February 6, 2003

MEMORANDUM TO: G. E. Apostolakis, Chairman
Reliability and Probabilistic Risk Assessment Subcommittee

FROM: M. R. Snodderly, Cognizant ACRS Staff Engineer
S. Duraiswamy, Designated Federal Official

SUBJECT: WORKING COPY OF THE MINUTES OF THE ACRS SUBCOMMITTEE ON RELIABILITY & PROBABILISTIC RISK ASSESSMENT, JANUARY 22, 2003 - ROCKVILLE, MARYLAND

A working copy of the minutes for the subject meeting is attached for your review. Please review and comment on them at your soonest convenience. If you are satisfied with these minutes please sign, date, and return the attached certification letter in the pre-addressed envelope attached.

Attachment: Minutes (DRAFT)

cc: S. Bahadur
S. Duraiswamy
J. Larkins
H. Larson

MEMORANDUM TO: M. R. Snodderly, Cognizant ACRS Staff Engineer
S. Duraiswamy, Designated Federal Official

FROM: G. E. Apostolakis, Chairman
Reliability and Probabilistic Risk Assessment Subcommittee

SUBJECT: CERTIFICATION OF THE SUMMARY/MINUTES OF THE MEETING OF THE ACRS SUBCOMMITTEE ON RELIABILITY & PROBABILISTIC RISK ASSESSMENT, JANUARY 22, 2003 - ROCKVILLE, MARYLAND

I do hereby certify that, to the best of my knowledge and belief, the minutes of the subject meeting on January 22, 2003, are an accurate record of the proceedings for that meeting.

2/6/03

George E. Apostolakis, Subcommittee Chairman — Date

February 14, 2003

MEMORANDUM TO: ACRS Members

FROM: Michael Snodderly, Cognizant ACRS Staff Engineer **/RA/**

SUBJECT: CERTIFICATION OF THE MINUTES OF THE MEETING OF THE ACRS SUBCOMMITTEE ON RELIABILITY & PROBABILISTIC RISK ASSESSMENT, JANUARY 22, 2003 - ROCKVILLE, MARYLAND

The minutes of the subject meeting, issued February 6, 2003, have been certified as the official record of the proceedings of that meeting. A copy of the certified minutes is attached.

Attachment: As stated

cc: J. Larkins
S. Bahadur
H. Larson
S. Duraiswamy
ACRS Staff Engineers

Date:02/6/03

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
MEETING OF THE ACRS SUBCOMMITTEE ON RELIABILITY &
PROBABILISTIC RISK ASSESSMENT
MEETING MINUTES - JANUARY 22, 2003
ROCKVILLE, MARYLAND

INTRODUCTION

The ACRS Subcommittee on Reliability & Probabilistic Risk Assessment met on January 22, 2003, at 11545 Rockville Pike, Rockville, MD, in Room T-2B3. The purpose of this meeting was to discuss the NRC staff's plan to achieve greater coherence of its risk-informed regulatory activities within the reactor safety arena.

Adrian Heymer of the Nuclear Energy Institute provided comments on the staff's draft coherence plan. The Subcommittee received no other written comments or requests for time to make oral statements from members of the public regarding the meeting. The entire meeting was open to public attendance. Michael Snodderly was the cognizant ACRS staff engineer for this meeting. Sam Duraiswamy was the designated federal official. The meeting was convened at 8:30 a.m. and adjourned at 9:58 a.m.

ATTENDEES

ACRS Members

G. Apostolakis, Subcommittee Chairman
M. Bonaca, Member
P. Ford, Member
T. Kress, Member
G. Leitch, Member
V. Ransom, Member
S. Rosen, Member
W. Shack, Member
J. Sieber, Member
S. Duraiswamy, Staff
M. Snodderly, Staff

Principal NRC Speakers

M. Drouin, RES
M. Rubin, NRR
S. West, NRR

Principal Industry Speakers:

A. Heymer, NRR

There were approximately five members of the public in attendance at this meeting. A complete list of attendees is in the ACRS Office File and will be made available upon request. The presentation slides and handouts used during the meeting are attached to the office copy of these minutes.

OPENING REMARKS BY THE SUBCOMMITTEE CHAIRMAN

George Apostolakis, Chairman of the ACRS Subcommittee on Reliability & Probabilistic Risk Assessment convened the meeting at 8:30 a.m. Chairman Apostolakis stated that the purpose of this meeting was to discuss the NRC staff's plan to achieve greater coherence of its risk-informed regulatory activities within the reactor safety arena. Chairman Apostolakis reminded the Committee that the staff's draft coherence plan had been developed in response to a Staff Requirements Memorandum, dated February 8, 2002. He had no specific comments relative to the meeting agenda.

