

IN RESPONSE, PLEASE
REFER TO: M920908

September 30, 1992

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

William C. Parler
General Counsel

FROM: Samuel J. Chilk, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - BRIEFING ON ADVANCED AND
EVOLUTIONARY REACTOR TOPICS: FORM AND
CONTENT FOR A DESIGN CERTIFICATION RULE AND
FOLLOW-UP TO SECY-90-016 (SECY-92-287), 10:00
A.M., TUESDAY, SEPTEMBER 8, 1992,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE
FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

The Commission¹ was briefed by the NRC staff on the form and content proposed for a design certification rule and on some of the technical issues on which the staff are continuing to work.

The staff should review the SRM on SECY-90-377, dated February 15, 1991, to resolve apparent inconsistencies between the direction provided in that SRM and the change process described in SECY-92-287. In that SRM, the Commission stated that the staff should be held to the backfitting standards of 10 CFR 52.63, which is the Part 52 backfitting regime, for all matters resolved in the design certification rulemaking (in both tiers 1 and 2). In that same SRM, the Commission also directed that the change process for Tier 2 information only be allowed between COL issuance and authorization for operation.

After completing this review, the staff should provide the Commission with recommendations for the design certification change process with supporting justification for any recommended variations from the earlier Commission guidance provided in the SRM on SECY-90-377.

(EDO)

(SECY Suspense: 11/20/92)

¹ Commissioner de Planque was on leave and did not attend this briefing.

The Commission raised the question concerning proprietary information in the design certification process. The staff reported that they are continuing to analyze the issue and will provide the Commission recommendations in the near future.
(OGC) (SECY Suspense: 10/30/92)

The staff should review the pros and cons of providing a separate appendix for generic requirements applicable to all design certification applicants as opposed to incorporating all the requirements for each applicant in a single appendix. The resulting recommendation should be forwarded to the Commission for approval.
(EDO) (SECY Suspense: 11/20/92)

The Commission would like the ACRS and the staff to continue their discussions on diversity in digital instrumentation and control systems and for staff to interact further with the vendors.

cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque
OCAA
OIG
ACRS
PDR - Advance
DCS - P1-24