

# POLICY ISSUE INFORMATION

July 29, 2010

SECY-10-0098

FOR: The Commissioners

FROM: Brian W. Sheron, Director  
Office of Nuclear Regulatory Research

SUBJECT: SUMMARY OF ACTIVITIES RELATED TO GENERIC ISSUES PROGRAM

## PURPOSE

This paper provides an annual status of the Generic Issues Program and a summary of significant events, activities, and changes. This paper does not address any new commitments.

## BACKGROUND

In a staff requirements memorandum (SRM) related to SECY-05-0126, "Summary of Activities Related to Generic Safety Issues," dated August 31, 2005 (Agencywide Document and Management System [ADAMS] Accession No. ML052430101), the Commission directed the NRC staff to develop a plan focusing renewed attention to resolve older generic issues (GIs) and to ensure that future GIs are resolved in a timely manner. Since that time, the staff has provided the following related responses:

- A memorandum to the commission with a plan to ensure timely resolution of GIs in "Response to Staff Requirements Memorandum on SECY-05-0126, 'Summary of Activities Related to Generic Safety Issues,'" dated March 29, 2006 (ADAMS Accession No. ML053570259).
- An update and progress report to the Commission in SECY-06-0161, "Summary of Activities Related to Generic Safety Issues," dated July 20, 2006 (ADAMS Accession No. ML061860078).
- Improvements to be implemented through revision of Management Directive 6.4, "Generic Issues Program," were described in SECY-07-0022, "Status Report on Proposed Improvements to the Generic Issues Program," dated January 30, 2007 (ADAMS Accession No. ML063460239).

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- An update and progress report to the Commission in SECY-07-0110, "Summary of Activities Related to Generic Safety Issues," dated July 6, 2007 (ADAMS Accession No. ML071620042).
- An update and progress report to the Commission in SECY-08-0108, "Summary of Activities Related to Generic Safety Issues," dated July 28, 2008 (ADAMS Accession No. ML081630158).
- An update and progress report to the Commission in SECY-09-0106, "Summary of Activities Related to Generic Safety Issues," dated July 29, 2009 (ADAMS Accession No. ML091410361).

## DISCUSSION

This paper addresses the current status of the program and includes discussion of the November 17, 2009, revision of Management Directive 6.4, "Generic Issues Program." Information on active GIs can be found in the Generic Issue Management Control System (GIMCS) report. The GIMCS report is updated once each quarter and is available at the NRC public Web site on the Generic Issues Program Web page.

### Status of GIs

Since the previous annual report to the Commission (SECY-09-0106), the NRC staff closed GI-163, "Multiple Steam Generator Tube Leakage," in July 2009. Three reactor GIs remain open in the program. Two reactor GIs in "regulatory office implementation" will continue under other established programs and processes. There are no open non-reactor GIs.

### *Active GIs in the Generic Issues Program*

- GI-186, "Potential Risk and Consequences of Heavy Load Drops in Nuclear Power Plants" (completion of all agency actions estimated in November 2010).
- GI-193, "BWR ECCS Suction Concerns" (completion of safety/risk assessment<sup>1</sup> estimated in August 2012). GI-193 became a GI prior to the implementation of the MD6.4 criteria. Research is underway at Purdue University to support the safety/risk assessment.
- GI-199, "Implications of Updated Probabilistic Seismic Hazard Estimates in Central and Eastern United States for Existing Plants" (completion of safety/risk assessment estimated in August 2010).

The Office of Nuclear Reactor Regulation (NRR) is the lead office for GI-186. The Office of Nuclear Regulatory Research (RES) is the lead office for GI-193 and GI-199.

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<sup>1</sup> The 4<sup>th</sup> of a 5-stage process, this activity includes the development and implementation of an action plan. Safety/risk assessment may or may not be followed by the 5<sup>th</sup> stage which is regulatory assessment.