DISCUSSION OF AGENDA ITEMS

NRC Staff Presentation

Ms. Mary Drouin, RES, was the main presenter. Seated with Ms. Drouin at the front table were Mr. Mark Rubin and Mr. Steven West, NRR. The staff discussed its plan for achieving greater coherence among its reactor safety arena activities. Ms. Drouin introduced the authors, Mr. Richard Dudely and Mr. Stewart Magruder, NRR, of the coherence plan. Significant points raised during the presentation include:

- Ms. Drouin said that based on Chairman Apostolakis' introduction the subcommittee had a good understanding of the purpose of the meeting and the associated background. She then skipped to Slide 5, "Scope and Limitations." Ms. Drouin emphasized that the program was focused on regulatory coherence and not on whether an activity is being implemented properly. Slide 5 states that the coherence program is based on current licensed reactors and is not an attempt to re-invent the regulatory structure. Although the current effort addresses current licensed reactors, the staff envisions a single risk-informed process.

- The staff's four phase approach for achieving greater coherence was outlined in a flowchart on Slide 6. Phase 1, "Development of a Coherence Process," includes two major tasks. The first task is the development of a process for a risk-informed coherence effort (PRICE) which would be built on an "unified safety concept" by adopting and refining the framework developed for risk-informing 10 CFR Part 50. The second task is to develop a glossary of risk-informed terms to help facilitate communication. The glossary would use existing definitions and would include terms such as: defense-in-depth, dominant, level of protection, performance-based, risk-based, risk-informed, risk management, safety margin, safety significant and unified safety concept.

- Phase 2, "Identification of Potential Changes to Regulatory Activities," includes two major tasks and is described by Slides 11 and 12. The first task is to select activities, such as, rulemaking, licensing and plant oversight, to determine whether they are in the scope of the program. The second task is to determine which of the selected activities are not built on the unified safety concept or not integrated such that they do not complement one another.

- Phase 3, "Prioritization of Potential changes to Regulatory Activities," includes three major tasks and is described by Slide 13. The first task is to develop prioritization criteria

based upon the four performance goals. The second task is to evaluate selected activities against the criteria and the third task is to assess the impact the activity may have on security.

- Phase 4, "Implementation of Changes to Selected Regulatory Activities," is described by Slide 14 and would make appropriate modifications to regulatory activities. The modifications would be made by the responsible organization with assistance from the Coherence Working Group.

- Slide 16 presented a proposed schedule of future activities to be presented to the Commission in an upcoming SECY paper. Future activities included a preliminary glossary by February 2003, initial prioritization of selected regulatory activities by September 2003, and a status report to the Commission by January 2004. The proposed schedule included three public meetings between now and January 2004. The proposed schedule did not include future ACRS interactions.

Industry Presentation

Mr. Adrian Heymer of the Nuclear Energy Institute (NEI) provided a brief overview of industry perspectives concerning the draft coherence plan. Significant points raised during the presentation include:

- The staff has held two public meetings on September twentieth and December fifth to seek input and comment on the coherency plan.

- NEI's initial thought of the coherency plan was it was a plan of a plan. NEI feels that either some pilot efforts or a specific schedule of activities are needed. Mr. Heymer said it appears the staff has started to do that as evidenced by the proposed schedule presented on Slide 16 by the staff.

- Mr. Heymer thought that the coherence plan was an essential element that should result in a new regulatory framework based on the regulatory oversight process (ROP). NEI believes it should be based on the ROP because of the substantial amount of effort that has gone into development of the ROP and its resulting acceptance.

- The coherence program should include pilot activities. NEI suggested looking at some of the items from the ROP "Green Findings" Survey. This survey is investigating the regulatory burden of some ROP findings that are consistently found to be non-risk-significant. NEI also mentioned public radiation safety regulations, such as, Appendix I to Part 50 and 50.36(a), as possible coherence program pilot activities.

- NEI does not support the use of the "Option 3" framework as a basis for the coherence program because of the partitioning of CDF and LERF criteria, treatment and criteria for defense-in-depth, and complexity in implementation. NEI has adopted an alternative framework which it recommends should be applied to technology neutral future reactors. For existing reactors, NEI recommends using a Regulatory Guide 1.174 approach.

Chairman Apostolakis then asked if there were additional questions. Hearing none, the meeting was adjourned at 10:00 a.m.

