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Nuclear Regulatory Commission*

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# **STATUS OF RULEMAKING FOR RISK-INFORMING SPECIAL TREATMENT REQUIREMENTS (RIP50, Option 2)**

**Presented at ICONE-8  
Baltimore, Maryland  
April 4, 2000**

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## **OBJECTIVES OF RULEMAKING EFFORT**

- **Establish an alternative regulatory approach that enables licensees to risk-inform special treatment requirements**
- **The new regulatory framework must maintain safety; while reducing unnecessary regulatory burden, improving staff efficiency and effectiveness, and enhancing public confidence**
- **Utilize pilot plant experience to support development of regulatory framework and technical approach**



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## **OVERVIEW**

- **SECY-98-300 outlined approaches for risk-informing Part 50, including Option 2: risk-inform special treatment requirements**
- **June 1999 SRM approved approach -- Rulemaking Plan due to Commission - 10/31/1999**
- **SECY-99-256, dated 10/29/1999 included:**
  - **Rulemaking Plan**
  - **ANPR to obtain early stakeholder input**
    - **Published March 3, 2000**
    - **Comment period ends May 17, 2000**
  - **SRM issued January 31, 2000**



## **RULEMAKING APPROACH**

- **New Rule 10 CFR 50.69**
  - **Identifies rules that can be risk-informed per Appendix T**
  - **Provides additional regulatory controls for RISC-1 & 2 SSCs**
  - **Provides requirements to maintain function for RISC-3 SSCs**
  
- **Appendix T - Categorization of SSCs**
  - **Integrated process that uses risk and engineering insights**
  - **Must consider RG 1.174 and SECY-99-007 factors**
  - **Requirements for PRA use, quality, scope and updating**
  - **Requirements for use of integrated decision-making/expert panel**
  - **Requirements for performance monitoring, corrective actions, and a feedback mechanism**



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## **CURRENT ACTIVITIES/STATUS**

- **Near term activities**
  - **Met with NEI to discuss guideline document** **March 30, 2000**
  - **Preliminary draft 50.69 (target)** **Mid-April 2000**
  - **Meet with NEI on draft guideline document** **Late-April 2000**
  - **Public workshop on Option 2** **April 27, 2000**
  - **ANPR comment period ends** **May 17, 2000**
  
- **Staff reevaluation of plan and schedule**
  - **Delays in issuing ANPR, receiving guideline, and pilot plant commitments**
  - **Evaluate impact of alternative approaches to rulemaking and pilot program**
  - **Prepare new plan and schedule in June 2000**



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## **ADVANCED NOTICE OF PROPOSED RULEMAKING**

- **Describes the staff's thoughts on risk-informing special treatment requirements**
  - **Discusses staff's views on what is considered the best approach**
  - **Discusses the general regulatory structure of the approach**
  - **Discusses some of the key elements and challenges of the approach**
- **Requests comments on the above and on specific topics**



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## **SPECIFIC DISCUSSION TOPICS AND QUESTIONS**

- **Approach - how should the regulatory approach be structured?**
  - **How should 50.69 be structured to handle scope issues and treatment requirements?**
  - **What are the expected costs and benefits of risk-informing special treatment requirements ?**
- **Screening - have the rules been properly identified?**
- **Categorization Methodology - Appendix T**
  - **Are the Appendix T elements adequate for categorizing SSCs according to safety significance ?**
  - **Does Appendix T support no prior review and approval?**
  - **Should there be more than two levels of safety significance?**
  - **PRA quality and scope requirements?**
  - **How to address importance measure limitations?**
  - **Expert panel guidance adequate?**



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## **SPECIFIC DISCUSSION TOPICS AND QUESTIONS- CONT'D**

- **Pilot Plant Program - how to construct and implement?**
- **Identification and Control of Special Treatment Attributes**
  - **How to treat safety-related SSCs that are of high safety significance for non-design basis accident reasons?**
  - **How to treat nonsafety-related SSCs that are safety-significant?**
  - **How to treat safety-related SSCs of low safety significance to maintain functional capability?**
- **Selective Implementation - what are advantages and disadvantages?**
- **Impact on Other Regulations?**
- **Need for Prior NRC Review - what level of staff review is appropriate for a facility making the transition to a risk-informed regulatory regime?**