

April 18, 1997

MEMORANDUM TO: L. Joseph Callan
Executive Director for Operations

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-97-052 - COMMITTEE
TO REVIEW GENERIC REQUIREMENTS (CRGR) - SCOPE
OF REVIEW AND PERIODIC REVIEW ACTIVITIES

The Commission has approved the recommendation for a one-year continuation of the trial program for CRGR review of selected NMSS items to provide additional information needed to decide whether the CRGR scope should be expanded to include review of selected NMSS activities on a permanent basis. The staff should also select the nuclear materials issues that will provide the needed additional information related to the CRGR scope and inform the Commission of those activities selected as part of the trial program.

(EDO) (SECY Suspense: 6/30/97)

The staff should provide the Commission a timely response to the SRM dated December 4, 1996, and a summary of resolution of public comments on the NEI proposal for Part 70 rulemaking.

(EDO) (SECY Suspense: 6/30/97)

The Commission believes that the scope of the CRGR review should be expanded to include the review of selected inspection guidance, either at the specific request of the staff or by CRGR self initiation. The Commission believes that inspection guidance for major rulemaking activities, especially in cases where significant departures in the use of risk-informed approaches are being proposed, would benefit from CRGR review. The need for a two year trial program is obviated by the periodic evaluation and reporting of CRGR activities discussed below.

SECY NOTE: THIS SRM, SECY-97-052, 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.

The Commission has approved the recommended process for periodic evaluation and reporting of CRGR activities subject to the following comments:

- 1) The Commission recognizes there are always costs, both in human resources and in the time delays in the issuance of rulemakings or generic communications, that are associated with benefits received, and that these associated costs are not reflected in the "value added" summaries contained in the AEOD Annual Report. In the context of the National Performance Review mandate to ensure timely, efficient and cost-effective use of agency resources, it would be useful for the Commission to have information that would allow it to relate these associated costs with the benefits received. Staff should incorporate such information in its report to the Commission.
- 2) In assessing whether the associated costs are commensurate with the significance of issues raised by the CRGR, staff's summaries or evaluations should be based on a process that, in part, incorporates input from those stakeholders (i.e., program offices) that have had issues before the CRGR for review, and considers elements such as: the percentage of original staff proposals that were fundamentally flawed due to technical, procedural, or legal deficiencies, or flawed with respect to policy when presented to the CRGR and the significance of issues raised compared to impact on schedules and resources expended to address those issues. This process should be provided for Commission consideration.

(EDO)

(SECY Suspense:

6/30/97)

The Commission notes that its position on the granting of exemptions from regulations is contained in its January 29, 1997 SRM on SECY-96-249 (Staff Response to SRM on SECY-96-147 Regarding Reducing Need for Exemptions and Consistency of the Exemption Process). This position supersedes the statement that "Exemptions from regulations should not be favored," which was contained in the SRM on March 22, 1996 on SECY-96-032 (Charter of the Committee to Review Generic Communications (CRGR) - (Proposed Revision 6)).

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