping that they will all, you know, they say they we are doing it now so we can wait six, four months from now to review that.

MR. BURKHART: So, Jerry --

MR. CHUANG: So AIA is in a very high level --

MR. BURKHART: But did you find the Office Instruction sufficiently detailed to help you to do the Acceptance Review? Was the Office Instruction helpful?

MR. CHUANG: Yes, are the sections acceptable.

MR. BURKHART: Yes.

MR. CHUANG: But only for these.

MR. BURKHART: Okay. So there is --

MR. CHUANG: So still, yes, and the whole package.

MR. BURKHART: All right.

MR. CHUANG: That's just one example.

MR. BURKHART: So you're saying it would've been better to have more guidance to you about AIA, would've been --

MR. CHUANG: No. It's they have not found it yet because we don't run them because it involves some computation innovation that they are waiting

for NRC to provide.

MR. BURKHART: Okay.

MR. CHUANG: So I think it was something they, okay. That's why we, another reason we have said that.

MR. BURKHART: Okay. Any other Staff would like to comment?

MR. SCARBROUGH: This is Tom Scarbrough. I just, my area is a little different because we don't have data, you know, because it's really an operational program, but from IST it's -- But just asking about the Office Instruction and how we serve the Acceptance Review I basically am using the Standard Review Plan guidance and sort of the lessons learned from that guidance and sort of looking at the application to see if there is any major holes in it.

That's what I'm looking for. If I see areas that there's like a gap, a major gap discussion, then I'd raise that. But if it's an area where I consider that I can deal with this through an RAI then I'd say well it's not going to stop the Acceptance Review, but it's something that I would do as part of the review.

But that's sort of how -- But I'm using sort of the same review plan guidance and looking for major issues that might cause us not to be accepted for review.

MR. BURKHART: Yes. And I think what we're hearing from this is it possible to define what's a gap big enough to be an acceptance review issue and what's a gap that can be dealt with in RAIs.

MR. SCARBROUGH: Right, right. Yes, that's a hard thing.

MR. BURKHART: Yes. Did we get any satisfaction out of that? I think the answer is no.

MS. BORSH: No, no, no, I do. For me that does help because I would've expected that's what they would've had to have done in order to meet the new higher threshold to determine if you can get the review done in the time allotted.

MR. BURKHART: Right.

MS. BORSH: That's big.

MR. BURKHART: So do we still think Tom's proposal of providing some examples of discussions of what could be Acceptance Review issues is --

MR. NOTICH: Yes. In fact I wanted to chase that a little further. You know, one of the issues, one of the interactive discussion points that we attached to the meeting notes, it talks about the availability of supporting calculation packages.

It's like, you know, okay, should we put something in there, guidance as to, you know, we expect to see, you know, or have some words referencing, you know, what kind of calculation packages we want to see or if we want to see those presented or something like that, all right.

I mean, you know, again, you know, to give guidance to any perspective applicants as to, you know, we aren't expecting calculation packages but this is sort of how they need to be presented to us.

Is that something that might help or is that something that is a moot point?

MR. HICKS: I think if you had an example, like you went through the 3.7 --

MR. NOTICH: Yes.

MR. HICKS: -- and you said, you know, for 3.3.7 as an example of scope and depth here is the kind of things that we would expect to be looking for in our Acceptance Review for the seismic, you know, design.

And, you know, if there was calculations maybe by subject that addressed this topic ought to be available as a calculations that address this topic, you know, and just for this example.

I'm not saying for every topic, but just for the example that we're going to use that might be helpful.

MR. BURKHART: Would it be useful, I'm talking to the Staff and to you guys, okay, we've done several Acceptance Reviews, only two under the latest Office Instruction, but we probably have seen, I would be that the areas where we have had Acceptance Reviews are probably pretty common, so maybe we'd pick examples from those.

MR. HICKS: Right.

MR. BURKHART: I don't know if you can count them on one hand or two hands.

MR. HICKS: Probably one.

MR. BURKHART: Yes.

MR. HICKS: You know, the major issues, seismic and I&C and, you know.

MR. BURKHART: Right. It might be useful to talk about, maybe bring out those couple areas somehow in C.2.6.

MR. HICKS: Sure, okay.

MR. BURKHART: Yes, let's not go back the whole way to the original, or the first COL applications we got because we had some I know Acceptance Reviews because it was just a learning curve, but maybe that would be a good example.

And if you want to provide some written input on that that might be helpful, too.

MR. NOTICH: Another topic, you know, that I'd like to see discussed in the guidance portion of this regulatory topic document is communications between the applicants and the Staff during the acceptance process, all right.

That's not laid out in the regs, it's not laid out in SRP, or whatever, you know. In the SRPs, you know, interaction is allowed, okay. You know, what kind of interaction or, you know, what I would expect to provide is, you know, what types of interactions would the NRC like to see.

What I'd like to hear from you guys is well what type of interactions do you guys want to have with the NRC during this process?

MR. HICKS: Do you mean the pre --

MR. NOTICH: No, no, no.

MR. HICKS: There was another section on pre --

MR. NOTICH: Right, right, right.

MR. BURKHART: No, he's talking during the Acceptance Review.

MR. NOTICH: No. Yes, after you've submitted it and before it's accepted, docketed, or rejected, there is that timeframe.

MR. BURKHART: Yes.

MR. HICKS: Okay. Well --

MR. POPE: Yes. Steve Pope with NuScale Power. I think that's an area that would be very useful because during the Acceptance Review we are kind of in a limbo stage, I'll call it.

MR. NOTICH: Right.

MR. POPE: We've got pre-application activities that have been going on for years and, you know, there is a process of Staff feedback and interactions for that.

And then after the Acceptance Review you have the RAI process, but what's the protocol during the Acceptance Review period.

MR. NOTICH: Right.

MR. BURKHART: I think there is some of this addressed in the Office Instruction. It talks about communicating issues and if the applicant can address the issue in sufficient time.

MR. NOTICH: Okay.

MR. BURKHART: I just read it again not too long ago, but the question is is maybe do we bring some of that or amplify it on that into this section.

MR. NOTICH: Right, right. Again, you know, thinking about, you know, organizations that haven't come into us before they're not going to, you know.

Stuff like that, I mean, you know, communications, what you can do and what you can't do. I mean a lot of that is learned by actually going through

the process and if you haven't done it, you know.

MR. POPE: Right. We got to -- NuScale hasn't submitted anything.

MR. NOTICH: There you go.

MR. POPE: Not yet.

MR. NOTICH: Well, again, okay, so, yes, so if you haven't done it, I mean, you know, would like to put something in there that would help you understand what you can or can't talk to us about during this process or, you know, what, you know, what can we do for you during this process.

MR. POPE: Yes, right. I think that's a very, I think that would be very useful.

MR. NOTICH: Right.

MR. POPE: I mean, you know, we've been having pre-application interactions for seven years I think, close to seven years.

MR. NOTICH: Yes.

MR. POPE: And we've got it down pretty well at this stage, you know, understanding how we interact with Staff and we understand the RAI process as well, it's pretty well defined.

MR. NOTICH: Right.

MR. POPE: But, you know, during the Acceptance Review it's a little bit hazy I think and maybe some further guidance in 1.206 would be good for that further expounding on how they would work.

MR. NOTICH: Okay.

MR. BURKHART: Yes. I think that we certainly do have to address this, but do remember it's a 60-day target to finish the Acceptance Review.

We usually give the technical staff 30 days to do that, but that brings up an even more important reason why there has to be good communications.

MR. POPE: Yes.

MR. BURKHART: If we identify something early and you are able to address it within 30 days, and I think there is some discussion about this in the Office Instruction.

MR. KEVERN: Yes, communication is a good topic here because the way it's written right now there are several items in there as far as what the Staff has to do, they give the task to the project manager, typically the lead project manager, for identifying deficiencies or significant deficiencies and there are a few other things in there.

But it's all written from the perspective of this is what the Staff needs to do. So you can read the Office Instruction and you can say okay, I'm sitting here by the phone, waiting, yes, I'm not hearing anything, you know, no one talks about it because that's not the purpose of the OI.

We don't talk it about from the applicant's perspective, so that's an excellent example of where the guidance, it's the same topic, but it's from your perspective as opposed to ours.

So you want to know where it is that you can take initiative, or when you shouldn't, how long you need to wait, or, you know that type of thing, or what you can do without getting the Staff all agitated unnecessarily whatever, or how to pass that threshold because you want to do that.

But that's an excellent topic that we talk about it but it's only one sided. So if

you sit there and you read it and you say well that's good enough for us, then okay, that's great.

If it's not good enough for you then that's the type of information we need in 1.206.

MR. BURKHART: Yes. I think we agree that this is a topic we need to address because we also don't want to get into a mode where the Staff goes into autopilot and doesn't communicate with you when there are issues that might be able to be addressed.

So I think we agree that we need to address that and, you know, just to make sure, remember this is a Category 3 meeting so I know people from different companies are here, but is there anybody else who would like to weigh in on this topic?

We're not done with it, just checking in to make sure. If there is anybody who has gone through this recently who would like to provide their perspectives, I just want to make sure that's all, that's in here personally and anybody on the phone if they would like to weigh in on this.

MR. NOTICH: I know Howard's been waiting to talk.

MR. MAHAN: Is it fair to put some sort guidance in your internal documents where there's feedback from the project manager once one of these guys submit an application to where there is a feedback within a week and you say you only got 30 days --

(Simultaneous speaking)

MR. BURKHART: Yes, I think there actually is something in the OI already,

but we'll make sure, we'll look to see if that needs to be addressed.

MR. MAHAN: Okay.

MR. BURKHART: But the project manager, a good project manager should be communicating very frequently on the issues, you know, not the things that have to be communicated in a public meeting, but statuses are okay, but we'll look at that Office Instruction.

So anybody here that would like to weigh in on this issue?

(No audible response)

MR. BURKHART: Anybody on the phone?

(No audible response)

MR. BURKHART: Okay. I just wanted to make sure we were inclusive of everyone.

MR. NOTICH: Okay. So we've talked about examples of information that should be in the guidance section. We talked about communications. Is there anything else?

Well, I guess, you know, what I was really hoping to come out of this meeting with is, you know, some pretty concrete words from Industry about what you'd like to see in here.

I haven't quite gotten that yet, but maybe we're just not pulling enough strings. So based on that I mean is there anything that you would, any type of verbiage that you would really like to see in this guidance on acceptance review process or the application acceptance process, the guidance?

And, again, we're talking a fairly high level of guidance here.

MR. POPE: Yes. This is Steve Pope. You know, one of things we were talking about, examples in the Acceptance Review, it would seem like those examples would come out of the readiness assessment. You could tie it to the readiness assessment section, you know.

The conduct of that you have the Staff did a review of the readiness of the application and they had some comments on that and that may identify holes in the application from their perspective, so those two sections could be tied together.

MR. NOTICH: Okay, anything else?

(No audible response)

MR. BURKHART: So if I can ask a question?

MR. POPE: Sure.

MR. BURKHART: You mentioned about making clear calculations, et cetera, that were available or used to support analyses or conclusion.

MR. POPE: Yes, right.

MR. BURKHART: Am I mixing things up? I'm looking at the May 21st letter that NEI's response is that it shouldn't be included in a transmittal letter or am I crossing some things up?

I'm just looking at the letter of May 21st from NEI to Joe Colaccino, the day that you signed it, and it has a table to it and it's Number 2. I don't if you -- Maybe I'm mixing things up, but apparently we had a draft that stated the transmittal letter should identify information data in calculation packages that form the basis of conclusions in the application and the availability of these

to the NRC Staff.

And it looks there's a little bit of -- Is that a vote no on that or is it, am I mixing details up that are not related?

MR. KEVERN: In the transmittal letter.

(Simultaneous speaking)

MR. BURKHART: Just the transmittal letter.

MR. KEVERN: Yes.

MR. BURKHART: But we would expect that in the technical areas that would discuss which calculations are available, so it's really not the same comment.

MR. POPE: No. I don't think so.

MS. AUSTGEN: Right. I don't think so.

MR. BURKHART: Okay.

MS. AUSTGEN: We're, you know, a transmittal letter should be high-level information, you don't need to get down into the weeds of specific references, calculations.

MR. BURKHART: Okay, right. Got it. So it's not that you're against listing them, it's just not in the transmittal letter?

MS. AUSTGEN: Right.

MR. BURKHART: Okay.

MR. BRANDON: I will tell you for VT as a general rule -- This is Mike Brandon, by the way. You know, what we found a little successful was submitting a summary of an analysis like by information on the inputs and

methodology and then if the Staff wanted to come in and conduct an audit it worked really because you have the chemical people interfacing directly with the analysts that were performing the analysis and are able to, you know, address any questions during the course of the audit and in many cases resolved issues that would obviate the need for future RAIs, or, you know, calculations for even the Staff because it has limited distribution.

MR. BURKHART: Okay. And I guess useful in the -- I know we have one rep from KHNP, and I'm not forcing you to speak, but it may be useful for us to reach out to KHNP since you are the latest one who has gone through these acceptance reviews, I think it would be very good to have your input, if it's through you or through NEI, I don't know, on things that would've been helpful to have in Reg Guide 1.206 that now you know, you got passed the Acceptance Review, but what are things that would've been helpful to have, one, when you were putting together the application? So I'm not sure, is KHNP part of NEI?

MS. AUSTGEN: They are part of NEI, recent members.

MR. BURKHART: So can we -- Who should we ask for that input?

MS. AUSTGEN: Well we haven't had that specific conversation with KHNP, so if Yun Ho's got anything that he'd like to share in this meeting today that would be great, otherwise we'll certainly be working together to make sure they are included in our preparations for the meetings and comments.

