

Cumulative Effects of Regulation

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Industry Perspectives

- Cumulative effects of regulation is broader than regulations and applies to all licensees
- Integrated planning and prioritization essential
- Codify orders then promulgate new requirements
- Application of risk insights into prioritization
- Need process to ensure common understanding of regulatory issue, success criteria for resolution, and regulatory process to be utilized

Cumulative Effects Definition (SECY-11-0032)

“CER describes the challenges licensees, or other impacted entities such as State partners, face implementing new regulatory positions, programs, and requirements (e.g., rules, generic letters, backfits, inspections). CER is an organizational effectiveness challenge that results from a licensee or impacted entity implementing a significant number of new and complex regulatory actions, stemming from multiple regulatory actions, within a limited implementation period and with available resources (which may include limited available expertise to address a specific issue). CER can potentially distract licensee or entity staff from executing other primary duties that ensure safety or security. CER can be aggravated if the new requirements lack clarity.”

Commission Direction

- Rulemaking process changes approved
- Publish guidance with proposed and final rules and interact with external stakeholders during development of guidance and regulatory basis
- Seek stakeholder input and hold public meeting on CER
- Apply risk insights to prioritize regulatory actions
- Consider impact of other regulatory actions – orders, generic communications, amendment requests, etc.
- Implementation plan due to Commission in October 2012

Implementing CER Direction

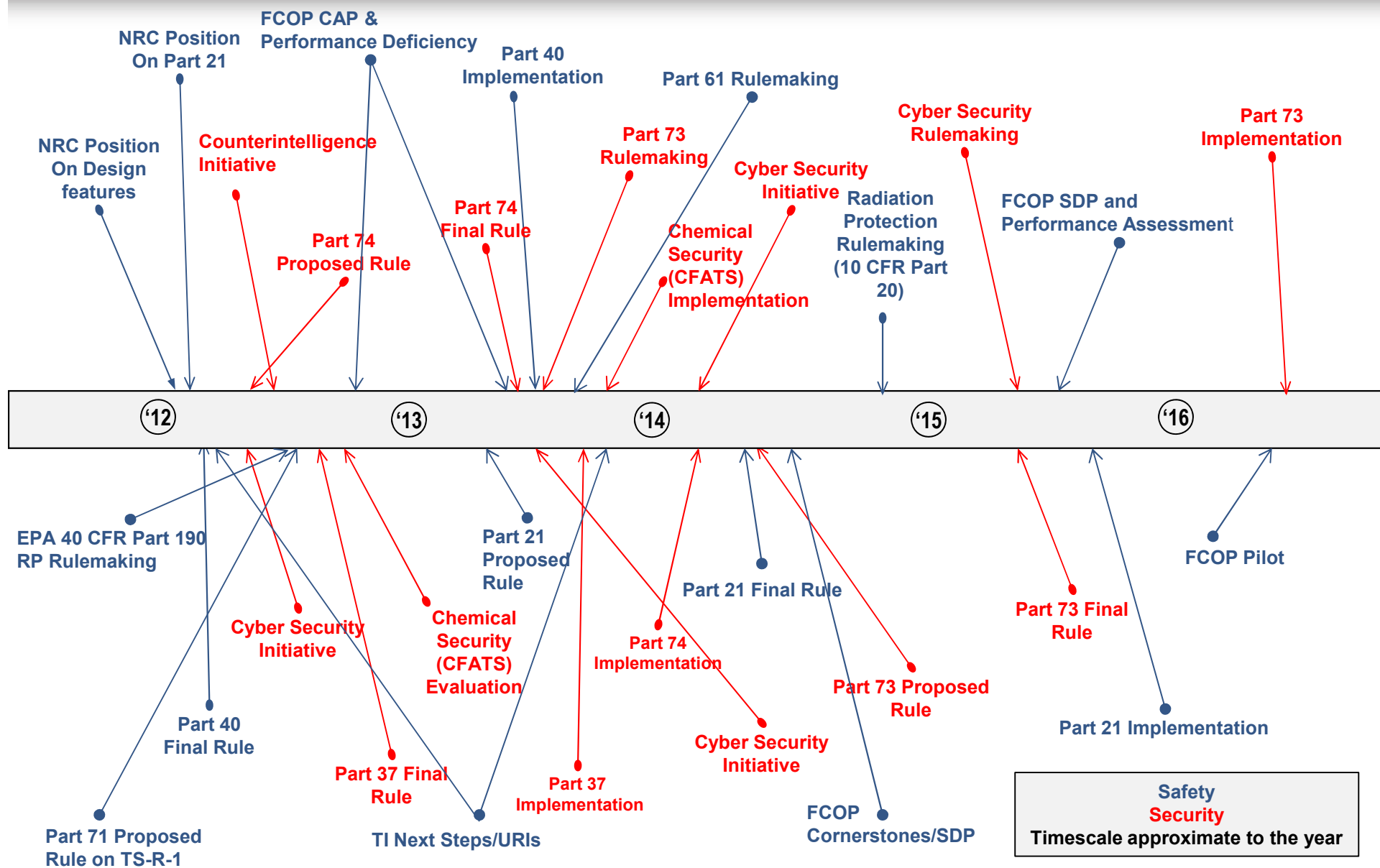
- Integrated planning process not limited to rules
- Prioritization to consider: safety, risk insights, compliance
- Regulatory issue resolution process to ensure closure
- Early engagement to inform decision making
- NRC's Principles of Good Regulation

Fuel Cycle Regulatory Activities

Current High Priority Regulatory Issues

- Impacts of revised NRC position on design features and new NRC expectations on Part 21 in absence of safety issue
- Communicating TI findings, staff assessments, and next steps by NRC and industry
- Impact of proposed Part 74 requirements

Fuel Cycle Regulatory Activities



Conclusion

- Applicability to all classes of licensees
- Consideration of CER is critical to ensure regulator and industry maintain focus on safe and secure operations
- Positive first step – more needs to be done; industry is supportive
- Critically important in light of Fukushima Regulatory Actions
- Develop an integrated planning process within fuel cycle regulatory program and across the agency
- Develop a disciplined structured process for assessing cumulative effects