### *GIs in Regulatory Office Implementation*

The following reactor GIs have been previously transferred from the Generic Issues Program to NRR for regulatory office implementation:

- GI-189, "Susceptibility of Ice Condenser and Mark III Containments to Early Failure from Hydrogen Combustion During a Severe Accident" (completion of all agency actions estimated in December 2010).
- GI-191, "Assessment of Debris Accumulation on PWR Sump Performance" (completion of all agency actions estimated in June 2011).

The status of these GIs will continue to be tracked and reported in GIMCS until completion by the program office.

### Performance and Changes

The November 2009 issuance of revised MD 6.4, "Generic Issues Program," continued the refinement and documentation of programmatic changes that were initiated in SECY-07-0022 (mentioned above). The implementation of the criteria specified in these documents effectively identifies and focuses attention on issues that can lead to improvements in regulation. The revision of RES Office Instruction TEC-002, "Procedures for Processing Generic Issues," is continuing through coordination and is expected to be finalized during calendar year 2010.

The program continues to encourage and facilitate proposed GIs from all sources and technical levels. The program staff provides in-process coordination and collaboration to an appropriate and practical extent. The recent publication of revised MD 6.4 reflects the following characteristics of the Generic Issues Program:

- As proposed issues are evaluated against the established screening criteria, the very first review (the acceptance review) has a relatively low threshold for passing an issue to the next phase of consideration.
- The subsequent screening review (where a panel determines if the issue will be designated as a formal GI) evaluates the issue against the screening criteria while applying an appreciably increased level of rigor. In general, this threshold is higher than in the past, setting up a condition where relatively fewer proposed issues are expected to be designated as a GI.
- Under this process, issues that are designated as formal GIs are more likely to produce beneficial regulatory results as a function of their resolution. Because a smaller proportion of proposed issues are deemed GIs, increased emphasis can be placed on these formally designated issues.

While the program continues to seek and review potential issues, the updated MD 6.4 is likely to drive a relatively smaller proportion of proposed issues to become generic issues.

Consequently, the workload ratio is expected to shift toward the evaluation and coordination of proposed issues. When a proposed issue is not deemed a generic issue, coordination efforts from the Generic Issues Program assist with the identification of other appropriate NRC programs, processes, or long-term research.

Historically, issues that are declared a generic issue are likely to result in a regulatory change as a function of their resolution. Considering generic issues from 1983 to the present, 46 percent were resolved with a significant regulatory change.<sup>2</sup> During the same time period, an additional 18 percent were resolved—at least in part—due to significant regulatory changes that occurred during the investigation of the issue (although the changes were not part of the GI action plan).<sup>3</sup> The remainder of issues during this time period (36 percent) was resolved without requirements or associated actions.

### RESOURCES

For FY2011, staff workload is expected to remain level. While the current number of active GIs has reduced from previous years, significant staff effort continues to be placed on the review of proposed generic issues and the resolution of active generic issues. Contract support to the Generic Issues Program is reduced because a greater proportion of work is occurring in-house on GI-193 and GI-199. For FY 2011, the staff estimates that the resources needed for these activities will total \$375k and 8.9 FTE. The FTE is fully funded in the budget request and since the needs may vary, the funds have been requested on the shortfall list.

Table of Budgeted Resources for FY2011 in Comparison to FY 2010

	<b>FY 2010</b>	<b>FY 2011</b>
RES	\$660k and 7.7 FTE	\$375k and 7.7 FTE
NRR	0.8 FTE	0.8 FTE
NMSS	0.2 FTE	0.2 FTE
FSME	0.1 FTE	0.1 FTE
NRO	0.1 FTE	0.1 FTE

<sup>2</sup> About 11 percent were resolved with policy or rules, 17 percent were resolved with generic communications, and 18 percent were resolved with regulatory guidance for a total of 46 percent.

<sup>3</sup> About 3 percent were resolved with policy or rules, 10 percent were resolved with generic communications, and 5 percent were resolved with regulatory guidance for a total of 18 percent.

COORDINATION

The Office of the General Counsel reviewed this package and has no legal objection. The Chief Financial Officer reviewed this package and determined that it has no financial impact.

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**ADAMS Accession No.: ML101880788**

**EDATS: SECY-2010-0352/WITS 198300621**

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