

June 21, 2000

MEMORANDUM TO: Farouk Eltawila, Acting Director  
Division of Systems Analysis and Regulatory Effectiveness  
Office of Nuclear Regulatory Research

THRU: Jack. E. Rosenthal, Chief */R/*  
Regulatory Effectiveness Assessment and Human Factors Branch  
Office of Nuclear Regulatory Research

FROM: William S. Raughley, Senior Electrical Engineer */R/*  
Regulatory Effectiveness Assessment and Human Factors Branch  
Office of Nuclear Regulatory Research

SUBJECT: SUMMARY OF JUNE 14, 2000 PUBLIC MEETING ON REDUCING  
UNNECESSARY REGULATORY BURDEN

The Nuclear Regulatory Commission (NRC), Office of Regulatory Research (RES) held a public meeting on June 14, 2000, in Downers Grove, Illinois, to understand Commonwealth Edison's (Com-Ed) concerns with some regulations that it perceives to impose unnecessary regulatory burden. Attachment 1 is the May 24, 2000 meeting notice that was published in the *Federal Register*. Attachment 2 is the list of attendees.

#### Summary

Jack E. Rosenthal made the opening remarks (Attachment 3). Mr. Rosenthal stated that as part of NRC's Strategic Plan while maintaining safety is the most important function, that the NRC is looking at opportunities to reduce unnecessary regulatory burden and to improve its efficiency and effectiveness as a regulator. In addition, Mr. Rosenthal explained that reducing the unnecessary regulatory burden was part of ongoing RES initiatives to examine the effectiveness of our regulations. Furthermore, identification of perceived unnecessary burden and associated costs will help prioritize efforts to make our regulations risk-informed and performance based.

The NRC interest in discussing this topic with Com-Ed followed remarks made by Mr. D. Helwig, Executive Vice President-Nuclear of Com-Ed, at the RES Water Reactor Safety Meeting in October 1999. Mr. Helwig stated that some NRC regulations imposed unnecessary regulatory burden with no apparent safety benefit and supported his statement with an example. Subsequent to the meeting, discussions between Mr. Rosenthal and Mr. Helwig led Com-Ed to offer to identify and discuss unnecessary regulatory burden in terms of actual costs with the NRC.

Com-Ed presented a list of items they consider unnecessary regulatory burden (Attachment 4). Com-Ed explained that the list is considered to be illustrative and not exhaustive. Com-Ed also stated that the list was not proprietary; the NRC staff reviewed the list and stated, that being the

case, the meeting would remain open. In addition, Com-Ed stated that the estimated savings in total were significant considering its ten plants, six more plants from a planned merger, and 20 more years of service from all of these plants.

Each item in Attachment 4 was discussed to ensure that the items were understood and that there was an exchange of ideas and perceptions. The items in Attachment 4 appear to fall into three categories: (1) Items which seem to be simple revisions to outdated or redundant administrative requirements of apparently little or no safety benefit whose revision could save an estimated total of three million dollars (\$3 million) annually; (2) Updating Emergency Core Cooling Systems (ECCS) analysis using a more realistic approach which could save an estimated \$10 million plus; (The costs were attributed to replacement power costs for periodic unnecessarily delayed refueling outages or limiting conditions of operation at its plants due to analysis of apparently degraded equipment performance.) (3) An item requiring use of updated source terms allowed by the NRC in emergency planning analysis which could save an estimated \$250,000 annually but appears problematic.

Com-Ed noted that they had discussed this initiative with other licensees that may be interested in a similar discussion. Com-Ed will provide us with these contacts, and expressed an interest in knowing the outcome of our discussions with other licensees, as well as, what the NRC plans to do with all of the information.

Attachment: As stated

cc w/att.:

A. J. Mendiola, NRR

M. Leach, Region III

**ADAMS ACCESSION NUMBERS:**

Letter: ML003725719

Attachment 1: ML003717436

Attachment 2 through 4: ML003725019

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 A. J. Mendiola, NRR  
 M. Leach, Region III

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