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The Honorable Lando W. Zech, Jr.
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Zech:

SUBJECT: ACRS REPORTS TO THE NRC ON THE RESEARCH PROGRAM

In our February 19, 1986 report to the Congress on the NRC safety research program, we requested reconsideration of the statutory requirement for an annual report. We now wish to propose for your concurrence a change in the nature and timing of the advice we provide to the Commission on the research program.

As required by Section 29 of the Atomic Energy Act of 1954, as amended by Section 5 of Public Law 95-209, we have submitted reports to the Congress since 1977. The first was submitted in December 1977, but subsequent reports have been submitted in February of each year after the budget has been received by the Congress. In 1979, the Commission requested a similar report, to be submitted each year at the time the RES budget was being prepared and considered by the Commission.

The scope and content of these reports have changed markedly over the years. Prior to 1986, our report to the Congress was a NUREG document of 40 to 60 pages containing relatively detailed comments on many aspects of the research program, comments that were directed more to the NRC Staff than to the Congress. Our last two reports to the Congress have been brief 5 or 6 page letter reports, with correspondingly less detail and based to a considerable extent on our earlier report to the Commission on the same budget. Our reports to the Commission also were reduced in scope, beginning in 1982, following an exchange of correspondence between then Chairman Palladino and ACRS chairmen (Attachments 1-4).

Some recent actions or developments that suggest a need to reexamine our role in relation to the NRC research program are discussed below.

Your letter of September 18, 1986 to D. A. Ward suggested that it would be useful for the committee to "Advise the Commission on the effectiveness and correctness of direction of NRC's research program to ensure that research is relevant to the agency's safety mission." We do not believe that our present annual reports are responsive to this need, even in their current abridged form. Nor is it clear that you expect such advice on an annual basis, and if so, on the current schedule based on the budget process.

In its December 8, 1986 report to the Commission entitled, "Revitalizing Nuclear Safety Research," the National Research Council Committee on Safety Research recommended that the NRC should empanel

an independent advisory group "...charged with independently reviewing for the director of research, from the perspective of the general principles cited in this report, the overall structure and thrust of the research program." In SECY-87-52, "Independent Advisory Panel for the Office of Research," the EDO has recommended the creation of a Standing Board of the National Research Council to perform that review.

There has been a significant reduction in resources available to the ACRS, and a further reduction is proposed. Even in the abridged form of the last few years, each of the two annual reports (one for the Congress and one for the Commission) requires two meetings of the rather large Safety Research Program Subcommittee, several hours of full committee time, and substantial amounts of review by ACRS technical or generic subcommittees to obtain information and develop positions on specific portions of the research program.

In view of the developments mentioned above, we believe that we can best serve the Commission by reporting to you on the effectiveness and correctness of direction of those elements of the safety research program that appear to either you or us to warrant attention at any given time. In addition, we would think it appropriate, from time to time, to provide some perspective, not tied to specific issues, on the overall thrust and relevance of the program. These reports would not be submitted on a schedule related to the budget process nor even on a strictly annual basis. They would be intended to keep you informed of our views on the program and to provide you with a basis for formulating and defending the research program and budget.

We will be happy to discuss this with you and the other Commissioners.

Sincerely,

William Kerr
Chairman

Attachments:

1. Letter from J. Carson Mark, Chairman, Advisory Committee on Reactor Safeguards, to Nunzio J. Palladino, Chairman, U.S. Nuclear Regulatory Commission, Subject: ACRS Review and Reports on Safety Research Programs, dated October 20, 1981.
2. Letter from Nunzio J. Palladino, Chairman, U.S. Nuclear Regulatory Commission, to J. Carson Mark, Chairman, Advisory Committee on Reactor Safeguards, dated December 10, 1981.
3. Letter from J. Carson Mark, Chairman, Advisory Committee on Reactor Safeguards, to Nunzio J. Palladino, Chairman, U.S.

Nuclear Regulatory Commission, Subject: ACRS Review and Reports on NRC Safety Research Programs, dated December 14, 1981.

4. Letter from P. Shewmon, Chairman, Advisory Committee on Reactor Safeguards, to Nunzio J. Palladino, Chairman, U.S. Nuclear Regulatory Commission, Subject: Procedures for ACRS Review of the NRC Long-Range Research Plan, dated June 7, 1982.

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