

Central Files



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 8, 1994

MEMORANDUM FOR: Luis A. Reyes, Acting
Associate Director for Projects, NRR

FROM: Roy P. Zimmerman,
RRG/CBLA Group Lead, NRR

SUBJECT: MEETING WITH NUMARC ON COMMITMENT MANAGEMENT

On March 3, 1994, the NRC staff met with representatives from the Nuclear Management and Resources Council (NUMARC) to discuss conceptual industry and staff approaches on commitment management processes. Enclosure 1 contains the NUMARC discussion materials while Enclosure 2 is the list of meeting attendees.

As part of the opening comments, both the NRC and NUMARC representatives agreed that unnecessary burden on licensees could be reduced by providing guidance to the industry and NRC staff on commitment management.

NUMARC described their draft approach for commitment management, which envisions three categories of commitments with a different change process for each category. The first category of commitments consists of regulatory requirements, and NRC approval is required prior to changing these commitments. Items in this category include regulations, technical specifications, orders, license conditions, and exemptions. There are well established methods for changing these types of commitments; therefore, no change to the commitment management process is needed.

The second category are those commitments which have been relied upon for public health and safety, are on the docket, and respond to items which have received considerable NRC management consideration. These include commitments made in response to bulletins, generic letters, confirmatory action letters (CALs), and severity level III violations and above. NUMARC indicated that the change mechanism for these commitments would be dependent on whether the commitment has been implemented or not. If a commitment has not been yet implemented, NUMARC proposes notification of the NRC by way of a supplement to the original commitment as soon as the commitment change is identified. If the commitment has been implemented and has been incorporated into the final safety analysis report (FSAR), the 10 CFR 50.59 criteria would be used to change the commitment. If the commitment has been implemented and has not been incorporated into the FSAR, NUMARC proposes an evaluation similar to that contained in 10 CFR 50.59 be performed prior to changing the commitment. The NRC would be informed of commitment changes deemed not to involve an unreviewed safety question on a frequency similar to that specified for FSAR updates.

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DIM-6-Meetings
X-DIM-7-NUMARC

RETURN TO REGULATORY CENTRAL FILES

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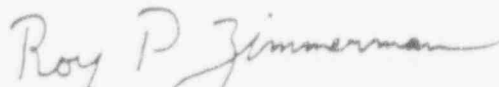
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The third category of commitments would be other docketed commitments which are part of the current licensing basis (CLB), and may include commitments made in licensee event reports (LERs) and in response to severity level IV or V violations. NUMARC proposes performing a qualitative assessment when changing these types of commitments. A written notification of commitment change would not normally be provided to the NRC.

The NRC staff provided its views on the NUMARC proposal and also discussed their approach for categorizing commitments and the associated change processes. The staff's method would categorize commitments which are on the docket and in the CLB based on safety significance regardless of the origin of the commitment. This is due to the varying degrees of safety significance among the different commitments and the commitment change mechanism should reflect that variation. The staff envisions a graded safety assessment would be performed prior to changing each commitment in order to ensure the proposed change does not result in an unreviewed safety question. The level of detail in the safety assessment would be commensurate with the safety significance of the commitment. Commitments changed by a licensee would be submitted to the staff on the docket on a frequency and format similar to that specified for the FSAR update. The NRC indicated that the approach it described appears consistent with the initiatives underway in the graded quality assurance (QA) and 10 CFR 50.54 plan areas. It was suggested by the staff that commitment management be considered as one of the functional areas receiving pilot efforts under the graded QA initiative. The staff further noted that the above approach would provide a uniform method, based on safety significance, for changing commitments regardless of whether the commitment was located in the FSAR.

The two groups also discussed the management process for those commitments which are on the docket but not part of the CLB. In general, changes to those commitments would not be communicated to the NRC. Also, the staff provided NUMARC comments on the discussion material in Enclosure 1.

