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|--|---|--|-------------|--|---------------|
| INTERAGENCY AGREEMENT | | 1. IAA NO. 31310019F0034 | | PAGE 1 OF 3 | |
| 2. ORDER NO. | | 3. REQUISITION NO. NRR-19-0106 | | 4. SOLICITATION NO. | |
| 5. EFFECTIVE DATE 09/09/2018 | | 6. AWARD DATE 08/27/2019 | | 7. PERIOD OF PERFORMANCE 09/09/2019 TO 08/31/2020 | |
| 8. SERVICING AGENCY PACIFIC NORTHWEST NAT LAB ALC: DUNS: 000000000 +4: US DEPARTMENT OF ENERGY PACIFIC NORTHWEST SITE OFFICE PO BOX 350 MS K9-42 RICHLAND WA 99352 POC [REDACTED] TELEPHONE NO. [REDACTED] | | 9. DELIVER TO BERNARD GRENIER US NUCLEAR REGULATORY COMMISSION OFFICE OF NUCLEAR REACTOR REGULATION 11555 ROCKVILLE PIKE ROCKVILLE MD 20852 | | | |
| 10. REQUESTING AGENCY ACQUISITION MANAGEMENT DIVISION ALC: 31000001 DUNS: 040535809 +4: US NUCLEAR REGULATORY COMMISSION ONE WHITE FLINT NORTH 11555 ROCKVILLE PIKE ROCKVILLE MD 20852-2738 POC Sandra Nesmith TELEPHONE NO. 301-415-6836 | | 11. INVOICE OFFICE US NUCLEAR REGULATORY COMMISSION ONE WHITE FLINT NORTH 11555 ROCKVILLE PIKE MAILSTOP 03-E17A ROCKVILLE MD 20852-2738 | | | |
| 12. ISSUING OFFICE US NRC - HQ ACQUISITION MANAGEMENT DIVISION MAIL STOP TWFN-07B20M WASHINGTON DC 20555-0001 | | 13. LEGISLATIVE AUTHORITY Energy Reorganization Act of 1974 | | | |
| | | 14. PROJECT ID | | | |
| | | 15. PROJECT TITLE REVIEW OF THE NINE MILE POINT NUCLEAR STATION UNIT | | | |
| 16. ACCOUNTING DATA 2019-X0200-FEEBASED-20-20D007-1030-11-4-149-253D-11-4-149-1030 | | | | | |
| 17. ITEM NO. | 18. SUPPLIES/SERVICES | 19. QUANTITY | 20. UNIT | 21. UNIT PRICE | 22. AMOUNT |
| | Agreement No. 31310019N0001 Task Order No. 31310019F0034 The NRC and Pacific Northwest National Laboratory (PNNL) hereby enter into this Agreement for the project titled "Review of the Nine Mile Point Nuclear Station Unit 2, License Amendment Request to Revise Technical Specifications to Adopt Risk Informed Completion Times TSTF-505, Revision 2, "Provide Risk Informed Extended Completion Times - RITSTF Initiative 4b." Continued ... | | | | |
| 23. PAYMENT PROVISIONS | | 24. TOTAL AMOUNT \$65,000.00 | | | |
| 25a. SIGNATURE OF GOVERNMENT REPRESENTATIVE (SERVICING) | | 26a. SIGNATURE OF GOVERNMENT REPRESENTATIVE (REQUESTING)  | | | |
| 25b. NAME AND TITLE | 25c. DATE | 26b. CONTRACTING OFFICER SANDRA R. NESMITH | | 26c. DATE 09/10/2019 | |

Period of Performance: September 9, 2019 - August 31, 2020

Consideration and Obligations:

(a) Authorized Cost Ceiling \$150,417.00

(b) The amount presently obligated with respect to this DOE Agreement is \$65,000.00. When and if the amount(s) paid and payable to the DOE Laboratory hereunder shall equal the obligated amount, the DOE Laboratory shall not be obligated to continue performance of the work unless and until the NRC Contracting Officer shall increase the amount obligated with respect to this DOE Agreement. Any work undertaken by the DOE Laboratory in excess of the obligated amount specified above is done so at the DOE Laboratory's sole risk.

