



Committee to Review Generic Requirements (CRGR)

Public Meeting to Discuss Backfitting and Issue Finality

February 28, 2017
NRC Headquarters
Rockville MD



Purpose of the Meeting

- Summarize background of EDO Tasking Memos on backfitting
- Summary of Internal and External Stakeholder Feedback
- Discuss CRGR Next Steps
- Opportunity for Stakeholder Comments



OEDO Backfitting Tasking Memo

(June 9, 2016 - ML16133A575)

- Task 1 - Assess Backfitting Requirements, Guidance and Criteria
- Task 2 - Assess Backfitting Training
- Task 3 - Assess Knowledge Management



OEDO Backfitting Tasking Memo

(December 15, 2016)

- Task 4 – Assess backfitting decisions since the original tasking:
 - Commission SRM-COMSECY-16-0020 and subsequent OGC guidance on consideration of cost and applicability of the compliance exception (ML16334A462 & ML16355A258)
 - EDO decision on Exelon’s backfitting appeal for Byron and Braidwood Stations (ML16246A247)
- Task 5 - Assess CRGR Charter and determine if backfitting scope or process should be updated



Summary of Feedback – Task 1

Task 1- Assess Backfitting Requirements, Guidance and Criteria

- Enhance timeliness of Backfitting Decisions and Regulatory Action (External)
- Improve safety focus and address misapplication of compliance exception to backfitting (External)
- Cost-benefit-related documents need to be updated and aligned, including combining plant specific and generic backfitting evaluation guidance (Internal)
- Need to enhance consistency among Regional guidance documents (Internal)
- Guidance for materials licensees can be improved (Internal)



Summary of Feedback – Task 2

Task 2 – Assess Backfitting Training

- Industry is interested in development/ enhancement of training to support licensee and NRC staff (External)
- Backfitting training is included as part of most qualification programs for inspectors and project managers. Training should be included as part of initial inspector qualification (Internal)
- Available training provides sufficient high-level understanding of the concepts. Some roles would benefit from enhanced training (Internal)
- General lack of knowledge and experience regarding backfitting by technical staff (Internal)
- Training should be centralized to increase consistency in application among the Regions (Internal)



Summary of Feedback – Task 3

Task 3 – Assess Backfitting Knowledge Management

- The KM program misses opportunities for capturing and storing backfitting knowledge (Internal)
- Infrequent backfitting creates potential lapse in backfitting knowledge and experience (Internal)
- Need exists to develop more robust and active KM program for backfitting to improve consistency across offices and the regions (Internal)
- Consider expanding the role of the office-level POCs to serve as subject matter experts on the backfitting process (Internal)



Summary of Feedback – Task 4

Task 4 – Assess Backfitting Decisions Since the Original Tasking (June 12, 2016 - ML16344A004)

- Compliance exception guidance should be clarified (External)
- CRGR and Offices plan to incorporate the lessons learned from the EDO decision on Exelon's backfitting appeal and the Commission SRM on compliance exception into processes and procedures (Internal)



Summary of Feedback – Task 5

Task 5 – Consider CRGR Charter and Assess Whether Scope or Process Changes are Warranted

- CRGR should address other NRC processes such as inspections, Task Interface Agreements, FAQs, and NRR unofficial support of inspector positions, etc. (External)
- Need for increasing openness and transparency in the backfitting process through use of CRGR review meetings (External, Internal)
- Continue to have the backfitting process provide multiple opportunities for licensees to raise potential backfitting claims (Internal)



Overall Summary

- Tasks 1, 2 and 3 – Actions are currently engaged with CRGR and staff. Biggest challenge will be to ensure appropriate backfitting training and guidance for processes such as inspections, Task Interface Agreements, FAQ's, etc.
- Task 4 – Lessons from Exelon Appeal and subsequent OGC guidance on the compliance exception have been internalized by CRGR and will be applied going forward. Training and guidance are being updated for the staff.
- Task 5 – CRGR Charter, Scope and Process Changes – Greater openness and transparency. Provide opportunities to engage with industry/public on specific backfitting challenges. Convene periodic public meetings – annually or bi-annually



Next Steps

- Address feedback from the Public Meetings (09/13/2016 and 02/28/2017)
- Finalize Draft Report on overall backfitting tasking
- Submit Report to OEDO



References

- NRC 2/28/17 public meeting slides (ML17055B313)
- EDO tasking memorandum dated June 9, 2016 , and December 15, 2016 (ML16133A575 and ML16344A004)
- OGC Summary of policy issues for CRGR (ML16355A258)
- Commission SRM-COMSECY-16-0020 associated with backfitting (ML16334A462)
- CRGR Charter, Revision 8 (ML110620618)
- September 13, 2016, public meeting summary (ML16258A299)
- September 15, 2016, EDO decision on Exelon's backfitting appeal for the Byron and Braidwood Stations (ML16246A247)

The above references can be found in public ADAMS -
Agencywide Documents Access and Management System