



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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September 23, 2019

MEMORANDUM TO: Anthony D. 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/*
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Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS MONTHLY
PUBLIC MEETING HELD ON AUGUST 28, 2019

On August 28, 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.

ROP Enhancement Updates

The NRC staff reported that the ROP enhancement webpage is in the process of being redesigned to be more user-friendly and provide clearer access to key documents (<https://www.nrc.gov/reactors/operating/oversight/rop-enhancement.html>). The website has recently been updated to provide links to individual Phase 2 ROP enhancement thematic area team charter.

The 60-day public comment period for Commission (SECY) paper, SECY-19-0067, "Recommendations for Enhancing the Reactor Oversight Process" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19070A036) will end on October 7, 2019. The NRC staff's ROP enhancement recommendations memorandum and a lessons-learned and insights from Phase 1 memorandum of ROP enhancement are still under development.

As the staff continues to look for additional avenues to engage the public, NRC will begin updating its social media accounts (Facebook and Twitter) to remind members of the public of the monthly ROP meetings.

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The meeting continued with discussion on each thematic area of the ROP Phase 2 enhancement project. Updated information for each thematic area is provided below, noting that the security thematic area is not included in the Phase 2 efforts.

Problem Identification and Resolution (PI&R)

The NRC staff introduced the PI&R team and provided the technical background of each team member, including the level of experience and knowledge that the team collectively brings to this effort. The staff identified the four main objectives of the team as noted in the charter, which includes the review of inspection procedure (IP) 71152 and inspection manual chapter (IMC) 0308, ensuring consistency amongst regions, developing process and criteria to assess licensee's PI&R processes and adequate NRC response, and reviewing all the data relating to PI&R at the end-of-cycle assessment.

It was noted that the team has reviewed data from previous ROP enhancement efforts, such as, IP 95003 lessons learned relating to PI&R, feedback forms, feedback from the PI&R team leads and input from regional management. The staff provided the data of the feedback forms in the areas of assessment (18 percent), procedure improvements (32 percent), safety-conscious work environment (11 percent) and general guidance (39 percent) and further breaking down for the procedure sections, all sections (24 percent), biennial team (48 percent), routine review (4 percent), annual follow-up (14 percent), semiannual Trend (10 percent).

The staff is considering three areas for recommendation for their review: 1) procedure structure; 2) holistic assessment of PI&R; and 3) PI&R program assessment. The staff continued by discussing the potential to organize the procedures into five sections which will include general guidance, semiannual trend review, annual follow-up, licensee self-assessment and operating experience, licensee identification, evaluation and resolution of deficient conditions, and safety-conscious work environment. The staff also discussed the consideration of four areas for assessment: identification of issues, prioritization and evaluation of issues, timely and effective corrective actions, and safety conscious work environment.

The staff also discussed its consideration of holistic review of PI&R to be discussed at the end-of-cycle assessment meeting to evaluate licensee's PI&R processes.

The staff's PI&R presentation is available in ADAMS under Accession No. ML19239A388.

Cross Cutting Issues (CCI)

The NRC staff provided a summary of the planned cross-cutting issues (CCI) program effectiveness review. The team charter is available in ADAMS under Accession No. ML19179A105. In response to a request, at the July 31, 2019 ROP public meeting, the staff also made CCI program data publicly available in advance of this meeting, which is available in ADAMS under Accession No. ML19238A042. The bulk of the effectiveness review team's work will be completed in September and October 2019, and the staff will provide an opportunity for feedback during the monthly ROP public meetings. After the summary of the staff's planned effort, feedback was provided by external stakeholders.

Edwin Lyman, Union of Concerned Scientists, expressed interest in a significant decrease in cross-cutting theme thresholds reached, even when carrying forward the old lower thresholds. The NRC staff acknowledges this trend and will attempt to determine reasons during the

effectiveness review. The decrease may or may not be indicative of ineffectiveness within the CCI program.

Another view expressed from a member of the public is that moving to a threshold of six findings for a cross-cutting theme was too high and stronger actions are warranted if the higher threshold is reached.

A nuclear industry representative noted that the CCI program is an area of significant interest and importance and expressed the view that the CCI program is working as currently designed. Moving from four to six findings as a threshold allows for more data to be gathered and assessed before a cross-cutting theme is identified, which allows licensees to take more effective actions before a cross-cutting theme threshold is reached. The NRC's CCI analysis was originally posted in ADAMS as a non-public document. After the staff's review, "Establishing a Backstop at the Cross-Cutting Area Level (Evaluation of Cross-Cutting Aspects 2009-2013)," has been made publicly available under ADAMS Accession No. ML19249B153.