The following documents are hereby made a part of this Agreement:

Attachment No. 1: Statement of Work

This agreement is entered into pursuant to the authority of the Energy Reorganization Act of 1974, as amended (42 U.S.C 5801 et seq.). This work will be performed in accordance with the NRC/DOE Memorandum of Understanding dated November 24, 1998. To the best of our knowledge, the work requested will not place the DOE and its contractor in direct competition with the domestic private sector.

☒ Fee Recoverable Work

Docket No.: Unit 2 - 05000410

EPID: To be provided

CAC: 000976

TAC: Nine Mile Point Unit 2

[REDACTED]

Continued ...

NRC COR: Bernard Grenier,
bernard.grenier@nrc.gov, 301-415-2726

DUNS: 040535809
TAS: 31X0200.320
ALC: 31000001
Master IAA: 31310019N0001

STATEMENT OF WORK

| | | | |
|--|--|--|---|
| NRC Agreement Number 31310019N0001 | NRC Agreement Modification Number | NRC Task Order Number (If Applicable) 31310019F0034 | NRC Task Order Modification Number (If Applicable) |
| Project Title Review of the Nine Mile Point Nuclear Station Unit 2 License Amendment Request to Revise Technical Specifications to Adopt Risk Informed Completion Times TSTF-505, Revision 2, "Provide Risk-Informed Extended Completion Times – RITSTF Initiative 4b" | | | |
| Job Code Number Cost Center 1030 | B&R Number 11-4-149 | DOE Laboratory Pacific Northwest National Laboratory | |
| NRC Requisitioning Office Nuclear Reactor Regulation (NRR), Division of Risk Assessment (DRA) | | | |
| NRC Form 187, Contract Security and Classification Requirements <input type="checkbox"/> Applicable <input checked="" type="checkbox"/> Not Applicable | | <input checked="" type="checkbox"/> Involves Proprietary Information <input type="checkbox"/> Involves Sensitive Unclassified | |
| <input type="checkbox"/> Non-Fee-Recoverable | | <input checked="" type="checkbox"/> Fee-Recoverable (If checked, complete all applicable sections below) | |
| Docket Number (If Fee-Recoverable/Applicable) 05000410 | | Inspection Report Number (If Fee Recoverable/Applicable) N/A | |
| EPID # To be provided CAC = 000976 | | Technical Assignment Control Number Description (If Fee-Recoverable/Applicable) Nine Mile Point Nuclear Station Unit 2 | |

1.0 BACKGROUND

The licensee has submitted a request to amend the Technical Specifications (TS) for the Nine Mile Point Nuclear Station Unit 2, in accordance with the provisions of Section 50.90 of Title 10 of the Code of Federal Regulations (10 CFR). The proposed amendments would modify TS requirements to permit the use of risk-informed completion times (RICTs) in accordance with the TS task force (TSTF) traveller TSTF-505 Revision 2, "Provide Risk-Informed Extended Completion Times – RI [risk-informed] TSTF Initiative 4b" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18183A493). On November 21, 2018, the Nuclear Regulatory Commission (NRC) staff transmitted the final revised model safety evaluation (SE) for TSTF-505, Revision 2 (ADAMS Accession No. ML18269A041) which approved the TSTF-prepared Revision 2 of TSTF-505 submitted on July 2, 2018 (ADAMS Accession No. ML18183A493).

