



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

August 27, 2019

MEMORANDUM TO: Anthony Masters, Chief  
Reactor Assessment and Human Factors Branch  
Division of Inspection and Regional Support  
Office of Nuclear Reactor Regulation

FROM: Tekia V. Govan, Project Manager */RA/*  
ROP Support and Generic Communication Branch  
Division of Inspection and Regional Support  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS MONTHLY  
PUBLIC MEETING HELD ON JULY 31, 2019

On July 31, 2019, the U.S. Nuclear Regulatory Commission (NRC) staff hosted a public meeting with the Nuclear Energy Institute's (NEI's) Reactor Oversight Process (ROP) Task Force executives, and other senior industry executives, to discuss the staff's progress on the ROP enhancement initiative and other ROP topics.

The meeting began with an opportunity for NEI, the nuclear industry, and members of the public to provide feedback on the Commission (SECY) paper, SECY-19-0067, "Recommendations for Enhancing the Reactor Oversight Process" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19070A036), which was issued on June 28, 2019. Overall, NEI was satisfied with the process for developing SECY-19-0067 and the recommendations within. However, NEI stated that they would have preferred earlier interactions on the recommendation to treat greater-than-green performance indicators the same as inspection findings on the ROP Assessment Process Action Matrix before the proposal was presented to the NRC Commission. Edwin Lyman, Union of Concerned Scientists, stated that the NRC staff did not have sufficient data available to move forward with the problem identification and resolution (PI&R) recommendation to change the PI&R team inspection from biennial to triennial. The NRC staff responded to Mr. Lyman's comment by explaining that there were two parts to the PI&R recommendation that were documented in SECY-19-0067: 1) there is overlap in the procedures and that the NRC staff could be more efficient by changing how they conducted the inspections; and 2) the NRC staff believes that there may be improvements in how to deal with the PI&R findings in the Action Matrix and associated regulatory follow-up. The NRC staff plans to focus on PI&R findings in the Action Matrix and associated regulatory follow-up as a part of the Phase 2 ROP enhancement initiatives. The NRC staff mentioned that a letter from members of Congress had been received expressing concerns over the proposed

CONTACT: Tekia V. Govan, NRR/DIRS  
(301) 415-6197

changes in SECY-19-0067. The staff was in the process of addressing the letter and would likely issue a *Federal Register Notice* giving the public additional time to comment on the paper and activities in Phase 2 of the enhancement project.

### **ROP Enhancement Updates**

The NRC staff informed meeting participants that the ROP enhancement recommendations memorandum is targeted for completion by the end of August 2019. The memorandum will be publicly available. This memorandum will disposition the 27 recommendations made by NEI (ADAMS Accession No. ML18262A322) and the 72 recommendations made by NRC staff and other stakeholders as part of the NRC's transformation team efforts (ADAMS Accession No. ML18292A594). Recommendations that are within the scope of ROP enhancement that necessitate additional NRC action are being addressed under Phase 2 of the ROP enhancement initiative and other longer-term actions.

The nuclear industry and members of the public provided the below question and requests prior to the staff's ROP enhancement updates:

**Question** – Will Phase 2 of the ROP enhancement initiative be performed in the same manner as Phase 1, where all topics will be addressed in a consolidated SECY paper?

**NRC staff response** - Although it is premature at this time to know how Phase 2 will proceed, the staff believes that individual topics in Phase 2 will proceed on an independent track to closure.

**Request 1** - Specific to the effectiveness review cross-cutting issues (CCI) program, the nuclear industry would like to have the opportunity to review and comment on any data used during the review to draw conclusions.

**NRC staff response** - The staff acknowledged this request noting that this was one important lesson learned in Phase 1 of the ROP enhancement initiative.

**Request 2** - The nuclear industry requested that the NRC staff clearly articulate a problem statement and/or objective for all the work being performed in Phase 2 for ROP enhancement.

**NRC staff response** - The staff stated that a publicly available lessons learned document is currently be prepared which will include input from the industry and others involved in Phase 1 of the ROP enhancement initiative.

The meeting continued with the NRC staff demonstrating how to access the ROP enhancement public website(<https://www.nrc.gov/reactors/operating/oversight/rop-enhancement.html>) and noting that the website will be updated to be more user-friendly in the near term. The staff then provided a summary of the activities that are included in Phase 2 of the ROP enhancement initiative. The staff intends to provide an update on all Phase 2 activities during each ROP monthly meeting.

