

December 11, 1997

MEMORANDUM TO: L. Joseph Callan  
Executive Director for Operations

FROM: John C. Hoyle /s/

SUBJECT: STAFF REQUIREMENTS - SECY-97-168 - ISSUANCE FOR PUBLIC COMMENT OF PROPOSED  
RULEMAKING PACKAGE FOR SHUTDOWN AND FUEL STORAGE POOL OPERATION

In SECY-97-168, the staff sought authorization to issue a proposed rule related to shutdown and fuel storage pool operation. The Commission has not provided the necessary authorization. Because this rule involves significant issues of policy, the staff is not authorized to issue the proposed rule without Commission authorization. Therefore, under Appendix 3 of the Internal Commission Procedures the staff may not proceed further with this rulemaking package.

However, the staff may evaluate, for Commission consideration, whether any further codification of current industry practice related to ensuring that risk-significant safety functions are maintained during shutdown operations beyond that contemplated in the revised maintenance rule would provide sufficient benefit to warrant the costs imposed on licensees and the NRC by such codification. In conducting any further evaluation, the staff should review and assess current shutdown risk information from the international community. After the maintenance rule modification is completed, the staff should interact with stakeholders on this matter and present their conclusions, if any, at an appropriate time.

The staff should review current regulatory analysis methodology in light of the SRM on DSI-13 and submit, for Commission review, options that would address possible revisions to the methodology, particularly with regard to recognition of existing initiatives and voluntary actions in the cost-benefit analyses.

(EDO)

(SECY Suspense: 12/4/98)

The Commission expects the staff to continue to monitor licensee performance, through inspections and other means, in the area of shutdown operations to ensure that the current level of safety is maintained.

cc: Chairman Jackson  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
OGC  
CIO  
CFO  
OCA  
OIG  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR  
DCS

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SECY NOTE: 97-168 WILL BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS FORM THE DATE OF THIS SRM.