

September 10, 2007

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS - SECY-07-0101 - STAFF
RECOMMENDATIONS REGARDING A RISK-INFORMED AND
PERFORMANCE-BASED REVISION TO 10 CFR PART 50 (RIN
3150-AH81)

The Commission has approved the staff's recommendation to defer rulemaking for risk-informed and performance-based 10 CFR Part 50 reactor requirements for advanced reactors until after the development of the licensing strategy for the Next Generation Nuclear Plant (NGNP), or receipt of an application for a Pebble Bed Modulator Reactor (PBMR) design certification or combined license.

As noted in the paper, the staff should publish the technology neutral framework. The concept of this framework should be tested on an actual design. The PBMR design review would be a logical choice to test this approach.

In addition, the staff should develop a draft policy statement on defense-in-depth for future plants for Commission consideration. This draft policy could be evaluated using the insights gained through the development of the NGNP licensing strategy and completion of the PBMR pre-application review. The staff should engage members of the public, ACRS, the industry and other stakeholders as they develop this policy statement.

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