### ***Radiation Protection***

The NRC staff provided an update of changes being considered for the radiation protection inspections and summarized a public meeting staff held on July 23, 2019, to discuss radiation protection inspection program changes in detail (ADAMS Accession No. ML19220B570). As part of the first phase of ROP Enhancement initiative, the NRC staff recommended in SECY 19-0067 that dedicated baseline inspection in the area of as low as is reasonably

achievable (ALARA) planning and controls be retired, and that oversight of this area be incorporated within existing inspections. As part of the Phase 2 ROP Enhancement initiative, and in conjunction with a regularly scheduled inspection procedure revision, the NRC staff is pursuing other changes to radiation protection inspection program. The staff is proposing to extend the frequency of inspections in the areas of radioactive effluents and environmental monitoring from biennial to triennial. The staff's proposal is based on operational data and the very low radiological risk associated with effluent and environmental monitoring. Every licensee satisfies the ALARA criteria of Title 10, Chapter I, of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix I and radioactive effluents from nuclear power plants in the United States represent a negligible amount of dose to the public. Additionally, the staff is proposing to introduce limited inspection of the physical protection of category 1 and category 2 quantities of radioactive material. The inspection guidance for the oversight of 10 CFR Part 37 would be limited in scope and inspections would be completed within the resources that are already allocated for existing radioactive material control and transportation inspections. Finally, the staff discussed the need to update all of the radiation protection inspection procedures to conform with current NRC Inspection Manual Chapter (IMC) guidance and to facilitate the inspectors' use of computer applications in developing inspection reports. However, the staff made clear that changes to the formatting of the inspection procedures do not change inspection scopes or level of effort. The staff will be notifying the NRC Commission of Phase 2 changes prior to implementation per Management Directive 8.13.

#### *Cross Cutting Issues (CCI)*

The staff provided a brief discussion of an upcoming effectiveness review of the ROP CCI program. The NRC's ROP self-assessment process outlined in IMC 0307, "Reactor Oversight Process Self-Assessment Program," prescribes a multi-faceted approach to assessing the ROP, including assessment of the effectiveness of program changes. Changes to the CCI program were made in calendar year 2015 and the staff is now planning an effectiveness review of those changes and the CCI program overall. A multi-disciplinary team consisting of staff from NRC headquarters and regional offices and an executive sponsor will conduct the review in fall 2019 with opportunities for public feedback on the CCI program at the August and September 2019 ROP public meetings. The team charter is publicly available in ADAMS (ADAMS Accession No. ML19179A105) and available on the enhancement public website.

#### *Emergency Preparedness*

The NRC staff briefed that most of the remaining work for emergency preparedness (EP) will be directed by the Commission from their response to SECY-19-0067. Based on the direction given, revisions to applicable IMCs will be drafted by the staff using the current IMC change management processes, which includes opportunities for public engagement. In addition, the staff will continue to engage the industry and the public during the development of these changes during EP-specific public meetings, as necessary. The Office of Nuclear Security and Incident Response (NSIR) will continue to work on enhancing the EP ROP/significance determination process (SDP) procedures and training programs to improve clarity, remove ambiguity, to provide enhanced technical direction, and to risk-inform the guidance using current Commission direction. NSIR will be prepared to provide additional changes to these procedures pending the outcome of SECY-19-0067.

The focused self-assessment (FSA) charter, and final report, are publicly available (ADAMS Accession Nos. ML18149A392 and ML18331A374, respectively) and are available on the

enhancement public website. The FSA will provide several opportunities for public engagement.

#### *Problem Identification and Resolution (PI&R)*

The NRC staff briefed that in July 2019 the PI&R working group began its focused review on the following items:

1. Review of the procedures to gain efficiency of currently inspected areas and determine necessary changes. This review includes semi-annual trend review, annual samples and safety conscious work environment.
2. Determine ways to focus inspection effort on programmatic review of PI&R. Develop a graded assessment process when an area of improvement is determined by the inspection team for licensee's PI&R processes.
3. Determine any improvements in correlation of PI&R and cross cutting issues.

The team is also reviewing the lessons learned from previous inspections relating to PI&R, all the open feedback forms, feedback from the PI&R team leaders and recommendations from NEI and NRC staff.

The team charter is publicly available under ADAMS Accession No. ML19212A017 and is available on the enhancement public website. The staff plans to complete this effort by November 2019 and will provide additional information on this effort at the next ROP monthly public meeting.

