



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

April 1, 2022

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

FROM: David M. Aird, Reactor Operations Engineer */RA*  
Reactor Assessment Branch  
Division of Reactor Oversight  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS BI-MONTHLY PUBLIC MEETING HELD ON MARCH 23, 2022

On March 23, 2022, 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 various ROP initiatives. The topics discussed during this teleconference are described below.

**Planned ROP Self-Assessment Activities in 2022**

The NRC staff highlighted the purpose of the ROP Self-Assessment Program, the elements of the program discussed in Inspection Manual Chapter (IMC) 0307, "Reactor Oversight Process Self-Assessment Program," and the unique areas selected for assessment in calendar year (CY) 2022. Those areas are the ROP Implementation Audit of Region I, Safety Culture Inspection Program Effectiveness Review, and Significance Determination Process (SDP) Timeliness Review. The NRC also mentioned the ROP Self-Assessment Program unique program elements completed in CY 2021 which were the Baseline Inspection Program Comprehensive Review (ADAMS Accession No. ML21252A154), the Effectiveness Review of the Requirements to Enter Column 3 of the ROP Action Matrix (ADAMS Accession No. ML21069A154), and the Effectiveness Review of the Very Low Safety Significance Issue Resolution (VLSSIR) Process (ADAMS Accession No. ML21070A334). The NRC answered "no" to a question from NEI that asked if any data would be required from licensees for the Safety Culture Review.

CONTACT: David M. Aird, NRR/DRO  
301-287-0725

The NRC staff also gave an update of the status of the ROP Enhancement Commission SECY papers schedule (ADAMS Accession No. ML22025A132) that were discussed in the January ROP public meeting. The Engineering Inspection SECY paper is currently in management concurrence and is expected to be issued in April 2022. The problem identification and resolution (PI&R) SECY paper has begun work and is on track to be issued at the end of June 2022.

#### **FAQ 22-01: Replacing the ANS PI and with an ERFER PI**

Industry representatives presented ROP Frequently Asked Question (FAQ) 22-01 proposing the retirement of the Alert and Notification System (ANS) performance indicator (PI) and the addition of an Emergency Response Facility and Equipment Readiness (ERFER) PI. NRC Staff acknowledged receipt of FAQ 22-01 and have started the technical review.

During the meeting, the staff provided the following as background information for this topic:

FAQ 22-01: Replace the ANS PI and with an ERFER PI – (ML22055A562)

<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML22055A562>

#### **NRC's Role in DOE's Civilian Nuclear Credit Program**

The NRC staff summarized its current proposed approach for implementation of the agency's role in the Department of Energy's (DOE) new Civilian Nuclear Credit Program. Information about the program, which was established by Congress in the Infrastructure Investment and Jobs Act, is available in a notice of intent and request for information filed by DOE in the Federal Register (87 FR 8570). The purpose of the program is to assist economically distressed nuclear reactors that are projected to shutdown early. One of the criteria established by Congress to qualify for economic assistance is that the NRC must have reasonable assurance that the nuclear reactor will continue to be operated in accordance with the current licensing basis and that it poses no significant safety hazards. The agency is proposing that such reasonable assurance would exist unless (1) a reactor is in Column 5 (Unacceptable Performance) of the ROP Action Matrix or (2) a reactor is subject to an Order prohibiting operation or revoking an operating license. The agency will consider comments submitted in response to DOE's Federal Register posting and will work with DOE to establish detailed guidance for implementation of the agency's role in the Civilian Nuclear Credit Program.

During the meeting, the staff provided the following as background information for this topic:

Presentation: NRC's Role in DOE's Civilian Nuclear Credit Program – (ML22075A351)

<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML22075A351>

#### **10 CFR 50.72 Rulemaking Update**

The NRC staff provided an update to the status of the 10 CFR 50.72 non-emergency reporting rulemaking. The topics included a high-level summary of the background, next steps, and key dates. The December 9, 2021, public meeting summary (ADAMS Accession No. ML21350A029) included the NRC staff's decision-making tool (ADAMS Accession No. ML22061A242) for assessment of the criteria for non-emergency reporting. The NRC staff also informed the participants that the due date for the regulatory analysis was extended to October 2022 due to the additional public outreach for this stage of the rulemaking process. Questions asked by stakeholders included why the rulemaking would not be complete for several years.

The NRC staff explained that the rulemaking process includes significant public outreach including requests for public comments at several points. The starting point for the process is issuance of the regulatory basis for public comments in October 2022.

During the meeting, the staff provided the following as background information for this topic:

Presentation: Petition to Eliminate Nonemergency Event Reporting – (ML22081A301)  
<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML22081A301>

### **The Next ROP Meeting:**

The next ROP bi-monthly public meeting is tentatively scheduled for May 26, 2022.

