

July 15, 2004

MEMORANDUM TO: Sher Bahadur, Chairman  
Committee to Review Generic Requirements

FROM: J. E. Dyer, Director /RA/  
Office of Nuclear Reactor Regulation

SUBJECT: VALUE ADDED BY THE REVIEW OF THE COMMITTEE TO REVIEW  
GENERIC REQUIREMENTS

In your memorandum dated June 14, 2004, you invited comments on the value that the Committee to Review Generic Requirements (CRGR) adds to our products. Specifically, you requested comments in four areas: (1) assessment of value added by CRGR review, (2) staff effort expended in addressing CRGR comments and recommendations, (3) impact on schedule, and (4) assessment of the significance of the issues and associated costs in terms of overall impact on schedules and resources.

Office of Nuclear Reactor Regulation staff that were responsible for products reviewed by the CRGR between June 2003 and May 2004, were asked to provide comments in these four areas. The comments are summarized below.

**(1) Your assessment of the “value added” by the CRGR review (e.g., improvement in the quality of the product from the standpoint of underlying safety concerns and backfit considerations, completeness, and consistency with the Commission’s policies, rules, and regulations).**

Overall, the staff found value in the input provided by the CRGR. Feedback provided by the CRGR members was considered beneficial. Several clarifying-type comments were made by the members that helped to assure completeness and consistency with the Commission’s policies, rules, and regulations. In a specific example, CRGR added value to the proposed regulatory action (Bulletin 2003-02). The staff was asked to make clarifications, but, more importantly, it was asked to revise language that implied that the bulletin was imposing new regulatory requirements or that licensees were required to take actions.

The staff recommends that the CRGR considers enhancing its reviews of the impact of nuclear security-related proposals on safety. Specifically, these reviews should consider whether security-related proposals (i.e., those contained in nuclear security advisories, multi-plant orders, or other security-related documents under CRGR review) have the unintended consequence of affecting licensees’ compliance with other safety requirements.

In reviewing the current version of the CRGR charter (Revision 7, dated November 1999), the staff noted that there is little to no reference made to staff documents and proposals specifically related to physical security or safeguards requirements. Additionally, the charter does not require representation from the Office of Nuclear Security and Incident Response on the committee.

**(2) The staff efforts expended in addressing CRGR comments and recommendations, excluding the time required for OGC and program office concurrence.**

Although the staff did not specifically track this information; a reasonable estimate; accounting for NRR and RES professional and support staff, management time and contractor time, would be approximately 100 -150 hrs. As a result of CRGR comments following its review, the staff made several needed changes to the content of the Standard Review Plan, Chapter 18.0, and the accompanying NUREGs.

On the other end of the spectrum, one staff member estimated that addressing CRGR comments only required approximately 4 hours, including support from administrative and technical staff and management.

**(3) Impact on schedule, if any.**

One staff member indicated that, in order to accommodate CRGR comments, it was estimated that production of the final documents (the subject of the CRGR review) was postponed approximately two weeks. Another member stated that there was essentially no impact on the schedule.

**(4) Your assessment of the significance of the issues and associated costs in terms of overall impact on schedules and resources.**

Feedback from the CRGR members was considered beneficial to the staff and helped to improve the overall quality and completeness of the staff's final products. The staff considered any increases in overall costs and schedules to be worthwhile. One staff member stated that the issues raised by CRGR helped the staff avoid the perception and potential criticism that draft Bulletins, for example, imposed new regulatory requirements.

In summary, the CRGR's review and comments are considered to be helpful and continue to improve the quality of our products. The true cost of these reviews should not be restricted to the staff's efforts expended in addressing the CRGR's comments, but also the effort used in preparing the presentation. The CRGR should consider enhancing its reviews in the area of physical

security and safeguards. Specifically, it should consider the impact of nuclear security-related proposals on other safety requirements. The CRGR charter should be updated to incorporate recent changes in NRC organizational and program activities in the area of nuclear security.

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