SUBCOMMITTEE COMMENTS, CONCERNS, AND RECOMMENDATIONS

Subcommittee members raised the following significant points during its discussion with the NRC staff representatives.

- Dr. Kress asked if the staff had a definition of incoherence in regulation. Ms. Drouin responded that inconsistencies and inefficiencies are indicators of incoherence. Chairman Apostolakis suggested that there may be an inconsistency between Regulatory Guide 1.174 and the ROP. Regulatory Guide 1.174 is focused on changes in CDF and LERF while the ROP is focused on the cornerstones.

- Slide 6 shows that after a potential change to regulatory activities has been prioritized its impact on the security is assessed. Chairman Apostolakis asked why the impact of the potential change on the other cornerstones, namely, reactor and radiation safety, are not considered along with security. Ms. Drouin said that was a good thought.

- Mr. Leitch asked the staff to contrast the framework being discussed here and the framework referred to in the advanced reactor research paper. Ms. Drouin contrasted the two documents by pointing out what they had in common. She stated that they would be coherent because the same people were working on the two documents and that she was responsible for both.

- Dr. Bonaca asked about possible incoherence in Option 2 efforts. Dr. Bonaca pointed out that Option 2 is focused on CDF and LERF while the FSAR is focused on limited fuel damage and meeting the limits of 10 CFR 100. Dr. Bonaca felt that this example should be shown to be coherent.

- Dr. Shack asked if the coherence program was looking at activities or regulations. Ms. Drouin responded the program will look at regulations, programs and processes.

- Figure 2 of Revision 1 to the Draft Coherence Plan has a decision point that asks, "are the inconsistencies appropriate." Chairman Apostolakis asked if inconsistencies were ever appropriate and suggested the word apparent instead.

- Chairman Apostolakis asked what is meant by, "...consistency with the intent of the safety goal policy statement," on Page 8 of Revision 1 to the Draft Coherence Plan. More specifically, why has the word intent been added. Mr. Rubin responded that intent was added to acknowledge that it was a goal not a requirement and that in some applications it may slightly exceed the goal and still be acceptable. In addition, some decisions may be made based on incomplete PRAs and still be acceptable.

- Chairman Apostolakis noted that in Revision 2 to the Draft Coherence Plan the term adequate protection had been removed from the list of terms to be defined by the glossary. Several members suggested that the term be included in the glossary.

- Chairman Apostolakis asked why future ACRS activities are not included in the proposed schedule on Slide 16. Ms. Drouin said that was an oversight. Chairman Apostolakis mentioned that an initial prioritization is to be completed by October 2003 and that may be

a good time for another briefing before the final prioritization is forwarded to the Commission in January 2004.

STAFF AND INDUSTRY COMMITMENTS

None.

SUBCOMMITTEE DECISIONS AND ACTIONS

Since this was an information only briefing, no letter was recommended by Chairman Apostolakis. He thanked the presenters for this update on the draft coherence plan. The Subcommittee will suggest a future meeting in the Fall of 2003 to review the staff's initial prioritization of regulatory activities. This would be followed by a Full Committee meeting to write a letter on the staff's coherence activities including the prioritization of regulatory activities that are to be provided to the Commission in January 2004.

BACKGROUND MATERIALS PROVIDED TO THE SUBCOMMITTEE PRIOR TO THIS MEETING

1. Subcommittee status report, including agenda.
2. Attachment 2, "Draft Plan for Achieving Coherence," to letter from, Richard Dudley, Senior Project Manager, NRR, to, Christopher I. Grimes, Program Director, NRR, dated November 20, 2002.

****

Note: Additional details of this meeting can be obtained from a transcript of this meeting available for downloading or viewing on the Internet at "http://www.nrc.gov/ACRSACNW' or can be purchased from Neal R. Gross and Co., Inc., (Court Reporters and Transcribers) 1323 Rhode Island Avenue, NW., Washington, DC 20005 (202) 234-4433.

