

CRGR

The Committee to Review Generic Requirements

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CRGR Mission

- Ensure that proposed generic backfits to be imposed on the NRC-licensed power reactor and selected nuclear material licensees are appropriately justified based on backfit provisions of applicable NRC regulations and the Commission's backfit policy.

CRGR Membership

- Membership appointed by EDO
- In addition to CRGR Chairman, one individual from:
 - NRR
 - NMSS
 - RES
 - OGC
 - Regional Office

Discussion Points

- Is the NRC control of the generic backfit process appropriate?
- Are any plant-specific backfits consistent with the backfit rule (50.109)?
- Are there any suggestions as to how CRGR could improve its efficiency and effectiveness?

The Backfit Rule in an Age of Risk-Informed Regulation

Daniel F. Stenger

Hopkins & Sutter

NEI Licensing Information Forum

Current Role of Backfit Rule

- Backfit Rule embodied early attempt at risk-informing regulatory change
- Under 10 C.F.R. 50.109, backfitting involves two standards:
 - Adequate protection, including redefinition
 - Substantial improvement in safety
 - Cost-justification considered

Current Role of Backfit Rule

- Commission commitment to Backfit Rule
 - NRC response to Senate (1998):
 - NRC recognized value of backfitting analysis to regulatory process
 - “NRC encourages the licensees to exercise the backfit appeal process, as it is an important and an integral part of the regulatory process.”
- NRC expanded scope of CRGR Charter to include review of inspection guidance

NRC Performance Goals

- NRC Performance Goals are enhanced by backfitting analysis of proposed changes
 - Analysis of “substantial safety enhancement” directly shows whether safety is maintained
 - Cost-benefit analysis reveals whether regulation is efficient and effective, or whether creates unnecessary regulatory burden
 - Backfitting analysis enhances public confidence through promoting stability and predictability

Challenges of Risk-Informed Regulation

- Risk-informed Reactor Oversight Process
 - Compliance with licensing basis only part of compliance analysis
 - Risk evaluations may give rise to additional safety concerns and potential backfits
- Backfit Rule provides necessary discipline
 - Low safety-significance findings should not support backfits

Role of CRGR

- Potential enhancements to CRGR function
 - CRGR meetings should be open to licensees and the public
 - Enhance public confidence
 - Allow public greater opportunity for input on whether proposed actions meet performance goals
 - Greater CRGR role in plant-specific backfits
 - For example, advise Staff line management on backfit implications of plant-specific issues

Conclusion

- Backfit Rule has greater role than ever to play in age of risk-informed regulation
 - Supports NRC performance goals
 - Provides discipline to maintain regulatory stability needed in new era of risk-informed regulation