

POICY ISSUE (Information)

August 9, 2004

SECY-04-0144

FOR: The Commissioners

FROM: Luis A. Reyes
Executive Director for Operations /RA/

SUBJECT: MAINTAINING A CURRENT AND EFFECTIVE SET OF REACTOR GUIDANCE DOCUMENTS

PURPOSE:

To convey to the Commission the status, approach and plans for maintaining current and effective reactor guidance documents for staff and applicant use as requested in a staff requirements memorandum (SRM) dated October 31, 2003.

BACKGROUND:

On Thursday, October 2, 2003, the Advisory Committee on Reactor Safeguards (ACRS) briefed the Commission on several topics, and the Commission subsequently issued the above noted SRM. The second item in that SRM directed the staff to provide the Commission the status, approach, and plans for maintaining a current and effective set of guidance documents for staff and applicant use. It also directed the staff to identify priority and resource considerations in this area

DISCUSSION:

The subject SRM referred to "guidance documents" in general, and cited "regulatory guides, standard review plans, and review standards." In addition, the discussion during the Commission briefing on October 2, 2003, specifically noted the industry consensus standards

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developed by the Institute of Electrical and Electronics Engineers and The American Society of Mechanical Engineers as examples of the references cited in guidance documents promulgated by the Nuclear Regulatory Commission (NRC) that may have become obsolete over time.

Within the NRC, the Office of Nuclear Reactor Regulation (NRR) and Office of Nuclear Regulatory Research (RES) are responsible for issuing the type of reactor technology-related guidance documents specified in the SRM; RES is responsible for regulatory guides and NRR is responsible for the SRP and other reactor licensing guidance documents. The Office of the General Counsel (OGC) provides legal support to ensure that the guidance documents are consistent with the relevant requirements of NRC regulations and Federal statutes. It should be noted that this paper does not include input from the Office of Nuclear Material Safety and Safeguards (NMSS), because it focuses exclusively on NRC documents related to reactor licensing and reactor technology.

The offices have evaluated the guidance documents for which they are responsible and have developed plans to update out-of-date documents. In particular the offices have developed plans for the resources needed to update consensus standard references in existing regulatory guides and for a complete update of review guidance, including consensus standards references, for the “Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants” (NUREG-0800); Review Standards, “Environmental Standard Review Plan”, NUREG-1555); and “Guidelines for Preparing and Reviewing Applications for the Licensing of Research and Test Reactors” (NUREG-1537).

Updating and maintaining the referenced guidance documents supports the NRC strategic plan goals of Safety, Openness and Effectiveness. Maintaining current guidance documents helps NRC achieve its safety goal by providing staff guidance to licensee individuals and organizations for the use of radioactive materials for beneficial civilian purposes, and then ensuring that the performance of these licensees is at or above acceptable safety levels. In particular, these guidance documents help NRC maintain vigilance over safety performance through ongoing licensing reviews and inspections, and expanded oversight.

These guidance documents facilitate sharing information, resources, best practices, and lessons learned from operating experience and influence the development of both domestic and international standards and guidance consistent with U.S. objectives as well as help NRC maintain trained inspectors, license reviewers, and researchers.

The up-dated guidance documents will help the agency to become more effective, efficient, realistic, and timely in its regulatory activities.

The discussion below summarizes the resource estimates for updating the guidance documents discussed above while the attachments to this Paper provide more detailed descriptions of the development of the staff's plans.

On the basis of its evaluation, the staff estimated the resources required to update 110 existing regulatory guides that endorse consensus codes and standards and another 19 that endorse a mixture of codes/standards and staff positions. Specifically, the staff determined that updating these two groups of regulatory guides will require 22 full-time equivalents (1 FTE for every 5 guides) for those that endorse only codes and standards, and another 6.3 FTE (1 FTE for every 3 guides) for those that endorse a mixture of codes/standards and staff positions. The

staff further estimates that legal support by OGC will require 2.2 FTE (.1 FTE for every 5 guides) for those guides that endorse only codes and standards, and another 0.63 FTE (.1 FTE for every 3 guides) for those guides that endorse a mixture of codes/standards and staff positions.

The staff estimates that updating the entire SRP (including developing several new review sections of NUREG-0800) will require approximately 35 FTE. (This estimate does not include resources that may be needed to address any potential policy issues; however, it does include resources for a complete update of the SRP including references to consensus Codes and Standards.) The staff further estimates that related legal support provided by OGC will require approximately 3.5 FTE. Additional staff resources (on the order of 2-3 FTE per year) will be needed for routine maintenance of the SRP sections after they are updated while the related OGC legal support for routine maintenance will require 0.2 FTE per year. The review standards will be reviewed periodically and revised as required. Revisions to NUREG-1555 will be considered in conjunction with the planned update to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants," which is on a 10-year update cycle. Also, a detailed staff review and revision to NUREG-1537 is being considered and the staff estimates it will take approximately 0.4 FTE.

CONCLUSION:

The staff has estimated the resources needed to update the existing reactor licensing guidance documents and to acquire the necessary OGC legal support for those updates. The staff will update these documents with resources made available for this activity in Commission-approved budgets. Toward that end, future budget requests will include some amount of resources for these updates. Additional resource requirements (if any) will be evaluated using the Planning, Budgeting, and Performance Management process.

The staff has not completed its estimate of the resources required to continuously "maintain current and effective reactor guidance documents." However as can be seen from the estimates discussed in this paper, continuously revising guidance documents solely to update references to consensus codes and standards would be resource intensive.

COORDINATION:

OGC has reviewed this paper and has no legal objections. The Office of the Chief Financial Officer has also reviewed this paper for resource implications and has no objections.

/RA Martin J. Virgilio Acting For/

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Attachments:

1. Updating Regulatory Guides
2. Updating Standard Review Plans

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