Another point raised by the nuclear industry was consideration of an off-ramp to get out of a CCI once identified at a site. A general theme of industry comments was a desire for more involvement in the process than the public comment opportunities at the ROP public meetings. The staff responded that the effectiveness review is intended to identify whether a problem exists and if any program changes are warranted. If it is determined that changes are warranted, the staff would involve external stakeholders during development and implementation of the changes.

Independent Spent Fuel Storage Installation (ISFSI)

The NRC staff provided insights into some of the recommendations the staff will document in their memo to the NRC's Division of Spent Fuel Management. The staff mentioned that four areas of potential enhancements had been identified: frequency of inspections, training for ISFSI inspectors, risks significant areas for the ISFSI program and inspection resources. Further, the staff presented the timeline for the activities that will follow the issuance of the team's memo and draft ISFSI inspection program technical basis, IMC and IPs. The staff plans to hold a public meeting to discuss the draft documents and team's recommendations in by October 2019.

Performance Indicators (PIs)

Industry briefly discussed the status of their work to develop a proposed replacement for the mitigating systems performance index (MSPI) performance indicators (PIs). The effort is significantly more complex than was believed when the concept was initially presented at the January 2019 ROP public meeting. As a result, industry does not anticipate having a detailed prototype developed until the end of calendar year 2020. Regarding a shorter-term idea to minimize or eliminate the effort required to report unavailability in the current MSPI, industry anticipates being ready for more detailed discussion at the September 2019 ROP public meeting. The staff also briefly discussed that a holistic review of performance indicators would occur, most likely, in calendar year 2020. In general, PIs are a longer-term item than ROP enhancement Phase 2 tasks.

Recommendation 4D:

Industry provided a status update on ROP enhancement recommendation 4D, which is an industry action to develop a standardized issue escalation process. The presentation is available in ADAMS under Accession No. ML19240A364.

Significance Determination Process (SDP)

The NRC staff provided a synopsis of continuing activities in the SDP area. The evaluation of the interactions under the current Inspection Finding Review Board (IFRB) process was discussed. The staff continues to evaluate this area to determine if guidance enhancements for interactions between licensees and the NRC are necessary. The staff also discussed working with industry and other interested parties to improve assessment tools and processes in the areas of common-cause failure (CCF) and human reliability analysis (HRA). A pilot that provides an option for licensees to provide justification for unique CCF defense strategies began in April 2019 and will continue for a period of one year. Work to finalize the HRA tool to appropriately assess human error probabilities is ongoing with a publicly available report expected by the end of fiscal year 2019. The staff also discussed internal efforts to increase the familiarity and use of Standardized Plant Analysis Risk (SPAR) models and the associated plant reliability information books by inspectors for inspection planning and initial screening of issues.

Emergency Preparedness (EP)

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

The Focused Self-Assessment charter, and final report, are publicly available in under ADAMS Accession No. ML18149A392 and ML18331A374 respectively.

Radiation Protection

There were no updates presented for this topic during the meeting. The NRC staff was available to answer any questions from the nuclear industry or members of the public. No questions/comments were received.

Regional Risk-Informed Decision-Making Initiatives

NRC's Region III management provided a summary of the cross-regional risk informed decision making action plan, and recommendations (ADAMS Accession No. ML19238A038). Program recommendations include a proposal to develop a new IMC qualification card, "Risk and Reliability Inspector," and changes to the deterministic criteria in NRC's Management Directive 8.3, "Incident Investigation Program." These recommendations will be submitted to

the NRC program offices for consideration. The staff also discussed the NRC region initiative to increase inspection focus during plant refueling outage activities. The increased focus includes a dedicated inspector during periods of elevated risk, and inspection of the licensee's risk mitigation plan, including configuration controls. This increased focus is consistent with the current IP scope and estimated inspection resources. Members of the nuclear industry and public provided feedback during the presentation.

IMC 0609, Appendix A and IMC 0609, Attachment 4

The NRC staff delayed issuance of revisions to IMC 0609, Appendix A, "The Significance Determination Process for Findings At Power" and IMC 0609, Attachment 4, "Initial Characterization of Findings," in order to have additional discussions on the topic during this public meeting. NEI provided a document with several areas for discussion in advance of the meeting, which is publicly-available under ADAMS Accession No. ML19239A016.

