



RIC 2011

**Committee To Review
Generic Requirements (CRGR)**

Jennifer L. Uhle, Chairman
Committee To Review Generic Requirements
Thursday, March 10, 2011



CRGR Mission

Mission is to ensure that proposed generic backfits to be imposed are justified based on regulations and NRC policy.

NUREG-1409, "Backfitting Guidelines," summarizes the backfit process.



CRGR Role and Responsibilities

- Recommends to the EDO approval or disapproval of staff proposals.
- Provides guidance and assistance to the staff to implement backfit policy.
- Membership appointed by EDO
 - RES, Chair
 - FSME, NMSS, NRO, NRR, NSIR, OGC, Regional Office



What is a Backfit and Why Does NRC Have Backfit Rules?

- Backfit
 - Change in agency position.
- Backfit Rule Purpose
 - **Don't change the rules after the game has started!**
 - Enhance regulatory stability and predictability
 - Promote reasoned and informed decision-making
 - Enhance transparency of decision-making

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Backfit Definition

- Backfitting is defined as the modification of or addition to
 - Systems, structures, components or design of a facility; or
 - The design approval or manufacturing license for a facility; or
 - The procedures or organization required to design, construct, or operate a facility;

AND

- May result from
 - A new or amended provision in Commission rules; or
 - The imposition of a regulatory staff position that is either new or different from a previously applicable staff position.

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Is a Backfit Justified?

- Do any **exceptions** apply?
 - Compliance - 50.109(a)(4)(i)
 - Necessary for adequate protection- 50.109(a)(4)(ii)
 - Defining or redefining what is needed for adequate protection - 50.109(a)(4)(iii)

OR

- Does the backfit provide **substantial increase in protection** of public health and safety or common defense and security?
 - Factors 50.109(c)(1)-(9) and non-quantifiable benefits

- Is the **cost justified** in light of the increase in protection?
 - Factors 50.109(c)(1)-(9) and non-quantifiable benefits
 - Traditional cost/benefit in Regulatory Analysis (NUREG/BR-0058)

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NRC Backfitting Requirements

- 10 CFR 50.109 Power reactors
- 10 CFR Part 52 Power reactors
 - 52.39 Early site permits
 - 52.63 Design certification rules
 - 52.98 Combined licenses
- 10 CFR 70.76 Fuel cycle facilities
- 10 CFR 72.62 ISFSIs
- 10 CFR 76.76 Gaseous diffusion plants

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CRGR Activities

- Revise CRGR Charter.
 - Dated 11/8/99
 - Mission, scope of activities, procedures
- Revise Management Directive.
- Develop and launch Web-based agencywide backfit training program for the staff.