#### *Significance Determination Process (SDP)*

The NRC staff discussed the Phase 2 ROP enhancements related to the SDP. The SDP Phase 2 ROP enhancements include ongoing efforts to review the interactions that take place between licensees and the NRC during the SDP, piloting a revised approach to common cause failure analysis in SDP, improving human reliability analysis tools, auditing industry reliability data for FLEX equipment, and supporting the expansion of the use of Standardized Plant Analysis Risk models by inspectors. The NRC staff addressed questions and comments from industry and the public. Questions were asked about the project to improve the NRC's human reliability analysis tools. Additional information about the human reliability analysis improvement project was presented at the 2019 Regulatory Information Conference and is available online at <https://www.nrc.gov/public-involve/conference/symposia/ric/past/2019/docs/abstracts/sessionabstract-34.html>.

#### *Independent Spent Fuel Storage Installation (ISFSI)*

The NRC staff provided a status update on the ISFSI inspections recommendation activities. The staff explained that the team has members from all four regions, the Office of Nuclear Reactor Regulation and the Office of Nuclear Material Safety and Safeguards and a Senior Executive Service Champion from Region IV. The staff briefed the attendees on the ISFSI enhancement team work to date including completion of the team's charter that is now publicly available (ADAMS Accession No. ML19155A273). Additionally, the staff mentioned frequency

of inspections, training of ISFSI inspectors and scope of inspections as some of the areas assessed by the team.

### **PRA Oversight Initiatives**

The NRC staff provided awareness of recent efforts that would provide additional guidance to NRC inspection staff when conducting ROP baseline samples related to oversight of 10 CFR 50.65 (maintenance rule), 10 CFR 50.69 (risk-informed categorization and treatment of equipment), and risk-informed technical specification initiatives such as risk-informed completion times (4B) & surveillance frequency control programs (5B). The guidance is intended to provide a better understanding of the regulatory framework, as well as focus inspector efforts. The inspection procedure sample size and level of effort remains the same. Drafts of the inspection procedures are found under ADAMS Accession No. ML19197A293. The expectation is for the inspection procedures to be finalized and effective by January 1, 2020. Other revisions not associated with effort discussed during the meeting may be incorporated into the procedures as well (i.e. IMC 0040 format, resolving feedback, AP1000). The NRC indicated that if desired, the draft inspection procedures can be discussed at the next ROP public meeting.

### **Reactor Oversight Process Performance Indicator Program Frequently Asked Question (FAQ)**

FAQ 19-02: Brunswick RCS Leakage: The status of FAQ 19-02, Brunswick RCS Leakage, was transitioned to Final Response Approved during the July 31, 2019 ROP public meeting. The new ADAMS Accession No. for FAQ 19-02 is ML19198A226. There were no questions or comments provided by the ROP working group or the public.

### **IMC 0609, Appendix A and IMC 0609, Attachment 4**

The NRC staff discussed the proposed revisions to IMC 0609, Appendix A, "The Significance Determination Process for Findings At-Power" and IMC 0609, Attachment 4, "Initial Characterization of Findings." These draft documents were made available to the public prior to the meeting under ADAMS Accession Nos. ML19198A183 and ML19198A195, respectively. Additionally, the NRC staff provided a summary of the proposed revisions in a presentation available under ADAMS Accession No. ML19206A044. The NRC staff addressed questions and comments from industry and the public. Industry expressed some concern over the treatment of FLEX equipment in the proposed revision to Appendix A. NEI committed to submitting a list of questions related to the proposed revisions to Appendix A and Attachment 4 by August 14, 2019. The NRC will receive any inputs and be prepared to address any questions related to proposed revisions of the aforementioned IMCs at the August 2019 ROP meeting. The NRC staff expects to issue the revised guidance documents in September 2019.

### **Engineering Inspection Program**

The NRC staff provided a brief update that included the plan for implementation of the new procedures, when to expect publicly available drafts of the procedures, and when the NRC inspectors will be trained on the changes. The staff also indicated that the new power-operated valve training that NRC staff receives will be made publicly available in the near future.

The NRC staff is currently drafting the new comprehensive engineering team inspection procedures which will be made public once finalized. The new draft power-operated valve inspection procedure (IP) 71111.21N.02, "Design-Basis Capability of Power-Operated Valves Under 10 CFR 50.55a Requirements" (ADAMS Accession No. ML19067A240), and the new draft fire protection procedure IP 71111.21N.05, "Fire Protection Team Inspection" (ADAMS Accession No. ML19084A040) are both publicly available. The staff is considering additional focused engineering inspection topics, should the Commission approve a four- or five-year engineering inspection program cycle and will provide the Commission with those selections via a Commission's Assistant's Note. The staff also indicated that they are no longer considering giving inspection credit to licenses for their self-assessment.

