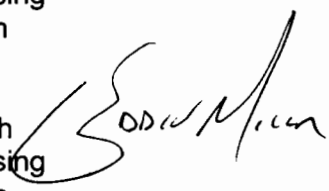




**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

September 3, 2019

**MEMORANDUM TO:** Michael D. Orenak, Acting Chief  
Special Projects and Process Branch  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

**FROM:** G. Edward Miller, Project Manager  
Special Projects and Process Branch  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation 

**SUBJECT:** SUMMARY OF JULY 19, 2019, PUBLIC MEETING WITH  
NUCLEAR ENERGY INSTITUTE REGARDING NRC STAFF  
OBSERVATIONS OF LICENSEE IMPLEMENTATION OF THE  
FINDING AND OBSERVATION CLOSURE PROCESS

On July 19, 2019, the U.S. Nuclear Regulatory Commission (NRC) staff held a public meeting<sup>1</sup> with staff from the Nuclear Energy Institute (NEI). The purpose of the meeting was to discuss the independent assessment finding and observation (F&O) closure process described in Appendix X to NEI 05-04, NEI 07-12, and NEI 12-13. Specifically, the meeting was to discuss NRC staff feedback following their observation of licensees implementing the F&O closure process.

During the meeting, the NRC staff presented slides that provided feedback from NRC staff observations of licensees implementing the F&O closure process.<sup>2</sup> One discussion clarified that industry representatives agreed with the NRC Staff that a focused scope peer review and a F&O closure review are two separate reviews. The industry representative stated that an NRC staff observation that the two reviews were being mingled was the result of the industry position that separate reports were not needed and therefore the different reviews are not easily separable during the NRC staff's on-site observation. The NRC staff agreed that one report may be all that is needed if a traceable path of issues raised and resolved during the reviews was created.

During the meeting, the NRC staff noted that the F&O closure guidance states that F&O's must be closed against the supporting requirements in the ASME/ANS RA-Sb-2009 PRA Standard (i.e., the 2009 PRA Standard) however, the NRC staff observed the F&O closer teams closing the F&Os against the older PRA standards against which they were developed. Industry disagreed with the interpretation that F&Os must be closed against the 2009 PRA Standard and stated that closure against the earlier standards is allowed by the guidance and is the most workable process. The NRC staff reinforced that if a licensee were to have peer reviews and

<sup>1</sup> The original meeting notice is available in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML19190A230.

<sup>2</sup> The NRC slides are available under ADAMS Accession No. ML19198A343.

F&O closure reviews performed against any one of the several PRA Standards that pre-date the 2009 Standard endorsed in RG 1.200 Revision 2, then additional justification in a license amendment request (LAR) will be required. Representatives from NEI and the Pressurized Water Reactor Owners Group acknowledged that the F&O closure process would drive a licensee to perform extra evaluations and these evaluations should be discussed in future LARs as applicable

No regulatory decisions were made and both the NRC and NEI staffs indicated that they would consider the items discussed in the meeting.

Following the discussion, an opportunity was afforded to any other participants who wished to ask questions or make comments. No questions or comments were received from the public.

Enclosure:  
List of Attendees

**ENCLOSURE**

**LIST OF ATTENDEES**

# Sign In Sheet

**DATE: July 19, 2019**

## Public Meeting to discuss F&O Closure Observations

[illegible]



SUBJECT: SUMMARY OF JULY 19, 2019, PUBLIC MEETING WITH NUCLEAR ENERGY INSTITUTE REGARDING NRC STAFF OBSERVATIONS OF LICENSEE IMPLEMENTATION OF THE FINDING AND OBSERVATION CLOSURE PROCESS DATED SEPTEMBER 3, 2019

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**ADAMS Accession No.: ML19203A259****\*via e-mail**

OFFICE	NRR/DORL/LSPB/PM	NRR/DORL/LSPB/LA	NRR/DRA/APLA/BC
NAME	GEMiller	JBurkhardt	SRosenberg (MLevine acting)
DATE	8/26/19	7/31/19	8/26/19
OFFICE	NRR/DORL/LSPB/BC	NRR/DORL/LSPB/PM	
NAME	MOrenak	GEMiller	
DATE	8/28/19	9/3/19	

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