

August 15, 2012

MEMORANDUM TO: R. W. Borchardt
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS – SECY-12-0076 – PLAN FOR
RETROSPECTIVE ANALYSIS OF EXISTING RULES

The Commission has approved the draft Plan for Retrospective Analysis of Existing Rules and the associated *Federal Register* notice, subject to the attached editorial changes.

The staff should add to the plan a process for retrospectively reviewing existing significant rules.

The plan should highlight the ways NRC coordinates and communicates with other Federal and state agencies during its rulemaking activities.

In developing the final Plan, staff will need to incorporate any activities arising from Commission direction on the cumulative effects of regulation notation vote paper, due to the Commission in the fall of 2012.

The staff should take advantage of ongoing opportunities to evaluate the effectiveness of existing significant regulations and whether the burden imposed is commensurate with our regulatory objectives. The staff's response to Recommendation 1 of the Near Term Task Force review on insights from the Fukushima Dai-ichi accident may provide such an opportunity.

Attachment: Editorial Changes to the Plan in SECY-12-0076

cc: Chairman Macfarlane
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ASLBP (via E-Mail)
PDR

Editorial Changes to the Plan in SECY-12-0076

- a. On page 2, move item IV. Up to become item L. under section III. and renumber item V. to item IV.
- b. On page 5, paragraph A.2., revise line 1 to read ‘ ... 2011, **the NRC** Chairman ~~Jaezko~~ established a task force ~~under the direction of Commissioner Apostolakis~~ to ...’
- c. On page 7, paragraph 2., revise line 7 to read ‘ ... comment ~~intelligently~~ **meaningfully** on the’
- d. On page 8, paragraph E.1., revise line 1 to read ‘ ... reduce **unnecessary** regulatory’
- e. On page 8, paragraph E.1.(a), add “and” at the end.
- f. On page 8, paragraph E.2., revise line 6 to read ‘ ... PRA **implementation plan** concurrently’
- g. On page 8, paragraph E.2.(a), revise line 2 to read ‘ ... safety, ~~and in so doing, reduce~~ **while reducing**’
- h. On page 9, delete item 3.(c) and renumber “3.(d)” to “3.(c)” and “3.(e)” to “3.(d)”
- i. On page 9, indent footnote 1.
- j. On page 12, paragraph 3. (at top of the page), line 3, insert a comma after “revises,”.
- k. On page 12, paragraph J.1.(b), revise line 1 to read ‘ ... 603, **IEEE**’
- l. On page 13, delete the heading and title in item IV.
- m. On page 13, insert a new heading paragraph heading “L.” after paragraph K. which reads “Response to Significant Events”
- n. On page 13, in the new paragraph L., revise lines 1 and 2 to read ‘ ... events, ~~such as the event that occurred at the Fukushima Dai-ichi nuclear power plant in March 2011,~~ the NRC’ Revise line 4 to read ‘ ... framework. ~~In fact, since March 2011,~~ **Currently,** the NRC ~~has been~~ **is** performing’ Revise line 7 to read ‘ ... learned from ~~Fukushima the event that occurred at the Fukushima Dai-ichi nuclear power plant in March 2011.~~ As a’
- o. On page 13, in new paragraph L., revise line 9 to read ‘ ... additions **should** ~~could~~ be’
- p. On page 13, renumber item V. to IV.
- q. On page 15, paragraph (I), revise lines 5 and 6 to read ‘ ... plants ~~at least 60 years~~ beyond **120 years** ~~the licensed life of operation;~~ and’ [Note: This paragraph should be updated to reflect the Commission’s direction on COMSECY-12-0016, when issued.]
- r. On page 15, paragraph (I) should be updated in view of D.C. Court decision on waste confidence.
- s. On page 15, paragraph 4., revise line 2 to read ‘ ... to assure **ensure** that’