

NUCLEAR REGULATORY COMMISSION

10 CFR Chapter 1

NRC Action Plan; Request for Comments

AGENCY: Nuclear Regulatory Commission

ACTION: Request for Comments

SUMMARY: In response to the March 28, 1979 accident at Three Mile Island Unit #2, the Commission has approved an NRC Action Plan. The Plan provides a comprehensive and integrated approach for the necessary correction and improvement of the regulation and operation of nuclear facilities based on the experience from the accident and the official studies and investigations of the accident. Many of the required immediate actions have already been taken by nuclear reactor licensees and others are scheduled to be complete by the end of 1980. However, there are other long term actions, studies, and research described in the Plan from which future regulatory requirements will be drawn. The Commission believes that the views of the public on the NRC Action Plan would be of help to it in evaluating the Plan's impact, both short term and long term, and in assessing the possible need for modification of the Plan.

DATES: Comment period expires:

ADDRESSES: Written comments or suggestions for consideration in connection with the NRC Action Plan should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch. Copies of comments received may be examined at the Commission's Public Document Room at 1717 H Street, NW., Washington, DC. A copy of the NRC Action Plan (NUREG-0660, "NRC Action Plan Developed as a Result of the TMI-2 Accident") is also available for inspection at the same address. It is also

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available at all NRC Local Public Document Rooms (LPDRs). A revision, which consists of a new Chapter V and corrections for several errors found in the original text, will be issued in August 1980 to all recipients of the May 1980 version.

Copies of the NRC Action Plan (NUREG-0660, "NRC Action Plan Developed as a Result of the TMI-2 Accident") are available upon request by persons who wish to comment, at no cost, from NRC's GPO Sales Program, Division of Technical Information and Document Control, ATTN: Sales Manager, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (Phone 301-492-9530).

FOR FURTHER INFORMATION CONTACT: Mr. Warren Minners, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (Phone 301-492-7581).

SUPPLEMENTARY INFORMATION: The NRC Action Plan was developed to provide a comprehensive and integrated plan for the actions now judged necessary by the Nuclear Regulatory Commission to correct or improve the regulation and operation of nuclear facilities. The Action Plan was based on the experience from the accident at Three Mile Island and the official studies and investigations of the accident.

Those who have investigated the accident include the Congress, the General Accounting Office, the President's Commission on the Accident at Three Mile Island, the NRC Special Inquiry Group, the NRC Advisory Committee on Reactor Safeguards (ACRS), the Lessons-Learned Task Force and the Bulletins and Orders Task Force of the NRC Office of Nuclear Reactor Regulation, the Special Review Group and the NRC Office of Inspection and Enforcement, the NRC staff Siting Task Force and Emergency Preparedness Task Force, and the NRC Offices of Standards Development and Nuclear Regulatory Research.

In the development of the Action Plan, NRC has transformed the recommendations of these groups into discrete, scheduled tasks that specify changes (or studies of possible future changes) in NRC's regulatory requirements or its organization and procedures. The Plan also identifies the organizational elements responsible for the various actions and contains estimates of the resources and schedule necessary for both NRC and the industry to accomplish the actions. As is the nature of any plan, the actions, resources, and schedules in the near term are likely to be more accurate than are those for the long term. In recognition of this, the overall plan is not intended to be inviolable -- changes in the specified actions will be made as necessary to reflect new information.

Some actions to improve the safety of nuclear power plants now operating were judged to be necessary immediately after the accident and could not be delayed until an action plan was developed, although they were subsequently included in the Action Plan. Such actions came from the Bulletins and Orders issued by the Commission immediately after the accident, the first report of the Lessons-Learned Task Force issued in July 1979, the recommendations of the Emergency Preparedness Task Force, and the NRC staff and Commission. Before these immediate actions were applied to operating plants, they were approved by the Commission. Many of these short term actions have already been implemented.

Development of the Action Plan began after the immediate corrective actions were well under way and at a time when the principal external investigation, that of the President's Commission, had been completed. In developing the Action Plan, the various recommendations and possible actions of all the principal investigations were assessed and either rejected, adopted, or modified. These assessments and decisions were made under the direction of a TMI Action Plan Steering Group, which served to integrate and coordinate the development of the Action Plan by the various program offices of the agency. The decisions on whether to include specific items in the Plan were based primarily on whether

they were necessary to respond to the recommendations of the principal investigations. However, decisions on the priority and resources to be afforded the various actions in the Plan have been based primarily on their relative risk-reduction potential. Having considered the various recommendations and various ways of responding to them, the Action Plan represents a collective NRC assessment of the types and degree of improvement that are necessary and describes the means and schedule for attaining the improvements.

When determining the schedules for developing and implementing changes in requirements, the primary concern was the perceived immediacy of the need for corrective actions. As discussed above, many actions were taken to improve safety immediately or soon after the accident. These actions were generally considered to be interim improvements until a better, more comprehensive, or more desirable solution could be implemented. However, in scheduling the longer term improvements, the availability of both NRC and industry resources was also considered, as well as the safety significance of the actions. Thus, the Action Plan presents a sequence of actions that will result in a gradually increasing improvement in safety as individual actions are completed and the initial immediate actions are replaced or supplemented by longer term, more durable improvements.

On May 15, 1980, after review of the last version of the Action Plan, the Commission approved the staff's recommendations on those items in the Action Plan that should be implemented or considered over the long term to further enhance safety and also approved a list of requirements for new operating licenses which the staff recommended for imposition in current operating license reviews.

On June 5, 1980, the Commission provided further guidance to the NRC staff on implementing the new operating license requirements of the NRC Action Plan. The Office of Nuclear Reactor Regulation was directed to proceed with safety

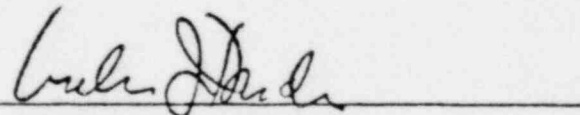
evaluations using the list of new requirements and, in cases where Atomic Safety and Licensing Boards (ASLBs) have been awaiting NRC staff actions, preparation and presentation of testimony before Boards in individual operating license cases.

On June 16, 1980, the Commission issued a Statement of Policy (45 FR 41738) as further Commission guidance on operating licenses for the Boards and the NRC staff. Accompanying this policy was a report, "TMI-Related Requirements for New Operating Licenses (NUREG-0694)." The Commission decided that current operating license applications should be measured against the regulations, as augmented by the list of new requirements in NUREG-0694, and that the remaining items of the Action Plan should be addressed through the normal process for development and adoption of new requirements rather than through immediate imposition on pending applications.

The staff has been directed to seek public comment on the TMI-2 Action Plan for the purpose of developing further refinements, particularly with respect to the establishment of priorities for addressing those remaining items in the Action Plan not included in the list of new requirements for operating licenses. In the event that public comments lead the staff to conclude that substantive changes to the list of requirements for new operating licenses are necessary, the Commission will be promptly notified.

Dated at Bethesda, Maryland this 23rd day of July 1980.

For the Nuclear Regulatory Commission



William J. Dircks
Acting Executive Director for
Operations