

May 11, 2011

MEMORANDUM TO: R. W. Borchardt
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS – SECY-11-0024 – USE OF RISK
INSIGHTS TO ENHANCE THE SAFETY FOCUS OF SMALL
MODULAR REACTOR REVIEWS

The Commission has approved the staff's use of the risk-informed and integrated review framework for staff pre-application and application review activities pertaining to integral pressurized-water (iPWR) design applications; and the consolidation of staff activities currently underway regarding a risk-informed regulatory structure into the staff's plan discussed in SECY-11-0024 for the longer term development of a recommendation related to a new risk-informed regulatory structure.

The staff should not subsume the activities related to this plan into the Task Force for Assessment of Options for a More Holistic Risk-Informed, Performance-Based Regulatory Approach. Although it is reasonable for the staff to communicate these activities with staff of the Task Force, it is important that the activities discussed in SECY-11-0024 continue to be pursued as an independent, staff-directed initiative and that recommendations be brought forward to the Commission, as currently planned.

The staff should provide the Commission with a paper that explores the feasibility (e.g., regulatory infrastructure changes, resource requirements, and timing for implementation) of including risk information in categorizing systems, structures and components (SSCs) as safety-related and nonsafety-related for the design-specific small modular reactor (SMR) review plans in both the short and long term. Stakeholder input should be considered, as appropriate.

The staff should consult with the Office of General Counsel on the Commission paper to determine if there are legal obstacles to this approach, namely to determine if this can be done without a rule change.

The Commission paper should address its potential application to the overall regulatory framework and not be limited to SMRs.

The Commission paper should include a review of previous Commission policies on the spectrum of new/advanced reactor policy issues that may have used "safety-related" or "non-safety related" SSC classification as part of the policy resolution.

(EDO)

(SECY Suspense:

10/11/11)

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