

EXCERPT FROM THE MINUTES OF CRGR MEETING NO. 269
RELATING TO ADDITIONAL GUIDANCE ON SUBSTANTIAL INCREASE STANDARD

Attachment 4 to the Minutes of the CRGR Meeting No. 269

CRGR Charter Revision

February 14, 1995

TOPIC

The Committee discussed resubmittal to the EDO of a revised draft Revision 6 to CRGR Charter. (An earlier version of this proposed charter revision was transmitted to the EDO in December 1993, but was returned without EDO action while the possible abolishment of CRGR was being considered by the EDO and Commission.) Various aspects of the current proposed charter revision were discussed by the Committee at CRGR Meetings Nos. 211, 233, 243, 246, 247, 248, 251, 255, and 259. The major changes incorporated in proposed Revision 6 include: (i) improved guidance on consideration of qualitative factors for justification of proposed backfits, and (ii) expansion of the scope of CRGR activities, on a trial basis, to include review of selected items in the nuclear materials area. In conjunction with the proposed changes to the CRGR Charter, the Committee also discussed possible means/mechanisms for reducing the level of effort by CRGR members in carrying out their CRGR duties.

BACKGROUND

1. Enclosure 4 to the Minutes of CRGR Meeting No. 233, dated November 24, 1992
2. SRM (SECY-93-086), dated June 30, 1993, "Backfit Considerations"
3. Commission Paper (SECY-94-109), dated April 21, 1994, "Scope of Review for the Committee to Review Generic Requirements (CRGR)"
4. SRM (SECY-94-109), dated June 15, 1994, "Scope of Review for the Committee to Review Generic Requirements (CRGR)"
5. Commission Paper (SECY-94-141), dated May 23, 1994, "Improvement of the Rulemaking Process"
6. SRM (SECY-94-141), dated June 28, 1994, "Improvement of the Rulemaking Process"

7. Enclosure 4 to the Minutes of CRGR Meeting No. 259, dated August 3, 1994
8. Draft package, dated February 1, for proposed Revision 6 to the CRGR Charter

CONCLUSIONS\RECOMMENDATIONS

1. The Committee endorsed for inclusion (as a new Attachment 3) in proposed Revision 6 to the Charter improved guidance on consideration of qualitative factors for justification of proposed backfits. (This CRGR action is in response to SRM (SECY-93-086) dated June 30, 1993 - see Background Item 2.) The new guidance is more detailed than, and goes beyond, related guidance provided in proposed Revision 2 to the Regulatory Analysis Guidelines (NUREG/BR-0058) submitted recently for Commission approval. After careful deliberation on this point, the Committee believes that the new Charter guidance is a logical extension of the guidance provided in the new Guidelines, and is consistent with the Commission's objectives reflected in the SRM. The Committee believes that the guidance in the two documents is consistent, and does not believe it is necessary to revise the Guidelines at this point to provide identical guidance in both documents.
2. The Committee also endorsed for inclusion in proposed Revision 6 a change to the CRGR scope of review specifying that, on a trial basis, the Committee will review selected items in the nuclear materials area. (This CRGR action is in response to SRM (SECY-94-109) dated June 15, 1994 - see Background Item 4) As discussed in Attachment 2 preceding, candidate items identified for CRGR review during the next year include: (i) licensing of dry cask storage of spent fuel; (ii) interim low-level waste storage issues (e.g., transportation of potentially flammable\ dispersible waste forms); and (iii) radiation safety\hazards considerations and criticality issues related to the fuel cycle facilities. As a part of the trial process, for each such item submitted by NMSS for review, the Committee will assess the need for and the value added by CRGR review of such items. The Committee's assessments in this regard will be included in the meeting minutes for each item and will be reported to the EDO in the Weekly Items of Interest, which are forwarded to the Commission.

Following approval by the Commission, Revision 6 to the Charter will be distributed to all licensees. Appropriate modifications will be made to Management Directive 5.14 to provide consistent and standardized procedures for implementation by the NRC program offices and regional staff; and training sessions will be conducted for regional and program office staff in support of implementation of the revised Charter.

3. In addition to the major revisions discussed in the preceding, the Committee recommended a number of additional changes for the purpose of further updating and clarifying the Charter. All of the changes made to the Charter in proposed Revision 6 are reflected in Attachment 4A.