

VOLUNTARY INDUSTRY INITIATIVES

- Staff is working with involved stakeholders to develop guidelines for a regulatory framework that supports the implementation of voluntary industry initiatives (VIIs) in lieu of regulatory action.
 - Intended that VII guidelines promote consistent and predictable process that results in providing effective and coordinated resolution of issues while optimizing resource expenditures.
 - Several NSSS Owners Groups have responded by forming specialized working groups (e.g., BWRVIP, PWR MRP) to address technical issues of interest.
 - Staff interactions with these groups have been successful.
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BACKGROUND

- SECY-97-03 to Commission per COMSECY-96-062, "The Role of Industry (DSI-13).
 - Stakeholder meeting
 - industry initiatives in lieu of regulatory action
 - improvements for NRC endorsement of codes and standards
 - Industry initiative paper requested to include:
 - analysis including review of stakeholder comments, identification of resources, impact of implementation and recommendations.
 - Coordination of staff review of the policy guidance in
 - Revision 2 of NUREGIBR-0058, "Regulatory Analysis Guidelines of the U.S. Nuclear Commission.
 - Staff prepared and Commission issued SECY 99-0063 addressing industry initiatives; Reg. Analysis Guidelines subject of separate paper
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STAKEHOLDER MEETINGS

- Meeting with Stakeholders - September 1, 1998, Chicago, IL
 - Can industry initiatives be relied upon as adequate and effective substitutes for NRC regulatory activities?
 - Can industry initiatives be relied upon to complement NRC regulatory activities?
 - Meeting with Stakeholders - October 27, 1999
 - Discussion of Process for Voluntary Industry Initiatives
 - Meeting with NEI at their request - December 21, 1999
 - Further Discussion of Process for Voluntary Industry Initiatives
 - Second Meeting with Senior NEI Executive at their request - February 17, 2000
 - Further Discussion of Process for Voluntary Industry Initiatives
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DISCUSSION

- Industry Initiatives put in three categories using 10CFR50.109 definitions regarding backfitting for issues that:
 - might complement a regulatory action necessary to ensure adequate protection, or
 - are in place in lieu of compliance based regulatory action, or
 - are used in lieu of a regulatory action where protection justified by backfit analysis, or
 - were initiated to address an issue of concern to the industry but not of regulatory concern.
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DISCUSSION

- For adequate protection issues -responsibility of NRC
 - Industry initiatives of second type OK in lieu regulatory action
 - BWRVIP and Maintenance Rule complement by NEI Guidelines referenced in Reg. Guide examples discussed
 - Industry initiatives of these types should be implemented by commitment or FSAR change
 - Third type strictly voluntary-minimal NRC involvement
 - Consider fourth type to address issues that are risk significant but beyond regulatory requirements
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PROCESS AND GENERAL DECISION CRITERIA

- Identification issue and agreement between the NRC and industry as to type
 - Identification of the appropriate form for the initiative, i.e., "topical report," industry guideline satisfying a regulatory guide or initiative beyond regulatory requirements and agreement regarding fee recovery.
 - Identification of the staff's review and approval document, if any,
 - e.g., generic safety evaluation report (SE), plant-specific Ses.
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PROCESS AND GENERAL DECISION CRITERIA

- Identification of the method of licensee implementation, e.g., Commitment, FSAR change, 10 CFR Part 50 Appendix B, or plant procedures.
 - Ensure that the public can participate in the process.
 - Ensure that voluntary initiatives are adequately tracked and managed -- handled consistent with commitment tracking procedures
 - Ensure that the inspection / monitoring, if appropriate, of voluntary industry initiatives is consistent -- Issue guidance to Regions
 - Ensure that enforcement policy is appropriate for VIIs
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