

November 26, 2002

Dr. George E. Apostolakis
Chairman
Advisory Committee on Reactor Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: ACRS REVIEW OF DRAFT NUREG/BR "GUIDANCE FOR PERFORMANCE-BASED REGULATION"

Dear Dr. Apostolakis:

Thank you for your letter of October 17, 2002, in which you supported the staff's proposal to publish the subject report to provide guidance for developing performance-based options in regulatory decision making. The letter also recommended that the document be revised to incorporate additional discussion of safety margins and performance parameters.

The purpose of this letter is to inform you that we have made the changes that address the ACRS recommendations. The revised document incorporating the additional discussions will be transmitted under a separate cover letter. Briefly, the modifications accomplish the following:

1. Provide additional examples in Section 3.2 under "Process Steps" to clarify identification of safety functions and safety margins in the context of specific regulatory issues.
2. Revise illustrative examples to be more current with recent evaluations and Federal Register notices on proposed rules.
3. Add an Appendix B that enables the document to be self-standing by offering supplementary guidance for more complex issues, especially on the subject of performance parameters.

The revisions enable the guidance to be used in a wider set of applications, in addition to responding to the ACRS' recommendations.

G. Apostolakis

2

It is our intent to finalize the document under the normal NRC publication procedures. We will keep the ACRS informed of developments as we proceed.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
SECY

It is our intent to finalize the document under the normal NRC publication procedures. We will keep the ACRS informed of developments as we proceed.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
SECY

Distribution:

DSARE R/F	JStrosnider	SFeld	CAder
REAHFB R/F	CPaperiello	HNieh, OEDO	
EDO G20020610	SCollins, NRR	DSARE 2002-57	
ACRS File	WKane	JCraig	
SBurns/KCyr	PNorry	MVirgilio	
RES Action RES2001474	WTravers	PNorian	
JJohnson			

ML023240475/Pckg.#ML023250146/ Incoming ML022960457

*See Previous Concurrence

G:\REAHFB\Kadambi\ACRS_Resp_PB_Guidance.wpd

OAR in ADAMS? (Y or N) Y ADAMS ACCESSION NO.: ML023240475 TEMPLATE NO. EDO-002

Publicly Available? (Y or N) Y DATE OF RELEASE TO PUBLIC _____ SENSITIVE? N

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	REAHFB	C:REAHFB	D:DSARE	RES	D:RES	EDO
NAME	PKadambi:dfw	JFlack	FEltawila	JStrosnider	AThadani	WTravers
DATE	11/14/02*	11/14/02*	11/14/02*	11/19/02*	11/20/02*	11/26/02*