In closing, both the staff and NUMARC agreed to hold further internal meetings to discuss the two approaches and schedule another NRC/NUMARC meeting in the near future to discuss the positions in more detail.



Roy P. Zimmerman
CBLA/RRG Group
Office of Nuclear Reactor Regulation

Enclosures:

1. NUMARC Discussion Materials
2. Attendee List

cc: Stephen D. Floyd, NUMARC

DISTRIBUTION:

Central Files	R. Cooper, RI
PDR	J. Wiggins, RI
NUMARC	C. Hehl, RI
W. Russell/F. Miraglia	E. Merschoff, RII
R. Vollmer	A. Gibson, RII
A. Thadani	J. Stohr, RII
L. Reyes	E. Greenman, RIII
E. Jordan, MNBB 3701	G. Grant, RIII
ACRS (10)	W. Axelson, RIII
CBLA R/F	A. Beach, RIV
R. Zimmerman	S. Collins, RIV
M. Cutchin	T. Gwynn, RIV
S. Newberry	S. Richards, RV
C. Grimes	R. Scarano, RV
M. Virgilio	C. Craig
J. Zwolinski	E. Leeds
B. Grimes	J. Beall
M. Hodges	

DRAFT

Principles of Regulation

1. The purpose of regulations is to ensure safe operations.
2. There should be openness in the regulatory process.
3. Regulatory process should afford maximum economy for the regulated community.
4. Regulatory processes should be objective, clear, fair and be consistently applied throughout the regulated community.
5. Regulatory processes should focus NRC and industry resources on issues that have significant safety relevance while de-emphasizing attention on issues of low safety significance.
6. The regulated community has the responsibility to meet regulatory requirements and to respond appropriately to emerging issues of safety significance.
7. Regulatory requirements are those requirements embodied in rules, regulations, orders and licenses (including technical specifications and license conditions).

Principles of Commitment Management

1. Commitments are written statements, placed on the docket by licensees to take certain voluntary actions.
2. Commitments are voluntary actions that exceed regulatory requirements.
3. Commitments include actions prompted by the regulator as well as discretionary actions taken at the prerogative of licensee management.
4. The regulator relies on a subset of commitments to reach formal safety decisions.
5. The safety significance of commitments ranges from high to negligible.
6. Commitments that have safety significance add to the margin of safety afforded by regulatory requirements.
7. A subset of commitments are of high interest to the regulator. The majority of commitments are of low regulatory interest.

Objectives of Defining "Commitment" and Associated Change Process

1. Provide a clear mechanism for managing commitments that can be consistently administered throughout the industry.
2. Provide a clear way of distinguishing commitments of high regulatory interest from commitments of low regulatory interest.
3. Reduce the administration burden on both the industry and the NRC in managing commitments.
4. Establish a commitment change process that accommodates both the necessity of ensuring the regulator is aware of the status of commitments of high regulatory interest and/or safety interest and the necessity of providing maximum flexibility to licensees in managing commitments of low regulatory interest and/or safety interest.
5. Reduce the total number of commitments of low safety and/or regulatory interest.

ATTENDANCE LIST FOR PUBLIC MEETING WITH NUMARC

MARCH 3, 1994

<u>NAME</u>	<u>ORGANIZATION</u>
Claudia Craig	NRC/NRR
Mack Cutchin	NRC/OGC
Scott Newberry	NRC/NRR
Roy Zimmerman	NRC/NRR
Chris Grimes	NRC/NRR
Bob Helfrich	Winston & Strawn
Bob Bishop	NUMARC
Steve Floyd	NUMARC
Marty Virgilio	NRC/NRR
James J. Raleigh	Southern Technical Services
Theresa Sutter	Bechtel
John W. Flude	NUS
Gary D. Miller	Virginia Power
Kathleen Hart	McGraw-Hill

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Roy P. Zimmerman
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Office of Nuclear Reactor Regulation

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cc: Stephen D. Floyd, NUMARC

CBLA/ADP
CCraig
5/8/94

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RZimmerman
5/8/94