

Current Status of Low Safety Significant Issue Resolution (LSSIR)

Office of Nuclear Reactor Regulation

Public Meeting

August 7, 2019

Presentation Purpose

Interact with stakeholders on the current status of LSSIR effort



Background

- LSSIR effort is looking at internal processes to identify and mitigate situations where previously the NRC spent excessive resources on low safety significant issues
- Two public meetings this year focused on this effort - in March and May
- Today we will continue the discussion of LSSIR and focus on the current draft recommendations

Overview of Current LSSIR Process

- The current LSSIR structure is to disposition issues of very low safety significance early on, in the inspection process using a practical approach
- Issues that proceed past this point (i.e., that may be of higher safety significance) would likely be addressed in the new TAR process (under development):
 - Low safety issues can be dispositioned by the TAR process using a team (i.e., using an LSSIR approach)
 - The TAR can also disposition issues by directing them to the applicable process:
 - For example, an issue can be determined to be backfitting at this stage which means the NRC agrees with the licensee that the issue is not within the licensing basis and then backfitting thresholds would apply

LSSIR – Inspection

- Proposed revision to IMC 0612, Appendix B (Issue Screening) and IMC 0611 (Power Reactor Inspection Reports):
 - Should the issue be closed as part of the Very Low Safety Significance Issue Resolution process?
 - If Block 3 (Is there a performance deficiency?) cannot be determined without a significant level of effort regarding a current licensing basis question, then the issue may be closed as part of the very low safety significance issue resolution process. This process can be used if all of the following are met:
 - The licensee has determined that the issue of concern is not in their current licensing basis; and
 - The inspector has spent a nominal amount of effort (approximately eight hours) (which may involve NRC Headquarters support) to determine if the licensee is correct in the licensee's characterization of the issue of concern and the current licensing basis; and

LSSIR – Inspection

- Proposed revision to IMC 0612 and IMC 0611 (Con't):
 - The issue has been confirmed as very low safety significance (would not have proceeded to a “detailed risk evaluation,” or a Phase 2 evaluation when relevant, if processed through IMC 0609, “Significance Determination Process”); and
 - Branch Chief concurrence that spending more time in researching the current license basis is not likely to benefit public health and safety relative to other inspection activities.
- If all of the above are met, the issue can be closed by documenting in accordance with IMC 0611-12.03, “ Very Low Safety Significance Issue” or IMC 0611-06, “Unresolved Items.” The documentation shall include a brief description of the issue, why the licensee states that the issue is not in their licensing basis, how the issue was determined to be of very low safety significance and the results of the COM-106, “Initiating and Processing a Technical Assistance Request (TAR)” (If entered into the TAR Program), and the condition report number if the licensee entered the issue into their corrective action program.

LSSIR – Safety Significance

- Staff continues to look at safety significance determination:
 - Relying on existing tools
 - Tailored to the application (e.g., IMC, TIA)
- Staff has factored in earlier external feedback:
 - “Not high” instead of “clearly low” – *suitable if likely outside the LB*
 - Flexibility in approach may lead to differing outcomes – *viewed as somewhat unavoidable*
 - 50.69’s use of relative risk – *removed as one of the TIA options for assessing change in risk*
 - Handling of security and EP – *outstanding issue*
 - Feedback step vs. leaving the door open – *attempted to clarify*
 - NEI proposal – *Agree with many aspects, but greater detail would be needed to more meaningfully consider*

LSSIR – HQ Procedures

- Feedback from May 29th public meeting:
 - Consider process enhancements for addressing low safety LARs and licensing requests
 - Mitigate potential for re-working previous interactions on low safety issues during the review
- Consideration of feedback:
 - We did not identify changes to HQ procedures that would substantively improve the handling of such requests (to mitigate potential re-work)
 - A complete description of the previous LSS interactions provided as part of the request would mitigate re-work
 - Our suggestion: Licensees should provide complete description of the previous LSS interactions

Path Forward

- Our intent is use the feedback today to inform the LSSIR recommendations
- Schedule is to finalize the LSSIR recommendations and provide them to the NRR office director by 9/30/2019
- Note that the LSSIR changes that would go into the Inspection Manual (to be included with an ongoing and separate effort) are proceeding on a separate schedule
 - Issue in the fall 2019
 - Go into effect 1/1/2020