MR. BURKHART: Because I bet they have, I bet you have some experience that would be useful to share with the Industry. And, again, you don't have

to address it now, but it seems like it would be very useful to have your perspectives on what would've helped you in 1.206 to get over the Acceptance Review, or better understand what we were looking for.

MR. KIM: Yes, let me think about that.

MR. BURKHART: Okay. Can I put that down as a little action for NEI to follow up on through KHNP?

MS. AUSTGEN: Yes.

MR. NOTICH: Okay. This is Mark Notich again. Thinking about, you know, the topic of supporting information, how we can talk about that in the guidance, you know, what is to be included, you know, in the application.

I'd like to ask the Staff what are some characteristics of supporting information, calculation packages, that you would like to provide Industry at this time?

Again, you know, not talking, you know, use, you know, some specific computer code, RADTRAN, whatever, you know, but are there any specific characteristics of data packages, calc packages, that you would like to put in this guidance to make sure that we get, the Staff gets what we need in the application?

Again, we're talking at a very high level, but can anybody think of any characteristics of this type of information? Yes, Jerry?

MR. CHUANG: No, this is Jerry Chuang again. I don't think we are allowed to specify any specific software.

MR. NOTICH: Right.

MR. CHUANG: For example in structural engineering area level up we can use like ANSYS.

MR. NOTICH: Right.

MR. CHUANG: Engineers force them to use ANSYS.

MR. NOTICH: Correct.

MR. CHUANG: So, therefore, I don't recommend that NRC put that --

MR. NOTICH: No, I'm not saying that. What I'm asking for though is, I mean, you know, are there any characteristics of a calc package, you know, it should be in a certain format if it's not already in the regulations or any SRP.

You know, should it, you know, have other formatting that the Staff is looking for, okay, that type of stuff, characteristics. Not specific software packages, okay, but what characteristics are we looking for?

I mean, you know, is -- Do you guys understand what I'm trying to ask for?

MR. CHUANG: No. We can only ask the applicant to submit their concept and the philosophy, methodology.

MR. NOTICH: Right, okay.

MR. CHUANG: Or any special kind of methodology.

MR. NOTICH: Okay.

MR. CHUANG: We cannot --

MR. NOTICH: Okay. And you start off by saying concept and their philosophy of supporting information?

MR. CHUANG: Right.

MR. NOTICH: Could you expound upon that further, Jerry, as to what you'd like to see?

(Simultaneous speaking)

MR. CHUANG: -- use numerical approach. Then you say okay, it's not the size we know, which is, you know, very acceptable in the community, so that's the guidance, you know, we follow.

MR. BURKHART: So I think Jerry is getting more along the lines of where we were talking about describing the analysis.

MR. NOTICH: Right, yes.

MR. BURKHART: It's done from the data to the conclusion, so it may not be exactly what you are talking about.

MR. NOTICH: No, it's -- No, you know, and I'm just throwing ideas since this is at a workshop. You know, just trying to, you know, come up with something that might spur some other thoughts.

MS. WALSH: Can I?

MR. NOTICH: Please, Lisa.

MS. WALSH: I'm Lisa Walsh. I'm on rotation right now as a project manager, but I'm normally a technical reviewer for geosciences, and just kind of along the lines of what you were saying one thing we find we are asking RAIs a lot for, we have to do confirmatory analyses, so if there is a graph we often need like, it's helpful to have the table information supporting that graph so we can plot it in our own way with our own information to do these comparisons that we have to do as part of our review.

So that's something I have seen that comes up a lot. I don't know if that's written into the guidance of something we are requesting or if there is anything that could be improved upon with that.

MR. NOTICH: That would be in the --

MR. BURKHART: And to have it electronically, right?

MS. WALSH: Right. Or just even, you know, in table format. We can convert into whatever format we need.

MR. BURKHART: Okay.

MS. WALSH: But sometimes that data isn't always available, depending on what it is.

MR. BURKHART: Right. That's certainly a consistent thing from a project standpoint that we see requests of that from the Staff so they can support confirmatory analyses.

Sometimes it's just the table format, but if it's a very complicated, complex calculation, like I know there's a recent radiation protection issue where we're doing some confirmatory calcs, that we ask for the electronic input.

MS. WALSH: Yes.

MR. BURKHART: So the question is whether that's something that is appropriate to be put in 1.206.

MR. NOTICH: Right.

MS. WALSH: Yes.

MR. BURKHART: And so I open that up for your input or to takeaway and think about and it is something we consistently run into I mean all the time.

MR. HICKS: You know, but you could certainly make a general statement that, you know, if you have graphs that are going to be relied upon by the Staff in your application as part of your scope in depth review that tables of information are either available or are included in the application.

MR. BURKHART: Right. So you are --

MR. HICKS: You could probably make some kind of general with an example or two.

MR. MAHAN: I think it's fair for you to ask your Staff. I mean you all are doing the reviews, you know what you need, what do you need for these initial reviews.

Ask your departments, ask your heads, what are you all needing to do these reviews and put them in general categories. I think it's fair for you to put that kind of list into this Reg Guide of -- And you don't have to get it down to the name of a computer code, whatever, you can talk whatever specialty, whether it's RAD protection or it's seismic, but list the type of codes.

MR. BURKHART: Right.

MR. MAHAN: And if it's the data to support a graph in table format or whatever, I think that, you know, list out what you think an applicant is going to need because it's easy for us to pull that stuff together on the front end and have it available and if we need to make it proprietary when it comes in we can go ahead and do that.

I think it's fair to have that kind of list in a document of here is the things that we believe you will need to submit. If we don't need to submit them we can

justify why we don't think we need to, but I think that would something that other than us trying to guess what it is that your Staff would come up and hey, this is what we think you're going to need.

MR. BURKHART: Right.

MR. NOTICH: How long of a list do you envision that would be?

MR. MAHAN: I don't know.

MR. NOTICH: I mean a page?

MS. BORSH: Referring to a DCD?

MR. NOTICH: I'm sorry?

MS. BORSH: For whom? If it's a COL applicant that is incorporating a DCD that would be a much shorter list than an applicant that's starting from scratch.

MR. NOTICH: Yes. What about in ESP?

MS. BORSH: It would be pretty short.

MR. NOTICH: That would be short, too?

MS. BORSH: Well relatively speaking, yes.

MR. NOTICH: Okay, well -- Okay, but the longest list then from what I gather you are saying would be for a COL, just a straight COL?

MS. BORSH: A COL applicant not referencing DCD.

MR. NOTICH: Right.

MS. BORSH: It would be very long.

MR. BURKHART: Right. Which means that really it's mostly applicable, I mean to the DC application.

MS. BORSH: It's all those technical --

MR. BURKHART: I mean right now I don't know of an applicant coming in that's not going to reference a certified design. It could happen, of course.

MR. NOTICH: Right.

MR. BURKHART: But to roll back to this topic, I don't think we would necessarily hold this issue up as an acceptance issue. Lisa, am I right? It would depend on what, to do the confirmatory analysis I think we take it --

MS. WALSH: Yes.

MR. BURKHART: Go ahead.

MS. WALSH: Yes. From my understanding is to do the acceptance reviews as long as all the pieces of the application --

MS. BORSH: Can you go to the mic?

MS. WALSH: Sorry. From my understanding the acceptance review, we're checking to make sure all the pieces of the application are there and the right kinds of things, we can do a evaluation there, if we need to go get the data tables that support a graph, I mean that's something we could easily ask for initially.

MR. BURKHART: Right.

MS. WALSH: Initially the Acceptance Review is more of a bar of is the content there to look at or not.

MR. CHUANG: This is Jerry again. In response to your request I mean you, right, of what the approach or what's the sources you'd like.

Actually that in Section 3.5.3 it's all included in the Appendix A, so it's there.

There's a detail so that the applicant can use that guideline to prepare.

MR. NOTICH: So I'm just kind of thinking out loud here. So we can put in some information about tables, supporting packages, calc packages, whatever, and then we can also reference Appendix A of Reg Guide 1.206, right, Jerry?

MR. CHUANG: Right.

MR. NOTICH: Right, okay.

MR. HICKS: Reference it for what though? You're not going to -- I mean the purpose of this document is to kick out the high level stuff --

MR. NOTICH: Right, right. Well just as like guidance to say, you know, use some, you know, do what Howard says and then also say, you know, for further information on this, you know, look at Reg Guide 1.206 Appendix A, whatever, you know.

Sort of, you know, try to guide people to where they can find more information. I mean I think really when you say "guidance" that's what you are trying to do is to guide people to --

MR. HICKS: But I think the purpose of this instruction is to alert the staff as to where they --

MR. NOTICH: Can you turn your mic on?

MR. HICKS: I'm sorry. The purpose of this instruction is to alert the Staff as to, you know, where they can stop with looking at that detailed stuff in Appendix A, in other words, right?

MR. NOTICH: Okay, what instruction?

MR. HICKS: We're talking about acceptability review, right?

MR. NOTICH: Yes, but this is guidance for applicants.

MR. HICKS: Right. But it's to expand on what's in the Office Instruction, right?

MR. BURKHART: Yes. And it's a good point and what I was trying to bring up is I don't think we would ever hold up as an acceptance review issue not providing these, what did you call it?

MR. HICKS: The tables.

MR. BURKHART: The tables.

MR. NOTICH: Right.

MR. BURKHART: It wouldn't hold that for an acceptance review issue if it's a confirmatory calc, that's my understanding.

So I think everything that was said is valid and we need to make sure that it's actually in Appendix A, but I think Lisa's point is is that it's good to know that up front so you don't have to go asking for it later.

MR. HICKS: And that's why it's important to distinguish the scope that you need for this versus the scope that's in Appendix A.

MR. NOTICH: Right.

MR. BURKHART: Right.

MR. HICKS: You know, because obviously they're not going to be the same.

MS. BORSH: Did --

MR. NOTICH: Right, right. And this I see as, you know, up here whereas Appendix A is a little bit down in the weeds. I'm sorry, go ahead.

MS. BORSH: That's okay. This is Gina Borsh again. I agree with what you are saying. I guess just generally speaking if we were starting out again creating a COLA, when you are asking about what should go into this Section C.2.6 of Reg Guide 1.206, basically if I were leading the licensing effort I would say tell me about your Office Instruction and I would go, that's what I would go to and that's what I would read.

MR. NOTICH: Okay.

MS. BORSH: So you could pull out key points that you think might be applicable, but I'm going to go to your Office Instruction and see what you are telling your reviewers and that's what I'm going to use for my guidance. So what you put in this section of Reg Guide 1.206 is, you know, it's good for someone new, but especially if I were someone new I would definitely go to your Office Instruction and use that.

MR. BURKHART: Yes, it's just the things that we've talked about already, the examples of Acceptance Review issues and the details on communications are something that may not be, well I know the examples aren't in the Office Instruction, so if maybe --

MS. BORSH: But to me why wouldn't you put those in there, Larry? I mean shouldn't you be giving your reviewer some guidance to say --

MR. BURKHART: We will consider that. Remember the Office Instruction is existing. We can, we'll update it.

MS. BORSH: Okay.

MR. BURKHART: So I think you are safe to assume that we will take that as

a recommendation.

MS. BORSH: Thank you.

MR. BURKHART: But we also think it might be useful in Reg Guide 1.206.

MS. BORSH: Oh, yes, sure, that would be great.

MR. KEVERN: Corollary to that, you know, if you go back to the, one of the table of contents slides I had back here, the C.2.2 topic, the pre-application, that was the other reason, that bullet we've already gone through, and we've got an Office Instruction for that that is publicly available.

And I really struggle, we struggle, in trying to figure out how to put together regulatory guidance and it's, turned out to be one page, and in essence it said we've got an Office Instruction, please read it, and that would support us, because we think it's mutually beneficial whether you do or not.

MS. BORSH: Exactly.

MR. KEVERN: I mean if we try to tactfully say that, but, Mark, or one of you, we're going to do this and it would certainly be nice if the potential applicant were to support that and we struggled at length trying to figure out how to make some meaningful content in there in the way of guidance and with the existence of the Office Instruction it was a little struggle.

Well we're -- essentially they're the same point here where these other two topics and so maybe what we'll end up with is that if we've already got an Office Instruction and we think it's appropriate we do exactly what you said, Gina, that we can maybe make a list or a table of contents or a brief paragraph or something, but we really don't need to be redundant because

all that does is fog the issue.

MS. BORSH: Yes, exactly. Especially if you are trying to -- What we found when you try to summarize or put it in different words it does, it fogs the issue because you'd never get it quite the same.

MR. KEVERN: Yes. We also have to be careful though, to bring up what Steve mentioned earlier, if you take something like communication that if you're writing an Office Instruction as they're currently written it's all one-sided.

So if we have a topic that really should be two-sided we got to figure out what to do with that. One way would be to do something different on our internal Office Instructions, which we'd have to go think about.

Maybe that's not a good idea, but that might make more sense than having a 3-paragraph guidance topic in 1.206 that is like out of context, that you got to go read the Office Instruction for it to make sense.

So I don't know the answer, but certainly we are honing in on some communication-type interaction problems. All right, Mark, wake up again.

MR. NOTICH: No, no. Yes.

MR. KEVERN: It's all right.

MR. NOTICH: No, no, no, I was again looking at our list of interactive discussion points and I just happened to be looking at the one "use of Staff-endorsed templates for programs."

Would it be beneficial to put some words in there about Staff-endorsed templates to help applicants find them?

MR. HICKS: Put it in 1.206?

