IN RESPONSE, PLEASE
REFER TO: M981102

November 19, 1998

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - BRIEFING ON REACTOR OVERSIGHT PROCESS IMPROVEMENTS, 2:00 P.M., MONDAY, NOVEMBER 2, 1998, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff on the improvements to the reactor oversight process. Representatives from the Nuclear Energy Institute (NEI) and the Union of Concerned Scientists (UCS) also provided brief comments. The Commission was encouraged by the statement from the representative from NEI regarding their expectation that there would be uniform voluntary participation in the proposed improved oversight process.

The Commission directed the staff to ensure that the development of the improved assessment process covers the following areas which were discussed in the meeting:

1) Refine key definitions, such as “cornerstone”, “compelling case”, “rebuttable presumption”, “adequacy”, “upset plant equilibrium,” etc.

2) Identify attributes that are important to the assessment program but are not covered by performance indicators (e.g., fire protection configuration requirements, design basis fidelity, corrective action program effectiveness, PRA validity).

3) Identify the different types of information that would be used in the assessment process (e.g., performance indicators, licensee self-assessment, LERs, inspections), and the methodology that would be used for deriving an objective and scrutable overall assessment of licensee performance.

4) Identify the desired outcomes of the “cornerstones,” particularly related to the capabilities of mitigation systems and design barriers to perform as intended. In determining how the NRC should regulate in relation to those outcomes, identify thresholds for when NRC action is required in both areas covered by performance indicators and those not covered. Identify the process for implementing regulatory action when a threshold is met or when it is not met (i.e., refine the shifting burden of proof on licensees and on NRC staff depending on where a licensee stands vis-a-vis the threshold).

5) Further identify or define the proposed vehicles to inform the Commission of assessment results from the periodic senior management review and to inform the public on a periodic basis on individual licensee assessments.

6) Provide to the Commission the methodology the staff will use to verify and validate the efficacy of the improved oversight process.

(EDO) (SECY Suspense: 1/15/99)

The staff should attempt to quantify or further define the expected change in licensee regulatory burden based on the new assessment process.
(EDO) (SECY Suspense: 3/26/99)

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
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