



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

August 6, 2024

MEMORANDUM TO: David M. Aird, Chief
Reactor Assessment Branch
Division of Reactor Oversight
Office of Nuclear Reactor Regulation

FROM: Ron Cureton, Reactor Operations Engineer *Ron Cureton*
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 JULY 17, 2024

On July 17, 2024, 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, other senior industry executives, and various external stakeholders to discuss the staff's progress on initiatives related to the ROP. The topics discussed during this hybrid meeting are described below.

Revised Treatment of Greater-than-Green Performance Indicators

The NRC staff briefed participants on a proposed revision to IMC 0305, "Operating Reactor Assessment Program," for implementing the Commission direction to revise the treatment of greater-than-Green Performance Indicators (PIs) so that they remain ROP Action Matrix inputs until the appropriate supplemental inspection has been completed. The staff is revising the process to open a parallel PI finding with the same color as the PI if and when the PI returns to Green during a subsequent quarter and this will be the input to the Action Matrix until the objectives of the supplemental inspection are met. This will ensure a single continuous input into the Action Matrix to avoid confusion on the ROP public website, is consistent with the historical issuance of parallel PI findings, and ensures the treatment of greater-than-Green PIs is consistent with the treatment of greater-than-Green inspection findings. The staff provided two examples for implementing the new policy.

Presentation - Treatment of Greater-than-Green Performance Indicators - [ML24184A170](#)

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Feedback on Proposed Focused Engineering Inspection Topics

NEI asked questions and provided feedback on the six potential new focus areas for next inspection cycles focused engineering inspections (FEI). Most questions were regarding the intended scope of each focus area such as external hazards and electrical distribution and how they tied in with the selection criteria described in IMC 0308, Att. 2. NEI recommended against Probabilistic Risk Assessment (PRA) Configuration Control (CC) since data was still being collected from the smart sample and Setpoints as it seems to be an integral part of the scope of the current Comprehensive Engineering Team Inspection (CETI), suggested the NRC may want to consider previous FEIs (Fire Protection, EQ, POV) but didn't see Commercial Grade Dedication (CGD) or Age Related Degradation (ARD) as providing much benefit in the next inspection cycle. NEI also recommended the NRC staff continue utilizing cross regional panels following FEI inspections to ensure consistency of implementation and that the NRC staff continues discussion with industry once the next FEIs are selected and before implementation.

Examples of Licensee-Identified, NRC-Identified, and Self-Revealed Findings

NEI and other industry representatives expressed that they felt the NRC's definitions and application of licensee-identified and self-revealed findings may not align with their own definitions and applications of self-identified. Also, that the examples and definitions in IMC 0612 may not closely align with the definitions in the NRC enforcement guidance. They expressed that industry strongly encourages self-identification of issues and offered that the NRC consider its existing definitions to ensure enough credit is offered for licensee self-identification. NRC managers noted that we are always willing to reflect on specific examples if any are provided. NEI will share additional examples and offer improvements of the current definitions at a future ROP public meeting.

Concept of Best Available Information in the Significance Determination Process

The NRC staff discussed the development of a Best Available Information Decision Guide that is intended to aid with reviewing information discovered or provided during the significance evaluation of findings to determine if the new information should be incorporated into the NRC's decision-making. Development of this guide was an action from a review of Significance Determination Process timeliness that was completed in late 2022 (report: [ML22335A003](#)). Discussion at this meeting noted that this would be another useful tool to help with efficient implementation of the SDP.

Presentation - Best Available Information Decision Guide - [ML24193A342](#)

Perspectives on NRC's Differing Views Program

The NRC places safety as its utmost priority and has implemented a robust approach to ensure diverse views are considered during the decision-making process. The agency has formal processes for raising differing views, including the Non-Concurrence Process (NCP) and Differing Professional Opinions Program (DPO). While these avenues are available, the NRC most often leverages informal discussions and the Open Door Policy to successfully resolve issues and work through differing views. As such, the overall number of formal differing view cases are small – average of 7.5 NCPs each year for last five years, and 2.75 for DPO.

The agency has been actively looking at the current DPO and NCP processes and making improvements within the current framework. These efforts will help inform broader program

changes that may be needed to address the Advance Act requirements related to differing views. The Office of Enforcement be coordinating with the overall agency efforts related to the Act, which will include obtaining input from stakeholders and looking at practices from other organizations.

It's important to note that because the scope and complexity of DPOs can vary, the timeliness associated to dispositioning DPOs can vary as well. Factors such as the importance of prompt action on the issue, the potential safety significance of the issue, the complexity of the issue, and the priority of other work activities, can all impact timeliness. There are instances where DPOs are novel (i.e., first of a kind) and complex, requiring significant resources to disposition the DPO, and there may also be emerging needs to balance higher priority or more safety significant work, which can potentially result in increased time needed to disposition the DPO.

Other Items / Open Discussion

The NRC staff acknowledged receipt of a NEI 99-02 white paper related to the unplanned scrams PI ([ML24185A209](#)) and proposed next steps in the ongoing NRC staff review of draft NEI 99-02, "Regulatory Assessment Performance Indicator Guideline," Revision 8. A standalone meeting to discuss the white paper and other questions and comments related to the draft NEI 99-02 Revision 8 may be necessary.

NEI asked about the NRC's efforts on centralized inspection path forward. The NRC staff indicated that they were coordinating with the responsible region and inspection team lead for the specific request from the previous ROP public meeting, which was the possibility of using the same or similar inspection sample from a previous CGD inspection at an Entergy site for the upcoming CGD inspection at River Bend Station. The NRC staff also discussed the potential to test using the same inspection team at two sites with the same corporate owners in a back-to-back schedule, with part of the inspection for both occurring at the centralized corporate location to see if there are any efficiencies gained while maintaining the inspection performance based and within the bounds of the ROP.

