

FEB 28 1989

NOTE TO: Allen Whiting, CNWRA
 FROM: Philip Altomare, NRC *3/2*
 SUBJECT: NRC RESPONSE TO 2/15/89 PA REORIENTATION QUESTIONS

The following comments were jointly provided by DHLWM and OGC in response to your 2/15/89 query.

1) TECHNICAL COMPONENTS OF PROOF AS A PROPOSED CONCEPT

In consideration of the proposed concept, NRC's CNWRA project management and legal staff are disturbed that your proposal would mix what is stated in the regulatory requirement with what is not stated in the regulatory requirement. As a consequence you will ascribe equal weights to the regulatory elements of proof (REOP) and the technical components of proof, as stated by your quote "'WHAT' must be demonstrated to prove compliance."

In developing the Program Architecture developmental process, if technical components of proof (TCOP) define "'WHAT' must be demonstrated to prove compliance," then the TCOP should be in the PURL as they will latter become REOP's. If TCOP's do not define "'WHAT' must be demonstrated to prove compliance," then they do not belong in the REOP field, nor anywhere else were they would convey a legal requirement.

2) ASSESSMENT OF THE SIGNIFICANCE OF REGULATORY UNCERTAINTY

NRC's CNWRA project management staff agree that there may be risk in exercising the mainstream PA development process when encountering regulatory uncertainty. We furthermore agree that where there is a need to reconcile uncertainties, in order to permit the PA analysis to proceed, this reconciliation must be done expeditiously.

In this regard, it would be desirable for the Center to be able to employ the Decision Support System (chapter 19 of the Center QA manual) or some other decision making apparatus that would help to judge the significance of the respective uncertainties in terms of potential delay to PA development. This would help to identify those uncertainties which require NRC immediate attention.

It would also be desirable for the Center to report on those uncertainties for which it considers "high risk." Furthermore, it would be equally desirable to have the Center report on those uncertainties it considers low or marginal to keep NRC's staff appraised of developments in th's area.

~~8903030475~~ 288

FEB 23 1989

2/15/89 RESPONSE

- 2 -

To support this recommendation, we would like to have ten (10) working days to review and comment on those regulatory uncertainties you consider "high-risk" so that we might advise you on how to proceed with the analysis. Absent a response, you will proceed with the analysis based on your recommendation.

- 3) For low-risk uncertainties and high-risk uncertainties reviewed by NRC, PURL inputs are to be PA mainstreamed along with REOP's for the existing regulatory requirement not affected by the uncertainty.
- 4) As previously stated, PURL's are to be limited to those which the analyst considers could be best handled by changing the language of the rule but is not expected to include a judgement regarding resources, risk preferences, or time which are NRC's decision making responsibility.

Other uncertainties, not to be resolved by PURL's, still require the identification of an uncertainty reduction methodology. Depending upon what is subject to uncertainty (e.g. the regulatory requirement, REOP's, CDM's, and/or IR's), the URM's will be limited to the uncertainty itself and its subordinate components.

5) SUGGESTED APPROACH

The five-step approach is appropriate with the following modifications:

Step 2: The Center will use the weighting factors for the major milestone R8 analysis and report, as may be subsequently updated by NRC and the Center.

Step 3: The Center will recommend, based on the outcome of step #2, those high-risk uncertainties requiring NRC review and allow NRC ten days for review and comment.

Step 4: After ten working days, the Center will implement its recommendation, unless redirected by NRC.

*Bev's Review of PURL to
Work on document to get by
the PURL's are not recommended
Language in T-2*