

July 17, 2003

The Honorable Nils J. Diaz  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

SUBJECT: PROPOSED CRITERIA FOR THE TREATMENT OF INDIVIDUAL  
REQUIREMENTS IN A REGULATORY ANALYSIS

Dear Chairman Diaz:

During the 504<sup>th</sup> meeting of the Advisory Committee on Reactor Safeguards, July 9-11, 2003, we discussed with representatives of the NRC staff proposed criteria for the treatment of individual requirements in a regulatory analysis. We had the benefit of the document referenced.

#### **CONCLUSION**

The proposed criteria are responsive to the Commission's Staff Requirements Memorandum (SRM) dated December 31, 2001.

#### **DISCUSSION**

In the SRM dated December 31, 2001, the Commission directed the staff to ". . . provide the Commission with recommendations for revising existing guidance in order to implement a disciplined, meaningful, and scrutable methodology for evaluating the value-impact of any new requirements that could be added by a risk-informed alternative rule." The concern is that aggregating or "bundling" different requirements in a single regulatory analysis could potentially mask the inclusion of an inappropriate individual requirement. To address this concern, the staff has developed proposed criteria for the treatment of individual requirements in a regulatory analysis. The staff plans to incorporate the final criteria into NUREG/BR-0058, "Regulatory Analysis Guidelines of the U. S. Nuclear Regulatory Commission." We believe the proposed criteria are appropriate and responsive to the Commission's direction.

Sincerely,

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Mario V. Bonaca  
Chairman

#### **Reference:**

1. Federal Register, Volume 68, No. 75, dated April 18, 2003, pages 19162-19166, Subject: Regulatory Analysis Guidelines: Proposed Criteria for the Treatment of Individual Requirements in a Regulatory Analysis.