### **Meeting Action Items**

1. NEI committed to submitting a list of questions related to the proposed revisions to IMC 0609, Appendix A and IMC 0609, Attachment 4 by August 14, 2019.
2. The NRC staff requested that NEI provide an update on where industry is with their efforts to develop a proposed replacement for the Mitigating Systems Performance Index and develop a standardized method for escalation of issues with the NRC.
3. NRC staff to provide an update on the project charters developed for each Phase 2 ROP enhancement initiative and place them on the enhancement public webpage.

### **Communicating with the NRC staff**

At the start of all ROP public meetings, the project manager provides contact information for the public to use to provide their name as a participant in the meeting. This contact information is also provided for submitting questions and comments to the NRC technical staff. Please note that any questions and/or comments pertaining to the ROP enhancement project can be sent to [Tekia.Govan@nrc.gov](mailto:Tekia.Govan@nrc.gov) or [Russell.Gibbs@nrc.gov](mailto:Russell.Gibbs@nrc.gov). Questions and/or comments will be forward to the appropriate NRC staff.

### **Conclusion**

At the end of the meeting, NRC and industry management gave closing remarks. NEI expressed appreciation for the open dialogue and willingness of NRC staff to hear industry views, even in areas where NRC staff and industry may not be aligned. The NRC management stressed the importance of NRC being focused on providing reasonable assurance of public health and safety when considering changes to the ROP.

The enclosure provides the attendance list for this meeting.

Enclosure:  
As stated

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS MONTHLY PUBLIC  
MEETING ON JULY 31, 2019 DATED

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**ADAMS Accession No.: ML19235A290**

<b>*OFFICE</b>	NRR/DIRS/IRGB/PM	NRR/DIRS/IRGB/OLA	NRR/DIRS/IRAB/BC
<b>NAME</b>	TGovan	IBetts*	AMasters*
<b>DATE</b>	08/23/2019	08/26/2019	08/27/2019

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## LIST OF ATTENDEES

### REACTOR OVERSIGHT PROCESS MONTHLY PUBLIC MEETING

July 31, 2019, 9:00 AM to 12:30 PM

**NRC One White Flint North  
11555 Rockville Pike  
Commission Hearing Room  
Rockville, MD**

<b>Name</b>	<b>Organization</b>	<b>Name</b>	<b>Organization</b>
Carlos Sisco	Winston and Strawn	David Aird	NRC
Tracy St. Clair	First Energy Corp.	Michele Kichline	NRC
Jim Slider	NEI	Eric Bowman	NRC
Joseph Baker	PSEG	Chris Miller	NRC
Larry Parker	STARS Alliance	Alex Garmoe	NRC
Edwin Lyman	Union of Concerned Scientists	Russell Gibbs	NRC
Marty Murphy	Xcel Energy	John Hughey	NRC
Danny McGinnis	Dominion Energy	Ami Agrawal	NRC
Mandy Halter	Entergy	Tekia Govan	NRC
Steve Catron	NextEra	Joylynn Quinones	NRC
Ken Heffner	Certrec	Ray Kellar	NRC
David Mannai	PSEG	Don Johnson	NRC
James Polickoski	TVA	Carla Roque-Cruz	NRC
Vicken Khatchadourian	EPM, Inc.	Dan Merzke	NRC
Scott Diven	Exelon	Alonzo Richardson	NRC
Mike Annon	I&C Engineering Associates	David Garmon	NRC
Laura Schwartz	International Technology and Trade Associates Inc.	Shakur Walker	NRC
Steven Dolley	Inside NRC	Russell Felts	NRC
Chris Earls	NEI	Charles Murray	NRC
Margie Staiger	NEI	Robert Kahler	NRC
Justin Warren	NEI	Robert Krsek	NRC
Tony Zimmerman	Duke Energy	Phil McKeena	NRC
Tatsuro Kobayashi	TEPCO	Anthony Masters	NRC
Takatashi Futatsugi	TEPCO	William Orders	NRC
Sho Takarada	TEPCO	Tom Hipschman	NRC
David Gudgus	Exelon	C.J. Fong	NRC
Oge Gellrich	Exelon	Ross Telson	NRC
Lance Sterling	STP	Aron Lewis	NRC
Stephanie Cooke	Nuclear Intelligence Weekly	Mark King	NRC
		Eric Benner	NRC
		Jeff Mitman	NRC
		Scott Burnell	NRC
		Raymond Gibson	NRC

Enclosure