

FEB 4 1981

MEMORANDUM FOR: Chairman Ahearne
Commissioner Gilinsky
Commissioner Hendrie
Commissioner Bradford

FROM: William J. Dircks
Executive Director for Operations

SUBJECT: SYSTEMATIC EVALUATION OF ALL CURRENTLY OPERATING
NUCLEAR POWER REACTORS

REFERENCE: SECY-81-13, same subject, dated January 8, 1981

The referenced paper discusses the staff's proposed plan to implement Section 110 of Public Law 96-295, including in particular the "determination by the Commission of the extent to which each operating facility complies with each rule and regulation identified under paragraph (1) of this subsection,¹ including an indication of where such compliance was achieved by use of Division 1 regulatory guides and staff technical positions and where compliance was achieved by equivalent means." The staff's proposal is structured in accordance with the Commission's 90-day status report to the Congress,² which states that the Standard Review Plan (SRP) will be revised "to reference all applicable regulations and those Division 1 Regulatory Guides, staff positions, and other documents currently used by the staff to interpret the intent of these regulations, including the requirements from the TMI accident." This revised SRP will then be used as the basis for licensee evaluation of each operating plant and "in areas where the plant deviates from the revised SRP, the licensee will be requested to provide a technical discussion as to the safety significance of such deviation, including a judgment as to whether the alternative provides an equivalent method of meeting the regulation." The staff's proposed plan and draft final rule recognizes that conformance with the SRP is only one way of determining compliance with the regulations.

Clearly, the intent of the proposed plan and final rule is the determination of degree of conformance to particularly significant safety regulations. Because the plan and the proposed rule state the need to document deviation from the SRP, they appear to elevate the SRP to more of a regulatory status than it should have. The SRP should not be looked on as a regulatory requirement, and I recommend that we be allowed to develop changes to the proposed plan and final rule to clear up any confusion on this matter.

¹Regulations of particular significance.

²Transmitted September 30, 1980.

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Commissioners

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I would like the opportunity to discuss these and perhaps other points with the Commission at an early opportunity.

(Signed) William J. Dircks

William J. Dircks
Executive Director
for Operations

CC: SECY
OGC
OPE

bcc: NRR
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