



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

December 31, 1985

OFFICE OF THE
SECRETARY

MEMORANDUM FOR: William J. Dircks, Executive Director
for Operations

FROM: *for* Samuel J. Chilk *JCH* Secretary

SUBJECT: STAFF REQUIREMENTS -- SECY-85-119 -
"ISSUANCE OF PROPOSED RULE ON THE
IMPORTANT-TO-SAFETY ISSUE"

The Commission, by a vote of 5-0 has disapproved SECY-85-119. The Commission agrees that the proposed rule does not adequately differentiate nor clarify the terms "Important-to-Safety" (ITS) and "Safety Related" (SR).

The Commission continues to believe that it is necessary to resolve the apparent confusion surrounding usage of the term "Important-to-Safety". The Commission directs you to resubmit a proposed rule concerning ITS. The Commission believes the following guidelines should be followed in redrafting the proposed rule.

Concerning the ITS definition:

1. If a term such as "normal industry practice" is to be applied in the definition, that term also needs clarification. For example, how is normal industry practice determined?
2. Safety-related is a subset of ITS.
3. ITS refers to those systems, structures, and components at a specific plant for which the staff has explicitly required the application of some specialized treatment in that plant's licensing documents or to which certain generic regulatory requirements have been added. Furthermore, the requirements imposed on those systems, structures, and components determined to be ITS are only those which were specifically required in the plants' current licensing documents or in the generic regulatory requirements.
4. Specialized treatment is not restricted just to QA/QC requirements. It includes, among other things, codes, standards, missile hazard prevention requirements, fire protection requirements, etc.

5. A specific listing of safety-related equipment is required to be maintained. A specific listing of ITS equipment is not required to be maintained.

Concerning the process for making changes to the commitments associated with items ITS or for new determinations of items ITS:

1. It is not the intention of the rule to add new requirements, to modify existing requirements, or to broaden the existing scope of the Commission's requirements.
2. As with all systems, structures, and components, appropriate backfitting procedures will be used in all instances where new requirements are proposed by the NRC staff.
3. Systems, structures, and components that will be called ITS for NTOLs will be determined during the normal licensing process.
4. Formal guidance should be included on how determinations of items ITS will be made, including criteria to be used to determine on a plant-specific basis what equipment is ITS.

Concerning the review and amendment of existing regulations and other regulatory documents:

1. It is expected that 10 CFR will be reviewed to determine if use of the terms "safety-related" and "important-to-safety" is appropriate and consistent with the new definition. If not consistent, staff should propose appropriate modifications to 10 CFR.
2. The Commission suspects this will require more than the addition of a formal definition to Part 50 of 10 CFR.
3. The staff should inform the Commission of the results of its review.

In addition to the above guidelines, Commissioner Asselstine would appreciate staff consideration of the following:

1. A rulemaking defining "important to safety" that would allow additions to or deletions from that set based on new information or analyses without going through the full gamut of the backfit rule.

2. A rulemaking defining "ITS" for future plants so that confusion and uncertainty do not persist and so that standardization can be enhanced.

(EDO) (SECY SUSPENSE: 3/21/86)

Copies:

Chairman Palladino
Commissioner Roberts
Commissioner Asselstine
Commissioner Bernthal
Commissioner Zech
Commission Staff Offices