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE MEETING ON RELIABILITY AND PROBABILISTIC RISK ASSESSMENT

JANUARY 22, 2003
Today's Date

NRC STAFF PLEASE SIGN IN BELOW

PLEASE PRINT

NAME	NRC ORGANIZATION
K.S. WEST	NRR
Mary Drouin	RES
STU MAGRUDER	NRR
Richard Dudley	NRR
Eileen McKenna	NRR
Leslie Fields	NRR
Mark Caruso	NRR

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE MEETING ON RELIABILITY AND PROBABILISTIC RISK ASSESSMENT

JANUARY 22, 2003
Today's Date

ATTENDEES PLEASE SIGN IN BELOW

PLEASE PRINT

NAME	AFFILIATION
ADRIAN HEYMER	NEI.
JOHN LEHNER	BNL
LUCA ORIANI	Westinghouse Electric Co

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE MEETING ON RELIABILITY AND PROBABILISTIC RISK ASSESSMENT

JANUARY 22, 2003
Today's Date

ATTENDEES PLEASE SIGN IN BELOW

PLEASE PRINT

NAME	AFFILIATION
ALI TABATABAI	Link Technologies
SPYROS TRAIFOROS	Link Technologies
LUCA ORIANI	Westinghouse Electric Co

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
SUBCOMMITTEE MEETING ON RELIABILITY AND PROBABILISTIC RISK ASSESSMENT

JANUARY 22, 2003
Today's Date

NRC STAFF PLEASE SIGN IN BELOW

PLEASE PRINT

NAME	NRC ORGANIZATION
S Rubin	RES/DSARE
John N. Flack	RES/DSARE
Leslie Fields	NRR/NRLPO

Draft 12/4/2003

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
MEETING OF THE SUBCOMMITTEE ON
RELIABILITY AND PROBABILITY RISK ASSESSMENT
JANUARY 22, 2003
ROOM T-2B3, 11545 ROCKVILLE PIKE, ROCKVILLE, MARYLAND

PRESENTATION SCHEDULE

Contact: M. Snodderly (301/415-6927) (mrs1@nrc.gov)

TOPIC	PRESENTER	TIME
I. Opening Remarks	G. Apostololakis, Cognizant Member	1:00 p.m.
II. Discussion of Coherence Plan		
A. NRR Presentation	TBD, NRR	1:05 p.m.
III. Committee Discussion		2:20 p.m.
IV. Recess		2:30 p.m.

Note:

- **Presentation time should not exceed 50% of the total time allocated for a specific item.**
- **Number of copies of presentation materials to be provided to the ACRS - 35.**

December 19, 2002

MEMORANDUM TO: Sher Bahadur, Associate Director
for Technical Support, ACRS/ACNW

FROM: Michael R. Snodderly, Senior Staff Engineer

SUBJECT: FEDERAL REGISTER NOTICE REGARDING THE
MEETING

OF THE ACRS SUBCOMMITTEE ON RELIABILITY AND PROBABILISTIC RISK ASSESSMENT, JANUARY 22, 2003, ROCKVILLE, MARYLAND

Attached is a Federal Register Notice regarding the subject meeting. Please have this Notice transmitted for publication as soon as possible.

Attachment:
FR Notice

cc with Attachment:
G. Apostolakis, ACRS
J. Larkins, ACRS
I. Schoenfeld, OEDO
J. Szabo, OGC
A. Bates, SECY
R. Jasinski, OPA
S. Collins, NRR
G. Holahan, NRR
C. Grimes, NRR
A. Thadani, RES
S. Newberry, RES
M. Cunningham, RES
PMNS
Public Document Room

[7590-01-P]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
MEETING OF THE ACRS SUBCOMMITTEE ON RELIABILITY
AND PROBABILISTIC RISK ASSESSMENT

Notice of Meeting

The ACRS Subcommittee on Reliability and Probabilistic Risk Assessment will hold a meeting on January 22, 2003, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Wednesday, January 22, 2003 - 8:30 a.m. until 10:00 a.m.

The Subcommittee will review the draft Plan for achieving coherence in regulatory safety arena. The Plan would provide an approach in which reactor regulations, staff programs, and processes are built on a unified safety concept and are properly integrated so that they complement one another. The purpose of this meeting is to gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Persons desiring to make oral statements should notify one of the staff engineers named below five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff and other interested persons regarding these matters.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, and the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting the Designated Federal Official, Mr. Sam Duraiswamy (telephone: 301-415-7364) or Mr. Michael R. Snodderly, Cognizant Staff Engineer, (telephone: 301-415-6927) between 7:30 a.m. and 4:15 p.m. (EST). Persons planning to attend this meeting are urged to contact one of the above named individuals at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Date_____

_____
Sher Bahadur, Associate Director
for Technical Support, ACRS/ACNW

ACRS
MRS/bjw
12/ /02

ACRS
SD
12/ /02

FILED: GT-270

Pierce S.

"Environmental Standard Review Plan." This plan guides the NRC staff in reviewing an application for an early site permit, construction permit, or combined operating license. However, the guidance is general and not binding.

