



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

January 15, 2020

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

FROM: Joseph J. Holonich, Senior Project Manager **/RA/**  
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SUBJECT: SUMMARY OF NOVEMBER 6, 2019, MEETING TO DISCUSS  
NUCLEAR ENERGY INSTITUTE 17-06 (EPID: L-2017-PMP-0009)

On November 6, 2019, U.S. Nuclear Regulatory Commission (NRC) staff held a Category 2 meeting with representatives from the Nuclear Energy Institute (NEI). The purpose of the meeting was to discuss and provide comments on NEI 17-06, Revision B, "Guidance on Using IEC 61508 SIL Certification to Support the Acceptance of Commercial Grade Digital Equipment for Nuclear Safety Related Applications." The agenda and all information related to the meeting and discussed in this summary can be found in the Agencywide Documents Access and Management System Package Accession No. ML19240A035.

In its opening remarks, NEI stated that NEI 17-06 was important guidance for plants to use while preparing to implement digital modifications. NEI also noted that NEI 17-06 would help licensees address plant safety review criteria. NEI then made its presentation on NEI 17-06 which included NEI's responses to the NRC staff comments on draft NEI 17-06, Revision B.

During the discussions following the presentation, the NRC staff noted that, if the staff decides to endorse NEI 17-06, the endorsement would need to address the guidance within the document. Plus, it would have to describe how the NEI 17-06 guidance dovetails with other NRC staff commercial grade dedication process requirements outlined in other regulatory guidance documents.

Further, the NRC staff explained that its reading of the NEI 17-06 title implies NEI 17-06 covers all that is needed to perform commercial grade dedication of digital equipment. However, the flowchart in NEI 17-06 points to other documents. The NRC staff recommended NEI consider renaming NEI 17-06 to something more limited in scope. The title could be related to how one would address the critical characteristic of "dependability" when assessing a product's capabilities as part of Methods 2 and 4 of the staff endorsed commercial grade dedication process. The NRC staff expressed its concern that, as presently titled, the staff is worried licensees would attempt to use NEI 17-06 as a stand-alone document.

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A question asked by the NRC staff was whether NEI had considered holding workshops on NEI 17-06 during the endorsement evaluation. NEI stated that it had no workshop plans and none had been discussed. However, NEI agreed to take an action to consider holding workshops.

The Electric Power Research Institute (EPRI) report that enabled consideration of the process outlined within NEI 17-06 was also discussed at the meeting. The NRC staff reported that it had just received the EPRI report and had not yet reviewed it. This review could result in additional NRC staff comments on NEI 17-06. An action for the staff was to provide any additional comments on NEI 17-06 that arose from the review of the EPRI supporting document. These comments and an additional set of comments developed independent of the EPRI report would be provided to NEI by December 20, 2019.

One discussion centered on the observation of the accrediting body (AB) and the certifying body (CB). The NRC staff had participated in an observation of an AB performing an audit on a CB. However, the NRC staff was also interested in observing a CB in specific aspects when performing certification activities as part of the staff's evaluation of NEI 17-06. NEI stated that the purpose of the EPRI report was to document the certification activities of interest and would fulfill the need of direct NRC staff observation. The NRC staff agreed to hold off on requiring such an observation until after reading the EPRI report.

NEI asked the NRC staff if it had any comments on the proposed draft Nuclear Procurement Issues Corporation (NUPIC) procedure for AB observations. The NRC staff indicated that it could not determine the acceptability because there were too many "to be determined" in the document. An action from the meeting was to convey the staff's concerns regarding the NUPIC observation procedure during the biweekly scheduling calls.

A stakeholder noted that there was some confusion on how the functional safety standard worked in the industry. The stakeholder asked what is the risk, is it a tolerable risk, what would it take to reduce risk, if needed.

Another set of comments were provided by a stakeholder via email. A copy of the email can be found in the meeting package.

Actions from the meeting included:

- 1) NEI will consider holding workshops on NEI 17-06
- 2) NRC staff will provide all remaining comments on NEI 17-06 by December 20, 2019
- 3) During the biweekly scheduling calls, NEI and the NRC staff will discuss the need for a targeted NRC observation on a CB certification process. If such a need is determined by the NRC staff, NEI would have to facilitate this one-time observation.

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**ADAMS Accession Nos.****Package: ML19240A035****Summary: ML19273A894****\*concurrence via e-mail**

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