

August 27, 2015

MEMORANDUM TO: Mark A. Satorius  
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS – SECY-15-0065 – PROPOSED  
RULEMAKING: MITIGATION OF BEYOND-DESIGN-BASIS  
EVENTS (RIN 3150-AJ49)

The Commission has approved publication of the draft proposed rule notice (Enclosure 2 to SECY-15-0065) in the *Federal Register* subject to the removal of the proposed requirements for Severe Accident Management Guidelines (SAMGs)(10 CFR 50.155(b)(3)) and the proposed design requirements for new reactor applicants (10 CFR 50.155(d)); and any conforming changes necessary as a result of removing these requirements. The staff should also make any necessary corrections and clarifications to the rulemaking documents identified since the issuance of SECY-15-0065.

The draft regulatory analysis for the proposed rule (Enclosure 3) should be revised and republished consistent with the Commission decision on the proposed rule. The draft supplemental regulatory analysis addressing design features for new reactors (Enclosure 4) should be removed from the rulemaking package.

Given the significant revisions to the proposed rulemaking that would be required to address removal of requirements imposing SAMGS and new reactor design requirements, the revised proposed rulemaking package should be provided to the Commission for information at least 10 days before submittal to the Office of the Federal Register for publication.

The staff should ensure that any NRC-endorsed guidance for the proposed rule will provide for appropriate coordination of the FLEX support guidelines, extreme damage mitigating guidelines, and voluntarily maintained SAMGs with the existing Emergency Operating Procedures (EOPs) at each plant (e.g., appropriate transition criteria between EOPs and guidelines and clarity of command and control).

To facilitate meaningful public engagement on the proposed rule, the staff should develop a plain-language brochure or other similar communications tool describing the elements of the proposed rule and placing them in the broader context of the response to the Fukushima accident.

If significant technical or policy issues arise regarding compliance with the proposed Mitigation-of-Beyond-Design-Basis-Events rule during any design certification review, the staff should raise those issues to the Commission's attention early in the review process.

The staff should update the Reactor Oversight Process to explicitly provide periodic oversight of industry's implementation of the SAMGs. NRC guidance should clarify how deviations or performance deficiencies would be addressed.

The staff should provide the Commission with a plan and schedule for resolving all remaining Tier 2 and Tier 3 actions by October 31, 2015.

cc: Chairman Burns  
Commissioner Svinicki  
Commissioner Ostendorff  
Commissioner Baran  
OGC  
CFO  
OCA  
OPA  
Office Directors, Regions, ACRS, ASLBP (via E-Mail)  
PDR