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# Cumulative Effects of Regulation

NEI Licensing Forum

October 10, 2012

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# Background

- Industry voiced concerns during the implementation stages of recent rulemakings:
  - Power reactor security rulemaking (Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73)
  - Fitness-for-duty rulemaking (10 CFR Part 26)
- Staff Requirements Memorandum (SRM) on Emergency Preparedness Proposed Rule briefing (January 13, 2010; ADAMS Accession No. ML100130067)
- Category 3 Public Meeting (November 16, 2010)

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# Background (cont'd)

- NEI sent a letter dated December 7, 2010 (ADAMS Accession No. ML103410341), as follow-up to a November 16, 2010, public meeting
  - Documented key points that the nuclear power industry communicated during the public meeting
- SECY-11-0032, "Consideration of the Cumulative Effects of Regulation in the Rulemaking Process" (March 2, 2011; ADAMS Accession No. ML110190027)
- SRM to SECY-11-0032 (October 11, 2011; ADAMS Accession No. ML112840466)

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# May 31, 2012, Public Meeting on CER

- Purpose: Obtain stakeholder feedback to inform October 2012 Commission paper on CER
- 40 participants
- Feedback included:
  - A CER template could be used early in the rulemaking process to determine the viability/priority of a new rulemaking
  - Rulemaking is just one part of the regulatory picture; prioritization should include all regulatory actions
  - Implementation challenges vary at different levels
  - A well-defined problem statement early in the process is a must

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# Post-Fukushima Activities and the CER Process

- CER principles were applied to the post-Fukushima activities
  - Extensive public outreach
  - Station Blackout and Onsite Emergency Response Capabilities Advance Notices of Proposed Rulemaking
- NRC understands resource constraints for implementing the post-Fukushima actions
  - NRC will consider these actions when selecting implementation dates for non-Fukushima requirements

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# Current Status

- Staff completed the CER Commission paper
  - Currently non-public, but is expected to be released to the public during the Commission review period
- Paper responds to additional direction received in the October 2011 SRM

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# Questions?

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