

May 20, 1997

MEMORANDUM TO: L. Joseph Callan  
Executive Director for Operations

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-97-036 - MILLSTONE  
LESSONS LEARNED REPORT, PART 2: POLICY  
ISSUES

The Commission has approved continuing implementation of the following short-term actions 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, and 16. Specific comments follow, providing clarification on certain of these actions, and providing Commission direction on several additional actions in the paper.

The staff should implement 10 CFR 50.71(e) to ensure that Final Safety Analysis Reports (FSARs) are updated to reflect changes to the design bases, and to reflect the effects of other analyses performed since original licensing which should have been included under 10 CFR 50.71(e). The enforcement of licensee compliance with the requirements of 10 CFR 50.71(e) should be taken in conjunction with the Commission's decision on SECY-96-154, in which the Commission approved granting enforcement discretion for a period up to two years for licensees which had initiated a program to identify and correct FSAR deficiencies. The staff should formulate an approach that would: 1) ensure that licensees have updated the FSARs to reflect the most safety/risk significant issues first (e.g., Station Black Out, Anticipated Transient Without Scram . . .), and 2) allow obsolete or less meaningful information and commitments to be readily removed from the FSAR. The staff should promptly develop regulatory guidance for making the risk-informed decisions on information to be contained in the updated FSAR. The Commission

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SECY NOTE: SECY-97-036 WAS PREVIOUSLY RELEASED TO THE PUBLIC ON FEBRUARY 19, 1997. THIS SRM AND THE COMMISSION VOTING RECORD CONTAINING THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

will consider extending the period for enforcement discretion if experience so dictates.

(EDO) (SECY Suspense: 12/30/97;  
Approach & Regulatory Guidance)  
(EDO) (SECY Suspense: 10/18/98;  
Enforcement Discretion)

The staff should provide the Commission a paper that discusses the experience gained with implementation of the short term actions, any license and design basis issues that remain, and any recommendations for further improvements to the regulatory process. Any future staff recommendation should address the applicable potential backfit implications. In addition, the staff should consider the need for public comment. This paper should be coordinated and integrated with staff consideration of Commission guidance regarding SECY 97-035 and other guidance relating to implementation of 10 CFR 50.59.

(EDO) (SECY Suspense: 9/8/97)

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