



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS  
WASHINGTON, D. C. 20555

April 9, 1998

Mr. L. Joseph Callan  
Executive Director for Operations  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Mr. Callan:

**SUBJECT: PLANS TO INCREASE PERFORMANCE-BASED APPROACHES IN REGULATORY ACTIVITIES**

During the 451st meeting of the Advisory Committee on Reactor Safeguards, April 2-4, 1998, we met with representatives of the NRC staff to discuss the proposed Commission paper entitled "Plans to Increase Performance-Based Approaches in Regulatory Activities." Our Subcommittee on Reliability and Probabilistic Risk Assessment met with the staff on November 13, 1997, and February 20, 1998, to discuss issues related to performance-based regulation. We also had the benefit of the documents referenced.

The proposed Commission paper provides early input to the development of Strategy 5 of the NRC Excellence Plan. Strategy 5 is intended to develop a process and identify candidate issues for improving the effectiveness and efficiency of rules, regulatory guidance and their application. We believe that the staff should identify and define the issues likely to arise in developing performance-based regulations in the absence of quantified risk information. Examples include: how and by whom performance parameters are to be determined and deemed acceptable, and how to place the acceptance limits on them. A clearer description of the issues at this time would help structure the proposed solicitation of input from the public and interested stakeholders.

We recommend that the staff provide the above information to us prior to proceeding with the solicitation of input. We look forward to working with the staff as it develops the strategy.

Sincerely,

A handwritten signature in cursive script that reads "R. L. Seale".

R. L. Seale  
Chairman

References:

1. Draft Commission paper for the Commissioners from L. Joseph Callan, Executive Director for Operations, NRC, Subject: Plans to Increase Performance-Based Approaches in Regulatory Activities, received March 25, 1998 (Predecisional).
2. Draft Commission paper for the Commissioners from L. Joseph Callan, Executive Director for Operations, NRC, Subject: FY 1998 NRC Excellence Plan, received March 13, 1998 (Predecisional).