

August 22, 2013

MEMORANDUM TO: Shana R. Helton, Chief
Rulemaking Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

FROM: Alysia G. Bone, Project Manager **/RA/**
Rulemaking Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF PUBLIC MEETING TO DISCUSS COMMISSION
DIRECTION ON SECY-12-0110, "CONSIDERATION OF
ECONOMIC CONSEQUENCES WITHIN THE U.S. NUCLEAR
REGULATORY COMMISSION'S REGULATORY FRAMEWORK"

The U.S. Nuclear Regulatory Commission (NRC) held a Category 3 public meeting on July 29, 2013 at the NRC headquarters location, 1601 Landsdown Street, North Bethesda, Maryland. The purpose of this meeting was to provide external stakeholders: (1) information on the Commission's direction following SECY-12-0110, "Consideration of Economic Consequences within the US NRC's Regulatory Framework," (2) an opportunity to ask the NRC staff clarifying questions, and (3) an opportunity to provide the NRC staff with their thoughts on what could be potential policy issues as the SECY paper is developed in response to SRM-SECY-12-0110. The meeting was attended by 47 individuals primarily representing private citizens, NRC staff, industry representatives, and non-governmental organizations. Of the 47 participants, 27 participated in the meeting through audio teleconferencing and webinar. Enclosure 1 includes a list of the meeting participants. The transcript of the meeting proceedings may be found on NRC's Agencywide Documents Access and Management System (ADAMS) at ML13227A212 NRC's slides for this public meeting can be found in ADAMS at ML13196A331.

The major areas of discussion are summarized as follows:

- 1) Background information:
 - The NRC staff provided context and background for this meeting. Specifically, the NRC staff began by explaining that the accident at Fukushima Dai-ichi initiated discussion of how NRC considers economic consequences caused by a significant unintended radiological release from an NRC-regulated activity.

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- This discussion prompted the NRC staff's tasking to provide a SECY vote paper to the commission addressing the policy question to what extent, if any, should NRC's regulatory framework be modified regarding its consideration of the economic consequences of an unintended release of licensed nuclear materials to the environment. The NRC staff submitted this paper, SECY-12-0110, on August 14, 2012.
 - The commission provided direction on SECY-12-0110 on March 20, 2013.
 - This meeting was an opportunity for public engagement on this topic.
 - Ms. Mary Lampert questioned the motivation behind adding the word, "unintended" to the scope of this topic. The NRC staff responded that the original intent was to differentiate between normal operation and an accident sequence. Ms. Lampert replied that that made sense, and recommended clarifying this in a footnote for future presentations.
- 2) Commission Direction in SRM on SECY-12-0110:
- The NRC staff summarized the Commission direction on SECY-12-0110 and the NRC staff's preliminary approach to meeting this direction.
 - Specifically, the focus of this meeting was on the NRC staff's tasks to develop a notation vote paper on a plan for updating regulatory analysis guidance.
 - The NRC staff's preliminary approach for this paper is provide the following:
 - i) Plan for updating cost-benefit guidance documents
 - ii) Identification of a broad set of potential policy issues
 - iii) Identification of potential changes to current methodologies and tools
 - The SECY paper is due in December 2013, and the NRC staff used this meeting to discuss potential policy issues that may be introduced in this paper.
- 3) Items for general discussion:
- Participants were encouraged to ask questions and provide input during the meeting. Specifically, the NRC staff introduced 3 items for general discussion. These are listed below.
- SRM-SECY-12-0110 directed that the NRC staff look at particular decontamination level in cost-benefit analysis. What should these levels be? Why?
 - i) After the NRC staff introduced the topic and provided a few minutes of background information, Mary Lampert of Pilgrim Watch offered several comments. Ms. Lampert referred to the public comments that were submitted to the Environmental Protection Action on their draft protective action guidance documents. Specifically, Ms. Lampert voiced concern with the concept of forming a dose-acceptability standard.
 - ii) The NRC staff inquired whether Ms. Lampert had thoughts on a structure that she thought would be appropriate for the NRC staff to consider in this regard. Ms. Lampert referenced research from BEIR 7 and the Techa River study by Cardis.
 - iii) Ms. Heather Westra from the Prairie Island Indian Community questioned how the NRC staff will evaluate economic impacts to Indian lands. She explained that Indian lands are different as they are held in trust for the benefit of the Indian tribe by the Federal Government. The NRC staff responded that they have not made any determinations on this matter but welcome any public input on how to make such considerations.

