

April 4, 2003

MEMORANDUM TO: William D. Travers  
Executive Director for Operations

FROM: Charles E. Ader, Chairman **/RA/**  
Committee to Review Generic Requirements

SUBJECT: MINUTES OF THE COMMITTEE TO REVIEW GENERIC  
REQUIREMENTS MEETING NUMBER 382

The Committee to Review Generic Requirements (CRGR) held special Meeting No. 382 on March 25, 2003, from 1:00 P.M. to 3:00 P.M., with the attendees listed in Attachment 1. Mr. Sunil Weerakkody, Office of Nuclear Reactor Regulation, provided an informational briefing to the CRGR on the proposed approach being recommended to require licensees to install backup power for Hydrogen igniters in ice condensers and Mark III containments (Order versus Rulemaking). The backfit is being proposed to resolve Generic Safety Issue 189, "Susceptibility of Ice Condenser and Mark III Containments to Early Failure from Hydrogen Combustion During a Severe Accident." The slide presentation is found in ADAMS, Accession No. ML030860843.

The CRGR briefing focused on the staff recommended approach and did not review, in detail, the staff's backfit justification. Staff will seek CRGR endorsement of the backfit justification at a later date. The Committee agreed with staff that this is not an adequate protection issue and that it will need to pass the cost-benefit/substantial increase standard.

After discussion, the Committee agreed that its role is not to recommend the approach the staff uses for backfitting (order vs. rulemaking) but to focus on the backfit justification. However, the Committee did agree to bring to the attention of the EDO the value it places on the public comment process. Experience has shown that the Committee has benefitted considerably from the public comment on the impact of the proposed action and the backfit justification.

The Committee also wanted to note that the forthcoming CRGR report on its review of the administrative controls on plant-specific backfitting found that the decision process for plant-specific backfits is not clearly described nor readily available to licensees and that clear communication was a desired objective. The use of an Order may limit this communication process. The Committee also discussed, but did not take a position on when the number of plants affected would argue for a rulemaking vs. an order.

The Committee will review the staff's backfit justification when it is ready and will provide you its recommendation regarding the backfit justification at that time.

Attachment: As stated

Cc: See attached list.

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OAR in ADAMS? (Y or N) Y ADAMS ACCESSION NO.: ML030970299 TEMPLATE NO. CRGR-001

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OFFICE	CRGR		CRGR					
NAME	L. Cupidon*		C. Ader*					
DATE	4/04/03		4/04/03					

(RES File Code) RES \_\_\_\_\_

MEMO DATED: 4/04/03

SUBJECT: MINUTES FOR THE COMMITTEE TO REVIEW GENERIC REQUIREMENTS  
MEETING NUMBER 382

cc w/atts:	<u>Mail Stop</u>
Chairman Diaz	O-16 C1
Commissioner Dicus	O-16 C1
Commissioner McGaffigan	O-16 C1
Commissioner Merrifield	O-16 C1
Annette Vietti-Cook, Secretary of the Commission	O-16 C1
William D. Travers, EDO	O-16 E15
William F. Kane, DEDR	O-16 E15
Carl J. Paperiello, DEDMRS	O-16 E15
Frank J. Congel, OE	O-14 E1
Hubert T. Bell, OIG	T-5 D28
Karen D. Cyr, OGC	O-15 D21
Janice Moore, OGC	
John T. Larkins, ACRS	T-2 E26
Martin J. Virgilio, NMSS	T-8 A23
Margaret V. Federline, NMSS	
E. William Brach, NMSS	O-13 D13
M. Wayne Hodges, NMSS/SFPO	O-13 D13
Samuel J. Collins, NRR	O-5 E7
Brian W. Sheron, NRR	
Gary Holahan, NRR	O-10 A1
R. William Borchardt, NRR	O-5 E7
Ashok C. Thadani, RES	T-10 F12
Jack Strosnider, RES	
W. Beecher, OPA	O-2 A13
H. Miller, Region I	
L. Reyes, Region II	
Bruce Mallett, R II	
J. Dyer, Region III	
E. Merschoff, Region IV	
Michael Mayfield, RES	
Steven Arndt, RES	
Dan Dorman, RES	
Christina Antonescu, RES	
R. F. Dudley	
Sunil Weerakkody	
Robert Palla	
Johnny Eads	
Susan Uttal	
Jennifer Euchner	
Jennifer Dixon-Herity	
Medhat El-Zeftawy	

**CRGR MEETING No. 382**  
**LIST OF ATTENDEES**  
**(March 25, 2003)**

**CRGR Members**

Charles E. Ader, Chairman  
Brian W. Sheron, NRR  
Margaret V. Federline, NMSS  
Janice E. Moore, OGC  
Jack R. Strosnider, RES  
Bruce S. Mallett, RII

Les Cupidon, CRGR Staff

**NRR Staff**

Garry M. Holahan, NRR/DSSA  
Richard F. Dudley, NRR/DRIP/RGEB  
Sunil D. Weerakkody, NRR/DSSA/SPLB  
Robert L. Palla, NRR/DSSA/SPSB  
Johnny H. Eads, NRR/DLPM/LPD3-1

**OGC Staff**

Susan L. Uttal, OGC  
Jennifer M. Euchner, OGC

**OE Staff**

Jennifer L. Dixon-Herity, OE

**ACRS Staff**

Medhat M. ElZeftawy, ACRS