MS. BORSH: In C.2.2.

(Simultaneous speaking)

MR. NOTICH: Yes. In this, yes, in our regulatory topic document.

MS. BORSH: I think it gets back, Mark, to what you were talking about before, how you choose that versus so many other topics.

MR. NOTICH: Right.

MS. BORSH: I think, as you're saying, the reference to your Office Instruction would be what's best for us.

MR. NOTICH: Okay.

MS. BORSH: And then the individual sections of Reg Guide 1.206 that has, you know, that talks about ISI and all of that stuff, that would cover it.

MR. NOTICH: Right, okay.

MR. HICKS: I think if you guys already have it covered in your Office Instruction that if somebody uses an Industry-accepted template that should be just like check and you're done, right? I mean, and that should be in your Office Instruction already, right, I assume?

MS. BORSH: Or your SRP.

MR. NOTICH: Yes, something that's in the SRP.

(Simultaneous speaking)

MR. HICKS: So, you're right, it doesn't need to duplicated again.

MR. NOTICH: Okay. So maybe one of our guidance points, I know it's obvious to applicants that have been around awhile, but to put in there, you

know, to look at the Office Instruction and then look at the applicable SRPs and read those carefully and, you know, comply with those.

Maybe not comply is the right word, Susan, maybe consider, there you go.

MR. BURKHART: I remember that the requirement for a COL applicant is to evaluate their approach against the SRP in effect six months before, so they should be doing that as part of the application, to have to be doing as part of the application.

MS. BORSH: Yes. And actually I think, I don't know if you want to put that up front in 1.206, not that particular piece, but essentially anytime the NRC has some guidance out there, internal guidance that's available to us we use it to inform how we proceed on any given topic.

So for any of these sections if you have something that's out there and you can reference it I think that's very helpful to especially a new applicant who just doesn't have all that material at their fingertips, or us old applicants, too.

MR. NOTICH: I wouldn't say old, experienced.

MS. BORSH: Experienced.

MR. NOTICH: There you go.

MR. KEVERN: Let me use as an example, and, Gina, if I can pick on you, as we mentioned earlier, for reasons we're not going to talk about, the Acceptance Review Office Instruction was just recently made publicly available.

So I presume, knowing you, you went through it, but if you back up a few years is that the kind of information that would've been worthwhile for

Dominion to do an application?

MS. BORSH: Yes. Anything that you publish that we can review that informs us of how your team is approaching an activity is helpful to us.

MR. HICKS: There used to be a checklist, right, in 1.206?

MS. BORSH: Yes.

MR. HICKS: That's what we --

MR. KEVERN: I'm sorry?

MR. BURKHART: There is a checklist.

MR. HICKS: That's what we used before.

MR. KEVERN: Yes, and it was just less complete.

MR. HICKS: Less complete, yes.

MS. BORSH: Right.

MR. KEVERN: Yes, it was there, or like I mentioned in a previous slide, it was there, but it was not as comprehensive and then the guidance was much more limited.

MR. HICKS: Right.

MR. KEVERN: So you can do that regardless of whether it's slanted from our perspective, like an Office Instruction, or whether we figure out a way together to slant it from your perspective.

MS. BORSH: Yes, right.

MR. KEVERN: Folks are telling us you're sharp enough that you're going to read it from a different perspective.

MR. HICKS: Yes.

MR. KEVERN: Okay.

MS. BORSH: But it is helpful, however you do it, I don't know how much your reviewers use Reg Guide 1.206, and I know we're running out of time for this topic, but if there is a way to make sure that at least your side, but certainly it would be our responsibility from our side, to look at all the information that's available on a particular topic so we do see both sides.

For example, Steve's point about the communication. It would be great if you had some of that information in your Office Instruction so that your reviewers can see oh, the applicants are expecting us to do something about communication, whatever it is.

MR. BURKHART: Yes. I believe there is, especially on the project manager responsibilities there are.

MS. BORSH: Yes.

MR. BURKHART: So I will double check that but I'm pretty sure there is, perhaps it should go into a little more detail.

MR. KEVERN: Well and that's part of the openness concept of regulation is we're improving upon that and that's one of the reasons we're making some of these Office Instructions publicly available.

All of the internal Office Instructions, we have no intention of making those publicly available. They are our own internal way of doing business.

But for something like this that clearly impacts an applicant, or a potential applicant, and where there is no guidance currently available to applicants and why this is kind of a no-brainer as far as making it publicly available as

long as it doesn't compromise anything internal to the Agency.

MS. BORSH: Right. And why would you create something brand new that has anything different because then we're all confused.

MR. KEVERN: Yes.

MR. BURKHART: I know in NRR we used to make all the licensing Office Instructions publicly available --

MR. KEVERN: Well I notice a number of the NRR things aren't, and as Mark and I were getting ready for this --

MR. BURKHART: Really?

MR. KEVERN: Yes, so I don't know if it was rationale or just a standard way of doing business, we just kind of fell into that.

MR. BURKHART: I don't know. I'm not sure.

Yes, he's right, he's the one that told me.

MR. KEVERN: Oh, okay. All right, great.

MR. BURKHART: So we're going to take a break for about ten minutes, but let me just check, any comments from anybody here?

(No audible response)

MR. BURKHART: Anybody on the phone, any comments, questions?

(No audible response)

MR. KEVERN: Okay. Hearing none let's reconvene at say 3 o'clock?

MR. BURKHART: Yes.

MR. KEVERN: Good, thank you.

(Whereupon, the above-entitled matter went off the record at 2:45 p.m. and

resumed at 3:06 p.m.)

MR. KEVERN: We want to continue on for a little while on the two topics we were talking about before, primarily focused on requests for additional information.

And before we start, I understand we had difficulty with the phones and so we've got at least one if not a couple people on the line that would like to express a comment or a question so the lines are open. Bridge line please, there's someone with a question.

MR. WELCH: Yes, hello. Can you hear me?

MR. KEVERN: Yes, I can.

MR. WELCH: Yes, this is Chris Welch with the NRC staff and the ITAAC group. The only point I want to take on C.2.6 is a concern that depending on what you're trying to accomplish, you may cause more problems than you resolve because you could be putting out competing information, you know, where you're setting a minimum amount of material to accept something where, in reality, we want the material that's necessary to fully complete the review.

So you're providing two diametrically opposed items that potential applicants can be scared into providing too little information.

I think what would be good in C.2.6 is to provide examples of incomplete application information and, like someone said, is perhaps beefing up the SRP chapters to identify any supporting information necessary. And, again, that's just my opinion.

MR. BURKHART: Yes, Chris, I think we are in agreement with you. Chris, this is Larry. I think we're in agreement with you. We don't want to cause any confusion.

Yes, I think that's what we were struggling with because when we were talking about both of these subjects we started going down the path of really discussing what the staff needs to see to complete its review and what we're trying to do is discuss the acceptance review.

But you're right. We shouldn't be putting out a lot of information, here's the threshold for acceptance review and then here's the threshold for completing the review, because that could cause some confusion. But I don't think that was ever the real intent for us to do it.

And I think the examples we were talking about were the examples where we run into areas like digital I&C and seismic where we had definitely seen some gaps that equated to non-acceptance.

MR. WELCH: Yes.

MR. BURKHART: So I think we're in agreement.

MR. WELCH: Yes. Thank you.

MR. KEVERN: Thank you. Anyone else on the phone with a question or comment? Okay then, Mark, back to you. Like to proceed on for topic of RAIs for a little bit.

MR. NOTICH: Okay. Well, okay, so we're pretty much done talking about acceptance, application acceptance review of staff and industry. I just want to make sure -- Okay, fine.

Well, as with the application acceptance review, I had some opening remarks but when I looked at them they were almost identical to the ones for RAIs that I used for acceptance of review.

So skipping that, again, you know, to keep in mind that, again, one of the consistent issues when I talked with the staff was, again, you know, we see data. We see a conclusion. We're not quite, we ask a lot of RAIs on bridging that gap.

So I guess using that as a starting point and if you look at Item 2 on the interactive discussion points, information to address the applicant's methods analysis, which is related to what I just said, that's, you know -- oh, wait a minute. I'm sorry.

Three, Applicant's access to and knowledge of previous RAIs. We had a lot of questions on that too as, you know, what does the industry do in terms of looking at previous RAIs? You know, do you guys do that or --

MS. AUSTGEN: Yes.

MR. NOTICH: Yes, you do? Okay. All right, fine. That was strong. All right.

MR. KEVERN: Mr. Pope has a question on that area then -- the way we issue RAIs, they are publicly available and we've got a system where our internal eRAI process is not, the whole process is not publicly available but the results are.

So on our public website, we've got various sections of applications and all of the RAIs listed there. But now those are organized by applicant and then

just chronologically whenever the letter happened to go out so could be in any kind of random order of what sections the SRP or the EIS are being reviewed.

So that is not helpful if you pick on NuScale as, well, let's look at all of the RAIs on Section X.Y.Z. Well, we don't have them readily available. You can find them but it would take a number of staff hours.

Does NEI or anyone else on the industry package those things, organize what we make available in a way that would be beneficial for a potential new applicant?

MS. AUSTGEN: NEI does not.

MR. KEVERN: NEI does not. Okay.

MR. HICKS: I think the RAIs, like, are listed in one of the, at least for AP1000 they're listed in the appendices, the SAR.

MR. KEVERN: Yes. Well, I'm sorry. Yes, also at the end of, you know, as part of the SER package when it goes through, especially developed for final version or in rulemaking, why, it will have as an appendix all of the RAIs so they're all listed there.

MR. HICKS: Yes.

MR. KEVERN: Right, but then that's a specific zone again so it's still, it's not, it's accessible. All the information is accessible. It's in the public domain but it's not easily packaged for cross-referencing or whatever by a subject matter or a specific topic which it may be as deemed necessary but I was aware of that. I just thought I'd bring it up as a question. Is that --

MS. BORSH: At Dominion what we've done is we've created PDF files of the RAIs that we've received and responded to and that allows, along with a method to do the search, search index type PDF file.

And so that allows us to do searches, word searches so you cannot just look necessarily, you could look for the RAI number if you wanted but you could also look up for a topic.

So it's been helpful for our team and, of course, we would be happy to share that with new applicants because it's all publicly, well, except for any SGI information --

MR. KEVERN: Sure.

MS. BORSH: -- or SRI information. But we would be willing to share that with other applicants but that's an internal document that we've created for ourselves and it's been useful.

MR. KEVERN: Yes, but that was only for Dominion then, right?

MS. BORSH: Correct, it's only --

MR. KEVERN: Not for the -- sorry.

MS. BORSH: Right. Right.

MR. KEVERN: Did the design-centered working groups, ESBWR or NuStart, do that for --

MS. BORSH: Right. We have Fermi's RAIs. That's true, yes. But I do think that's valuable. We do search, we are always asking, okay, did anyone else receive this RAI or what is in the, what is the content of other applications regarding this topic?

So we are always looking for that and sometimes we have to do a person-to-person search. You know, we'll contact someone from Vogtle or Fermi or whoever we need to to get the information.

And as a matter of fact, we just had a call today with people from Vogtle on a security topic, a draft RAI that we're working on.

So it happens all the time but there is not any kind of a systematic way to get that information. If there were, it would be very helpful. So perhaps that could be an action for the NRC to consider.

MR. HICKS: Yes. A link on the website.

MS. BORSH: Yes.

MR. HICKS: A link on the NRC website. You know how you have on each, you have those on the, in the new reactors, the things, you have tabs for things. You have one for SERs and FSARs.

MS. BORSH: RAI responses.

MR. HICKS: An RAI one would be very helpful.

MS. AUSTGEN: It would also help to understand if there is a common area where every applicant gets an RAI on the same section of the SER because the information provided, you know, wasn't clear or wasn't what the staff was looking for. Then that would help us identify maybe the SRP needs to be clarified in that area.

MR. CHUANG: Maybe I can help by document for each sections, you know. All issued by the NRC staff or previous application. Very useful.

MR. BURKHART: Very useful.

MS. BORSH: Right. Right, it would.

MR. BURKHART: So who should do it, you or us or both of us?

MS. BORSH: Do we get to take a vote?

MR. BURKHART: I got a lot of staff members here.

(Laughter)

MR. BURKHART: So I think we could all agree that that would be useful. Question is does everybody have resources to do that? But I think it needs to be done.

MR. HICKS: Well, they're all in EBBS. They're all in EBBS. It's just a matter of pulling them out and putting them in a, linking them.

MR. BURKHART: See, when you say that, you're making our argument that you should do it stronger I think, and I think what you think is the opposite.

MR. HICKS: Yes, probably.

MS. AUSTGEN: We don't control what goes up on your web pages, so.

MS. BORSH: Well, maybe it is an action item for us to talk about further, right? We don't have to decide right now who would do it or maybe we share.

MR. BURKHART: I think it would be great if there were an entity that went through all the COLAs and DCs and looked at it and analyzed it from a new set of eyes to see is every design getting the same question, like Kati said. That means if that's true, there's probably a, we need to add something to the SRP and/or the reg guide.

MS. BORSH: I think that's true. That's good but, okay, let's talk about how

many RAIs GE received for their DCD. Was it, what --

MR. BURKHART: Five thousand.

MS. BORSH: Ten thousand?

MR. BURKHART: Oh, was it 10,000?

MS. BORSH: Oh, yes. They were over 7,000.

MR. BURKHART: Yes, now you're bringing in reality to how much it would be to do it.

MS. BORSH: Yes, I'm just --

MR. BURKHART: Well, you kind of treat DCs and COLs a little differently, right?