The Nuclear Energy Institute (NEI) Topical Report (TR) 06-09, Revision 0 A (hereafter referred to as NEI 06-09-A), "Risk Informed Technical Specifications Initiative 4b, Risk Managed Technical Specifications (RMTS) Guidelines," (ADAMS Package Accession No. ML122860402) provides guidance for implementation of a generic TS improvement that establishes a risk management approach for voluntary extensions of completion times for certain Limiting Conditions for Operation (LCOs). The NEI developed the guidance in NEI 06-09-A as a methodology to evaluate and extend TS Limiting Condition for Operation (LCO) Required Action Completion Times (CTs). The NRC staff's SE, dated May 17, 2007 (ADAMS Accession No. ML071200238), found the guidance in NEI 06-09, Revision 0, to be acceptable, with clarifying NRC staff positions, limitations, and conditions. The NEI issued NEI 06-09-A by including the NRC staff's SE in the front of the NEI 06-09 document, but not incorporating the NRC staff positions, limitations, and conditions into the guidance described in the document. Accordingly, NEI 06-09-A could be acceptable for referencing by licensees proposing to amend their TSs to implement RMTS when the NRC staff positions, limitations, and conditions described in the NRC staff's SE dated May 17, 2007, are met.

Probabilistic Risk Assessment (PRA) Licensing Branch A and B (APLA and APLB, respectively) are responsible for reviewing the technical acceptability of the risk assessments (e.g., PRAs) used to support the license amendment request (LAR). Due to heavy workload in APLA and APLB, contractor assistance is required to enable NRC staff to complete the technical review and develop input for the safety evaluation (SE) in a timely manner.

2.0 OBJECTIVE

The objective of this task order is to obtain technical expertise from Pacific Northwest National Laboratory (PNNL) to assist the NRC staff in determining the technical acceptability of the risk analyses used to support the LAR.

3.0 SCOPE OF WORK

PNNL must provide all resources necessary to accomplish the tasks and deliverables described in this statement of work (SOW).

PNNL is to review the LAR to Adopt TSTF-505, Revision 2, assess the technical acceptability of risk assessments to support the LAR, identify the need for additional information as necessary, and prepare a TER, as described in Section 4.0 "Specific Tasks" below.

4.0 SPECIFIC TASKS

PNNL is to perform the following tasks:

| <u>Tasks</u> | <u>Completion Schedule</u> |
|--|---------------------------------------|
| 1. <u>Technical Review and Evaluation</u> | |
| Based on Regulatory Guide (RG) 1.174 and RG 1.177, applicable NRC Standard Review Plan Chapters, TSTF-505, Revision 2 and the associated NRC model SE, and NEI 06-09-A and the associated NRC SE, review the LAR including LAR enclosures and supplements. Specifically: | Six weeks from authorization of work. |

| <u>Tasks</u> | <u>Completion Schedule</u> |
|---|----------------------------|
| <ul style="list-style-type: none"> Evaluate the technical acceptability of risk-assessments, including all PRA models for all proposed risk-informed completion times including the PRA scope, level of detail, conformance with the technical elements, plant representation, and modeling and success criteria for performing RICTs evaluations. Confirm that the licensee has completed a peer review and/or gap assessment of their models in accordance with the latest implemented revision of RG 1.200. Review all peer review facts and observations (F&Os). Evaluate the disposition of the F&O for the RICTs program¹. Document evaluation and proposed recommendations to the F&O disposition. Identify the method by which the licensee is addressing hazard groups other than internal events PRA. Confirm that the method 1) requires a peer-reviewed PRA model or that qualitative or bounding analyses will be considered, 2) considers the current as-built, as-operated plant, 3) uses NRC-accepted methods, 4) is consistent with TSTF-505, Revision 2, and the associated NRC SE, and 5) NEI 06-09-A and the associated NRC SE as referenced in the LAR. Evaluate the transition of the PRA models into the configuration risk management program (CRMP) including quality assurance (QA) and determine its adequacy. | |

¹ See item 4 under "Assumptions and Understanding" in Section 16, "Other Considerations."

- Review the proposed implementation of RICTs including implementation of TSTF-505, Revision 2 and the associated NRC staff SE, and NEI 06-09-A and the associated NRC staff SE.

Identify the need for request for additional information (RAIs) and prepare a technical evaluation report (TER) to include the RAIs and a record of review (ROR) for the F&Os.

Tasks

Completion Schedule

2. Audit

- Prepare for the audit by reviewing the draft TER and RAIs and prepare a technical letter report consisting of input to the audit plan.
- Travel to the plant site or alternative location and participate in the audit in accordance with LIC-111, "Regulatory Audits" to review the areas reviewed under Task 1; identify the need for more information (RAIs). Prepare technical letter report as follows:

One week prior to the scheduled audit.

