

**Changes to the Final Rule in SECY-08-0152**

1. The staff should edit the entire rulemaking package to be consistent with the below changes. The staff should also make appropriate conforming changes to § 52.63 and § 52.83, and the current design certification rules (e.g., paragraph VI.A)
  - a. The staff should delete, all references to “mitigating, to the extent practical...the effects of the aircraft impact” from the rule language, beginning at 50.150(b)(1)(i), and replaced with the following acceptance criteria:

“Each applicant subject to this section shall perform a design-specific assessment of the effects on the facility of the impact of a large, commercial aircraft. Using realistic analyses, the applicant shall identify and incorporate into the design those design features and functional capabilities to show that, with reduced use of operator actions:

(A) the reactor core remains cooled, or the containment remains intact; and  
(B) spent fuel cooling or spent fuel pool integrity is maintained.”
  - b. The staff should revise the rule to allow a combined license applicant referencing an existing design certification the flexibility to address the rule’s requirements solely in the COL application.
2. The staff should insert a footnote to 10 CFR 50.150(b)(2) to read:

(2) *Aircraft impact characteristics.*<sup>1</sup> The assessment...

<sup>1</sup> Changes to the detailed parameters on aircraft impact characteristics set forth in guidance shall be approved by the Commission.

3. The staff should add the following sentence after the last full sentence on page 26 of the Statements of Considerations: “Changes to these detailed parameters on aircraft impact characteristics set forth in this guidance shall be approved by the Commission.”
4. The staff should make the following typographical and grammatical corrections to the rule and its accompanying documents to the degree they apply following the major changes directed by the Commission.
  - a. Federal Register Notice, page 43, line 11, insert “to” after “need”.
  - b. Federal Register Notice, page 64, line 13, clarify the sentence: “As a result of these provisions, every future nuclear power plant will meet the aircraft impact rule, which is the NRC’s key objective in adopting this final aircraft impact rule.” As written it is overly broad and the terms “every future,” and “plant,” are undefined.
  - c. Federal Register Notice, page 67, line 3, insert “to” after “expected”.
  - d. Federal Register Notice, page 67, line 20 insert quotation mark after the word impact.
  - e. Federal Register Notice, page 70, line 12, change “an” to “and”.

- f. Federal Register Notice, page 87, line 7, insert “reactor” after “manufactured”.
- g. Federal Register Notice, page 108, line 18, replace “or” with “nor” and insert “they” after “are”.
- h. Federal Register Notice, page 109, line 3, replace “or” with “nor” and insert “they” after “are”.
- i. Enclosure 3, page 18, line 7, replace the second “or” with “of”.
- j. Enclosure 3, page 18, second line from the bottom, replace the second “or” with “of”.
- k. Enclosure 3, page 19, paragraph 1, line 7, replace “on” with “of”.
- l. Enclosure 3, page 19, paragraph 1, line 9, insert “the” after “with”.
- m. Enclosure 3, page 19, paragraph 3, line 4, replace “or” with “of”.
- n. Enclosure 3, page 20, first full paragraph, line 12, replace “there” with “their”.
- o. Enclosure 3, page 20, first full paragraph, line 18, delete “to”.
- p. Enclosure 3, page 20, first full paragraph, line 19, replace the second “or” with “of”.
- q. Enclosure 3, page 20, second full paragraph, line 19, insert an extra line before the sentence beginning with “*Comment*”.
- r. Enclosure 3, page 22, second full paragraph, line 2, insert “the” after “of”.
- s. Enclosure 3, page 34, last paragraph, line 7, replace “transforms” with “transform”.
- t. Enclosure 3, page 38, delete the extra line in the “NRC Response”.
- u. Enclosure 3, page 46, insert an extra line between the second “Comment” and “NRC Response” section.
- v. Enclosure 3, page 47, second sentence of “NRC Response”, revise the following phrase for grammar and clarity: “...the NRC determined that the impact of a large, commercial aircraft is a beyond-design-basis event and therefore are not considered necessary for reasonable assurance of adequate protection to public health and safety.”
- w. Enclosure 3, page 47, third paragraph of “Comment” section, delete the extra line.
- x. Enclosure 3, page 50, insert an extra line between the second “NRC Response” and “Comment” section.
- y. Enclosure 3, page 54, second paragraph of “NRC Response” should be revised for clarity and consistency with other responses.
- z. Enclosure 3, page 61, second “Comment” section, replace “SLOMP” with “SLOMFP”

(2 occurrences).

aa. Enclosure 3, page 62, first full paragraph, replace "SLOMP" with "SLOMFP" (3 occurrences).