

## **U.S. Nuclear Regulatory Commission Public Meeting Summary**

June 6, 2017

**Title:** Presentation of the Changes in NUREG/BR-0058, Revision 5, "Regulatory Analysis Guidelines of the U.S. NRC"

**Meeting Identifier:** 20170650

**Date of Meeting:** Monday, May 22, 2017

**Location:** U.S. Nuclear Regulatory Commission (NRC) Headquarters, Three White Flint North, Rockville, MD

**Type of Meeting:** Category 3

### **Purpose of the Meeting:**

Present the changes to the cost-benefit guidance in order to inform the public's comments on the draft NUREG/BR-0058, Revision 5, "Regulatory Analysis Guidelines of the U.S. NRC."

### **General Details:**

The NRC conducted a public meeting scheduled from 8:30 a.m. – 11:00 a.m. eastern standard time (EST) that ran for approximately 1.5 hours. The meeting began with an introduction of all participants and a review of meeting ground rules, followed by a short presentation on the background, changes, structure, and overview of the NRC's updated cost-benefit guidance document by Ms. Pamela Noto. Additionally, presentations on the main body of the document and the appendices were given by Mr. Antonio Gomez and Mr. Aaron Sanders, respectively. The presentations focused on providing an overview of the changes to the NRC's cost-benefit guidance. Questions were addressed during the presentations. The meeting concluded with a description of how to provide comments.

Approximately 15 people participated in the meeting, both in-person and by using a teleconference line. The participants included 9 NRC staff members. Three participants asked questions and the staff provided responses and clarifications. Meeting participants included representatives of the Nuclear Energy Institute (NEI), Westinghouse, and Areva.

## **Summary of Presentations:**

The cost-benefit guidance update is a restructuring of two NRC cost-benefit guidance documents: NUREG/BR-0058, and NUREG/BR-0184, "Regulatory Analysis Technical Handbook." Technical information contained in NUREG/BR-0184 will be incorporated into NUREG/BR-0058 and the newly updated NUREG/BR-0058 is being expanded to discuss NRC's regulatory, backfitting, and National Environmental Policy Act (NEPA) analyses.

In SECY-12-0110, "Consideration of Economic Consequences in the NRC's Regulatory Framework," the NRC staff recommended enhancing the currency and consistency of the existing regulatory framework through updates to cost-benefit analysis guidance documents, including harmonizing cost-benefit guidance across the agency in both reactor and materials programs arenas. The Commission approved this recommendation and directed the staff to identify potential changes to current methodologies and tools to perform cost-benefit analysis in support of regulatory, backfit, and environmental analyses. The Commission also directed the staff to provide a regulatory gap analysis prior to developing new cost-benefit guidance. In response to Commission direction, the staff prepared SECY-14-0002, "Plan for Updating NRC's Cost-Benefit Guidance," SECY-14-0087, "Qualitative Consideration of Factors in the Development of Regulatory Analyses and Backfit Analyses," and SECY-14-0143, "Regulatory Gap Analysis of the NRC's Cost-Benefit Guidance and Practices," all of which are being addressed in the update to NUREG/BR-0058.

The current draft of the updated cost-benefit guidance is being expanded to address regulatory analysis, backfitting analysis, and NEPA analysis needs across the agency. This guidance focuses on improving methods for quantitative analyses, including sensitivity and uncertainty analyses, and developing realistic estimates regarding the cost of implementing proposed requirements. It provides methods for assessing factors that are difficult to quantify, incorporates cost estimating best practices, and addresses the treatment of uncertainty. This guidance also enhances clarity, transparency, and consistency of analyses. Additionally, this NUREG will reflect revisions made to NUREG-1530, Revision 1, "Reassessment of the NRC's Dollar per Person-Rem Conversion Factor Policy." In particular, NUREG/BR-0058, Revision 5 will establish a method for estimating the values of radiation-induced morbidity and heritable effects, which will be provided in a future appendix.

## **Public Participation Themes:**

NRC staff addressed questions on the following topics:

- Question: How do we know the document on the NRC's website is the latest version?

NRC Response: The link on the Document Collection webpage for NUREG/BR-0058 will take you to the current version.

- Question: How does the NRC determine whether full, partial, or no credit will be given for industry initiatives?

NRC Response: The NRC would analyze both the costs and benefits for two cases: (1) taking full credit and (2) taking no credit for the industry initiative. The staff will then

evaluate the costs and benefits based on the criteria in NUREG/BR-0058, which pertains to the likelihood that the initiative will continue. This evaluation is documented in the regulatory analysis.

- Question: On slide 13, in the list of items requiring regulatory analysis, a NUREG could be subject to a regulatory analysis. Can you give an example of when this has happened?

NRC Response: Two examples are NUREG-2191, "Generic Aging Lessons Learned for Subsequent License Renewal (GALL-SLR) Report" and NUREG-2192, "Standard Review Plan for Review of Subsequent License Renewal Applications for Nuclear Power Plants."

- Question: In the main body of the document, are the uses of "should," "may," "can," etc. intentional to imply obligations, as each word is used in legal terms?

NRC Response: These terms are intended for the analyst and there is gradation intended between the terms.

- Question: What is the desk-level instruction for regulatory analysis?

NRC Response: This NUREG is the desk-level guidance and instruction for NRC cost analysts.

- Question: In Section 2.4, regarding the use of PRA, what PRA is typically going to be used? SPAR?

NRC Response: In general, a probabilistic risk assessment (PRA) cannot be used without additional analyses. A starting point may be the use of a Standardized Plant Analysis Risk (SPAR) model or the PRA provided as part of the 10 CFR Part 52 license application.

**Additional Information:**

- Meeting notice/agenda – ML17135A335
- NRC staff presentation – ML17135A037

SUBJECT: Presentation of the Changes in NUREG/BR-0058, Revision 5

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