(1) Prepare on-site RAIs.

One day prior to the exit meeting.

(2) Prepare a trip report.

One week after the on-site audit.

3. Review Licensee Responses

Review and evaluate the RAI responses and determine if the response(s) adequately address the open issues. If the response(s) is not acceptable, discuss the RAI response(s) with the NRC staff who may determine that a conference call is needed to discuss the RAI response(s) with the licensee in which case the Principal Investigator (PI) will be notified and a mutually acceptable date to participate in the conference call will be set. If the response is deemed inadequate, prepare proposed follow-up RAIs and the bases. Incorporate the results in the TER prepared under Task 1 and submit the updated TER.²

Two weeks after receipt of the RAI response(s).

² Whether or not the responses to the RAIs are acceptable or not, the updated TER is to be included with proposed RAIs.

4. Prepare Final TER

Upon notification by the Contracting Officer Representative (COR) and/or receipt of final comments from the COR, update the TER utilizing the template and guidance supplied by the NRC COR.

Tasks

Completion Schedule

a. Draft TER.

Two weeks after notification by the COR.

b. Incorporate NRC comments and submit the final TER.

Two weeks after notification by the COR.

5.0 DELIVERABLES AND/OR MILESTONES SCHEDULE

See Section 4.0

6.0 TECHNICAL AND OTHER SPECIAL QUALIFICATIONS REQUIRED

One PI/Senior Risk Analyst and one staff-level Risk Analyst³ who possess knowledge and experience in the disciplines and technical area related to the design, construction, operation, maintenance and inspection of nuclear power plants. The knowledge and experience are usually gained by working in a technical systems, design or operations position at a nuclear utility licensee, vendor or architectural/engineering firm, or the equivalent.

The Reliability and Risk Analysts must have a fundamental understanding of risk-informed activities which can be used to achieve NRC's regulatory objectives and overall responsibilities by:

1. Understanding and having experience with general PRA methods and techniques including system and function modelling using fault and event trees, use of NRC SAPHIRE software or industry equivalent software, common cause failures, human failure probabilities and the relative importance of the different inputs on PRA results.
2. Having a thorough understanding of risk and nuclear power plant technology.
3. Understanding and experience in one or more specialized PRA techniques such as success criteria development, containment failure analysis, and/or location dependent hazards analyses (e.g., flooding and fire).
4. Having a working knowledge of the structure, content, and use of the ASME/ANS PRA consensus standard and the associated peer review process.

³ More than one Analyst may be assigned but within the same agreed-upon level of effort. Only the PI is designated as Key Personnel.

5. Being familiar with current and pending risk-informed license applications and the role of PRA in those regulatory applications as well as fundamental reactor insights from initiatives such as the Individual Plant Examination (IPE), Individual Plant Examination of External Events (IPEEE), and National Fire Protection Association (NFPA) 805.

7. Understanding the risk-informed decision-making process and risk-informed performance-based regulation and their requirements for implementation.

The Reliability and Risk Analysts must have a fundamental knowledge of and demonstrated experience in using or otherwise applying the guidance contained in the following references:

- Regulatory Guide (RG) 1.174 “An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions of Plant-Specific Changes to the Licensing Basis”
- RG 1.175 “An Approach for Plant-Specific, Risk-Informed Decision making: Inservice Testing”
- RG 1.177 “An Approach for Plant-Specific, Risk-Informed Decision making: Technical Specifications”
- RG 1.178 “An Approach for Plant-Specific, Risk-Informed Decision making: Inservice Inspection”
- RG 1.200, “An Approach for Determining the Technical Adequacy of Probabilistic Risk Assessment Results for Risk-Informed Activities”
- Federal Register, 8/8/85, "Policy Statement on Severe Reactor Accidents regarding Future Designs and Existing Plants" 51 FR 32138
- Federal Register, 8/21/86, "Safety Goals for the Operations of Nuclear Power Plants: Policy Statement" 51 FR 30028
- Federal Register, 8/16/95 "Use of Probabilistic Risk Assessment Methods in Nuclear Regulatory Activities: Final Policy Statement" 60 FR 42622.

