



RIC 2009

Rulemaking Process:
NRC and Industry Perspectives on Improving Quality,
Timeliness, and Consistency in 10 CFR 50.55a

“What’s Next?”

Continual Improvement to 10 CFR 50.55a

John W. Lubinski
Deputy Director, Division of Component Integrity (DCI)
Office of Nuclear Reactor Regulation
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What We’ve Discussed

- Changes/process improvements for the current 10 CFR 50.55a rulemaking
- Setting predictable and transparent schedules
- I would like to discuss-Other changes to support more effective and efficient endorsement of ASME code and requirements

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In a Perfect World



- Everyone would agree
 - ASME members would quickly identify and agree on Code requirements
 - NRC would completely agree with ASME code requirements
 - ASME would incorporate NRC’s position in the Code
- Result
 - ASME Code editions or addenda would be incorporated by reference in 10 CFR 50.55a with no conditions
 - ASME Code would have no exceptions

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Reality

- Educated people will disagree
- Recognizing and appreciating diverse opinions make for more effective decisions
- Each licensee's plant is different, and licensees will need to implement the code differently
- Each Stakeholder has a different organizational mission
- Result:
 - NRC and industry (ASME) will differ with regard to certain Code requirements
 - 10 CFR 50.55a will include conditions
 - Licensees will need to implement alternatives from the ASME Code requirements

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Improving the Process

- Need to present NRC's positions to ASME decision makers early
- ASME decision makers need to understand and appropriately consider NRC's position
- Communication
 - during ASME Code meetings
 - outside meetings
 - be predictable
 - be transparent to the public
- Must work within Administrative Procedures Act and National Technology Transfer Act of 1995

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NRC Review of ASME Code Regulatory Basis Development

- NRC plans to :
- start developing the rulemaking "regulatory basis" for the 50.55a rule when interacting with ASME on a routine basis
 - document its position on proposed Code changes following every ASME Code Week
 - communicate NRC's position to ASME and the public in a timely manner
 - allow ASME sufficient time to reconsider NRC's position
 - work with ASME to coordinate timeliness of this process

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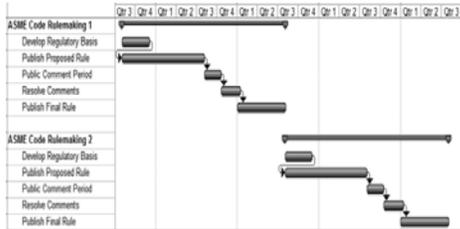
What can ASME do?

- Consider NRC's position before finalizing Code
- Factor time for NRC feedback into final decision-making process
- Work with NRC to coordinate timeliness of this process
- Consider practicality of specific ASME requirements for current licensees
- Review previous ASME Code Requirements and NRC's positions to determine whether Code should be modified

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Optimizing the Timeliness of 50.55a Revisions



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Summary

- Communicating and understanding both NRC and ASME positions earlier, prior to rulemaking, will allow time for considering changes and simplify 10 CFR 50.55a
- While we can't reach perfection, NRC can make progress and simplify 10 CFR 50.55a
- It will take time to reduce current number of conditions and to simplify language in 10 CFR 50.55a
- NRC's long-term goal is to reduce the complexity of 10 CFR 50.55a and yet retain its regulatory effectiveness
