

**From:** Richard Barrett , *NRR*  
**To:** Kelly, Glenn, Rubin, Mark *NRR*  
**Date:** Thu, May 25, 2000 11:07 AM  
**Subject:** Re: My concern with Decommissioning rulemaking

Glenn:

I agree. I am currently working with DLPM to put an alternative approach in the SECY; a risk-informed approach which STARTS with requirements to assure acceptable risk. Interestingly, the industry white paper proposes a similar approach.

--Rich

>>> Glenn Kelly 05/24 5:20 PM >>>

As currently proposed, the rulemaking for decommissioning sites would have the licensees place the description of their commitments (the NEI top 10 plus the NRC 4) in their FSAR. The problem with this is that they can change it anytime they want without NRC approval under 50.59, as I read 50.59, because the events we are guarding against are not described or analyzed in the FSAR.

I believe that for the dominant events (i.e., large seismic event, heavy load drop, extreme weather) the commitments should be put in the license and not merely left as part of the licensing basis. This would entail a requirement in the license that the licensee perform the seismic check list, have a single failure proof crane or a load drop consequence analysis, and implement a procedure for dealing with very severe weather. In my opinion, it is not satisfactory to just have a commitment in the FSAR for these issues.

Alternatively, we could have the licensees describe in their FSAR the events we evaluated in our SFP risk assessment as accidents they have analyzed for their FSAR. Under this case, the licensee would not be able to make changes to the commitments in the FSAR without doing a 50.59 analysis.

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