- Discount rates can have a large impact on present-value benefits and costs. In a low interest rate environment, should the discount rates be revised/changed from the Office of Management and Budget (OMB) guidance?
 - i) Mr. Steven Dolley from Platts inquired whether, within this category, that NRC staff is looking at any of the issues related to the monetization of value of life or non-fatal cancer, or whether this is strictly limited to the economic and opportunity costs of the money that the licensee would be expending.
 - ii) The NRC staff responded that there is an ongoing effort to update to dollar per person-rem conversion factor policy, found in NUREG-1530, "Reassessment of NRC's Dollar Per Person-Rem Conversion Factor Policy." Additionally, the NRC staff explained that in a cost-benefit analysis, they report the averted dose and discount the monetary values (benefits and costs) to current dollars.

- Current guidance has regulatory analyses evaluating accident effects up to 50 miles from the site. Analyses are performed beyond 50 miles as sensitivity studies. Under what conditions should the analysis extend beyond 50 miles?
 - i) Multiple members of the public inquired about diverging from the linear no threshold basis for regulations to using a truncated value.
 - ii) The NRC staff responded that if this were pursued, this would certainly be a policy issue that the staff would need to raise with the Commission. However, for this meeting, the NRC staff wanted to hear initial thoughts from the public on this, and other topics related to this overall discussion.

- What other topics should the NRC staff consider?
 - i) Ms Lampert from Pilgrim watch offered several topics for consideration, including probabilities of core damage events, aqueous releases, and using a straight-line Gaussian plume model.
 - ii) The NRC staff asked Ms. Lampert if she could recommend any references with regard to comparison of Gaussian straight line plume segment models with other codes that show definitively that there is misestimating of the types of consequences that the NRC looks at. Ms. Lampert agreed to send references.

Participants were encouraged to send any additional questions and feedback to Alysia Bone, Alysia.Bone@nrc.gov. However, the NRC staff noted that there is no official comment period for this topic and that they do not plan to provide written responses to any comments received. Additionally, the NRC staff clarified that there is no guarantee that all of the items discussed during this public meeting would be covered in the SECY paper due December 2013. Nonetheless, the NRC staff emphasized that the public feedback is very useful to the staff as the staff develops the document. Following the public meeting, Ms. Lampert of Pilgrim Watch submitted two sets of comments. These can be found in ADAMS at the Accession Numbers ML13227A218 and ML13227A244. The first of these documents was in response to the NRC staff's query mentioned above.

Enclosure:
Attendee List

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DISTRIBUTION:

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Accession Number: ML13227A197

NRC-001

OFFICE	NRR/DPR/PRMB/PM	NRR/DPR/PRMB/RS	NRR/DPR/PRMB/BC
NAME	ABone	GLappert	SHelton
DATE	8/21/2013	8/21/2013	8/22/2013

OFFICIAL RECORD COPY

Enclosure 1

LIST OF MEETING ATTENDEES

Name	Organization
Phillip Amway	CENG
William Wolfe	Arizona Division of Emergency Management
Nancy Chapman	Bechtel Power Corporation
Grant Teagarden	ERIN Engineering
Erica Teichert	Law360
Jeff Gabor	ERIN Engineering
Derick Botha	NuScale Power
Andrew Mahan	Westinghouse
Darani Reddick	Winston & Strawn LLP
John Geesman	Alliance for Nuclear Responsibility
Jana Bergman	Sciencetech/CWFC
Thomas Houghton	Certrec Corporation
Heather Westra	Prairie Island Indian Community
Mary Lampert	Pilgrim Watch
Piyanka Ghosal	Balch & Bingham LLP
Doug True	ERIN Engineering
David Weisman	Alliance for Nuclear Responsibility
Steven Dolley	Platts
Lawrence Kokajko	NRC
Alysia Bone	NRC
Emily Krause	NRC
Michelle Hart	NRC
Terry Brock	NRC
Donald Palmrose	NRC
Jeffrey Rikhoff	NRC
William Orders	NRC
Fred Schofer	NRC
Nathan Sanfilippo	NRC
John Jolicoeur	NRC
Rebecca Tajesse	NRC
Patrick Castleman	NRC
Yawar Faraz	NRC
Lydia Change	NRC
Andy Pessin	NRC
Tina Ghosh	NRC
Kirk Foggie	NRC
Kara Mattioli	NRC
Matthew Gordon	NRC
Greg Trussell	NRC
Jason Schaperow	NRC

LIST OF ATTENDEES (continued)

Suzanne Schroer	NRC
Aaron Szabo	NRC
Margaret Cervera	NRC
Sarenee Hawkins	NRC
Joan Olmstead	NRC
John Lai	NRC
Patricia Milligan	NRC