

November 13, 2000

MEMORANDUM TO: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield

FROM: William D. Travers */RA/*
Executive Director for Operations

SUBJECT: FINAL GUIDELINES FOR APPLYING RISK-INFORMED
DECISIONMAKING IN LICENSE AMENDMENT REVIEWS

In a staff requirements memorandum (SRM) dated January 5, 2000, the Commission approved interim use of staff guidance for applying risk-informed decisionmaking in license amendment reviews while the staff solicited comments from stakeholders and finalized the guidance. By memorandum dated September 26, 2000, the final guidance was provided to the Commission for information. The purpose of this memorandum is to clarify how we intend to implement the provision in the final guidance concerning Commission notification.

Central to the decisionmaking process is determining whether a license amendment, if approved, could create "special circumstances" in which plant operation could pose an undue risk to public health and safety even though all other regulatory requirements appear to be satisfied. A subsidiary issue is whether to notify the Commission when an amendment request is judged to constitute a special circumstance. In the SRM on interim use of the guidance the Commission directed the staff to notify it of any license amendments judged to meet the special circumstances criteria. (No such amendments have been subsequently identified.) In the final guidance, we proposed that the Risk-Informed Licensing Panel (RILP) address whether to notify the Commission if a special circumstance is determined to exist.

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Despite the implied flexibility on this matter, we will notify you of the first few amendments that are judged to constitute a special circumstance. Thereafter, we propose to use the RILP to provide a recommendation to upper management on whether Commission notification is approved. This approach will keep you informed as we gain experience with the new guidance.

Unless directed otherwise, we will issue the September 26, 2000, guidance as final and implement it in future reviews subject to the above clarification.

SECY, please track.

cc: SECY
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