MS. BORSH: That's correct.

MR. BURKHART: You're going to have a lot more with the DCs than the COLs, right?

MS. BORSH: Yes, certainly.

MR. BURKHART: So, okay, so go on with the practicality of this --

MS. BORSH: Well, okay, I think there is certainly that topic about whether there are themes, right, recurring issues. That's one thing to do as an action.

That would be a huge effort, I think, even if we were just talking about COLA, COL applicants or ESP applicants. But if we were talking about just creating some sort of a repository where people can go and, where we just load the RAI responses where people can do searches, that's a different level of effort.

MR. BURKHART: So what we can do is go back and see can we put all of our RAIs for a certain application on the public website? I mean, they are available publicly but is it easy to just make one click and all the RAIs pop up? I don't know. So we can probably ask David Curtis from DARR to do that.

MS. BORSH: Or to create, even better, create a searchable PDF file because that's really what people want to do. You know, because there might be an RAI on security, for example, that might be showing up in Chapter 1, so.

MR. BURKHART: Well, we can see what we are capable of doing. It's just how much do you pay to do it and, anyway, we'll get an answer for that on the RAIs. Can we put something useful on the website under each project because that's available now, right?

MS. BORSH: So the question would be then would people like Steve or the Koreans, would they use those resources, one, creating their DCD or COLA or revising, responding to RAI responses? Would they be interested in using it? Because that's really the --

MR. POPE: Yes. Well, that's part of the effort of building the DCD right now, is to take all the RAIs for each section and, you know, look through them for each applicant and analyze them with respect to, you know, if it applies to our application or not.

So that's in, we're doing that already actually and I thought was an industry tool out there that does that type of sorting for RAIs by, I think it's, I think

Certrec. I think there's --

(Simultaneous speaking)

MR. POPE: So you can get those services, you know, to assist you in that area, yes.

MS. BORSH: So if you guys have already paid Certrec --

MR. POPE: Yes.

MS. BORSH: -- to do that work and would be willing to share it with NEI, it would be a useful --

(Off the record comments)

(Laughter)

MR. BURKHART: So we do have an Office Instruction for RAIs, right, Mark?

MR. NOTICH: Yes, sir. It's right here.

MS. AUSTGEN: Yes, so we looked at --

MR. NOTICH: 101.

MS. AUSTGEN: -- your Office Instruction and so, just as Gina was saying, any time there's an Office Instruction for a topic of interest to applicants, we go and look at it. So there were a couple of things that struck us about the NRO-101 for the RAI processing.

First is just, and maybe it's our point of view preference, the organization of that document seemed a bit confusing to us. It seemed like there was a lot of good instructional or guidance information captured in responsibilities for individuals but not explained when you actually talked about the process of writing an RAI and reviewing it and approving it.

So on your Slide 13, you know, one of your bullets is "RAIs, concise statements of information needed to complete the technical review."

I think we saw that listed under responsibilities but not necessarily in the how you actually go about doing the job kind of thing.

Other items included things like there's not much information on the concept of a draft RAI and the level of communication that can be done around a draft RAI when it's preliminary information and then deciding whether an actual RAI is necessary. That information is kind of scattered throughout the document. It might be helpful to use consistent terminology.

MR. HICKS: Just like three questions, you know, that typically go out for the draft. I don't think that's mentioned at all.

MR. BURKHART: I'm sorry?

MR. HICKS: Just, you know, the three questions that always go out. If you need a clarification, call. Can you get the response in 30 days?

MR. BURKHART: Okay. Just document more of that process.

MS. AUSTGEN: So, again, I think similar to the application acceptance review, I think a lot of that information could just be strengthened within the Office Instruction and that would be sufficient for applicants to reference to.

On the other hand, you might find, say, under communications or something that it is worthy of putting something in Reg Guide 1.206.

MS. BORSH: A couple of other things. So one of the things that we talked about was the format of the RAI itself, specifically when you say up front in the general requirements, well, you know, the purpose is to make sure that

you have enough information to confirm that rules and regulations have been met, right?

Well, what would be helpful to the COL applicant would be for us to see what some of your reviewers do, which is right up front they say the regulations say this or the SRP says this and then, you know, contrary to the specific requirement, this is what we're seeing in the COLA or this is what seems to be missing from the COLA.

So it's very specific. This is the requirement or this is the guidance document. This is what we're looking for and we're not seeing it and so, and then, please, specifically do this. We didn't see that kind of guidance to the staff in this instruction.

MR. BURKHART: Yes, I'm not sure, you know, the words you're using are really inspection words. I'm not sure we would necessarily say contrary to --

MS. BORSH: No, you're right.

MR. BURKHART: So you're saying just more direction on being clearer on what is needed? Is that what you're talking about?

MS. BORSH: What the requirement is. What is the regulatory basis?

MR. BURKHART: Right, so we, okay, so if that's not clear in here, we should definitely make that clear because we always drive home to the reviewers that you need to have a regulatory basis for answering this question.

Where it usually gets a little bit muddied up is on those areas that are quite technical it is, how should I say this, it's that that line between enough

information and a level of detail to meeting the regulatory requirement, it's not easy to say this is enough information or this is enough information. You get into these very technical areas.

So a lot of times you'll see the project managers push back against, with the technical reviewers to discuss, to understand what is going on.

And obviously the most difficult technical areas are the ones that are seismic area where there's a lot of brain power that goes into what is enough information for reasonable assurance.

So again, Gina, tell me again, you just think it should be clearer on the guidance we're giving to the reviewers on making sure that the regulatory basis is the focus of the RAI?

MS. BORSH: Yes, for example, we've received some RAIs recently from your staff that say SRP X, Y, Z requires this or states this, states this.

This information is important because, you know, transfer functions are important because they're necessary to make sure that something happens, right?

And then they go on to say we couldn't find enough detail in FSAR Section 372 to describe how the transfer functions were used. Please provide this.

And so they walk you through it. They say, okay, this is what the guidance says, this is why it's important, this is why we're looking for it. We couldn't find this, if it isn't clear, and then please provide what they're requesting. So they did a very good job of walking you through.

MR. BURKHART: And not all RAIs are like that. I notice that.

MS. BORSH: No. Right. I think --

MR. HICKS: Most just ask a question.

MR. BURKHART: Yes.

MS. BORSH: Yes, it's very, I think, reviewer dependent and how much training they've gotten on --

MR. BURKHART: Yes, and that's where the project manager and the licensing branch should, you know, that whole ensuring the RAI questions are concise statements --

MR. HICKS: Yes, but that should be done at the technical writer.

MR. BURKHART: Absolutely.

MR. HICKS: When he's writing, that's where the guidance ought to be. And the other guy is the technical branch chief --

MR. BURKHART: Absolutely.

MR. HICKS: -- project manager, just sort of checking that that's done.

MR. BURKHART: We do not disagree with you on that. So everybody should have that responsibility actually, so if that's not in the responsibility --

MS. BORSH: It didn't, yes, it --

MR. HICKS: Didn't jump out at us at least.

MR. BURKHART: Well, yes, it doesn't use the same words. It says the question should request information needed to complete technical review. Should have a clear and understandable regulatory basis. It gives examples of best practices.

So, I mean, let's be honest. This has always been a challenge, whether it's

a license amendment or a COLA or whatever, so I think we need to do a better job.

MR. HICKS: Maybe there should be a standard format for the question where, you know, you say in this part you hit the highest requirement, you hit the guidance document that has the more specific requirement.

The next section is, you know, where you don't meet it and then, you know, what's the specific request, something like that, where the guy is writing the RAI asking -- they have to kind of fill in the blanks before they get to the punch line.

MS. BORSH: And if you look at our 3-7 RAIs that we received for North Anna 3 from 2014, you'll see that essentially that's what the team did.

MR. BURKHART: Okay so, all right. But you correct and whatever we do we update the Office Instruction to reflect that rather than add any redundant information in the reg guide.

MR. HICKS: Yes. This is really more for the staff than it is for, this comment at least, it's for the staff, not for the applicants.

MR. BURKHART: And just let you know, I know we are doing, OGC's giving us some training on SER writing and not sure if we've done an RAI session like that but --

MR. CHUANG: This is Jerry again. Internally we do have a standard format for our staff as a guide to follow to prepare a OII. Basically the formula is the regular basis.

MS. BORSH: Right.

MR. CHUANG: Okay, and then we ask the applicant to supply the recent revision or some, include the accurate assessment or something like that.

MS. BORSH: Right.

MR. BURKHART: So, you know, there are several reviews of the RAI before it goes out and we do struggle. There are some that are very good RAIs and there are some that may not be as clear as they could be and I think that we are definitely trying to work on that, so looking at what we can do for the Office Instruction and then --

MR. NOTICH: Well, this is Mark Notich again. Again, you know, looking back at what we could put in the guidance section for C.2.7, you know, again, I guess it's, you know, part of your advice is to, you know, look at the OI.

What about communications? Is there anything that we could put in there to help communications or help applicants in the area of communicating with the staff about RAIs?

MR. BRANDON: I got a little piece of, this is Mike Brandon, a little piece of low-hanging fruit in my mind and, in fact, the staff has done this some database of RAI or questions and responses, but the reality is the questions that the staff issues got no specific branch that ask specific questions, right? And it's certainly helpful for that branch asking that question to say, hey, we asked this same question at the Levy plant or the Lee plant and they provided a good answer and we're asking this question of you now and you may want to look at, you know, these previous responses.

And they might ask the same question of some different applicants and some applicant provided a bad answer and one provided a good answer.

So instead of the licensee going out and researching the world to get all the different answers, if there was some insight from the branch asking the question, then that would certainly expedite the response time by the licensee.

It's sort of the no right answer in total kind of thing but it's, you know, if you're looking for specific information or a certain level of detail and there's precedents out there, you would think that the branch asking that question would have good insight as to where that may have been provided from in the past and it would just be easy to sort of leave. Something you should consider when you're providing that response.

MR. BURKHART: Yes, you should probably put that in writing. I know we do that.

MR. BRANDON: It's very helpful.

MR. BURKHART: Sometimes the Applicant Number 2 doesn't want to do what Applicant Number 1 did. But if it's not in writing, we should probably put that in writing as something the staff should consider providing input on similar questions if that's not here.

And actually Tom just showed me a nice little pamphlet that is Requests for Additional Information Best Practices and, Best Practices and Things to Avoid and it's Reference 1 to the Office Instruction. However, Tom pointed out to me that for some reason this little pamphlet is not publicly available.

(Laughter)

MR. BURKHART: So we will remedy that, okay? Can I give this to them so they can --

MR. KEVERN: You can't do that until it's --

MR. BURKHART: That's true. But anyway, it's a good -- it is a good reference for the staff. So, okay, so getting back to --

MR. KEVERN: Well, humor aside on that, part of the issue is that this Office Instruction, this has been an evolving process for a decade or couple decades and so this one Office Instruction is not intended to be the sole source of all information from both perspectives.

So I'm not surprise -- I read it. I certainly had trouble with a number of things there too, but if you look at the two references, it starts to get better.

And the one that -- I found it kind of amusing why we didn't make that publicly available some years ago but it's, you put all this stuff together and you got a pretty good package.

It's not complete and it certainly wouldn't be from your perspective necessarily but it could get better. So we may decide to improve the way we write Office Instruction to package this all up so that it makes sense to everybody.

Now, that's certainly, as we get to the end of the meeting today, that's one option, that we don't necessarily put guidance in 1.206, but we do something different with some of the instructions we've got rather than trying to be redundant or taking the risk like Chris said on the phone a while ago of

having some misalignment between the guidance we give the staff and guidance for the applicant. So not sure how we're going to end up with all of that but it's an evolving process on this particular topic.

Now, not so much so on the acceptance review that we went through before because that's where there was a recent revision to the Office Instruction and it was specifically written to expand the scope to the sufficiency review so there was a lot more effort put in that.

In the RAI it hasn't been revised, other than just as band-aid fixes, for many, many years here.

So it's, the whole issue is, it's a complex topic and there's a lot of complex documentation and guidance and less than perfect guidance in various directions. All right, with that confusing comment, Mark, back to you.

MR. NOTICH: Okay. I've been thinking about what you said about, you know, examples of good and bad. Would it be useful to put in the guidance section of C.2.7 as guidance to an applicant, new or experienced, that it would be beneficial if they researched other similar RAIs? I mean, or is that too obvious to put in for guidance or, I mean, somebody new might not have that knowledge. Do you think?

(Simultaneous speaking)

MR. BRANDON: I know when Dominion, you know, resubmitted an application for their ESBWR, they went and looked at all the RAI responses that we had made in the meantime and they tried to capture those in their FSAR they submitted.

(Simultaneous speaking)

MR. HICKS: Well, we did me-too letters. Remember the me-too letters? We did that, right? That's what you're talking about, right, the me-too letter?

(Simultaneous speaking)

MR. BRANDON: You know, there was a lapse of time between when Dominion withdrew their application for the ESBWR and then they came back to that technology and they submitted a new update to the COLA.

And what I believe they did, and Gina can confirm this, is they went and looked at all the RAIs that had transpired between us and the NRC and they tried to catch up their FSAR, you know, to make it a more complete document so when staff received it they could move forward and not have to re-ask some of the questions they had asked us in the meantime.

MR. NOTICH: Right. So, again, I'll ask my question. Would it be beneficial for the staff to put in the guidance section of C.2.7 that an applicant should look at previous RAIs along the same topic, you know, yes, no? Should it be conditioned or what?

MR. HICKS: Yes.

MR. NOTICH: Yes? Okay.

