



RIC 2008
Raising the Rulemaking Technical Basis to the Surface

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RULEMAKING IN GENERAL (GENESIS)

- Staff-initiated regulatory issue
- Petition for rulemaking (10 CFR 2.802)
- EDO or Commission directive
- Congressional mandate
- Executive Branch order



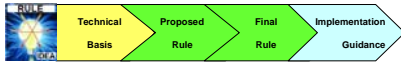
Technical basis may include (not limited to)

- A previously approved license amendment or exemption request with a safety evaluation report (SER)
- An NRC-sanctioned industry topical report
- An existing voluntary consensus standard
- A staff- or contractor-prepared NUREG-series report
- Other formally reviewed and approved endorsement of the pertinent technical issues



CRADLE TO THE GRAVE CHALLENGE:

1. Technical Basis
2. Proposed Rule
3. Final Rule
4. Implementation





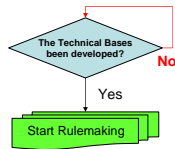
TECHNICAL BASIS SHAPING RULEMAKING

	THE BAD	THE GOOD	THE UGLY
RULE	LOOP LOCA	EP (EMERGENCY PREPAREDNESS)	SECURITY
TECH BASIS	Significant Interaction is ongoing	Developed with stakeholders	Order
STATUS	Limited Progress	Path for Success	Significant Effort Challenging Schedule

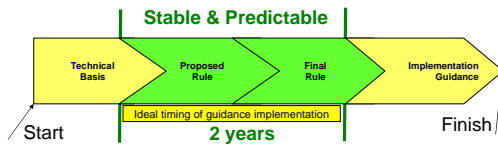


What can we do better?

- Involving stakeholders (public, licensees, states) early in the Technical Basis phase (Example: ERDS)
- Adding staff guidance specifying requirements
- Technical Basis deficiencies identified after rulemaking begins must be resolved promptly



TECHNICAL BASIS AFFECT ON THE TIMELINE



CONCLUSION



A complete and adequate technical basis is key to a stable, predictable and efficient rulemaking process