NRC staff shared insights from the first use of the PRA CC Operating Experience Smart Sample (OpESS), (2023/02), ([ML23255A006](#)). NRC staff stated the following points on the initial use of the OpESS:

- Based upon positive feedback, the OpESS is now considered available for general use.
- OpESS inspection activities did not identify any significant issues.
- Inspectors concluded the licensee was generally meeting their PRA CC regulatory requirements for their respective risk-informed programs.
- The use of the OpESS was complementary with the CETI.
- NRC staff concluded that the completion of the OpESS was not a significant impact on NRC and licensee staff resources.
- An estimate of the inspector resources required to prepare and complete the OpESS was approximately 20 hours out of a total approximate 490 budgeted hours for the CETI inspection.

NRC staff stated that these insights and observations are based upon a single data point and more information is needed for further insights.

The Next ROP Meeting

The next ROP bi-monthly public meeting is tentatively scheduled for September 25, 2024.

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 and affiliation 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 can be sent to David.Aird@nrc.gov and will be forwarded to the appropriate NRC staff. The "Contact Us about ROP" page on the ROP public website can also be used to submit questions and comments regarding the ROP (<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 following link contains the meeting agenda and other information: [ML24185A198](#)

The enclosure provides the attendance list for this meeting.

Enclosure:
As stated

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS BI-MONTHLY PUBLIC
MEETING HELD ON JULY 17, 2024 - DATED AUGUST 6, 2024

ADAMS Accession No.: ML24213A314

OFFICE	NRR/DRO/IRAB	NRR/DRO/IRAB/BC	NRR/DRO/IRAB
NAME	RCureton	DAird	RCureton
DATE	8/1/2024	8/6/2024	8/6/2024

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LIST OF ATTENDEES

REACTOR OVERSIGHT PROCESS BI-MONTHLY PUBLIC MEETING

July 17, 2024 - 9:00 AM to 11:30 AM

Name	Organization ¹	Name	Organization
Tim Riti	NEI	David Aird	NRC
Tony Brown	NEI	Mike King	NRC
Ken Mack	NextEra	Russell Felts	NRC
David Gudger	Constellation	Phil McKenna	NRC
Amy Chamberlain	Southern Nuclear	Danté Johnson	NRC
Justin Wearne	PSEG	Tom Hipschman	NRC
Keith Vincent	NextEra	Daniel Geary	NRC
Jorge L. O'Farrill	Dominion	Alex Garmoe	NRC
Darlene Delk	TVA	Ronald Cureton	NRC
Jack Hicks	Luminant	Eric Bowman	NRC
Justin Bouknight	Dominion	Francis Peduzzi	NRC
Nicole Good	STARS Alliance	Dwayne Myal	NRC
John Giddens	Entergy	William Rautzen	NRC
Larry Nicholson	Certrec	Jeff Rady	NRC
Deann Raleigh	Curtiss-Wright	Lundy Pressley	NRC
Marty Murphy	Curtiss-Wright	John Hanna	NRC
Micheal Smith	NEI	John Hughey	NRC
Enrique Meléndez-Asensio	CSN	Gabe Taylor	NRC
William Garrett	Southern Nuclear	James Gaslevic	NRC
Suzanne Loyd	Constellation	Qin Pan	NRC
Roy Linthicum	Constellation	Joshua Havertape	NRC
Carlos Sisco	Winston & Strawn	Daniel Merzke	NRC
Andrew Mauer	NEI	Douglas Bollock	NRC
Brett Titus	NEI	Matt Rich	NRC
Edwin Lyman	UCS	Nicholas Taylor	NRC
Carrie Seipp	Xcel Energy	Jack Bell	NRC
Andrew Zach	EPW	Gregory Stock	NRC
Jon Facemire	NEI	Christian Henckel	NRC
Rob Burg	EPM, Inc.	Charles Murray	NRC
James Orr	Constellation	Karla Stoedter	NRC
Linda Dewhirst	NPPD	Rick Deese	NRC
Jeffrey Stone	Constellation	Sam Sayampanathan	NRC
Mimi King-Patterson	TVA	Gene Dipaolo	NRC
Robin Ritzman	Curtiss-Wright	Kim Lawson-Jenkins	NRC
Luke Alexander Greene	TVA	Wellington Tejada	NRC

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

Russell Thompson	TVA	Kris Smetana	NRC
Natasha Greene	NRC	Julio Lara	NRC
Sailesh Thapa	NRC	Tim Barvitskie	NRC
Richard Ramson	NRC	Jonathan Fiske	NRC
Aaron McCraw	NRC	Abiola Oshunleti	NRC
Steven Alferink	NRC	Ismael Garcia	NRC
Antonios Zoulis	NRC	Terri Spicher	NRC
Norbert Carte	NRC	Tony Nakanishi	NRC
Anna Starks	NRC	Geoffrey Miller	NRC
Alan Konkai	NRC	Melissa Ash	NRC
Lisa Regner	NRC	John ODonnell	NRC
Zack Hollcraft	NRC	Michelle Kichline	NRC
Myla Ruffin	NRC	Christopher Welch	NRC
Shane Sandal	NRC	Billy Dickson	NRC
Mel Gray	NRC	Naeem Iqbal	NRC
Glenn Dentel	NRC	Andrea Johnson	NRC
David Garmon	NRC	Tim Marshall	NRC
Amar Patel	NRC	Kobe Oley	NRC
Avinash Jaigobind	NRC		