MS. BORSH: Well, there's that and, in addition to that, it is related to this. It may not sound like it but when responding to an RAI it may be that another entity's RAI would be applicable.

But also that other entity's licensing document, whether it's a DCD/ESP application or COLA, may also help answer the question so that if the

applicant did it right the first time and didn't get an RAI on it, Applicant Number 1, but this new applicant got an RAI on it, it might help to go and say, well, what did AP1000 do or what did ESBWR do even though there isn't a particular RAI associated with it.

MR. NOTICH: Right. Now, we can put that guidance in there, okay? It's going to be up to industry to actually, you know, do all this looking around. But, you know, we can certainly put that guidance, you know, and words to that effect in there. There's no problem to do that.

MS. BORSH: And my question is, on the other side, I think that that's what we've been doing at Dominion and it's been very helpful to us.

I'm just wondering do you all give that guidance to your reviewers to see what's been accepted by others in the past for consistency?

MR. BURKHART: There have been discussions about why did you ask this for this applicant? You didn't ask it for the other applicant. There have been those things discussed. Wouldn't necessarily say we put that in guidance.

You know, certainly you wouldn't expect us to say if you didn't ask it for A you're not going to ask it for B because there may be a reason. There may not be a reason too.

So I would say that's usually done -- the reviewers, the technical reviewer, the technical branch chief, the PMs and the licensing branch chief, there should be a screen at the PM branch chief level on the reasonableness of the request, the connection to the regulations and are we treating different applicants differently?

MS. BORSH: Because I think that's been issue for us on the industry side.

MR. BURKHART: Yes.

MS. BORSH: And I don't know, I didn't see clearly in the instruction how that's being handled because we are trying to be consistent with --

MR. BURKHART: Right, so we should stress consistency, not at the cost of reasonableness of safety regulations.

MS. BORSH: Yes. That's right.

MR. BURKHART: I know you agree with that. It's just we have to not be so 100 percent you can't ask this, so.

MS. BORSH: Right. Right.

MR. BURKHART: But I understand that we have recently gone through those. At least one or two times I've heard that, so. So the question is what do we put in the Office Instruction about that? I think we need to think about that.

MS. BORSH: And I do think that we should add, it would be helpful to put something in C.2.7, especially for entities that don't have experience with this process because it was very helpful to us.

MR. HICKS: Related to that, I mean, we talk about S-COLAs now. If you have an S-COLA come in, okay, are they, I mean, what we experienced in the past is there are, you know, they're going to reference an R-COLA and then the question is, well, R-COLA in Chapter 11 had 20 RAIs, okay.

S-COLA then writes a, does a me-too letter, what we used to call a me-too letter, and says we endorse all these responses or we don't and here's why

we don't. There's no discussion of that process really anywhere and it might be a good place to put something about that in C.2.7 because --

MR. NOTICH: Okay, what you're talking about is sort of like IBRing, IBR and --

MR. HICKS: Exactly.

MR. NOTICH: Okay.

MR. HICKS: Because the next ESBWR COLA applicant is going to submit a COLA and the staff's going to ask, could ask all the same questions they asked Fermi and North Anna, right?

Or they could say, you know, the guidance could say for the applicant to write a letter and say we endorse the responses that were to all these RAIs except for these here and that would save everybody a lot of work.

It's something that we already do, we have done in the past, but it's not really written down anywhere, and this would be a good place to put it I think.

MS. BORSH: And then what do you do now, I agree with what you're saying, Tom, and then what do you do now that, you know, for example, Vogtle and Summer have been licensed for years and you have new applicants like Levy who are dealing with new issues, let's say --

MR. BURKHART: Right now, Levy, Lee and Turkey Point are submitting all of the information on each of their dockets.

MS. BORSH: Right, so what is --

MR. BURKHART: They're not me-tooing it anymore.

MS. BORSH: So what's the guidance?

MR. HICKS: On the RAIs you mean?

MR. BURKHART: On the RAIs, yes, additional information that comes in for the different design issues we're dealing with. So I'm sorry, go ahead, Gina.

MS. BORSH: Okay, so Levy's ahead of Turkey Point, right, in the process?

MR. BURKHART: Levy, right now, well, right now Levy doesn't have a schedule. Lee has a schedule and then Turkey Point is after Lee.

MS. BORSH: If you get another COLA, if there's a new AP1000 S-COLA coming in, should they be, which set of RAIs should they be evaluating and endorsing?

MR. BURKHART: Well, remember, they have all the RAIs available to them, right?

MS. BORSH: Yes.

MR. BURKHART: They have, at least with respect to the reference COLA, they have how they were resolved, right?

MS. BORSH: Yes.

MR. BURKHART: In theory they don't have to address those RAIs because they should --

MR. HICKS: Hold on now, Larry. I understand what you're saying but let me tell you that not all RAIs resulted in licensing basis document changes. A lot of RAI responses just provided clarifying information that was not an FSAR and the only place you'll find it is in the response.

MR. BURKHART: Good point, so --

MR. HICKS: So that's why for the S-COLAs the staff wanted these me-too

letters, not just to make the FSAR the same. They wanted the me-too letters --

MR. BURKHART: Good point.

MR. HICKS: -- to endorse the response.

MR. BURKHART: So they should do that. You're right. So any future AP1000 COLA should endorse those responses.

MR. HICKS: Theoretically, yes. Right.

MR. BURKHART: Include whatever licensing basis changes were necessary as part of their initial application.

MS. BORSH: And I understand that going to that R-COLA, but my question is should that new S-COLA go further than that? Should they be then looking, for example, at the Levy or the Turkey Point RAI responses because they're dealing with new topics, whether it's the new CEUS or post-Fukushima issues. How do --

MR. BURKHART: Well, if they don't, they're going to be getting an RAI so the answer is yes.

MS. BORSH: So I'm just wondering, should that be explained in C.2.7, how to deal with endorsing RAIs?

MR. BURKHART: Yes, it's --

MR. HICKS: What about S-COLAs, for S-COLAs?

MS. BORSH: Yes, for S-COLAs.

MR. BURKHART: Yes, I think we need to talk to OGC about this because, you know, the reference COLA is frozen, right? Because it was Bellefonte

and Vogtle, right, so that's frozen.

So right now, like I said, Levy, Lee and Turkey Point have been providing all of the same information on each docket. They're not me-tooing. Levy is not the default reference now and they're not me-tooing reference, Levy's RAI responses.

MR. HICKS: But if you kind of think ahead now, though --

MS. BORSH: Right, trying to go out.

MR. HICKS: -- just go to the future, Levy will get a license, okay.

MR. BURKHART: Maybe.

MR. HICKS: Okay, and they'll be maybe the next reference COLA, right?

MS. BORSH: But they're not --

MR. BURKHART: No.

MS. BORSH: -- the reference COLA. I mean --

MR. HICKS: I mean, they can be used as a reference COLA.

MS. BORSH: Right, exactly. That's my question. What do you use as your --

MR. BURKHART: Well, you're exactly right. How we move forward -- once we resolve the issue and we write it down in an FSER for whoever is the next AP1000 licensee or FSER, whatever, the status review doesn't have to be reopened, right?

It can now, you got to make sure that that docket is, the next dockets are clean, i.e., they have either the RAIs endorsed or the licensing basis changes on there.

So we should probably consider putting that in. I think we may have to pull the string a little bit on whether there can be endorsement of -- in effect there's a new reference. I use that word loosely because Levy is --

MR. HICKS: There is precedence.

MR. BURKHART: Yes. But what we need to think about from our end is how we write up -- you saw how complicated the FSERs were and the reference COLA, what's standard part, what's not the standard part and now we're getting into like a standard prime, whatever we call it. So we have to think about how we write that now and what guidance we would give to you.

MR. KEVERN: We just --

MR. BURKHART: But you're right. Go ahead.

MR. KEVERN: We just evolved off on to a topic which is --

MR. HICKS: No. Well, we're talking about RAIs.

MR. KEVERN: No, no. I know. I know. Bear with me, Tom. So you look at the way that, and we've put this out numerous time and we've gotten limited feedback on the table of contents but everyone considers table of contents, if anything, to be rather boring.

But this is precisely that we got the two arrows there for these specific topics and what we were talking about with RAIs was presumably the amount of information that was there, sufficient for reasonable assurance and how to do that, whatever.

So now we go off on to the impact or the potential IBRing to the nth degree kind of thing. That was, at one point in time until it changed, the topic for

C.2.8.

It's the all-encompassing question of, DCs and ESPs are straightforward, relatively speaking. A COLA is ridiculously complex from many perspectives and so the question of how you reference or don't reference.

And so rather than making the title a whole paragraph, just put the obvious there, DC and ESP. But that way this is going to address the issue of R-COLA, S-COLA, as well as, I didn't know how far down to take it to the nth S-COLA thing.

And actually, to be honest, I'd forgotten about the me-too letters and no one in the staff reminded me about that until we brought it up now.

So the question is how many different topics do we need in C.2 and how broad should they be? And, you know, we could have 100 topics here and we could cover guidance or not guidance on a whole laundry list of topics but it's really to the point of, from the perspective or in the eye of the beholder type of thing.

So everyone has a different, not everyone, but there are many different perspectives here of what the priorities are, the important issues, and trying to figure out how to package that up and write it for the appropriate target audience is a little challenged.

And at first they appreciate the feedback they're getting now but I think it's the, and we can do it differently but when we put this table of contents together most recently the idea was of Topic Number 7 and Topic Number 8 were too different and we tried to focus and put some, put the topic of RAIs

in a box so to speak.

And then we talk about other things, like you reference now with S-COLA something else. But we don't have to do that. We can do it differently.

But I'm really looking for some kind of feedback, both from the staff as well as from industry, what a good, reasonably acceptable way of putting all this together so it makes sense to the intended reader.

MR. HICKS: It wasn't clear, at least to me, that C.2.8 would talk about S-COLAs, and if it does and that's what you think the best place for this discussion would be, that's fine.

We don't have C.2.8 yet to look at so we didn't know if that was going to be in there or not but certainly it's something that should be somewhere I guess, right? I mean, I don't care where it goes personally, whether it's in C.2.7 or C.2.8. It doesn't matter --

MR. KEVERN: That's what the NEI feedback letters, I forget which one it was. I think it was the first one that came back and talked about we need to address R-COLAs and S-COLAs so, yes, that's a no-brainer. Of course we need to.

And I think at that point in time it was, and I don't know if C.2.8, where it was back then or not, but this moved around several times and it's, we're not trying to confuse the issue. We're just trying to figure out what a good way is that makes sense to a number of people, how to package this guidance.

MR. HICKS: Like I said, I don't care personally as long as it's somewhere, as long as it's discussed. I don't think it matters really but that's my opinion.

MS. AUSTGEN: I was just going to take a minute to say thank you for drawing our attention back to this. I know in March we had a separate one-pager of the updated table of contents.

Since there wasn't a separate page, I didn't really notice that you have incorporated line items for some of our suggested topics so thank you. We look forward to discussing those.

MR. KEVERN: Well, the one you don't see is the one that you had on R-COLAs and S-COLAs and that's why, because the intent was to put it there. So sooner or later, we would bring that up. I wasn't planning on bringing it up in this meeting but that just so happened.

MS. BORSH: Well, you know, I think it is really, the whole topic, as we're talking about this, the whole topic about standardization and consistency, I think that's really, even really be a separate section because I don't know, yes, how do you fit a whole paragraph's worth of explanation in a title, Tom, as you're saying. I don't know if I would have gone to look at C.2.8 with that title to find out about RAIs and me-too letters.

So the concept of the DCWG effort and standardization and consistency, to me those all kind of maybe warrant their own subsections too.

MR. KEVERN: Okay.

MS. BORSH: Just something to think about as we go forward and develop material.

MR. KEVERN: If you come up with a specific title that's not a paragraph long, give it to Kati and send it to me, send it to us.

MS. BORSH: Okay.

MR. BURKHART: But the AP1000 is a good example to think about because now Levy is essentially the reference COLA for resolving these new issues and it's just been decided by the folks who are pursuing the COLs now for AP1000 just to make every docket, submit all the information on each docket but, yes, what about the one that comes after that? What are they going to do?

So I will say that the whole standardization thing where we are trying to facilitate, for example, there was, Duke submitted a design change for Levy and part of their submittal was a Westinghouse report, right? So that was on a docket publicly available.

Vogtle and Summer actually submitted an LAR to address the issue and they referenced that same topic, that same report. It wasn't a topical report. So we didn't insist that they resubmit the same report on that docket.

So we're trying to make sure that by helping standardization pointing to the same Westinghouse document so it's just, just has to be clear that the docket is clean, that a member of the public can get to all the information, that there's no confusion about it.

So we're getting near 4 o'clock and I'll let you wrap up.

MR. NOTICH: Yes, okay. Basically I heard two suggestions for guidance. One was about seeing if we can put in some examples of good versus acceptable versus not so acceptable, and then talk about communications for RAIs. Was there anything else?

MS. BORSH: I think one of the things that is a little bit, it's not really well defined on this topic is when the NRC is asking for certain information, detailed information about the design or about our analyses, what do we, what goes in the COLA, we talked about that, but then also what do we submit on the docket?

Generally what we prefer at Dominion is that if we have a calculation and you all are interested in seeing the calculation, we prefer that you come in and do an audit or an inspection and gather your information that way. And I know that happens elsewhere. There were a couple of --

Right, and so I'm not, I don't know if it would be helpful to, especially to new people, you know, when the NRC's asking information, if we explain in the section that sometimes you refer to some detailed information, that it's available for audit rather than these people assuming that everything has to go on the docket.

MR. NOTICH: As a response to an RAI?

