

April 3 , 2008

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

Karen D. Cyr
General Counsel

FROM: Annette Vietti-Cook, Secretary **/RA by Andrew L. Bates Acting For/**

SUBJECT: STAFF REQUIREMENTS – BRIEFING ON STATE OF NRC TECHNICAL PROGRAMS, 1:00 P.M., MONDAY, MARCH 17, 2008, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff on the state of NRC technical programs: Nuclear Reactor Safety, including reactor oversight and incident response; Nuclear Materials and Waste Safety, including nuclear materials users, uranium recovery, decommissioning and low-level waste, fuel facilities, high-level waste, spent fuel storage and transportation; and licensing and rulemaking related to both programs. The Commission commends the staff for successfully integrating the different program areas and in describing the breadth and depth of the challenges in these areas.

The staff should provide the Commission with a report on the findings from the review of the fire Probabilistic Risk Assessment (PRA) at the two pilot plants that are transitioning to National Fire Protection Association (NFPA) 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants." This report should be submitted by EDO memorandum or Commissioner Assistants Note, as deemed appropriate by the staff.

After the staff completes the first two State-of-the-Art Reactor Consequence Analyses (SOARCA), the results of the evaluations should be provided to the Commission, along with the staff's communication plan for providing the results to industry and plans to get other licensees to volunteer to participate in order to cover the full spectrum of plants. In addition, the Commission looks forward to receiving the staff's formal response to the Advisory Committee on Reactor Safeguards (ACRS) comments and recommendations on SOARCA.

The Commission looks forward to receiving the staff's proposal regarding the waste confidence rule as it relates to processing combined license applications (COLs).

The staff should continue to look for and pursue areas where the NRC can become more involved in intergovernmental coordination activities to maintain and enhance nuclear security at facilities licensed by the NRC.

The staff should examine the license renewal process for non-power reactors to identify and implement efficiencies that will streamline this process while ensuring that adequate protection of public health and safety are maintained. The staff should report the results of this initiative by memorandum to the Commission within six months of the date of this staff requirements memorandum.

The Commission looks forward to the staff's implementation of the IG's (OIG-07-A-15) license renewal program recommendations.

The staff should continue to work with the international community, the Nuclear Energy Agency (NEA), and the International Atomic Energy Agency (IAEA) to ensure broad access to operating experience data and information in this country and in other countries. The staff should continue their dialog with other countries and work toward consistent information exchange and thresholds for reporting events. Additionally, the staff should continue to support the NEA workshop on the transparency of nuclear regulatory activities because of the positive impact the agency can have when engaging our international partners on issues critical to nuclear regulatory bodies.

The staff should continue to look for ways to increase awareness of safety culture not only external to the agency, but also internally. The staff should provide the Commission with a report outlining potential initiatives that could improve the agency's internal safety culture. The staff should include as part of this report the best practices currently used across the agency. The staff should present the initiatives to the Commission for its consideration within three months of completion of the Safety Culture Survey.

The staff should continue to make the fuel cycle performance review process more transparent and risk-informed. In making improvements to the process the staff should consider developing performance measurements or metrics leveraging the integrated safety assessments completed by the licensees that were recently approved by the NRC.

The staff should provide the Commission with recommendations on the critical research facilities we will need for future research on severe accidents at light water reactors and advanced reactors, where those types of facilities exist, including internationally, and how the NRC can become more involved in those facilities.

The staff should pursue harmonization of the various agency challenges that involve low dose consequences to assure consistent

treatment of areas ranging from RDDs to SOARCA.

The staff should develop a recommendation and criteria for Commission consideration as to whether to put the small, grid appropriate reactors license proposals into future budgets. In addition, the staff should include in its recommendation the criteria that will be applied to accepting a design of a small, grid appropriate reactor for design certification.

cc: Chairman Klein
Commissioner Jaczko
Commissioner Lyons
Commissioner Svinicki
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR