

PUBLIC SUBMISSION

As of: 6/15/15 3:44 PM
 Received: June 11, 2015
 Status: Pending_Post
 Tracking No. 1jz-8jd8-6em3
 Comments Due: June 11, 2015
 Submission Type: Web

Docket: NRC-2013-0254

Conceptual Example of a Proposed Risk Management Regulatory Framework Policy Statement

Comment On: NRC-2013-0254-0027

Evaluation of a Proposed Risk Management Regulatory Framework; Request for Comment on Draft White Paper

Document: NRC-2013-0254-DRAFT-0033

Comment on FR Doc # 2015-11454

5/12/2015
 80 FR 27191

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General Comment

On May 12, 2015, the NRC posted a notice in the Federal Register requesting comments on a draft white paper titled Evaluation of a Proposed Risk Management Regulatory Framework. The NRC specifically requested comments on three items 1) Three options for enhancing the risk management approach used to ensure nuclear power safety; 2) Re-evaluation of two improvement activities from Fukushima Near-Term Task Force Recommendation 1 that the Commission deferred; and 3) Consideration of an over-arching, agencywide policy statement on using the risk management approach to ensure safety and security.

FirstEnergy Nuclear Operating Company (FENOC) endorses the NEI comments dated June 10, 2015, and presents the following specific comments on the three requested items.

1) Three options for enhancing the risk management approach used to ensure nuclear power safety

FENOC recommends Option 1: Maintain the Current Regulatory Framework. This option maintains the existing regulatory framework and processes that are already understood and are somewhat predictable. Licensees are, and would continue to be, able to request to apply risk-informed approaches for certain applications using plant-specific risk information. This already encompasses at least a portion of the benefit associated with Option 2: Establish a Risk-Informed Alternative Licensing Basis.

While a voluntary facilitating regulation that would lay out specific requirements that must be met to obtain specific relief has a certain appeal, the white paper does not include the level of detail needed to evaluate the cost-benefit of this approach; therefore, FENOC recommends Option 1.

E-REDS = AD14-03
 Call = R. D. Dwyer (rfa)
 SWST Review Complete
 Template = AD14-013

Any activity in this area should also be coordinated with the Cumulative Effects efforts.

2) Re-evaluation of two improvement activities from Fukushima Near-Term Task Force Recommendation 1 that the Commission deferred

FENOC concurs with the staff recommendation that it is unnecessary to establish the formal design-basis extension category recommended in SECY 13-0132.

FENOC supports the need to provide additional guidance on the treatment of defense-in-depth that integrates the concepts of defense-in-depth and risk-informed decision making.

3) Consideration of an over-arching, agencywide policy statement on using the risk management approach to ensure safety and security.

FENOC believes that the development of a high-level risk management policy statement that would apply to all program areas including reactors, industrial, medical uses of radioactive material, nuclear waste storage and disposal, fuel cycle facilities, and radioactive material transportation for both radiological safety and common defense and security would be difficult to develop and implement. FENOC believes that the resources that would be required to develop that high-level policy could be used more effectively in other areas.