



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 30, 1998

MEMORANDUM TO: David L. Meyer, Chief
Rules Review and Directives Branch
Division of Freedom of Information and
Publications Services
Office of Information Resources Management

FROM: *THM* Thomas H. Essig, Acting Chief
Generic Issues and Environmental
Projects Branch
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

SUBJECT: NRR INPUT FOR COMPLYING WITH THE SMALL BUSINESS
REGULATORY ENFORCEMENT FAIRNESS ACT

Attached is a summary description of an agency statement (Direct Final Rule: Unilateral Changes to Facility Licensee Quality Assurance Programs) that NRR has identified as being a potential "rule" under the Small Business Regulatory Enforcement Fairness Act (SBREFA). This direct final rule is to amend the NRC's regulation related to facility licensees authority to make changes to previously approved quality assurance programs without prior NRC approval.

For your convenience, the attachment to this memorandum will be sent to Alzonja Shepard and Mike Lesar in electronic format (and also to Walter Oliu for his use to comply with the Electronic Freedom of Information Act.)

If there are any questions or there is a need for additional information, please contact Peter Wen at 415-2832.

Attachment: As stated

cc: W. Oliu
M. Lesar
A. Shepard
✓ H. Tovmassian

DATE: October 28, 1998

AGENCY: Nuclear Regulatory Commission

TITLE OF ACTION: Unilateral Changes to Facility Licensee Quality Assurance Programs

LEVEL OF SIGNIFICANCE: Non-Major Rule (The regulatory analysis indicates that there will be a burden reduction of no more that \$5M to the industry.)

UPCOMING ACTION: Direct Final Rule

AGENCY IDENTIFICATION: PRM 50-62

DATE OF ISSUANCE: January 1999

STATUTORY OR JUDICIAL DEADLINE: N/A

DESCRIPTION OF ACTION: This direct final rule is being developed to amend the NRC's regulations related to facility licensees authority to make changes to previously approved quality assurance (QA) programs without prior NRC approval. This action is in response to a petition for rulemaking submitted by the Nuclear Energy Institute requesting the NRC to amend its regulations to allow unilateral QA program changes in instances where the licensee can demonstrate that the change does not constitute an unresolved safety issue. The NRC agrees that a broader range of changes than those permitted under the existing regulation in 10 CFR 50.54(a) should be made available for the facility licensees but disagrees with the NEI's proposed threshold. Thus, the NRC is publishing this direct final rule to provide immediate relief in several QA programmatic areas which are considered administrative and routine. As a follow-on effort the NRC will develop, in concert with industry and other interested parties, of an alternative to the 10 CFR 50.54(a)(3) "reduction in commitment" criterion to further broaden the range of changes that can be made to licensee QA programs without prior NRC approval.

AGENCY CONTACT: Harry S. Tovmassian, NRR/PGEB, (301) 415-3092