

December 10, 2002

MEMORANDUM TO: William D. Travers  
Executive Director for Operations

FROM: Charles E. Ader, Chairman **/RA/**  
Committee To Review Generic Requirements

SUBJECT: MINUTES OF THE COMMITTEE TO REVIEW GENERIC  
REQUIREMENTS MEETING NUMBER 378

The Committee To Review Generic Requirements (CRGR) held special Meeting No. 378 on November 18, 2002, from 2:30 P.M. to 4:30 P.M., with the attendees listed in Attachment 1. The purpose of this meeting was to review the "Proposed Criteria for the Treatment of Individual Requirements in a Regulatory Analysis" (ADAMS Accession No. ML023050416). The slide presentation can be found in ADAMS, Accession No. ML023100028.

Ms. Tammy Croote, briefed the CRGR on the "Proposed Criteria for the Treatment of Individual Requirements in a Regulatory Analysis." The proposed criteria are intended to address concerns raised about "bundling" or aggregating individual components of a larger regulatory initiative in a single regulatory analysis. The concerns raised are that such a practice may show that an overall regulatory initiative is justified, but likely will not illuminate whether there are separable components of the regulatory initiative that are not justified and hence should not be included in the overall regulatory initiative.

Overall, the CRGR found that the proposed criteria would provide improved guidance to staff for the treatment of individual requirements in regulatory analyses. However, the CRGR questioned whether it was clear in the guidance that for actions subject to the backfit rule, that the backfit process would not be circumvented by the bundling of the actions.

The staff responded by stating that, although there is guidance that emphasizes and cautions the staff to recognize potential imbedded backfit items while bundling voluntary actions or changes, text will be included to explain that these criteria do not change the application of the backfit rule.

CRGR also recommended other changes for the purpose of clarifying various sections of the package. The staff agreed to incorporate the CRGR comments in the revised criteria.

Subsequent to this CRGR meeting, the staff provided the Chairman with the revisions that satisfactorily addressed the CRGR concerns (ML023330099).

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

C:\ORPCheckout\FileNET\ML023450224.wpd

OAR in ADAMS? (Y or N) Y ADAMS ACCESSION NO.: \_\_\_\_\_ TEMPLATE NO. CRGR- 001  
Publicly Available? (Y or N) N DATE OF RELEASE TO PUBLIC N/A SENSITIVE? N

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure  
"N" = No copy

OFFICE	RES/CRGR		RES/CRGR					
NAME	L. Cupidon		C. Ader					
DATE	12/10/02		12/10/02		/ /02		/ /02	

(RES File Code) RES \_\_\_\_\_

MEMO DATED: 12/ /02

SUBJECT: MINUTES FOR THE COMMITTEE TO REVIEW GENERIC REQUIREMENTS  
MEETING NUMBER 378

cc w/atts:

Mail Stop

Annette Vietti-Cook, Secretary of the Commission	O-16 C1
William D. Travers, EDO	O-16 E15
William F. Kane, DEDR	O-16 E15
Carl J. Paperiello, DEDMRS	O-16 E15
Frank J. Congel, OE	O-14 E1
Hubert T. Bell, OIG	T-5 D28
Karen D. Cyr, OGC	O-15 D21
John T. Larkins, ACRS	T-2 E26
Martin J. Virgilio, NMSS	T-8 A23
E. William Brach, NMSS	O-13 D13
Margaret V. Federline, NMSS	
Samuel J. Collins, NRR	O-5 E7
Brian W. Sheron, NRR	
R. William Borchardt, NRR	O-5 E7
Gary Holahan, NRR	O-10 A1
Ashok C. Thadani, RES	T-10 F12
Jack R. Strosnider, RES	
G. Mizuno, OGC	
Janice Moore, OGC	
K. Winsberg, OGC	O-15D21
W. Beecher, OPA	O-2 A13
H. Miller, Region I	
L. Reyes, Region II	
B. Mallett, Region II	
J. Dyer, Region III	
E. Merschoff, Region IV	
Christopher I. Grimes, NRR/DRIP/RPRP	
Tammy D. Croote, NRR/DRIP/RPRP	
Brian E. Thomas, NRR/DRIP/RPRP	
Brian J. Richter, NRR/DRIP/RGEB	
Sidney E. Feld, RES/DSARE/REAHFB	
Clark W. Prichard, NMSS/IMNS/RGB	
Mark F. Haisfield, NMSS/IMNS/RGB	
Ramin R. Assa, ACRS/ACNW	

**CRGR MEETING No. 378**  
**LIST OF ATTENDEES**  
**(November 18, 2002)**

**CRGR Members**

Charles E. Ader, Chairman  
Brian W. Sheron, NRR  
Margaret V. Federline, NMSS  
Kathryn L. Winsberg, OGC (for Janice E. Moore, OGC)  
Jack R. Strosnider, RES  
Bruce S. Mallett, RII

Les Cupidon, CRGR Staff

**NRR Staff**

Christopher I. Grimes, NRR/DRIP/RPRP  
Tammy D. Croote, NRR/DRIP/RPRP  
Brian E. Thomas, NRR/DRIP/RPRP  
Brian J. Richter, NRR/DRIP/RGEB

**OGC Staff**

Geary S. Mizuno, OGC

**RES Staff**

Sidney E. Feld, RES/DSARE/REAHFB

**NMSS Staff**

Clark W. Prichard, NMSS/IMNS/RGB  
Mark F. Haisfield, NMSS/IMNS/RGB

**ACRS Staff**

Ramin R. Assa, ACRS/ACNW