7.0 KEY PERSONNEL

PNNL proposes the following personnel for work under this task order:



8.0 MEETINGS AND TRAVEL

One, three-day, one-person trip by the PI/Senior Risk Analyst to the plant site located in Scriba, N.Y. (40 miles NW Oswego, N.Y.) or other audit site to be designated; this site should be used for cost proposal purposes.

9.0 REPORTING REQUIREMENTS

PNNL is responsible for structuring the deliverable to follow agency standards. The current agency standard is Microsoft Office Suite 2013. The current agency Portable Document Format (PDF) standard is Adobe Acrobat XI Professional. Deliverables must be submitted free of spelling and grammatical errors and conform to requirements stated in this section.

Technical Reporting Requirements

1. At the completion of Task 1, submit a TER in the format to be provided by the NRC along with a listing of the RAIs along with the bases for those RAIs. See Section 16.1 for guidance in the preparation of RAIs.
2. At the completion of Subtask 2.a., submit a technical letter report that contains the input to the audit plan.
3. At the completion of Subtask 2.b.(1), submit a technical letter report that contains the RAIs generated as a result of audit activities.
4. At the completion of Subtask 2.b.(2), submit a trip report that contains summary of the activities performed during the audit and a summary of significant highlights, observations, insights, and findings. Include the title and description of any documents, slides, or other materials reviewed on the trip. As appropriate, describe possible resolution of the findings/observations, noting disposition responsibility (if appropriate) of the items presented and reviewed.
5. At the completion of review of each request to evaluate the RAI responses under Task 3, submit the updated TER along with any outstanding/new RAIs which clearly articulates the bases for the need for further information or discussion.
6. At the completion of Task 4, submit the final TER, draft and final as appropriate, that contains the results of the evaluation, findings.

Monthly Letter Status Reporting Requirements (MLSR)

PNNL shall provide a Monthly Letter Status Report which consists of a technical progress report and financial status report. This report will be used by the NRC to assess the adequacy of the resources utilized by PNNL to accomplish the work contained in this SOW and to provide status of PNNL's progress in achieving tasks and producing deliverables. The report shall include agreement/order summary information, work completed during the specified period, milestone schedule information, problem identification and resolution, travel plans, and staff hour summary. Copies shall be sent to the COR and AMD at ContractsPOT.Resource@nrc.gov

A monthly expense variance greater than 10 percent of the spending plan must be explained in the Problem/Resolution" section.

NOTE: Once a variance reaches plus 15 percent, prior approval is required in writing from the NRC COR, or a Modification is to be processed.

10.0 PERIOD OF PERFORMANCE

The period of performance for this task order is September 9, 2019 – August 31, 2020.

11.0 CONTRACTING OFFICER'S REPRESENTATIVE

The COR monitors all technical aspects of the agreement/task order and assists in its administration. The COR is authorized to perform the following functions: assure that the PNNL performs the technical requirements of the agreement/task order; perform inspections necessary in connection with agreement/task order performance; maintain written and oral communications with PNNL concerning technical aspects of the agreement/task order; issue written interpretations of technical requirements, including Government drawings, designs, specifications; monitor PNNL's performance and notify PNNL of any deficiencies; coordinate availability of NRC-furnished material and/or GFP; and provide site entry of PNNL personnel.

COR: Bernard L. Grenier, Bernard.Grenier@nrc.gov, 301-415-2726

Alternate COR: Jay.Robinson@nrc.gov, 301-415-2878

12.0 MATERIALS REQUIRED

N/A

13.0 NRC-FURNISHED PROPERTY/MATERIALS

The ADAMS Accession No. for the Nine Mile Point Nuclear Station Unit 2, LAR to adopt TSTF-505, Revision 2, is ML _____.