On July 18, 2001, the Nuclear Energy Institute submitted two petitions for rulemaking (Docket Nos. PRM–52–1, PRM–52–2). Among other things, PRM–52–1 requested that the NRC treat as resolved certain information (including siting information) for a proposed nuclear power plant to be built on a site of an existing licensed plant. PRM–52–2 requested elimination of the requirement to consider alternative sites for nuclear power plants. The NRC published a notice of receipt and request for comment in the **Federal Register** on September 24, 2001 (66 FR 48828). A decision on this petition has not yet been issued by the NRC.

Meeting Topics

The discussions will include the topics discussed below.

(1) Regulatory options:

(a) Maintain the status quo. In this case, the suitability of the candidate site and whether an "obviously superior" alternative site exists would be reviewed on a case-by-case basis, using the current Standard Review Plan as a source of general and non-binding guidance.

(b) Conduct rulemaking to specifically define the criteria for candidate and alternative site reviews. In this case, specific and binding criteria would be developed and implemented.

(c) Issue revised guidance, such as a revised Standard Review Plan. In this case, specific criteria might be developed, but they would not be binding.

(2) Criteria for candidate and alternative site reviews might take one of two broad forms. One type of criterion would focus on the sites selected by the applicant. The other type would focus on the applicant's site-selection process.

(3) The region of interest is the area from which an applicant may select candidate and alternative sites. In the past, likely areas were the State in which the applicant would locate the proposed site or the applicant's service area. Now, deregulation of the electric utility industry might affect the region of interest. In a deregulated industry, the power purchase agreements of a merchant power producer could have considerable reach. It may not be reasonable, however, to expand the region of interest to include areas at great distance from the proposed site.

(4) The review of alternative sites might be subject to a numerical limit. The 1980 proposed rule would have restricted the review to four sites (the proposed site and three alternative sites).

(5) In the past, the NRC has employed an "obviously superior" standard. Some of the ideas that have been suggested for making a determination on whether an alternative site is obviously superior are the following:

(a) If the proposed site is the site of an existing nuclear power plant, the search for reasonable alternatives may be restricted because it is unlikely that an alternative site would be obviously superior.

(b) If the proposed site is the site of an existing nuclear power plant and no potentially disqualifying factors are identified, no review of alternative sites should be required.

(c) The 1980 proposed rule would have indicated that the NRC would use a sequential two-part analytical test. The first part would give primary consideration to hydrology, water quality, aquatic biological resources, terrestrial resources, water and land use, socioeconomics, and population to determine whether any alternative sites are environmentally preferred to the proposed site. If such an environmentally preferred site exists, the second part would overlay consideration of project economics, technology, and institutional factors to determine whether such a site is in fact an obviously superior site.

(6) Emergency preparedness is essentially a safety topic, rather than an environmental protection consideration. However, in some circumstances emergency preparedness considerations might have an effect on the determination of whether an alternative site is obviously superior to the proposed site. For example, there might be physical characteristics unique to an alternative site that could pose a significant impediment to the development of emergency plans. Accordingly, an applicant might be required to identify any physical characteristics unique to an alternative site, such as egress limitations from the area surrounding the site, that could pose a significant impediment to the development of emergency plans, *i.e.*, similar to what is currently required for an early site permit under 10 CFR part 52.

(7) Other topics may be introduced by the participants.

The agenda schedule is as follows:

9–9:30 a.m.: Introductory Remarks
9–12 p.m.: Background and Discussion of Issues
12–1:30 p.m.: Break
1:30–5 p.m. Discussion Continued and Concluding Remarks*

*The meeting may end earlier if a full day is not needed to discuss the issues.

The Environmental Standard Review Plan, discussed above, is available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. It is also accessible from the Agencywide Documents Assess and Management Systems (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, *http://www.nrc.gov/reading-rm/adams.html* under the following ADAMS accession number: ML003702134. If you do not have access to ADAMS or if you have problems in accessing the document in Adams, contact the NRC Public Document Room (PDR) Reference Staff at 1–800–397–4209, 301–415–4737 or by e-mail to *pdr@nrc.gov*. You may obtain single copies of the document from the contact listed above under the heading **FOR FURTHER INFORMATION CONTACT.**

Dated at Rockville, Maryland, this 20th day of December, 2002.

For the Nuclear Regulatory Commission.

Brian E. Thomas,

Acting Program Director, Policy and Rulemaking Program, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.