At the meeting, NEI and other industry representatives provided additional thoughts and concerns with some of the proposed revisions to IMC 0609, Appendix A and IMC 0609, Attachment 4. Industry's main concern with the proposed revision to IMC 0609, Appendix A, is the change associated with merging FLEX-related screening questions from IMC 0609, Appendix O, "Significance Determination Process for Mitigating Strategies and Spent Fuel Pool Instrumentation," into Appendix A. Industry has concerns that the addition of the words, "or partial loss," in Appendix A, Exhibit 2, Section E, Questions 2 and 3 is an expansion of the scope of the guidance and not aligned with the potential risk/safety significance of findings related to FLEX equipment. Similarly, the industry is concerned that performing detailed risk evaluations associated with FLEX findings is not utilizing resources commensurate with the potential risk/safety significance. More generally, industry highlighted that a corresponding basis document update to explain revisions to guidance documents would be helpful.

Following these remarks from NEI and other industry representatives, the NRC staff engaged in dialogue and responded to the concerns. Regarding the apparent scope expansion of the FLEX screening questions, the staff agreed to revisit the need for including the words "or partial loss" in Appendix A, Exhibit 2, Section E, Question 2, by further reviewing guidance documents, bases, inspection reports, and other experience with FLEX issues over the past several years. The NRC staff explained that performing detailed risk evaluations using the NRC SPAR models is appropriate for findings related to FLEX. Incorporation of the FLEX equipment and operator actions into the SPAR models is nearly complete. Even with the current guidance in Appendix O, NRC staff were already performing detailed risk evaluations on FLEX performance deficiencies as they were identified. If, over the next two to three years, FLEX findings are identified using the revised screening in Appendix A, an effectiveness review will be considered in accordance with IMC 0307, "Reactor Oversight Process Self-Assessment Program." NRC staff acknowledged the importance of bases documents (e.g., IMC 0308, Attachment 3, "Significance Determination Process Technical Basis Document") and is prioritizing those updates with other planned IMC revisions as resources allow.

During the discussion, Edwin Lyman, Union of Concerned Scientists, commented that FLEX equipment should be treated consistently in the regulatory process. Specifically, if the industry is seeking a credit for the safety benefits of FLEX equipment, then there should be a corresponding regulatory action for a FLEX performance deficiency.

The NRC staff expects to issue the revised IMC 0609, Appendix A and IMC 0609, Attachment 4 in September 2019 after a thorough review of feedback received from all external stakeholders.

Follow-up Action from the August 28, 2019 ROP Meeting

The NRC staff committed to reviewing the slides from the motor-operated valves (MOV) training course to determine if the information could be made publicly available. After the necessary redaction of selected information, the staff has made the MOV training slides publicly available under ADAMS Accession No. ML19235A121.

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 or 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 AUGUST 28, 2019 DATED

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ADAMS Accession No.: ML19262G03 * = Via email

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| NAME | TGovan | RGibbs | IBetts | AMasters |
| DATE | 09/19/2019 | 09/20/2019 | 09/20/2019 | 09/23/2019 |

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LIST OF ATTENDEES

REACTOR OVERSIGHT PROCESS MONTHLY PUBLIC MEETING

August 28, 2019, 8:30 AM to 3:00 PM

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

| Name | Organization | Name | Organization |
|------------------|-------------------------------|-------------------|---------------------|
| Carlos Sisco | Winston and Strawn | David Aird | NRC |
| Tracy St. Clair | First Energy Corp. | Carmen Rivera | NRC |
| Jim Slider | NEI | Eric Bowman | NRC |
| Lance Sterling | STP | 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 |
| Patrick Simpson | Exelon | Ami Agrawal | NRC |
| John Giddens | Entergy | Tekia Govan | NRC |
| Steve Catron | NextEra | Joylynn Quinones | NRC |
| Ken Heffner | Certrec | Brian Benny | NRC |
| David Mannai | PSEG | Don Johnson | NRC |
| James Polickoski | TVA | Carla Roque-Cruz | NRC |
| Rob Burg | EPM, Inc. | Dan Merzke | NRC |
| Scott Diven | Exelon | Alonzo Richardson | NRC |
| Mike Annon | I&C Engineering Associates | Antonio Zoulis | NRC |
| Tony Zimmerman | Duke Energy | Shakur Walker | NRC |
| David Gudger | Exelon | Don Bollock | NRC |
| Aron Lewis | NRC | Don Helton | NRC |
| Mark Lintz | NRC | Harry Freeman | NRC |
| Julio Lara | NRC | Robert Krsek | NRC |
| Jeff Mitman | NRC | Phil McKeena | NRC |
| Jim Hickey | NRC | Anthony Masters | NRC |
| Charles Brown | NRC | Matt Huberstone | NRC |
| Molly Keefe | NRC | Tom Hipschman | NRC |
| Steve Campbell | NRC | Jeff Bream | NRC |
| | | Ross Telson | NRC |
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