



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS  
WASHINGTON, D. C. 20555

March 12, 1980

Honorable John F. Ahearne  
Chairman  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

Subject: ACRS COMMENTS ON RECOMMENDATIONS OF NRC SPECIAL INQUIRY GROUP  
REGARDING ACRS ACTIVITIES

Dear Dr. Ahearne:

The Special Inquiry Group (SIG) made a number of comments and recommendations about the role of the ACRS, and this letter contains our response.

The SIG noted that the ACRS was the only group capable of independent and informed input into the licensing process, but also felt that the ACRS did not live up to its potential. The specific concerns were that ACRS letters have been cryptic, that safety issues have been resolved by the staff before ACRS letters were written, that the Atomic Safety and Licensing Boards are not required to pay attention to recommendations in ACRS letters, that the ACRS does not deal with a sufficiently broad range of problems, and that the ACRS members are overworked. Nonetheless, the SIG (as had the Presidential Commission before it) recommended the retention of the ACRS, with a strengthened and somewhat modified role. We agree with this recommendation and concur in some of the criticism of the report. This letter will deal with some of the specifics.

Some of these issues are easy to address. We have already agreed with you that the ACRS should deal with a somewhat broader range of problems than has been the case heretofore, and we have agreed to advise the Commission in the forthcoming rulemaking on waste disposal. As this trend continues, it will, of course, be necessary to reconsider the balance of talents represented on the ACRS, as well as the level of staff support that it will require. At some point, the balance between breadth and depth will have to be addressed.

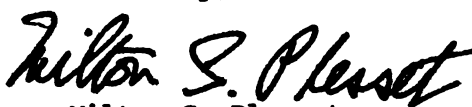
The SIG recommended, as have others, that the ACRS not be required to comment on each licensing recommendation, and we concur. This may help to provide a little breathing space for the broader activities mentioned above. We do not agree that the ACRS should play a more formal role as a party in licensing proceedings because we wish to retain the format of an advisory committee. However, we feel that it would be useful to require that each Atomic Safety and Licensing Board make some disposition of each recommendation made by the ACRS in its reports on license applications. We have commented

on these matters in our letter of January 15, 1980. The problem of "closing the loop" on ACRS recommendations is a serious one, and major improvement is necessary. This is true not only for licensing matters, but also for the more general safety issues occasionally raised by the ACRS, and we are pleased that some progress is being made on this problem.

The SIG, in common with other outside investigative groups, also felt the need for an oversight group, to effectively monitor the performance of NRC (though the SIG recommendation was made in the context of a transformation of NRC to an administrator format, as was the Presidential Commission recommendation). The SIG had a unique suggestion, which was that a Nuclear Safety Board be established within NRC, composed of technically trained members, yet independent of all other offices within NRC, and that the five full-time members of the Board also be members of ACRS. Thus, the ACRS would consist of five full-time and ten part-time members. The ACRS would then have two classes of members which would tend to disturb the collegiality which many feel is one of the strengths of the ACRS. It is clear that many feel the need for some such function, since the SIG, the Presidential Commission, and the draft Bill introduced by Congressman Udall all provide for some such Board. We do not wish to comment here on whether there is need for such a Board, but believe that it would be inappropriate to attach it to the ACRS.

Nonetheless, the Committee recognizes that an alternative to the creation of such a Nuclear Safety Board is that some of these same functions be performed by the ACRS. It may be that the penalty in terms of increased time commitment of the members, probable increased size of the ACRS staff, broadening (and hence dilution) of ACRS expertise, etc., have the potential to be sufficiently damaging to ACRS performance as to suggest the establishment of the Board. We feel, however, that it is better to ask the ACRS to fill some of these admitted lacunae in the regulatory process on a limited and selective basis than to contribute at this time to the proliferation of boards and committees. This is especially true in view of the fact that the Presidential Oversight Committee will certainly be appointed soon, the Nuclear Safety Board being considered by Congress may come into being, and the NRC's own Office for Analysis and Evaluation of Operational Data already exists. However, if the burden of the additional responsibilities becomes too onerous, one might have to consider major alterations in the ACRS format.

Sincerely,

A handwritten signature in dark ink, reading "Milton S. Plesset". The signature is written in a cursive, slightly slanted style.

Milton S. Plesset  
Chairman