### **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 project can be sent to [David.Aird@nrc.gov](mailto:David.Aird@nrc.gov). Questions and/or comments will be forward to the appropriate NRC staff. The staff also mentioned the role out of the “Contact Us about ROP” page on the new ROP website, which can also be used to submit questions and comments regarding the ROP initiative (<https://www.nrc.gov/reactors/operating/oversight/contactus.html>).

### **Conclusion**

At the end of the meeting, NRC, and industry management gave closing remarks. The industry representatives expressed appreciation for the open dialogue and willingness of NRC staff to hear industry views. The NRC management stressed the importance of the 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

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**ADAMS Accession No.: ML22091A184**

**\* = via email**

<b>OFFICE</b>	<b>NRR/DRO/IRAB</b>	<b>NRR/DRO/IRAB/BC</b>	<b>NRR/DRO/IRAB</b>
<b>NAME</b>	DAird*	PMcKenna*	DAird*
<b>DATE</b>	04/01/2022	04/01/2022	04/01/2022

**OFFICIAL RECORD COPY**

## LIST OF ATTENDEES

### REACTOR OVERSIGHT PROCESS BI-MONTHLY PUBLIC MEETING

March 26, 2022, 10:00 AM to 11:30 AM

<b>Name</b>	<b>Organization<sup>1</sup></b>	<b>Name</b>	<b>Organization</b>
Victoria Dennis	Unknown	David Aird	NRC
Steve Catron	NextEra	Philip McKenna	NRC
Bob Murrell	NextEra	Alex Garmoe	NRC
David Young	NEI	Laura Kozak	NRC
Tim Riti	NEI	Lisa Regner	NRC
Paul DiRito	INPO	Brian Benney	NRC
Marcus Hofmann	Dominion Energy	Zachary Hollcraft	NRC
Larry Nicholson	Certrec	Gabe Taylor	NRC
Gary DeMoss	PSEG	Ashley Demeter	NRC
Robin Ritzman	Curtiss-Wright	Russell Felts	NRC
Tony Brown	NEI	Billy Gleaves	NRC
Roy Linthicum	Constellation Nuclear	Rebecca Sigmon	NRC
James Slider	NEI	John Hanna	NRC
Gerald Stallings	Unknown	Mark Hagen	NRC
Charlene Chotalal	Dominion Energy	Daniel Merzke	NRC
Rob Burg	EPM, Inc.	Don Johnson	NRC
Matthew Euten	Unknown	Thomas Hipschman	NRC
Stephanie Agee	Southern Company	Jared Justice	NRC
Tony Zimmerman	Duke Energy	Naeem Iqbal	NRC
Lori Hayes	Duke Energy	Ronald Cureton	NRC
Kristie Lowther	Unknown	Justin Hawkins	NRC
Martin Murphy	Xcel	William Rautzen	NRC
Andrew Mauer	NEI	Patricia Pelke	NRC
Russell Thompson	TVA	Brigit Larsen	NRC
Deann Raleigh	Unknown	Ellery Coffman	NRC
Shadley Berthrong	Duke Energy	Stephen Campbell	NRC
Micheal Smith	NEI	Brian Bowker	NRC
Harry Balian	PSEG	Justin Copeland	NRC
Cheryl Ann Gayheart	Southern Company	Shane Sandal	NRC
Christopher Riedl	Unknown	Jack Bell	NRC
David Gudger	Constellation Nuclear	Valerie Stowell	NRC
Lloyd Generette	Unknown	Marc Ferdas	NRC
Nicole Good	Stars Alliance	Brian Hayes	NRC
Faramarz Pournia	Unknown	David Garmon	NRC
Nathan Zohner	INPO	Micheal Webb	NRC
Justin Wearne	PSEG	Mike King	NRC
Melody Rodriguez	Unknown	Tony Nakanishi	NRC
James Pak	Dominion Energy	Robert Krsek	NRC

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

<b>Name</b>	<b>Organization<sup>1</sup></b>	<b>Name</b>	<b>Organization</b>
Paige Rodrigues	Unknown	James Anderson	NRC
Stephanie Pyle	Entergy	Shakur Walker	NRC
Adam Stein	Breakthrough Inst.	Chris Cauffman	NRC
Mark Unruh	NPPD	Annie Mayer	NRC
Kari Osborne	Unknown	Kenneth Kolaczyk	NRC
Robin Klearman	Dominion Energy	Mario Fernandez	NRC
Andrew Zach	EPW	Aaron McCraw	NRC
Wendy Brost	Unknown	John Moses	NRC
Paul Rades	NRC	Diane Jackson	NRC
Avinash Jaigobind	NRC	David Jones	NRC
Laura Pearson	NRC	Evan Davidson	NRC
Tom Eck	NRC	Kevin Fay	NRC
Jeff Bream	NRC		