MS. BORSH: Yes.

MR. NOTICH: Okay.

MS. BORSH: So some guidance in there about what would need to, when you've got those very technical questions.

MR. BURKHART: Yes, and what we've run into a couple times is sometimes an audit, Jerry and Tom, correct me if I'm wrong, sometimes an audit can satisfy the staff. Sometimes the staff will need at least some description of the analysis.

MS. BORSH: Yes.

MR. BURKHART: I think we were talking before.

MS. BORSH: Right.

MR. BURKHART: So there may not be one answer for everything.

MR. NOTICH: Right.

MS. BORSH: Right, and it's very subjective and it's very topic dependent but I'm just saying that somehow we should note that there's some --

MR. BURKHART: Yes, rarely do we require the whole calc to be submitted on the docket, right?

MS. BORSH: Right.

MR. BURKHART: I think that's a rare, I'm not sure if we've ever done that.

MS. BORSH: Right.

MS. AUSTGEN: To the extent that you can make it less subjective and, you know, point particularly brand new applicants back to the pertinent regulation that talks about appropriate content, those kinds of things.

MR. KEVERN: It's a good example for the communication issue too. Even we put words in there in the way of whatever we can do, use that as an example in the communication because the RAI Office Instruction does talk about doing phone calls and draft RAIs and so on.

So that would be an excellent example to put in there before the RAI is actually issued, clarification, and if staff doesn't think about it because it's not our job, you guys think about it and say, well, do we need to put this on the docket or can we make it something available for audit? That'd be a good

example to put in our, you know, communication section of what needs to be clarified.

MS. BORSH: And we've had this --

MR. CHUANG: Only these calculations could be danger and the applicant will want you to do through an audit.

MS. BORSH: Exactly. That's right.

MR. CHUANG: The only way to do it is by a special audit.

MS. BORSH: And we have had discussions like that in our calls with staff reviewers.

MR. KEVERN: Okay, we're taking again, Mark, all your --

MR. BURKHART: He says he's done.

MR. NOTICH: No, I'm done. Thank you for your input to my two topics.

MR. KEVERN: Okay, thank you, folks. So moving on the agenda then --

MR. BURKHART: Just want to make sure anybody, anybody might have a question.

MR. KEVERN: Oh yes, excuse me. Folks on the phone, we have any comments or questions from bridge line? Is anyone still on the bridge line? Thank you. One sole voice in the darkness thing.

MR. KEVERN: Okay. So moving on, the next item on the agenda is a presentation for a proposed revised approach, or whatever we might want to call it, from Nuclear Energy Institute on a COL application, the integrated FSAR concept. So, Tom, I understand you're going to speak.

MR. HICKS: Yes.

MR. KEVERN: Is that correct? Thank you. Now, would you like to control the slides or you want --

MR. HICKS: No, I'll just talk. Who's got them? Who am I --

MR. KEVERN: Right now I've got them or Kat has them. So you can say next.

MR. HICKS: Oh, I'll just say to flip it, whatever.

MR. KEVERN: Okay, fine.

MR. HICKS: So this topic what we want to talk about is something that we mentioned I think in the last meeting. It basically comes down to using what the COL holders have and what they're updating every day as our basis for submitting the initial COL application.

And a little background, you know, the COLs that have been submitted to date, most of them are just, they reference the DCD, incorporate by reference. They don't include the text. They have the site-specific information in there and a few departures and that's about it.

Now, if we look into the future, you know, we're going to have an ESBWR, an AP1000 plant. AP1000s are being built and presumably an ESBWR construction at some point. What we've seen in AP1000 is they're accumulating many hundreds of departures in license amendments.

So we're trying to figure out a way to utilize that experience to make the COL application better. Let's go to the next slide.

So the issue is, you know, we've had the way we've done it before and now we want to look at maybe in this second round of S-COLAs taking advantage

of our experience and what we've learned. Next slide.

DCDs in the first round was incorporated in the FSAR by reference as we said and then, after the COL was received the holders basically integrate the DCD text into their FSAR and then starts the process of incorporating departures.

S-COLAs developing a Part 2 for a COLA could now start with an integrated UFSAR as their starting point, which would include the integrated DCD text plus some group of departures that the holders have already approved and may include some license amendments that the holders have also submitted. Next slide.

So what are we talking about when we talk about an integrated FSAR? So, again, instead of saying we incorporate the DCD by reference, we're going to actually include the text.

This option would include the text in the COLA. You know, I'm talking about Part 2, the FSAR here. And it would also, it would look similar to the UFSARs that the plants that have COLs that are referencing that same DCD, would include those changes that they've incorporated. That's up to some freeze point.

So let's say in two years somebody wants to submit an AP1000 application. You know, by that time Vogtle and Summer might be pretty near to loading fuel. There might be 500 to 1,000 departures, maybe 50 to 100 license amendments that have been approved.

So the COL applicant may choose to use that UFSAR as its starting point in

its COL application instead of using a reference Levy COLA as its COL application. Okay, next slide.

And that's what we mean by integrated. Again, it would contain all the departures, most of which do not require prior NRC approval. Some would have required NRC approval and it would also contain a plant-specific Tier 1 document that would include the changes that have been adopted through license amendments for the COL.

So in addition to the UFSAR, you'd have a Tier 1 like in Part 10 that would incorporate all the changes that have been accumulated in the COL from the COL holders at that point.

MR. BURKHART: So, Tom, the only thing, the regulatory term I don't see here used --

MR. HICKS: I'm sorry?

MR. BURKHART: The only regulatory term I don't see here used is plant-specific DCD because that is a requirement that you must submit. And I'm bringing that up because you have to --

MR. HICKS: Plant-specific DCD --

MR. BURKHART: -- be able to identify --

MR. HICKS: Correct. The COLA would be, the plant-specific DCD essentially is going to be part of your COLA. It's going to be your Part 2 and your Tier 1 part will be in --

MR. BURKHART: Yes, I'm just saying don't, make sure that, because when you say UFSAR that's even the stuff outside the DCD but one of the

requirements to submit is a plant-specific DCD. So I'm just saying don't lose sight of that particular requirement --

MR. HICKS: Okay.

MR. BURKHART: -- that you have to be able to identify the plant-specific DCD.

MR. HICKS: Yes. The UFSAR, no, the way the COL holders define that term, UFSAR, it includes the, if you look at a figure that's been developed, includes the plant-specific DCD Tier 2 and then --

MR. BURKHART: Yes, I understand what it means. I'm just saying that the requirement is to submit a plant-specific DCD.

MR. HICKS: Right.

MR. BURKHART: So you have to, you can't just throw a UFSAR at us and say you meet all the requirements. You have to show which part of that is the plant-specific DCD.

MR. HICKS: Right.

MR. BURKHART: That's my point and then there's a different definition.

MR. HICKS: I think we're going to cover some of that in some of the later slides but we do say that we need to identify where all the text comes from and that it's DCD text.

MR. BURKHART: Right, so I'm just hoping that when someone asks where is the plant-specific DCD, somehow you have it designated by italics or whatever that's very clear to the staff. That's all I'm, that's my point in saying this.

MR. HICKS: Got it. Okay. All right.

MR. BURKHART: So just don't lose that. I totally understand --

MR. HICKS: Well, I mean, if you look at what we do now, right, right now Part 2 I guess is your plant-specific DCD, right, includes your incorporated by reference DCD with departures, right?

MS. BORSH: Well, it does but we have -- you're right and what we've done is we've identified the content in three different ways, right? We've got the IBR or the DCD text. We've got the departures and variances and then we have the COL items and then we have the supplemental information. So you can see exactly, and plant-specific DCD is the incorporated DCD plus any departures or exemptions, right?

MR. BURKHART: Right.

MR. HICKS: And that's clear. We do that now in the COLAs with left margin annotations.

MS. BORSH: Exactly.

MR. BURKHART: Okay.

MR. HICKS: And one of the changes that we'll see on the slide later, one of the changes that we propose in the Part 2 draft that you guys came up with was that any COL referencing a DCD would need to identify all those different types of information. That's one of the guidance things that we wanted to put in there.

MR. BURKHART: I would just encourage you, and this is the first time you're hearing it, but from any licensing person you're going to hear, you

know, I re-reviewed what you provided here. There's no mentioning of the plant-specific DCD. All I'm saying is don't forget it's a regulatory requirement and highlight it.

MR. HICKS: I'll make a note. Yes, we'll make a note of that.

MR. BURKHART: It may be that it's already done but, you know, you say UFSAR to me, that's everything like you explained to me, right? And the plant-specific DCD is a large subset of that.

MR. HICKS: Subset, right.

MR. BURKHART: But there is a reason you identify plant-specific DCD, right, because that defines your change process going forward.

MR. HICKS: Absolutely and we're going to cover, we'll get into that.

MR. BURKHART: Okay.

MR. HICKS: Yes. All right, next slide. Next slide.

So what are the advantages of doing this? We feel that it strongly supports the concept of standardization.

I mean, if the next COLA is going to adopt what the previous holders are doing, that's probably one of the best ways we can continue to have standardization. It gives the staff a more complete picture, a more accurate picture of the plant that they're actually going to license.

I mean, if you think about it, if five years from now COL applicant submits an application and they use the Levy, say, COLA, you can do that under Part 52 but, I mean, you're going to have a almost completed plant that has hundreds of changes to the document that the staff would be reviewing and

approving for a license.

So going this direction gives the staff a really better picture of the plant that's being licensed and the public, gives everyone a better picture. Next slide please.

It also eliminates the need to process and incorporate hundreds of departures and submit many, many license amendment requests and this is, we think, beneficial to both us and the staff as far as man hours and time.

We take advantage of the design-centered departures that the owners groups would have already approved and we eliminate the need to do this integration process that everybody is having to go through now, you know, that Fermi's getting ready to go through and Dominion's been going through it with ESBWR and their COLA. So we see these as advantages. Next slide.

The challenges that we see are that obviously when you submit all these departures you potentially create areas where the staff could write RAIs.

And even in those areas where the regulations say that the departure doesn't meet the level of requiring NRC approval, I mean, if the guidance isn't clear, there's a potential for the staff to write RAIs on these departures.

And that could not only delay the COLA significantly, but we think it could also undermine the standardization because you might have three or four plants that are either operating or close to operating that have incorporated these departures in a certain way and now you have an applicant come in that wants, if a reviewer feels like they want to do it a different way or write

an RAI, they could undermine sort of the standardization.

And then the last point here is that the staff may require extensive documentation in Part 7 on every single departure where we feel like the Section 10 change process doesn't require that level of detail in Part 7 and we've made those comments I think in the draft changes to Part 7. Next slide please.

So what do we do about this? We think we can address this in 1.206 changes. We can provide clear guidance for the format content to delineate DCD text from the site-specific text, again, to help differentiate this plant-specific DCD area that you spoke to, Larry, provide guidance on level of detail, the descriptions of the departures that we're going to put in Part 7 and then provide guidance to the staff on what the expectations are for them for handling these departures that meet the design certification rule for not requiring prior NRC approval. All right, next slide please.

On the first item, clear guidance, again, as I've said, NEI has provided comments on the draft C.1 Part 2. We think that those proposed changes address this point. Next slide.

And that could be done in a number of ways. I mean, I think the AP1000 COLs use color coding to differentiate text between COL information items, departures, standard COL text and site-specific text. So that's one way to do it, not the only way but that is a way.

The second point about guidance for documenting the exemptions and departures, again, we provided comments on the draft Part 7 and we

addressed the need to review each design center approved departure for site-specific impact. We think that's an important point.

We can't just wholesale a new plant, can't wholesale adopt, say, a departure evaluation done for another plant. They at least have to look at it for any site-specific impact. We felt that point should be included in the guidance.

And then the last point was to utilize the DCD rule requirements in Section 10 to define, you know, what level of detail is needed for the scope of the departure documentation. Again, we tried to reflect that in our comments for the Part 7. Next slide please.

Okay, and then this slide just summarizes what's in Section 10. We don't need to talk about this very much, but it basically says, you know, you prepare the evaluations, you submit the reports to the NRC of the summary of the departure and the summary of the evaluation as opposed to the entire evaluation. That actually gets submitted. And so we're trying to repeat that level of detail in our guidance for Part 7. Next slide please.

And then this last point has to do with the guidance for the staff. We feel like there should be some clear guidance in 1.206. It could be in 210 under the change process. It may fall in another section.

It should reflect not only experiences with COL applicants that have occurred in the past but the experience that the NRC has had with the COL holders and the change processes that the staff inspection, for example, the inspection teams have review during the construction.

These departures are going through review by NRC now. They're not

reviewed and approved because, they don't require NRC review and approval but they are reviewed and the inspection teams review the processes that are used to do these evaluations.

And so we feel like the NRC should take advantage of that experience and leverage it in these COLA applications and not go back and try to, you know, I don't know, go back and review these things that have already been looked at.

Okay, and then the last point is just stating what's already in 1.206, that the staff, for departures that don't require NRC approval under the certification rule, the guidance currently says that the staff will assess the departures but need not provide formal approval as part of the review of the COLA application. And that statement is already in 1.206 but we feel like this discussion should be sort of expanded upon. Next slide please.

We think that the guidance could say the staff would audit the process used to assess departures. They could perform a, they don't need to perform a technical evaluation of each departure.

They could make a reasonable determination that the departure does not require prior NRC approval and do inspections to verify that the applicant's process is adequate for developing departures and those are all things that could be captured in the 1.206 guidance. Next slide please.

And that's it. That's the end of this discussion. We're open for questions or debate.

