



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

June 17, 2020

MEMORANDUM TO: Philip J. McKenna, Chief  
Oversight and Support Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

FROM: Tekia V. Govan, Project Manager  
Oversight and Support Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE PUBLIC MEETING ON THE USE OF RISK  
INSIGHTS IN SUPPORT OF 10 CFR 50.59 EVALUATIONS, HELD ON  
JUNE 4, 2020

On June 4, 2020, the U.S. Nuclear Regulatory Commission (NRC) staff held a Category 2 public meeting with the Nuclear Energy Institute (NEI) to discuss the use of risk insights in support of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.59 evaluations (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20155K910).

**Meeting Summary**

The NRC staff coordinated this public meeting to provide NEI with the opportunity to discuss: 1) opportunities to use risk insight in the application of 10 CFR 50.59; 2) areas within the industry and NRC guidance documents to enhance the application of 10 CFR 50.59; and 3) propose additional interactions with NRC on this subject. NEI identified in their presentation that their guidance document, NEI 96-07, Revision 1, "Guidelines for 10 CFR 50.59 Implementation," contains what can be perceived as self-imposed limitations on the industries ability to fully utilize the provision allowed 10 CFR 50.59 to make plant modifications. As such, NEI developed a focus team to review NEI 96-07, Revision 1, and 10 CFR 50.59 to determine where their guidance can be improved. As a result of NEI's review of NEI 96-07, three focused areas were identified for potential clarification: 1) the use of "more than minimal" as it pertains to 10 CFR 50.59; 2) the application of general design criteria language; and 3) application of methods of evaluation.

NEI concluded their presentation with a suggested schedule to work with the NRC staff as they clearly define their scope of the revisions to NEI 96-07 to address the three clarifications mentioned above.

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Close to 70 participants, from the NRC staff, the nuclear industry, and members of the public, engaged in dialog with NEI on their proposed approach. The participants also asked questions and provided comments for NEI to consider as they develop their plan and refine their schedule for a potential NEI 96-07 revision.

The NRC staff did not make any decisions or take any agency positions during this meeting.

The enclosure provides the attendance list for this meeting.

### **Meeting Action Items**

During the meeting, the NRC staff discussed how many license amendment requests are submitted based solely from the 8 criteria in 10 CFR 50.59. The NRC staff was referring to the number of license amendment requests based solely from the 8 criteria in 10 CFR 50.59. The NRC staff took an action to provide the information described in "White Paper—10 CFR 50.59; the Process, Application to Substantial Modifications to Licensee Facilities, and NRC Staff Assessment of Licensee Implementation," ADAMS Accession No. ML13066A266, which states:

"Anecdotally, licensees conduct about 475 10 CFR 50.59 screenings per unit per year, and about five 10 CFR 50.59 evaluations per unit per year for a nationwide combined total of about 49,000 screenings and evaluations per year. These screenings and evaluations are the tools licensees use to evaluate whether a change, test, or experiment conducted at its facility requires prior NRC approval via a license amendment. The vast majority of license amendment requests involve technical specification changes. The number of license amendment requests based solely from the 8 criteria in 10 CFR 50.59 is about 1 per site every 10 years."

### **Next Steps and Conclusion**

NEI indicated that they would like to meet with the NRC staff in July 2020 and concentrate the discussion on Focus Area #1: the use of "more than minimal" as it pertains to 10 CFR 50.59. The meeting concluded with NEI stating that they would take into consideration the discussion with the NRC staff as they develop their defined scope and schedule for the initiative.

Enclosure:  
As stated

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**ADAMS Accession No.: ML20169A622****\*= via email**

<b>OFFICE</b>	NRR/DRO/IRSB/PM	NRR/DSS/SCP/BC/TR	NRR/DRO/IRSB/LA	NRR/DRO/IRSB/BC
<b>NAME</b>	TGovan*	DScully*	BCurran*	PMcKenna*
<b>DATE</b>	06/11/2020	06/15/2020	06/17/2020	06/17/2020

**OFFICIAL RECORD COPY**

## LIST OF ATTENDEES

### PUBLIC MEETING ON THE USE OF RISK INSIGHTS IN SUPPORT OF 10 CFR 50.59 EVALUATIONS, HELD ON JUNE 4, 2020

June 4, 2020, 1:00 PM to 3:00 PM

Meeting Held via Skype

<b><u>ATTENDEE</u></b>	<b><u>ORGANIZATION</u><sup>1</sup></b>
1. Ken O'Brien	NRC
2. Derek Scully	NRC
3. Peter LeBlond	LeBlond and Associates
4. Katie Clifton	Palo Verde Generating Station
5. Phil Couture	Entergy
6. Greg Bowman	NRC
7. Kristy Bucholtz	NRC
8. Laura Kozak	NRC
9. Jana Bergman	Curtiss-Wright
10. Ken Fox	NRC
11. Zhian Li	NRC
12. Phil McKenna	NRC
13. Neil Archambo	Duke Energy
14. Eric Bowman	NRC
15. Eric Benner	NRC
16. Dave Beaulieu	NRC
17. Rob Krsek	NRC
18. Wendell Morton	NRC

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<sup>1</sup> Unknown organization indicates that the participant's affiliation was not provided by the issuance of this meeting summary.

19. Mike McCoppin	NRC
20. Richard Skokowski	NRC
21. Tekia Govan	NRC
22. Charles Moulton	NRC
23. Rob Burg	EPM, Inc
24. Nathan Sanfilippo	NRC
25. Sunil Weerakkody	NRC
26. Dave Werkheiser	NRC
27. Brian Wittack	NRC
28. Luis Quinones	Unknown
29. Simon Serrano	Unknown
30. Donald Chase	Curtiss Wright
31. Michael Sortwell	DC Cook NPP
32. John Schrage	Unknown
33. Edwin Lyman	Union of Concerned Scientists
34. Doug Pollock	Unknown
35. Lori Tkacyk	Unknown
36. Warren Odess-Gillett	Westinghouse Electric Co.
37. Celeste Sheehan	Unknown
38. Glenn Stewart	Exelon
39. Tim Riti	NEI
40. Paul Sicard	Entergy/River Bend
41. Walter Boatwright	Unknown
42. Carlos Sisco	Winston and Strawn
43. Hope Alexander	Unknown

44. Carrie Seipp	Xcel
45. David Medek	Unknown
46. Frank Arner	Unknown
47. Rick Grantom	CRG, LLC
48. Justin Hiller	Callaway Energy Center
49. Karl Gross	Unknown
50. Jeff Kosky	Unknown
51. Larry Nicholson	Certrec
52. Lee Kanipe	Duke Energy
53. Jarrett Mack	Unknown
54. Ogden Sawyer	Unknown
55. Carol Sansome	Unknown
56. Paul Zuranski	NRC
57. Mel Gray	NRC
58. Ching Ng	NRC
59. Shakur Walker	NRC
60. Shane Jurek	Unknown
61. Tom Basso	Unknown
62. Tony Zimmerman	Duke Energy
63. Brian Vresko	Unknown
64. Harry Balian	Unknown
65. Anil Julka	NextEra Energy
66. Mark Ceraldi	Frametome