



Perspectives on Recent Developments in Backfitting

Regulatory Information Conference

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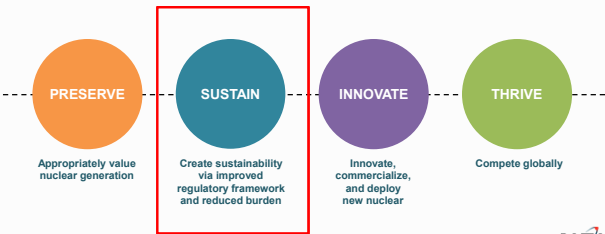
Overview

- What is backfitting and why do we care?
- Recent progress
- Looking forward

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National Nuclear Energy Strategy




PRESERVE
Appropriately value nuclear generation

SUSTAIN
Create sustainability via improved regulatory framework and reduced burden

INNOVATE
Innovate, commercialize, and deploy new nuclear

THRIVE
Compete globally

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Backfitting – What is it? Why do we care?

- Requirement aimed at improving regulatory decision-making
 - Adequate protection
 - Compliance
 - Cost-justified, substantial increase in safety/security
- Maintain safety/security focus and ensure finite resources are allocated to activities that will make a demonstrable difference

BACKFITTING

§ 50.109 Backfitting. (a)(1) 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; any of which may result from a new or amended provision in the Commission's regulations or the imposition of a regulatory staff position interpreting the Commission's regulations that is either new or different from a previously applicable staff position after:



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Recent Progress

- EDO's Tasking Memorandum (June 2016, as amended Dec. 2016)
- EDO grant's Byron/Braidwood appeal (Sept. 2016)
- SRM-COMSECY-16-0020 / OGC Memorandum (Nov./Dec. 2016)
- CRGR response to EDO Tasking / EDO direction (June/July 2017)



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Recent Progress (cont.)

- CRGR Activities/Oversight
 - Increased scope
 - Increased transparency
- Training
 - NRC staff
 - Industry
- Revisions to NUREG/BR-0058 (Phase 1)



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Looking forward . . .

- Backfitting identification
 - Inspection context
 - "Clarifications," "record-keeping" requirements, etc.
 - Further use of "administrative exemption"
 - Contours of "adequate protection" exceptions
- NUREG-1409
 - Backfitting identification and policy
 - Published in 1990
- NUREG/BR-0058 (Phase 2)
 - Cost-justified, substantial increase analysis

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Looking forward (cont.) . . .

- Institutionalize progress in durable fashion
 - CRGR Charter
 - Guidance (NUREG-1409, NUREG/BR-0058)
 - Office-level guidance
- Continue and refine CRGR's oversight role
 - Exercise option to have CRGR review rulemakings
 - Continued access to CRGR on generic and facility-specific backfitting issues
 - Periodic review by CRGR of "state of backfitting program"
- Continue to push learnings down to working-level

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Thanks for your attention.

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