NOTE: Some of these documents may contain proprietary information and must be safeguarded against unauthorized disclosure. After completion of work, the documents should either be destroyed or returned to NRC. If they are destroyed, please confirm this in an E-mail to the COR and include the date and manner in which the documents were destroyed.

The NRC COR will provide those NRC documents related to licensing activities (for example, any Non-Publicly available SERs, audit reports, and related documents) that are readily available. The NRC COR will provide access to training material pertinent to the LAR reviews or other NRC documents and docketed correspondence on related issues. PNNL shall identify any additional NRC documentation that is needed, and the COR will determine whether these will be provided by the NRC or obtained directly by PNNL from ADAMS, NRC public document room or the NRC website at www.nrc.gov.

14.0 RESEARCH QUALITY

N/A

15.0 STANDARDS FOR CONTRACTORS WHO PREPARE NUREG-SERIES MANUSCRIPTS

N/A

16.0 OTHER CONSIDERATIONS

Assumptions and Understandings

1. It is understood that each Task contains a sufficient level of effort to conduct telephone conference calls with the NRC staff. Such phone calls, for example, might be arranged by the NRC COR with the Licensing Project Manager and other NRC staff to discuss the RAIs and to reach an understanding with the licensee. Comments may be provided to the contractor such that the RAIs may have to be resubmitted by the contractor; if that is the case, a mutually acceptable date for the deliverable will be agreed upon.
2. For Task 1, it is understood that in developing the RAIs, the bases will need to provide justification demonstrating that the results will “fill a hole” in the TER. For example, the statement can be phrased as the following: *This issue, for which the SER would eventually not be complete, affects section X of the TER and will be included in Section X of the TER.*
3. It is understood that the format/content of the TER to be provided in Task 1 will be consistent with the NRC approved TSTF-505, Revision 2 SE.
4. It is understood that for Task 1 that the review will include F&Os for internal events, internal flooding, and fire. The review will also include the technical acceptability of licensee’s approach for evaluating the impact of seismic risk on the program and the screening of other external hazards.
5. It is also understood for Task 1 that assistance may be required to review proposed new or unclear PRA methods found in the LAR; hours have been included for this purpose.
6. It is understood that Nine Mile Point Unit 2 does not have an approved NFPA-805 LAR and that fire F&Os will need to be evaluated for their impact on this application. The PNNL should contact the NRC COR to obtain further direction to address plant-specific concerns.
7. The level of effort assumption for the audit under Task 2 is based on 8 hours for audit preparation and 24 hours of participation in the audit and 8 hours for travel and audit report documentation. The 8 hours for the staff-level Risk Analysts are to respond to questions posed while the audit team is on site and/or to participate in conference calls conducted on site.
8. For Task 3, it is understood that the deliverable consists of the RAIs and the TER, that the NRC will not provide written comments on either the RAIs and/or the TER but that there may

be clarification calls from the Technical Reviewers to discuss or otherwise clarify the RAIs. It is understood that the TER is provided for information only, to show the context of where and how the response to the RAI will fill in the missing information needed to complete the SER.

