

NOTATION VOTE

cc: Stello
Taylor

RESPONSE SHEET

FYI: Beckjord, RES
MDeY, RES
TRehm

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: CHAIRMAN ZECH

SUBJECT: SECY-88-142 - STAFF PLAN AND SCHEDULE FOR PROPOSED
RULEMAKING FOR THE MAINTENANCE OF NUCLEAR POWER
PLANTS

APPROVED _____ DISAPPROVED X w/comment ABSTAIN _____

NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS:

See attached sheet.

9305070306 911031
PDR ADDCK 05000410
S PDR

Lawson Zech Jr.

SIGNATURE

6-9-88

DATE

DATE

9305070306

YES

NO



CHAIRMAN ZECH'S COMMENTS ON SECY-88-142:

I disapprove the staff's plan and schedule to prepare a proposed rule on Maintenance of Nuclear Power Plants. In my view, good maintenance is closely coupled to reactor safety and a maintenance rule is long overdue. I believe the Commission's maintenance rulemaking should receive the highest priority and the best efforts of those responsible for its development to achieve both quality and schedule.

The staff should consider the following comments in upgrading their plan and schedule for this rulemaking activity:

1. The Commission agreed that August 1, 1988, was a reasonable date for the staff to present a proposed rule. Recognizing the complexity of the task and the timing of the work planned for this summer, I now believe that September 1, 1988 is a reasonable date for the staff to have a proposed rule to the Commission. The rulemaking package should be of high quality. It should include appropriate consideration of public comments solicited in workshops and the views of the ACRS.

The staff should use its best judgement in determining which activities may be performed as "confirmatory" (performed after publication of the proposed rule) as opposed to being a direct input to the rule. One possible confirmatory activity might be the review of maintenance approaches in other countries.

The Commission should be advised of any significant information disclosed by confirmatory activities that was not factored into the proposed rule.

2. I believe it is essential to the success of the public workshop in July that the staff prepare and distribute a draft of the proposed maintenance rule in time for review and consideration by workshop participants, prior to the workshop.
3. The final rulemaking should be available for Commission consideration not later than April 1, 1989. Early public and ACRS involvement were intended as a method of improving the timeliness of the final rulemaking. Staff should elicit the maximum benefit that may be derived from this early involvement in preparing the final rule.
4. The staff should not link the development and validation of maintenance performance indicators with the schedule for the proposed maintenance rule. I believe the staff should expedite a trial program of maintenance performance indicators such that the NRC has some experience with the indicators before any decision is made on the proposed maintenance rule.