[FR Doc. 02–32697 Filed 12–26–02; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards Meeting of the ACRS Subcommittee on Reliability and Probabilistic Risk Assessment; Notice of Meeting

The ACRS Subcommittee on Reliability and Probabilistic Risk Assessment will hold a meeting on January 22, 2003, Room T–2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows: *Wednesday, January 22, 2003—8:30 a.m. until 10 a.m.*

The Subcommittee will review the draft Plan for achieving coherence in regulatory safety arena. The Plan would provide an approach in which reactor regulations, staff programs, and processes are built on a unified safety concept and are properly integrated so that they complement one another. The purpose of this meeting is to gather

information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Persons desiring to make oral statements should notify one of the staff engineers named below five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff and other interested persons regarding these matters.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, and the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting the Designated Federal Official, Mr. Sam Duraiswamy (telephone: 301–415–7364) or Mr. Michael R. Snodderly, Cognizant Staff Engineer, (telephone: 301–415–6927) between 7:30 a.m. and 4:15 p.m. (EST). Persons planning to attend this meeting are urged to contact one of the above named individuals at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: December 20, 2002.

Sher Bahadur,

Associate Director, for Technical Support, ACRS/ACNW.

[FR Doc. 02–32692 Filed 12–26–02; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards Joint Meeting of the ACRS Subcommittees on Reliability and Probabilistic Risk Assessment and on Plant Operations; Notice of Meeting

The ACRS Subcommittees on Reliability and Probabilistic Risk Assessment and on Plant Operations will hold a joint meeting on January 21, 2003, Room T–2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Tuesday, January 21, 2003—8:30 a.m. Until the Conclusion of Business

The Subcommittee will continue its discussion of activities associated with the Reactor Oversight Process (ROP), specifically staff activities to address the issues in the Staff Requirements Memorandum of December 20, 2001, in which the Commission directed that the NRC staff, with input from ACRS, should provide recommendations for resolving in a transparent manner, apparent conflicts and discrepancies between aspects of the revised ROP process that are risk-informed (*e.g.*, significance determination process) and those that are performance based (*e.g.*, performance indicators). The purpose of this meeting is to gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman and written statements will be accepted and made available to the Subcommittees, their consultants, and staff. Persons desiring to make oral statements should notify the Designated Federal Official named below five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

During the initial portion of the meeting, the Subcommittees, along with any of their consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittees will then hear presentations by and hold discussions with representatives of the NRC staff and other interested persons regarding matters scheduled for this meeting.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, and the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting the Designated Federal Official, Ms. Maggalean W. Weston (telephone: 301–415–3151) between 8 a.m. and 5:30 p.m. (EST). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda that may have occurred.

Dated: December 20, 2002.

Sher Bahadur,

Associate Director for Technical Support, ACRS/ACNW.

[FR Doc. 02–32693 Filed 12–26–02; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards Subcommittee Meeting on Safety Research Program; Notice of Meeting

The ACRS Subcommittee on Safety Research Program will hold a meeting on January 22, 2003, Room T–2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Wednesday, January 22, 2003—10 a.m. Until the Conclusion of Business

The Subcommittee will continue to discuss the ACRS 2003 report on the NRC-sponsored research programs. The purpose of this meeting is to gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Persons desiring to make oral statements should notify the Designated Federal Official named below five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, and the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting the Designated Federal Official, Dr. Richard P. Savio (telephone 301/415–7363)

Plan for Achieving Coherence Among Reactor Safety Arena Activities

Presented to:

Advisory Committee on Reactor Safeguards

Presented by:

Mary Drouin, Steve West, Mark Rubin
U.S. Nuclear Regulatory Commission

January 22, 2003

PURPOSE

- Share plan with the ACRS
- Solicit feedback from ACRS

2

BACKGROUND

- Staff believes that some reactor arena activities may be inconsistent (or incoherent)
- Regulations and processes have evolved in a less-than-integrated manner
  - For example, regulations for which non-compliance is not risk significant
- SRM dated February 8, 2002
  - "in the next version of the RIRIP, the staff should provide its plan for moving forward with risk-informed regulation to address regulatory structure convergence with our risk-informed processes"
- SECY-02-0131, July 12, 2002 (RIRIP)
  - Staff provided overview of its plans for coherence
- Two public meetings/workshops
  - Received positive feedback

3

OBJECTIVES

- ***Coherence Program Objective***: Develop and implement an approach in which the reactor regulations, staff programs, and processes are:
  - built on a unified safety concept
  - properly integrated so that they complement one another
- ***Coherence Plan Objective***: Identify the tasks necessary to accomplish the program objectives

