



OFFICE OF THE
COMMISSIONER

UNITED STATES
NUCLEAR REGULATORY COMMISSION
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RELEASED TO THE PDR

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January 23, 1997

MEMORANDUM TO: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan

FROM: Commissioner Rogers *Kenneth C. Rogers*

SUBJECT: COMSECY-96-060: OPERATING REACTOR PROGRAM
OVERSIGHT, DSI-11

After a review of the Phase II Stakeholder Interaction Report and after listening to the Steering Committee briefing on January 13, I am in substantial agreement with the Commission's preliminary views. I would prefer, however, that the balance between Option 1 and Option 2 be changed somewhat to reduce emphasis on Option 1, and increase emphasis on Option 2. While it is important to understand and apply lessons learned, Option 1 may put too much emphasis on recent events. Recent events are important, but they should not dominate our future plans. We should take the widest possible view of lessons learned, considering the more distant past as well as the full breadth of our experience.

Option 2, seeking new approaches, can be used to improve the regulatory process as the industry's operating environment is changed by the process of economic deregulation. A changing environment provides opportunities that otherwise may be unavailable.

I believe that some urgency should be assigned to establishing an objective standard(s) for the application of risk-informed, performance based regulation, perhaps in the form of individual plant safety goals. I would also encourage the staff to ensure that any relevant knowledge developed in the implementation of the maintenance rule be fully utilized in the development of risk-informed regulation.

I believe even limited implementation of Option 3 should be approached with some caution. Trying to redesign all, or a large part of, the reactor oversight process at one time probably carries a high probability of failure. I would encourage the staff to identify opportunities for redesigning specific processes within the reactor oversight system, and then expand the scope as experience is gained.

This Direction Setting Issue is obviously closely related to DSI-12, Risk-Informed, Performance Based Regulation, and DSI-13, Role of Industry. The staff should ensure that implementation plans developed for these issues are mutually compatible and do not create duplicate activities. *KCN*

cc: EDO
OGC
SECY