

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** COMMISSIONER MAGWOOD  
**SUBJECT:** COMSECY-14-0014 – CUMULATIVE EFFECTS OF  
REGULATION AND RISK PRIORITIZATION  
INITIATIVE: UPDATE ON RECENT ACTIVITIES AND  
RECOMMENDATIONS FOR PATH FORWARD

Approved  Disapproved  Abstain

Not Participating

COMMENTS: Below  Attached  None



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SIGNATURE

13 May 2014  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  No

**Commissioner Magwood's Comments on COMSECY-14-0014,  
"Cumulative Effects Of Regulation And Risk Prioritization Initiative:  
Update On Recent Activities And Recommendations For Path Forward"**

The staff's efforts in response to the Commission's direction on the Cumulative Effects of Regulation (CER) and on the proposed activity to enhance the efficiency and effectiveness of nuclear safety regulatory efficiency, commonly referred to as the risk prioritization initiative (RPI), have been encouraging and very promising. Staff's work in both areas demonstrates the agency's commitment to improve continuously our regulatory processes and our ability to bring creative thinking to complex challenges.

As reflected in COMSECY-14-0014, the relationship between the RPI and CER activities was apparent early and now staff has correctly identified the strong interrelationships between these initiatives and seeks to merge the current CER and RPI taskings. Staff suggests that this work be combined and the Commission presented with a single notation vote paper due in March 2015. I approve staff's evolved plan contingent upon the following comments.

First, it should remain a core objective of the merged initiative to incentivize industry to proceed to develop enhanced probabilistic risk assessment (PRA) tools and models. The industry's current lack of interest, while a factor to be noted, must not be dispositive of our goal to assure that nuclear operations and safety in this country eventually benefit from the enhanced application of risk models. The ability to glean important risk insights from a site-specific PRA is only as reliable as the completeness and accuracy of the model. Current levels of PRA quality may be adequate to support the initial risk informed prioritization of scheduled activities (if only because of PRA quality improvements made by industry in the course of various voluntary initiatives). But longer term, it remains essential that the overall quality, completeness, and accuracy of industry PRA models be enhanced. The most beneficial realization of the RPI can only be achieved if such enhancements proceed. Staff's recommended notation voting paper due in March 2015 should not consider this outcome to be an option, but an integral objective of the effort.

In particular, options developed by the staff that include consideration of eliminating regulatory activities of low risk and safety significance, should be put forth only if they are supported by upgraded PRA models that are properly maintained. Therefore, the notation voting paper should include a consideration of the regulatory process changes required to support reliable, efficient and effective implementation of the risk prioritization initiative in the long term (*e.g.*, modification of the language of 10 CFR Part 50.12 to obviate the need for exemptions, provided that the risk prioritization is based on an appropriate PRA). Additionally, the paper should provide a discussion on the treatment of corrective actions for findings, violations, and degraded or nonconforming conditions adverse to quality.

Further, I agree that the CER effort is focused on process improvements related to scheduling matters and enhancing communication with the public, and as such, it does not necessitate staff

interaction with the ACRS. However, as staff now views the key aspects of the CER activity to be merged into the RPI, it is not clear that this logic holds over time. I recommend that staff provide a full briefing to the ACRS in advance of the transmission of the March 2015 paper to the Commission. Doing so will allow the Commission to benefit from ACRS views and experience of the integrated matter before it votes on the SECY paper.

Finally, while I support staff's new schedule for the notation voting paper, I believe the Commission would benefit from an early understanding of the staff's views regarding how schedule changes might be implemented and what the agency should expect to learn from the industry pilots. I suggest that a commissioner assistant's note covering these and other relevant issues be issued before the end of July 2014 and that staff be prepared to provide individual commissioner briefings during the same time frame.

I appreciate staff's initiative in keeping the Commission informed of its progress on these important initiatives. Should new issues arise in the consolidation of these initiatives; staff should notify the Commission as soon as they arise.

  
\_\_\_\_\_ 5/13/14  
William D. Magwood, IV                      Date