

December 20, 1991

MEMORANDUM FOR: James M. Taylor  
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary /S/

SUBJECT: SECY-91-172 - REGULATORY IMPACT SURVEY  
REPORT - FINAL

The Commission recognizes the substantial work that has been undertaken by the staff to evaluate the impact of the NRC regulatory activities on 10 CFR Part 50 licensees. NUREG-1395 and SECY-91-172 document the staffs findings and some of the corrective actions that are being taken in response to this issue. Additional activities, such as the staff's review of the NRR inspection program and the Office of the Inspector General's (OIG) overall review of the NRC inspection program, will further review concerns identified in the survey.

The Commission requests that the staff prepare annual updates on progress on implementing the activities described in this paper. The program assessment should evaluate lessons learned from the success or failure of different efforts, and from licensee assessments of these efforts. This assessment should outline a staff proposal for a continuing feedback process. Such a process may incorporate tailored, small scope surveys which can be most effective if done on a programmed, routine basis. Thereafter, the staff should provide the Commission annual updates on the feedback process.

(EDO)

(SECY Suspense: 7/17/92)

The Commission requests that staff pursue the following actions:

- 1) In view of the staffs ongoing effort to modify the Regulatory Analysis Guidelines and the recent commentary on

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SECY NOTE: SECY-91-172 WAS RELEASED TO THE PUBLIC ON AUGUST 13, 1991. THIS SRM AND THE VOTE SHEETS OF THE CHAIRMAN AND COMMISSIONERS ROGERS AND CURTISS WILL BE MADE PUBLICLY AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS SRM.

Voting on this issue was completed before the start of Commissioner de Planque's term.

the issue of averted on-site costs (see EPRI/NSAC Report NSAC-143, transmitted to the Commission on March 27, 1991), the staff should evaluate the various arguments for how averted on-site costs should be treated in cost-benefit analyses. The proposed revisions to the Regulatory Analysis Guidelines, including a thorough discussion of the issue of averted on-site costs, should then be submitted to the Commission for review and approval.

(EDO) (SECY Suspense: 8/14/92)

- 2) In the area of generic communications in which a new staff position is articulated or through which staff seeks additional licensee commitments (as opposed to simply disseminating knowledge gained from operational experience), the Commission should be apprised of such communications prior to their issuance (e.g. via an information paper), unless it involves an urgent matter which must be issued immediately. Additionally, since generic communications do not provide formal notice and comment opportunities, effort should be made in such cases to solicit the views of interested groups. The staff should propose a methodology to accomplish this.

In advising the Commission, the staff should summarize the safety issue to be addressed, the basis for the new position, including a summary of the views of interested groups, and the rationale for addressing the issue via a generic communications rather than through rulemaking or individual orders.

(EDO) (SECY Suspense: 4/24/92)

- 3) The staff has indicated that new SALP procedures (Manual Chapter 0516) were implemented on August 10, 1991. This was in response to SECY-90-189 and in accordance with the Commission's directive. The revised procedures did not include a major restructuring of the SALP Program, but did address, among other things, the definitions of the performance categories and the criteria used for evaluations. Additionally, the staff has informally discussed what the next steps for improving the SALP process should be. The Commission believes that this is the appropriate time to crystallize these concepts and identify specific areas of attention.

The staff should undertake a comprehensive review of SALP results to determine whether appropriate QA controls are in place to ensure consistent and reliable evaluations. The review should: include an analysis of both intra- and inter-regional consistency of standards, procedures and results; address the mechanisms present to ensure that a

national standard is present and that temporal implications ("rising expectations") are precluded; and evaluate whether sufficient controls are in place to ensure that individual inspector's findings and opinions cannot unduly influence the final evaluations. Suggestions for improving the process (e.g., requiring that SALP Boards have 2 out-of-Region members, in addition to the headquarters membership) should be included as part of the review.

Additionally, and in light of the above reviews, the staff should reexamine the direct and indirect ramifications that categorical grades have on licensee actions and whether the grades do help improve plant safety. Suggestions for improvement should be provided, as appropriate.

The staff should present to the Commission the results of their reviews in order to reach agreement on the terms of reference, what actions require further analysis and work, and an appropriate timetable for completion of the project. The staff should submit the results of the above reviews and analyses, along with any recommended corrective actions, to the Commission for approval.

(EDO) (SECY Suspense: 3/6/92)

Additionally, Commissioner Curtiss requests that the Policy Statement on Integrated Schedules be reviewed by the Commission before being published in final form.

(EDO) (SECY Suspense: 3/6/92)

cc: The Chairman  
 Commissioner Rogers  
 Commissioner Curtiss  
 Commissioner Remick  
 Commissioner de Planque  
 OGC  
 OCAA  
 OIG  
 ACRS