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February 1, 2018

Mr. Christopher G. Miller, Director
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Request for a Public Meeting Regarding Recent Inspection Experience Related to the Surveillance Frequency Control Program

Project Number: 689

Dear Mr. Miller:

For nearly 15 years, the industry, the Nuclear Energy Institute (NEI)¹ and NRC have invested resources in implementing the risk-informed Surveillance Frequency Control Program (SFCP). In that time, over 70% of the U.S. nuclear fleet has received NRC approval to implement this program, and substantial safety improvements and regulatory efficiencies have been realized as a result.

A key aspect of this program is robust NRC oversight via the inspection process, and this oversight has been effective, with very little enforcement activity related to the SFCP. However, the industry has concerns regarding a recent Non-Cited Violation at Byron, which is partially due to inconsistent interpretation of NEI 04-10, "Risk-Informed Method for Control of Surveillance Frequencies," and its associated safety evaluation. Specifically, in a December 21, 2017 letter upholding the contested violation, the NRC implies that the SFCP does not allow a licensee to change a surveillance frequency affected by an industry code or standard. This is inconsistent with NEI 04-10 and its safety evaluation, which specifically address surveillance test intervals associated with commitments and allow a licensee to move forward with a change to a surveillance test interval once applicable commitments have been revised. The December 21, 2017 letter also raises questions regarding explicit commitments versus implied commitments via inclusion in the Updated Final

¹ The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

Mr. Christopher G. Miller
February 1, 2018
Page 2

Safety Analysis Report. It appears that the NRC's conclusion on this point is also contrary to the intent of NEI 04-10 and its safety evaluation.

Given that this program has been implemented by the overwhelming majority of licensees, it is critical that the NRC and the industry maintain consistent interpretations of relevant guidance and licensing documents. In order to support this mutual understanding, we request a public meeting involving NRC headquarters and regional personnel, as well as interested external stakeholders to discuss the interface between NEI 04-10 and the 10CFR 50.59 process in changes to surveillance frequencies. We understand from discussion at the ROP public meeting on January 31 that the staff supports this request for a public meeting.

We look forward to a productive dialogue on this issue. Should you have any questions regarding our concerns, please contact me.

Sincerely,



Victoria K. Anderson

c: Mr. Brian E. Holian, NRR
Mr. David C. Lew, Region I
Ms. Catherine Haney, Region II
Mr. K. Steven West, Region III
Mr. Kriss M. Kennedy, Region IV
Mr. Robert B. Elliott, NRR/DIRS/IOEB
Mr. Victor G. Cusumano, NRR/DSS/STSB