MR. BURKHART: I have comments but I'll defer it if anybody else has

questions or comments.

MR. KEVERN: Let me start one higher level. I think higher level than what you're -- I saw your comments.

We're talking, I believe the topic on the table is what I would call a subsequent, subsequent COL application.

MR. HICKS: Yes.

MR. KEVERN: Is that correct?

MR. HICKS: Yes.

MR. KEVERN: Okay. You titled the presentation integrated FSAR. When you think of a subsequent, subsequent COL application, are there any issues other than the confusion or the integration or consolidation or whatever term you wish to use for the safety analysis report? Because that's what you focused on here specifically. Yes, and I understand your reference to the design certification rules and the correlation of the FSAR or whatever.

But I'm just thinking for a subsequent, subsequent COL application, are there other issues on the table or potential confusion other than what you just talked about here relative to SAR?

MR. HICKS: Potential items of confusion? I would say that, you know, it's going to obviously have to put its own site-specific information in there and integrate and get that integrated into, you know, a North Anna integrated COLA or a Vogtle integrated FSAR. It'll have to be integrated. That's not going to be an easy process. It may cause some confusion.

But I think the differentiation of the text is an important way and the

correlating of any individual departure to a Part 7 discussion, you know, hopefully it tries to minimize any confusion.

MR. KEVERN: This is the primary topic. For an entity considering a subsequent, subsequent COL application, the primary source of issue, concern, licensing/regulatory interactions, whatever else, the expenditure of resources, is how to do the most efficient version of a safety analysis report then. Is that true?

MR. HICKS: I'm not sure I understand the question.

MS. BORSH: I think what we're saying is the most significant piece is that the NRC and the applicant recognizes that for all of the departures that are being taken that are identified in that COLA, the NRC does not need to review those departures because they can rely on what's been done by the COLA that's being used as the basis, the COL, the UFSAR that's being used as the basis. That's the most significant piece to this.

MR. BURKHART: Yes, well, I think it's a good idea, a good approach. But you know that this approach that you're doing is not the same as, I'll use AP1000s. It's not the same as what Levy, Lee and Turkey Point are doing. You understand that. They're in their ISG-11 mode only doing the changes that absolutely have to be done and I totally understand that.

MR. HICKS: And that's still an option.

MR. BURKHART: I wouldn't want them to do anything else.

MR. HICKS: And we're just saying that this would be another option at least.

MR. BURKHART: Right. And then it's certainly up to -- I think it's a good

thing. I think I would recommend a pre-application review period with whoever the applicant is going to be so we can more -- maybe one of the pre-application review issues is because the staff can review these departure reports already. We have them. We get them every six months. They may find one or two that they might have to ask a question about.

MR. HICKS: And I think --

MR. BURKHART: So I think that's a good way to go forward. You know, the whole thing about pluses and minuses is you're going to have many more departures that removal finality from where you are, right? So that means potentially more is open to a contested hearing. More is open to the mandatory hearing.

Personally, as you said, if they didn't require NRC approval to begin with, they shouldn't be that significant, and if they did require NRC approval, we've already reviewed it and approved it.

MR. HICKS: That's right.

MR. BURKHART: So I don't see much of a down side or much of a risk on that but you never know.

But one of the reasons why I kept bringing up plant-specific DCD is, you know, make sure you've clicked all the regulatory requirements, the 5279, you know, the latest SRP, six months in advance, all that stuff.

MR. HICKS: Right, right.

MR. BURKHART: And you guys know that.

MR. HICKS: Yes.

MR. BURKHART: So the design center review approach, formatting, take advantage of that, I think just as long as it's clear to the staff what has already been reviewed under Vogtle, what has already, issues that already been reviewed, addressed at the mandatory hearing.

By the time, if it's an AP1000, these different design changes should have been reviewed by the NRC and approved by the NRC and would have been discussed at a mandatory hearing so it wouldn't have to be brought up again unless the commission wanted to hear about it again if this is going to be five years down the road, who knows, but probably not.

So, anyway, I think it's a good plan. What I like about it is it does reflect more of the plant that's being built. You know, a plant that's being licensed is a plant that's being built, whereas Levy, Lee and Turkey Point, we understand that after they get licensed we're going to get 100 license amendment requests to bring them on board. So I think it's better for standardization and efficiency, so.

But I recommend that there be some period of a pre-application interaction where you get more answers of what you're asking for.

MR. HICKS: And I think we would agree with that 100 percent.

MR. BURKHART: Yes. And I would, you know, I'm just picking a number out, but I would give at least a year for that pre-application period because, like I said, the staff can look at the departure reports and, you know, we do have them submitted to us every six months and the residents may pick a few to go through but there isn't NRCIs on every one of those so I would bet

you're going to get a couple questions on some of those departures.

And then one question I have is, you said it yourself, the UFSAR is changing every day so you're going to pick a freeze point --

MR. HICKS: You're going to pick a freeze point.

MR. BURKHART: -- at some point.

MR. HICKS: Yes.

MR. BURKHART: And then you're in your ISG-11 mode at some point where you're only going to provide the changes that trip ISG-11 and that's --

MR. HICKS: And as far as the staff review, you know, what we would encourage at least is that for those they have questions about that they look at be an audit and they come and do an audit, they look at, I mean, the change packages for these departures, because I review a lot of them, they are very thick.

And so they could come in and do an audit and maybe get their questions answered through an audit quicker than writing RAIs and that's kind of what we are trying to get to.

And I think they've done that in the past with another applicant that had hundreds of RAIs. They did audits and it was a way to check the process, make sure the process is good and then they can pick a few that they're concerned about and look at the documentation for it.

MR. BURKHART: Yes, and that's why I recommend, maybe some of that can be done in a pre-application review period. But, you know, they could find something that may lead back to Vogtle and Summer that, you know, I'm

saying it may be a discovery of something that might need to be addressed but personally I think it's a good idea.

MR. HICKS: Well, if you look back at what they're doing now with Levy, I mean, current process isn't saving them so --

MR. BURKHART: Yes. Yes.

MR. HICKS: And so they're just as horrible now, what you just described, as we would be if we had done it this other way, right? I mean --

MR. BURKHART: Yes.

MS. BORSH: It's just the numbers though.

MR. BURKHART: Well, right because we're only --

MR. HICKS: The numbers, right, the numbers.

MR. BURKHART: Of the 110 LARs we are up to now for Vogtle and Summer only three or four are actually being reflected into Levy so there's, you know, and probably they're not a big deal but, you know, you'll see when you, if we do get a subsequent COLA on this, at some point you just have to say stop, no more changes.

I think it's a good idea but it has, you know, meeting all the requirements, making sure that it's formatted in a way that the staff is clear on what's already been reviewed, what's new, what's been reviewed and approved by an LAR.

MR. HICKS: And I think those will all be pre-application meeting --

MR. BURKHART: Yes, I think --

MR. HICKS: -- all those type of issues.

MR. BURKHART: Yes. I'm sure we could come to agreement on three to four topics that could be addressed in the pre-application phase. I think it's a good, we don't recommend which way to do it but I think it's a good way to do it.

MR. SCARBROUGH: Well, Larry, the only thing I would add to that and I agree with the concept of the precedent because we do that a lot where something was reviewed before, there's an SER. We may not always agree 100 percent with it but, you know, it's the foundation and we, you know, we try to follow that.

But there are things that happen over time that change, right, that we may have had an issue where we thought it was fine. It wasn't a big deal. Motor valves is an issue. Steam dryers was an issue. You know, for years we thought everything was fine and then something happened.

So it sort of would depend on the length of time that transpired between the earlier, you know, non-review departure issue and then where we are at that time.

So as long as the guidance was such that the staff has the flexibility to look at whatever sort of lessons learned might have occurred over that time period, I think, you know, if we can use the precedent that we had earlier, that's great.

But I just would want to see the guidance be such that the staff, you know, has the opportunity to review whatever was done before, you know, if there was an issue that arose that there was some sort of lessons learned that we

should follow up with that. So that would be my reaction to your presentation.

MR. HICKS: And I understand that. I guess I would just respond with, you know, the one issue, one position and one decision policy that the staff has kind of adopted for the design centers, you know, we're just really asking for that to be extended out.

And I guess there ought to be a threshold for the sake of, say, standardization, you know, a threshold for how important is a lesson learned to go and force this guy to change what he's doing versus what the four plants before him did, so.

MR. BURKHART: Yes. I mean, Tom's -- if a new regulation came out --

MR. HICKS: Everybody would have to do that, though, regulation.

MR. BURKHART: Right. Or request an exemption but there'd have to be some justification so that would be the intent, Tom, is that it's not that we say that reviewers don't get a shot at it at all. It's the threshold should be compliance adequate protection in theory.

MR. SCARBROUGH: Right. Sure.

MR. BURKHART: And that's what we would, I think we would have to put out some really specific guidance and discuss it with the staff to make sure everybody was on board.

The thing that might be a challenge here too is the timing of this. The DC renewal is going to be going on. We can get AP1000 renewal packages as early as 2018.

So, of course, the old one stays in effect as long as it's referenced before it expires but that'll be interesting on how the timing of the DC renewal and the review of -- if the subsequent COLA comes in, what time, if the DC renewal gets approved before the COL gets issued and, anyway, hopefully -- it'll be interesting. Let's just say that.

I don't think it's going to be un-doable. It's just going to be a little bit of a complication that you need to think about. But what I'm hearing is, well, I don't know. But I imagine all of these things are going to be going on at the same time, so.

MR. HICKS: I think that's up in the air.

MR. BURKHART: Yes. Well, I mean, the AP1000 design cert expires in 2021 so --

MR. HICKS: Well, it could be a ESBWR COL, you never know.

MR. BURKHART: Whatever it is. You know, I was on Vogtle and Summer before this so I'm also AP1000 focused, so. Okay, any other questions, comments?

MS. NIES: I do have a question from the bridge if that's okay.

MR. BURKHART: Sure.

MS. NIES: I'm curious, My name's Maureen Nies. I'm with Enercon Services and I'm just trying to figure out what the time frame is from the license issuance to when this IFSAR or, you know, containing the plant-specific DCD would be issued. Is it six months, is it a year, is it, do we know?

MR. BURKHART: I'm sorry. The question is when the integrated FSAR would be submitted, is that the question?

MS. NIES: Yes, following a license issuance.

MR. BURKHART: So, okay, just to recalibrate a little bit, so Vogtle and Summer have licenses and we're using AP1000 just as an example because those are the plants that are licensed. Of course, we have Fermi licensed, ESBWR.

So Vogtle and Summer are licensed. Their final safety analysis report continues to be updated with departures that the licensees can make on their own without NRC approval, and also license amendments and exemptions, of course, the NRC has to approve.

So their updated and final safety analysis report is continually changing and what we're hearing from Tom is that if another AP1000 comes in sometime in the future that they would use as a starting point, he's using the term integrated FSAR which means that they would submit as a combined license application the updated final safety analysis report that Vogtle and Summer have, okay?

So that would be part of this Applicant X's combined license application when they submit that. So it would be something that would come in at the time the combined license application is submitted.

MS. NIES: Okay.

MR. BURKHART: I know it's -- you can call me if you like. I can explain it to you. This is Larry Burkhart.

MS. NIES: Okay. I very well may. I guess I can say this. We've been working on the Lee COLA and it's still being submitted for review at this point --

MR. BURKHART: Right.

MS. NIES: -- the middle 12, 13, 14, I'm not sure which. But would that be, would the final submittal of that be the one that --

MR. BURKHART: No. See, yes, what they're talking about would not include the current AP1000s that are under review right now so would not include or affect Lee, Levy or Turkey Point.

MS. NIES: Okay. Got it. Thank you.

MR. BURKHART: Okay. Any other questions in the room anybody?

MR. KEVERN: Okay, back to presentation. Okay, so moving toward the end of the meeting, not there yet.

(Off the record comments)

MR. KEVERN: Yes, I want slide, I want the PowerPoint presentation. Thank you. Okay, so we just, I think we just finished with this slide but just the placeholder for what Larry just talked about.

We finished the two topics the staff was talking about. We finished the topic that NEI was presenting on integrated FSAR. We've covered any comments/questions. Anyone else have anything they wish to put on?

MR. HICKS: I have one question. Do you guys have any feedback on the comments we gave on the Part 2 or 7?

MR. KEVERN: I do but I wasn't going to --

MR. HICKS: You're not going to talk about those today, okay.

MR. KEVERN: -- talk about those in the meeting today. But since you brought that up the one comment that we've got on that, they're trying to figure how to address is that you, let's see, you folks, put comments there that were really focused on the last topic you just presented, the integrated FSAR.

So as I mentioned earlier, trying to ascertain where the best place is to put information, one could look at the comments that -- when I looked at your comments, for example, I thought they kind of skewed the generic information on those other parts too much toward the topic that you just talked about, the integrated FSARs. They say, well, for the potential applicant that's looking at that, they say, hey, this is perfect. In fact, they ought to be more places.

Well, for the applicant that doesn't have anything to do with a subsequent, subsequent COL, they say why is all this stuff in here when it doesn't pertain to my type of application? So you say okay. You can look at it numerous ways, so.

MR. HICKS: Well, actually --

MR. KEVERN: The comments in Part 7 are applicable to everybody.

MR. HICKS: True.

MR. KEVERN: So it could be that one topic -- you know, this is kind of a circular discussion and I don't want to do that.

But if this integrated FSAR, the presentation you made, we turn that into one

topic in C.2, it'd cover any and all of that. Well, that'd be kind of a voluminous topic because it has tentacles going in all directions. Well, we just covered that thanks to you, Tom, and we're talking about RAIs. It touches on other places too.

