

January 19, 2001

MEMORANDUM TO: William D. Travers
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS - SECY-00-0198 - STATUS REPORT ON STUDY OF RISK-INFORMED CHANGES TO THE TECHNICAL REQUIREMENTS OF [10 CFR PART 50](#) (OPTION 3) AND RECOMMENDATIONS ON RISK-INFORMED CHANGES TO [10 CFR 50.44](#) (COMBUSTIBLE GAS CONTROL)

The Commission has approved the staff's recommendations in [SECY-00-0198](#). Specifically, the Commission approved:

1. The staff should proceed expeditiously with rulemaking on the risk-informed alternative version of [10 CFR 50.44](#), including completion of outstanding technical work (e.g., development of the combustible gas source terms) and necessary regulatory analyses. The Commission notes that the staff intends, as part of the risk-informed version of [10 CFR 50.44](#), to develop a set of plant-design-specific "source terms" for combustible gas. The Commission would caution the staff against making the requirements in the rule overly prescriptive in this regard so as not to lead to the premature "ossification" of the methods for calculating source terms. The requirements should be sufficiently flexible to permit improvements in the methodology if and when better models become available. The staff should provide the Commission a recommendation for actions that could shorten the time for development of the proposed rule.

(EDO)

(SECY Suspend: 4/20/01)

2. Selective implementation by licensees of individual elements of a risk-informed alternative should not be permitted.
3. Since implementation of the risk-informed alternative version of [10 CFR 50.44](#) is voluntary on the part of licensees, the Commission agrees with the staff position that a backfit analysis of that version is not required. However, a disciplined, meaningful, and scrutable process needs to be in place to justify any new requirements that are added as a result of the development of risk-informed alternative versions of regulations. Just as any burden reduction must be demonstrated to be of little or no safety significance, any new requirement should be justifiable on some cost-benefit basis. The Commission challenges the staff to establish such a criterion in a manner that adds fairness and equity without adding significant complexity. The staff should develop a proposed resolution for this issue and provide it to the Commission for approval.

(EDO)

(SECY Suspend: 4/20/01)

4. Now that the staff has obtained some experience in the "Option 3" process, the Commission believes that it would be prudent for the staff to review the resource estimates associated with the overall Option 3 effort and determine if those estimates are consistent with the resources expended on the work reported in [SECY-00-0198](#). If the staff finds that more resources will be required, it should provide the Commission with an updated estimate.

(EDO)

(SECY Suspend: 6/30/01)

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
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