

April 28, 1998

IN RESPONSE, PLEASE
REFER TO: M980331A

MEMORANDUM TO: L. Joseph Callan
Executive Director for Operations

Karen D. Cyr, General Counsel

FROM: John C. Hoyle /s/

SUBJECT: STAFF REQUIREMENTS - BRIEFING ON FIRE PROTECTION,
10:00 A.M., TUESDAY, MARCH 31, 1998, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff on its efforts to develop a risk-informed and ultimately performance-based regulation for fire protection at nuclear power plants.

The Commission requested the General Counsel to provide an analysis as to whether (1) a new fire protection rule that would relax fire protection requirements would constitute a "compliance backfit" and (2) whether withdrawal or modification of fire protection rule exemptions, if the original exemptions were found to have increased the risk of operation, should be subject to a backfit analysis and, if so, whether such action would constitute a "compliance backfit."

(OGC) (SECY Suspense: 6/2/98)

The staff should expedite its handling of any differing views expressed by the staff, and provide the Commission a timely assessment to help inform the Commission's decision-making.

(EDO) (SECY Suspense: 6/2/98)

The Commission will provide further guidance to the staff regarding closure of this issue in the final SRM on SECY-98-058 once Commission voting has been completed.

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
CIO
CFO
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR
DCS