So say, well, we've got to figure out a way to package this comprehensive number of subjects and topics in the revised reg guide that makes sense to someone that's not in this room and that's really difficult. I struggle with how to do that.

MS. AUSTGEN: Yes. I think we're open to whatever possibility. I don't think we necessarily saw this integrated FSAR as its own standalone regulatory topic but rather as a concept that we needed to discuss in this forum so that we can influence the options available throughout all the other regulatory topics.

MR. BURKHART: Well, that's good because you could get a potential applicant who doesn't want to do what somebody wants to do, that they only want to go with the minimum things that actually have to be done, so it's good.

(Off the record comments)

MR. HICKS: The last thing I'll say, though, is that some of the comments in Part 2 we made did apply to just a regular COLA that was referencing a DCD too, so.

MR. KEVERN: Right. Did I say that? I just gave my preliminary, I haven't yet, got limited feedback on that but that was one higher level thought but

the concept was certainly very good because it pointed out how many different areas of the rest of the application, other than just the FSAR, that this whole approach would take, impact rather, excuse me.

Okay, so we reiterate that we have been transcribing the meeting. We will have a transcript of everything that everyone said, good, bad or indifferent.

We will do a scrub of that transcript. The individual that's doing it is not an NCR staffer, not familiar with all the names, certainly not familiar with all the terminology.

And I, for one, was very bad in not using whole words but using acronyms and whatever so I'm sure that we will find a lot of stuff in here that makes absolutely no sense to anyone other than very focused individuals so we'll --

That's correct. So this will be --

MR. BURKHART: You can check it too.

MR. KEVERN: And that will be, after we scrub that for a sanity review, so to speak, why, that will be the meeting summary.

And I'd like to also provide the opportunity, I guess there's one woman still on the phone but, and for you folks here too, if you wish to submit an email to me or to Larry and we can add that in to augment the meeting summary.

So if there's something additional that wasn't said or you thought about it or you think of a better way to phrase it, why, then certainly we could add that on as additional material for the meeting summary.

So we've had a number of items that were talked about for actions, potential actions. I don't want to attempt, especially in the time frame here, didn't

want to attempt to go through all of that and put everyone to sleep.

But I would like to bring up one item here in the way of review because it was something that the industry initiated rather than staff, and on this topic we started out back in 2006 having a RIS, a regulatory information summary, that addressed the whole design-centered review approach and then moved on from there.

So if I understand correctly, this has taken the next step, the next phase beyond that. So this is, and if it's broad in scope, then it could be in the form of a RIS. It could be in a form of guidance in C.2. It could be in a form of an Office Instruction. It could be some type of an NEI document, a template or something or other that we would endorse. It could cover a lot of ground or it could be a lot smaller than that.

And to be honest, I don't quite understand which is the better approach to do this. I've got a pretty good idea what your presentation was but how best to move forward. You can't use a presentation for action for a future potential applicant.

So I said, okay, how do we, what's the next step? We all kind of agree in principle. Larry, speaking on behalf of the staff, said, yes, I don't see anything wrong with it, with the approach, the concept.

But then what's the next step for putting this into some kind of a package that someone could actually use, you can use it and we can use it?

And I don't know the answer to that so I would like to pass the buck. Since you folks brought the presentation to the table, just like we're going to go

back and think about what we're going to do with our Office Instructions and how best to deal with those, I'd like to put the action item on you folks to think about how best to move the next step forward.

So we said, yes, we understand. Well, I won't say we understand. We heard the presentation. We have no objection to it. Unfortunately our general counsel wasn't here so we won't speak, without her present we don't have an objection to the approach.

But we'd like to see what you propose for the next step as far as how to pass the word and what kind of, how to put this in a box so it's usable for both your point of view and our points of view.

MR. BURKHART: And if I could just add that, I'm talking for Susan, but if you meet all the regulations that's what you have to do, right? So if you do that and you're clear to the staff, I don't, it's an approach.

But, you know, I think Tom's right, is the ball's in your court. You know, whenever you want to talk about it next, I'm sure you don't want to wait till the pre-application review but I think that's when you're going to get the most resolution of the issues.

(Off the record comments)

MR. HICKS: Oh, sorry.

MS. AUSTGEN: So I guess big picture, like I said, we don't know whether this guidance on this topic is its own section or whether it's scattered throughout but, nonetheless, we've brought this concept to you so from here on out when you're looking at our Part 2 and our Part 7 comments and

you're looking at comments on future sections, when we start putting wording in there that sounds like it's talking about submitting an integrated FSAR you'll know what that means.

MR. BURKHART: Well, and let me just say that I think that you won't see the term integrated FSAR in our regulatory guide because it might cause a lot of confusion internally and externally, so I think we need to discuss and we need to have further discussions with all the stakeholders.

You know, from my perspective, the regulations allow an applicant to submit a COL referencing a design with departures and exemptions. That can be no departures and exemptions as appropriate. It can be 100 departures and exemptions.

So I'm a little bit not clear on what we would put in the reg guide, okay, to help this out. So I think we need to have more discussion about that.

So I understand what you want to do but I think we need to discuss more of, I think the flexibility is already there. I think what you really want is the guidance to the reviewers if I'm reading it right.

MR. HICKS: Well, we want that included as well.

(Simultaneous speaking)

MR. HICKS: There's guidance in there for applicants but there should also be some discussion in there that would reflect on what the expectations are for the staff too.

MS. AUSTGEN: From the Reg Guide 1.206 perspective, what can the applicant expect the reviewer to do with the information that we submit?

If we have an applicant who chooses to submit hundreds of departures already incorporated into their FSAR, should they expect the staff to review every single thing as if it's something the staff must review or should they expect --

MR. HICKS: The guidance already says --

MS. AUSTGEN: -- the staff to do something else?

MR. HICKS: It already says that the staff will assess such departures but need not provide -- there's already staff direction in 1.206. And so all we're saying is, you know, we'd like to maybe expand that area a little bit.

MR. BURKHART: Okay, I think we need to discuss and have more dialogue with you. I don't think we're opposed to doing this. We need to make sure it's the right wording.

MS. AUSTGEN: Absolutely and I would like, obviously, for you to take that back to your general counsel and make sure that they don't have any objections.

And we can work on terminology and whether we use big, long technical already existing phrase or whether we come up with a shorthand for it. You know, it doesn't really matter to me.

Again, this was a concept that was floating around for us and we wanted to make sure we brought it to your attention to give some context to our existing and future comments as we move forward on Reg Guide 1.206

MR. BURKHART: I thought it was very informative. So, I mean, you got good feedback I think from us. We just need to discuss how it goes and

where it goes in the reg guides, SRP, Office Instruction. I don't know if you have any input but we can, kind of getting to the end here.

MR. KEVERN: I think we've got several folks on the staff that are not quite sure how to package this so I look at it from my point of view. I think, well, if the only difference is the way you're treating the Part 2, the application, the FSAR, then that's one size a box that this issue is in.

If it's more broad than that, then I'm more confused, which is what I was trying to ask you for and I was not successful in getting your question across.

MR. HICKS: I'm sorry. I think this primarily deals with Part 2, because everything in Tier 1 that gets changed is going to be through a license amendment and that's very clear. There's no star on that. There's not going to be a lot of discussion. I think we're mainly talking about Part 2, the Tier 2 content that goes into Part 2.

MR. KEVERN: Then maybe it's not that complicated. From a regulatory point of view, maybe it is not that complicated of an issue.

MR. HICKS: I don't think it's complicated.

MR. KEVERN: There is a point about, well, the regulations say you can do this. Well, then all you're doing is just giving a specific--

MR. BURKHART: No, and it's not just, it's Tier 1 too. There's lots of Tier 1 changes for Vogtle and Summer.

MR. HICKS: Yes. No, I know but all of them have license amendments, see, and that's the thing. If you --

MR. BURKHART: Well, Tier 1 has license amendments and exemptions.

MR. HICKS: And you will reference an SER and a license amendment in Part 7. So the staff can say when they're reviewing a Tier 1 change for subsequent follow up, they're going to have an SER already written.

MR. BURKHART: Right, and for some of the Tier 2 star issues and we have one Tier 2 license amendment also.

MR. HICKS: Right. Right.

MR. BURKHART: So I agree with you. The majority of them are going to be not, we didn't have to review it.

MR. HICKS: There's a lot of Tier 2 star issues.

MR. BURKHART: But I think what we're struggling is what, I don't see what they're proposing. I think it fits into what's already there. It's you would like more guidance to an applicant than -- I think you really want guidance to the reviewers on how to treat these--

MR. HICKS: Well, okay, we've already provided guidance on a couple of those points for Part 2 and Part 7 that talked about how we're going to do the departures, how we're going to write it in the text, that kind of thing, referencing these semi-annual reports that the consortium has already developed for these departures and license amendments that are approved. We've already sort of touched on that guidance.

The piece that was missing was the last, the third item in there and that was, you know, how does the staff, you know, what do they do with these departures that meet the Section 10 rules for not requiring approval?

MR. BURKHART: Now you're causing more questions. Referencing these

departure reports, in what way are you going to reference these departure reports?

MR. HICKS: Well, we didn't get into specifics but, you know, the same way we would reference an LAR, an LAR submittal and an SER.

MR. BURKHART: But this applicant would have to meet the requirements of 5279 and providing a report, well, it's actually Appendix D --

MR. HICKS: Right.

MR. BURKHART: -- providing a report of all departures, a summary report of all departures, right?

MR. HICKS: Summary, right, right, right. So we were saying, one of the comments we made, was proposing was as an option to repeating all that information that they would put in Part 7, they could reference specific docketed correspondence that captured those -- it was just an idea to save from having to copy 500, save from copying those semi-annual reports in Part 7. We could certainly still do that. It was just an idea. That's all.

MR. BURKHART: Well, I question whether all of those departures and all of those reports are going to be applicable to that facility. That's what I'm concerned about.

MR. HICKS: Okay, right. And so one of the things that we put in the guidance comment was they all have to be reviewed for site-specific impact.

MR. BURKHART: Because I bet if you compare Vogtle and Summer, even with the departures from the DCD, I bet you have a few --

MR. HICKS: There's a few that are different.

MR. BURKHART: -- differences.

MR. HICKS: Yes, I agree.

MR. BURKHART: That's why personally I think that applicants should submit a complete list of departures and a summary. That's my opinion but, okay. We're going too far about that.

MR. HICKS: Yes, we're getting kind of detailed, yes, yes.

MR. BURKHART: But this is great for pre-application.

MR. KEVERN: Well, let's both think about this. You know, what's the next step on this? Maybe the next step before anything else is written is to have a smaller group discussion to bring some bullets of we're confused on this or you want to clarify that after you thought about it or heard us or whatever and we have another round of discussion on this topic. Maybe that's the way to do this.

MR. BURKHART: And we, as Tom said, we have a lot of communicating internally to do on this and we have a lot of time, right, relatively speaking.

MR. HICKS: Yes. Yes, but since we're working on the guidance document now, that's why it's being brought up.

MR. BURKHART: Yes, just saying that whatever we put in that guidance document, we need to ensure that staff or lawyers are all -- it's going to be an education here.

And that's why I kind of am leaning away from the integrated FSAR term because people are going to, just like I did when I first heard it, I thought, I asked Tom what's that?

MR. KEVERN: Yes.

MR. BURKHART: He said I don't know, right? Now we know. Now we know. Of course, now we know. Okay, so I think we have to talk.

But why don't you propose something for the next interaction on this. It'll be a Category 3 meeting, whatever it is and we can go from there, all right?

MR. HICKS: Sure.

MR. BURKHART: And we can talk about if there's anything we think we can put in regarding 1.206.

MR. KEVERN: Yes, just like we talked about the Office Instruction and said, hey, then maybe what you're talking about -- you talk about guidance to the staff. Well, that's not the purpose of 1.206. I know we get sloppy here and there, but that's not the purpose of this.

So just like we talked about on the other three topics, we got an Office Instruction and one of the options may or may not be just to leave it as an Office Instruction and you folks figure out how to interpret it from our point of view.

Well, likewise in this case, why, maybe we need an Office Instruction for the staff and say, okay, the standard topic is COL applications and IBRing and referencing and departures and exemptions and variances, whatever, but here is a special case saying that's why we're writing in this Office Instruction on this special case, because it's a little different.

The regulation didn't change but the process we're reviewing and how far downstream you go to reference something else that was referenced

somewhere else, yes, how do we do that?

And the precise terminology, too, that is consistent with the regulations but also we don't have any regulations we agree upon what the standard terminology is going forward.

The design-centered review approach and DCWGs and everything, you know, didn't always exist. We kind of sort of created that stuff and R-COLAs and S-COLAs.

So if this is a big enough ticket item, why, then we got to spend some time thinking about standard terminology for the future. If it isn't, why, then it's not that big a deal and we shouldn't be spending a lot of time on it and I don't, honestly, I don't know.

MR. BURKHART: Yes, and you know Joe Colaccino had an idea of putting together an Office Instruction for ESPs, design certs, COLs. This is where it really needs to go quite honestly.

MR. HICKS: Do what? To do what?

MR. BURKHART: An Office Instruction for conducting ESPs, DCs and COL application reviews. That's really where it needs to be, the guidance to the staff, so. I think we can, looks like we can talk a lot more about this.

MR. KEVERN: We can. All right, so but we're not, so this is --

MR. BURKHART: Not now.

MR. KEVERN: Not at this point, no. So the meeting is adjourned. Thank you very much, folks.

(Whereupon, the above-entitled matter went off the record at 4:52 p.m.)

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