



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

September 24, 2019

MEMORANDUM TO: Dennis C. Morey, Chief
Licensing Processes Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

FROM: Ngola Otto, Project Manager */RA/*
Licensing Processes Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF AUGUST 1, 2019, MEETING BETWEEN THE NRC
STAFF AND NEI TO DISCUSS REVISED GUIDANCE DOCUMENTS:
INSPECTION MANUAL CHAPTER (IMC) 0326 AND NEI 18-03

On August 1, 2019, the U.S. Nuclear Regulatory Commission (NRC) staff held a Category 2 public meeting with representatives from the Nuclear Energy Institute (NEI) and industry. The purpose of the public meeting was for the NRC and NEI to discuss revised guidance documents: IMC 0326, "Operability Determinations," and NEI 18-03, "Operability Determinations." All information related to this meeting and discussed in this summary can be found in the Agencywide Documents Access and Management System (ADAMS) packages under Accession No. ML19197A117 and Accession No. ML19247C146.

NRC's revised IMC 0326 and related presentation are documented in ADAMS Accession Numbers ML19197A133 and ML19197A140 respectively. The staff's presentation focused on revisions to IMC 0326, which include 1) IMC Title Change, 2) New Sections Added, 3) Items Removed, and 4) Items Relocated. The staff also stated that the revised IMC 0326 was sent to the regional staff for comment in mid-July and the staff is continuing to evaluate and resolve the numerous comments received to date.

NEI's presentation related to revised NEI 18-03 is documented in ADAMS Accession No. ML19211B365. The staff and industry engaged in clarification discussions.

NEI provided feedback on the revised IMC 0326 in the following areas:

- NEI stated that the concept of "reasonable expectation" is more commonly used by licensees, and that the inspector guidance should reflect that term and not the agency's term "reasonable assurance."
- NEI provided feedback in the form of clarification suggestions in the areas of code compliance, the definition of operability, and the definition of specified safety function.

The following Action Items were identified during these discussions:

1. NEI to provide formal documented feedback, which will include more comments than those discussed during the public meeting, on IMC 0326 to staff for consideration prior to submitting the revised IMC 0326 for formal concurrence scheduled for the end of September 2019.
 - a. NEI provided the documented feedback on August 19, 2019, which can be found in the ADAMS Accession No. ML19247B792.
2. The staff will continue to receive, evaluate, and resolve comments, leaving enough time to prepare the revised IMC 0326 for formal concurrence.

There were no members of the public who provided comments.

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Docket No.: 99902028

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CHAPTER (IMC) 0326 AND NEI 18-03 DATE: SEPTEMBER 24, 2019

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