

September 4, 1998

MEMORANDUM L. Joseph Callan
TO: Executive Director for Operations
FROM: John C. Hoyle, Secretary /s/
SUBJECT: STAFF REQUIREMENTS - SECY-98-158 - RULEMAKING PLAN FOR IMPLEMENTATION OF REVISED SOURCE TERM AT OPERATING REACTORS

The Commission has approved the staff's proposed rulemaking plan (options 1b and 2c) subject to the following comments.

The Commission disapproved the staff's conclusion that any implementation of the revised source term requiring detailed dose calculations should address all applicable aspects of the revised source term. Instead, the staff should allow limited or selective application of the revised source term unless such requests involve non-conservative or technically unjustified applications. Licensees should be allowed to utilize the more accurate source term methodology in the most flexible manner consistent with the maintenance of a clear, logical, and consistent plant design basis. The issue of selective implementation should not affect the rule language and should be worked out in the regulatory guidance and standard review plan for considering license amendments. The staff should initiate the exploration of options that consider the use of risk information as a means of providing a risk perspective relative to increased applications of the new source term. This work should not delay the current rulemaking activities but should proceed in parallel to provide a basis for risk informing the current source term rulemaking or future source term rulemaking changes, when and if appropriate.

The staff should promptly complete the pilot initiatives and use that experience to assist in preparation of the regulatory guidance and standard review plan. The staff should grant technically-supported exemptions to the pilot plants during the course of the initiative and be prepared to process similar exemption requests during the rulemaking period.

The staff should work to expedite the schedule for this rulemaking and provide a draft rule to the Commission by December 15, 1998. The final rule, regulatory guide, and standard review plan should be submitted to the Commission by July 30, 1999. In order to ensure that stakeholders are kept up to date as this rulemaking proceeds, the staff should place the draft proposed rule, the initial draft regulatory guide, and the draft standard review plan in the PDR at the same time that those documents are forwarded to the ACRS for review.

(EDO)

(SECY
Suspense:

Draft rule

12/15/98

Final rule, regulatory guide, 7/30/99)
and standard review plan:

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