

February 6, 2013

MEMORANDUM TO: R. W. Borchardt
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS – COMGEA-12-0001/COMWDM-12-0002 – PROPOSED INITIATIVE TO IMPROVE NUCLEAR SAFETY AND REGULATORY EFFICIENCY

The Commission has approved an initiative to further explore the idea of enhancing safety by applying probabilistic risk assessment (PRA) to determine the risk significance of current and emerging reactor issues in an integrated manner and on a plant-specific basis. Implementation of the COMM's proposal should not alter existing Commission direction and staff initiatives with respect to Level 3 Probabilistic Risk Analysis.

1. The staff should develop a notation vote paper, for Commission consideration, that provides approaches for allowing licensees to propose to the NRC a prioritization of the implementation of regulatory actions as an integrated set and in a way that reflects their risk significance on a plant-specific basis. Similar to the requirements for new reactors, such a proposal would require licensees to develop site-specific Level 1 and 2 PRAs. Such PRAs would address all initiating events (including natural hazards) and plant modes as supported by NRC endorsed consensus standards.
2. The notation vote paper should discuss how NRC processes and policies might be affected by allowing such a prioritization process.
3. This effort should not impact the schedules that the staff has established to respond to Recommendation 1 of the Fukushima Near-Term Task Force and the Risk Management Task Force recommendations.
4. If a rulemaking is required to implement this voluntary process, the staff should provide the Commission with a schedule of work and an estimate of the resources required to complete both the rulemaking and the implementation processes.
5. The staff should address issue management under such a regime. The staff should explore the use of a backstop under such a process to ensure that issues will be resolved and regulations implemented in a timely manner; a licensee's implementation should not be perpetually deferred where the safety benefit of the requirement is nullified by the delay. The staff should also explore allowing licensees to propose alternative actions.
6. The efforts the staff has already undertaken to address cumulative effects in NRC's rulemaking process should not be altered, and resources should not be diverted from these

efforts, as a result of the COMM. Further direction on this topic will be provided in the staff requirements memorandum issued in response to SECY-12-0137, "Implementation of the Cumulative Effects of Regulation Process Changes."

7. The staff should describe the resource impact of the effort and identify sources from which resources will be drawn during the briefing described in item 9.

8. Although this initiative emphasizes the use of plant-specific PRAs to prioritize regulatory actions, this prioritization should not be risk-based. Consistent with current agency practice, the prioritization would be done in a risk-informed manner. Other considerations, such as the need for sufficient defense-in-depth, should be a factor in any prioritization process, particularly for issues where probabilistic methods have not been sufficiently developed (e.g., for external flooding hazards).

9. The staff should provide a Commissioners' Assistants brief within five months to present its initial consideration of the approach required to respond to this SRM. Given the breadth of high priority activities before the Commission, the staff should propose a timeframe for providing the notation vote paper. The staff should conduct a public workshop to obtain early input from industry as well as other external parties to inform the development of the concepts that will be presented at the Commissioners' Assistant briefing. The workshop should cover a wide range of topics, including, but not limited to issue management and public perception.

(EDO)

(SECY Suspense: 7/8/13)

cc: Chairman Macfarlane
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
OGC
CFO
OCA
OPA
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