References

- Final Revised Model Safety Evaluation of Traveler TSTF-505, Revision 2, "Provide Risk Informed Extended Completion Times - RITSTF Initiative 4B", (ADAMS Accession No. ML18269A041).
- TSTF-505, Revision 2, "Provide Risk-Informed Extended Completion Times - RITSTF Initiative 4b," July 2, 2018 (ADAMS Accession No. ML18183A493).
- Nuclear Energy Institute, NEI 06-09, "Risk-Informed Technical Specification Initiative 4b: Risk-Managed Technical Specification (RMTS)," Revision 0-A, October 2012 (ADAMS Package Accession No. ML122860402).
- U.S. Nuclear Regulatory Commission, Regulatory Guide 1.174, Revision 2, "An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis," May 2011 (ADAMS Accession No. ML100910006).
- U.S. Nuclear Regulatory Commission, Regulatory Guide 1.177, Revision 1, "An Approach for Plant-Specific, Risk-Informed Decision-making: Technical Specifications," May 2011 (ADAMS Accession No. ML 100910008).
- U.S. Nuclear Regulatory Commission, Regulatory Guide 1.200, Revision 2, "An Approach for Determining the Technical Adequacy of Probabilistic Risk Assessment Results for Risk-Informed Activities," March 2009 (ADAMS Accession No. ML090410014 and ML090410018).
- U.S. Nuclear Regulatory Commission, NUREG-0800, Standard Review Plan, Section 16.1, Revision 1, "Risk-Informed Decision Making: Technical Specifications," March 2007 (ADAMS Accession No. ML070380228).
- U.S. Nuclear Regulatory Commission, NUREG-0800, Standard Review Plan Section 19.2, "Review of Risk Information Used to Support Permanent Plant-Specific Changes to the Licensing Basis: General Guidance," June 2007 (ADAMS Accession No. ML071700658).
- U.S. Nuclear Regulatory Commission, NUREG-0800, Standard Review Plan, Section 19.1, Revision 3, "Determining the Technical Adequacy of Probabilistic Risk Assessment Results for Risk-Informed Activities," September 2012 (ADAMS Accession No. ML12193A107).

Guidance for Preparing Requests for Additional Information (RAIs)

Additional information necessary to resolve open or unresolved items identified during the review of the information associated with the LAR needs to be requested in a manner that is unambiguous, has an adequate basis, and is necessary for the safety review. RAIs should be developed using the following guidance:

1. An RAI should include the appropriate basis for requesting the information. The basis should explain why the information is needed, including how it will be used to help make a reasonable assurance finding.
2. Judgmental language should be avoided.
 - a. Questions should not make adequacy determinations.
 - b. Words like “unacceptable” or “deficient” and “deviation” should be avoided. Likewise, avoid using phrases like “*the staff will require*” since it is premature to require anything when asking questions.
3. Questions should be focused, not open-ended.
 - a. The RAI should be in the form of a question or an imperative to provide what is needed to complete the review. When the reviewer needs specific information, or the underlying issue may not be apparent, the RAI should clearly identify the information requested and/or the underlying issue.
 - c. “If ... then” questions (questions that could lead to follow-on questions) should provide both parts of the question.

After the RAIs have been forwarded to the applicable NRC Project Manager, teleconferences and/or public meetings may be held before issuing the RAIs:

- a. These discussions prevent misunderstandings of the intent of the questions.
- b. If a draft RAI is clarified or resolved before issuance, the NRC staff will prepare a documented record of the resolution (i.e., minutes of a public meeting or a teleconference summary).

After the RAIs have been issued, the applicant may request a telephone conference and/or a public meeting:

- a. The teleconferences and/or meetings provide additional clarification of the intent of the RAIs and will help the licensee prepare satisfactory responses.

- b. To ensure that the response appropriately addresses the RAI, the licensee may submit a draft response (which the NRC docket in the ADAMS) and may request a follow-up teleconference and/or meeting.

After receiving RAI response from the licensee, the NRC may hold a teleconference and/or a public meeting:

- a. The purpose of discussing a response with the licensee is to better understand the response and/or clarify areas of disagreement. If the resolution of a response relies on information not submitted to the NRC, the licensee should submit the information on the docket. The submission is not intended to be another RAI or a means to minimize the number of SER open items, but frequently reduces the number of SER open items.
- b. If the areas of disagreement remain, the unresolved RAI becomes an SER open item.

NOTE THE REQUIREMENT FOR ANY FOLLOW-UP RAIs:

For follow-up RAIs, reference the original RAI, the date of the letter in which the licensee responded to the RAI, and the ADAMS Accession Number of the letter.

"In a letter dated _____ (ADAMS Accession No. MLXXXXXXXX), the licensee responded to ____ RAI ____ and stated _____."

Access to Non-NRC Facilities/Equipment - N/A

Applicable Publications

In addition to the references above:

- 10 CFR 50.48(c);
- NFPA 805, 2001 edition; and,
- SRP Section 9.5.1.2.

Controls over document handling and non-disclosure of materials - N/A