March 6, 1991 IN RESPONSE, PLEASE REFER TO: M910222A

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 COMMITTEE TO REVIEW GENERIC REQUIREMENTS (CRGR) PROCESS (SECY-91-037), 10:00 A.M., FRIDAY, FEBRUARY 22, 1991, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff and the CRGR on the proposed revision to the CRGR Charter, incorporation of the safety goals into the CRGR process, and recent activities of the CRGR.

The Commission expressed concern that the 10 CFR 50.54(f) process improperly may be imposing requirements on utilities through the extraction of commitments in responding to these generic communications. The CRGR should continue to review generic requirements for this type of indirect method of imposing requirements.

The Commission requested that the staff keep it informed of progress in incorporating the safety goals into the CRGR process and eventual inclusion in the CRGR Charter.

The CRGR should remain cautious that the requirements of Section III of the Charter do not exceed the capabilities of the CRGR staff.

Commissioner Curtiss requested further information in the following areas.

1. How much consideration does the CRGR give to the cumulative effect of requirements imposed on licensees, and in particular, the total impact of those requirements which are considered to be backfits? Are these impacts quantified on a regular or periodic basis?

2. Is the desire to avoid backsliding by licensees legally or factually sufficient justification for finding a substantial increase in overall protection that would support backfitting?

(EDO/OGC) (SECY Suspense: 5/17/91)

The Commission had several specific comments and questions pertaining to SECY-91-037, Charter of the Committee to Review Generic Requirements (CRGR), which is a negative consent paper currently before the Commission. These specific items will be addressed in the SRM on SECY-91-037.

cc: Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
GPA
ACRS
PDR - Advance
DCS - P1-24