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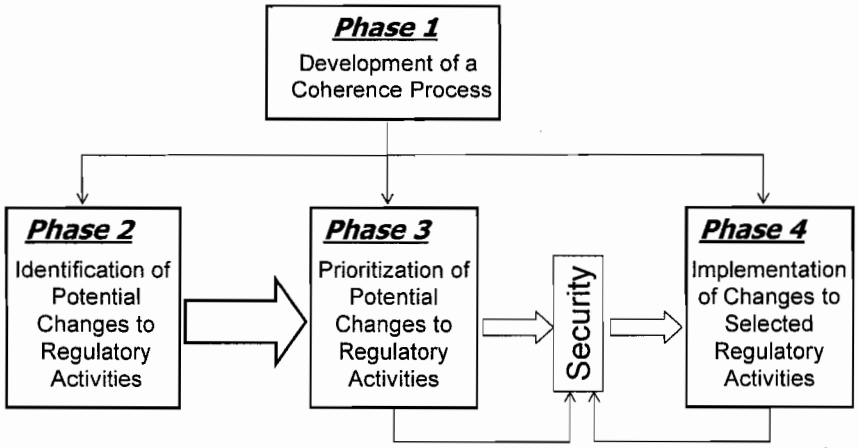
SCOPE AND LIMITATIONS

- Address reactor arena activities
- Based on current activities; not an attempt to re-invent regulatory structure
- Focus on regulatory structure; not an evaluation of each regulatory activity
- New activities will be implemented in accordance with process developed
- Lead activities remain in each respective organization
- Current efforts continue unimpeded
  - may be re-evaluated and adjusted
- Addresses current licensed reactors
  - Envisioned that ultimately will be a single risk-informed process for all current and future reactors

5

APPROACH



6

Phase 1: Development of a Coherence Process

- Effort is performed in an iterative manner with other Phases and associated tasks
- Two major tasks:
  - Task 1-1: Development of a Process for a Risk-Informed Coherence Effort (PRICE)
  - Task 1-2: Development of a glossary

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Phase 1: Development of a Risk-Informed Coherence Process

- PRICE: Adoption and refinement of the framework developed for risk-informing 10 CFR Part 50 ("Option 3 Framework")
  - Defines what is meant by "unified safety concept"
  - Provides a process (guidelines and criteria) for determining if the regulatory activities are coherent with this concept
  - If not coherent, provides a process (guidelines and criteria) for refining activity to achieve coherence
- Glossary: Collection and refinement of definitions of various risk-informed terms in one place
  - Standard set of definitions to have a common understanding to help facilitate communication

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Phase 1: Development of a Risk-Informed Coherence Process (cont'd)

- Option 3 Framework integrates the concepts and principles from various efforts
- Option 3 Framework limited to a process for risk-informing 10 CFR Part 50
- Development of PRICE may include refinement of certain elements in the Option 3 Framework
  - Definition of unified safety concept
  - Definition of risk-informed regulation
  - Acceptance criteria
  - Defense-in-depth
  - Uncertainties
  - Quantitative risk guidelines
  - Prioritization

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Phase 1: Development of a Risk-Informed Coherence Process (cont'd)

- Glossary
  - Identify terms; e.g., defense-in-depth, dominant, level of protection, risk-based, risk-informed safety margin, safety significant
  - Definitions will be high level
  - Discussion on implementation of the term will be elsewhere (e.g., application specific guidance)

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Phase 2: Identification of Potential Changes to Regulatory Activities

- First Task: Selection of Activities
  - Rulemaking, licensing and plant oversight activities reviewed against criteria to determine whether in scope of program
- Second Task: Evaluation of Regulatory Activities
  - Determine which of the regulatory activities are not built on the unified safety concept or not integrated such that they do not complement one another
  - Two subtasks

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Phase 2: Subtasks — Evaluation of Regulatory Activities

- First subtask: Evaluate against "safety concept"
  - Has a safety concept been defined for the specific activity?
  - Is the defined safety concept for the specific activity consistent with PRICE?
  - What are the bases/causes for inconsistencies?
- Second subtask: Evaluate for "integration"
  - Evaluate regulatory activities against each other
  - Identify inconsistencies, commonalities, safety concerns, inefficiencies, unnecessary burden
  - E.g., assess regulations against the cornerstones

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Phase 3: Prioritization of Potential Changes to Regulatory Activities

- Three Major Tasks:
  - Develop prioritization criteria
  - Evaluate activities against criteria
  - Security impact assessment
- Prioritization Criteria
  - Addresses the four performance goals
  - Considers resources, time and feasibility
- Security Impact
  - Objective in achieving coherence and not adversely impacting security
  - Prior to a final prioritization (e.g., activity being screened out), impact on security will be assessed

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Phase 4: Implementation of Changes to Selected Regulatory Activities

- Make appropriate modifications to regulatory activities
- Coherence working group assists responsible organizations
- Details of this phase of the plan to be developed later (after completion of Phase 3)

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COMMUNICATION PLAN

- Key Point: continual interaction with all stakeholders throughout the process
- Identify who the stakeholders are (internal and external)
- Identify the messages
- Provide the structure for communicating the messages

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PROPOSED SCHEDULE

Milestone	Date
Brief ACRS Subcommittee	January 2003
Preliminary Draft of PRICE and Glossary	February 2003
Scope of Regulatory activities to be evaluated	March 2003
Public Meeting	March 2003
Preliminary assessment/evaluation of regulatory activities	April 2003
Public Meeting	June 2003
Status report to Commission	July 2003
Initial prioritization	September 2003
Public Meeting	October 2003
Status report to Commission	January 2004

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Comments on Draft NRC Coherency Plan

ACRS

January 22, 2003

Adrian Heymer, NEI

NEI
NUCLEAR ENERGY INSTITUTE

Coherency Plan

- Public discussion at Sept. 20 and Dec. 5
- Seek public input and comment on framework and potential policy issues
  - Workshops & meetings should be modeled on ROP
    - Substantial input already provided in the public workshop on potential on policy issues for non-LWRs
- Needs to define a plan with a schedule for implementation
- Essential element in the transition to a more efficient and effective regulatory process

NEI

Coherency Plan

- Should lead to a new regulatory framework based on ROP framework
  - Substantial resources and investment in new ROP
    - Accepted and being further improved
  - Needs to cover more than just regulations
  - Broader than risk-informed regulation
  - Cover all cornerstones not just reactor safety
  - Build on and incorporate lessons learned from Option 2 & Option 3
  - Use PRA standards, where applicable

Pilot Test

- Test framework with pilot activities
  - App. I to Part 50/§50.36a (Public Radiation Safety)
  - Top items from the ROP "Green Findings" survey
  - Training & staffing requirements
- Do not support the use of Option 3 Framework as a basis
  - Partitioning CDF and LERF criteria
  - Treatment and criteria for defense-in-depth
  - Complexity in implementation

Industry Proposals

- Limited benefit in applying a new regulatory framework (e.g. NEI 02-02) to existing plants
- Industry proposal
  - Existing reactors (Reg. Guide 1.174 type approach)
  - Future reactors (technology neutral, NEI 02-02)
- Propose a three-stage implementation
  - Targeted -- (Option 3)
  - Interim – operational rules for LWR plants
    - Could be adopted by existing plants that meet adoption criteria
  - Full -- new designs and licensing activities

Regulatory Improvement Activities

OPTION 3	COHERENCY ACTIVITIES	
Existing/New LWR Plants (Risk-Informed)	New/*Existing* LWR Plants (Risk-Informed & Non-Risk-Informed)	All New Plants
§50.44 §50.46 App. K to Pt 50 §50.48 App. R to Pt 50 Specific GDCs *Tech. Specs*	PRA Standards App. I to Pt 50 §50.36a §50.36 §50.55a §50.62 *Regs. Identified by Green Findings Survey* Part 20 §50.47 & App. E to Pt 50 Part 54	Technology Neutral Requirements (Technical & Regulatory Process)

IN RESPONSE, PLEASE
REFER TO: M020129

February 8, 2002

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - BRIEFING ON STATUS OF NUCLEAR REACTOR SAFETY, 9:30 A.M., TUESDAY, JANUARY 29, 2002, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff on status of the nuclear reactor safety program. The staff should:

1. in the next version of the Risk-Informed Regulation Implementation Plan, the staff should provide its plan for moving forward with risk-informed regulation to address regulatory structure convergence with our risk-informed processes;

2. develop and provide to the Commission updated information regarding recommendations on risk-informed changes to 10 CFR 50.46 (ECCS acceptance criteria). The original information was provided in SECY-01-0133; and
(EDO) (SECY Suspense: 3/15/02)

3. provide the Commission with a plan for improving the efficiency and effectiveness of power uprate reviews. Keep the Commission informed of significant power uprate activities including those associated with enhancing the uprate amendment process in Semi-Annual Status Reports.
(EDO) (SECY Suspense: 6/26/02)

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR