

No. 93-82
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FOR IMMEDIATE RELEASE
(Tuesday, June 22, 1993)

NOTE TO EDITORS:

The Nuclear Regulatory Commission has received two letter-type reports from its independent Advisory Committee on Reactor Safeguards. They provide comments on a draft final policy statement on technical specifications improvements for nuclear power plants and additional implementation information for the NRC's regulation on requirements for the renewal of operating licenses for power reactors.

The ACRS also sent a letter report to the NRC's Executive Director for Operations that provides comments on the NRC staff's proposed rule on advanced light water reactor severe accident performance.

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Attachments:
As stated

June 18, 1993

The Honorable Ivan Selin, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Selin:

SUBJECT: POLICY STATEMENT ON TECHNICAL SPECIFICATIONS
IMPROVEMENTS FOR NUCLEAR POWER PLANTS

During the 398th meeting of the Advisory Committee on Reactor Safeguards, June 10-11, 1993, we reviewed the NRC staff's draft Final Policy Statement on Technical Specifications Improvements for Nuclear Power Plants, as originally presented in SECY-93-067. We also reviewed a revised draft of this Policy Statement which is responsive to the Commission's comments included in the Staff Requirements Memorandum dated May 25, 1993. During our meeting,

we had the benefit of discussions with representatives of the NRC staff. We also had the benefit of the documents referenced.

In SECY-93-067, the staff recommended that the draft Final Policy Statement be published for a 90-day public comment period. However, the Commission approved publication of the Policy Statement in final form, subject to the following comments:

1. The Commission directed the staff to prepare a rulemaking package that would codify the four criteria contained in SECY-93-067, delineating those aspects of nuclear power plant design and operation that should be included in Technical Specifications. (We note that the staff has proposed the use of these same criteria for establishing plant systems and components requiring an "effective program" under the license renewal rule.) The Commission also directed the staff, in developing the proposed rule, to ensure that the voluntary nature of the improved Standard Technical Specification program be preserved and that the Federal Register notice indicate that public comments on the proposed rule will be welcomed, considered, and addressed during preparation of the final rule. The staff was also directed to prepare any regulatory guides needed to implement this rule.

We agree with the above actions by the Commission and believe that the staff has appropriately modified the Policy Statement in response to the Commission's comments. The staff, of course, needs to proceed with the other matters covered by these comments.

2. The Commission also directed the staff to modify the Policy Statement to clarify how it intends to utilize probabilistic risk assessments (PRAs) in its review of Technical Specification change requests involving Criterion 4 - "A structure, system, or component which operating experience or probabilistic safety assessment [PRA] has shown to be significant to public health and safety." The Commission apparently has no problem with this criterion, but believes that if the results of a PRA indicate that Technical Specifications can be relaxed or removed, a deterministic review should be performed. If the results of the deterministic review also support relaxing or removing the Technical Specifications, the staff should not preclude such action.

We agree with the view expressed by the Commission on this issue. The staff believes that it has responded to the Commission's comment in the modified Policy Statement by clarifying how it intends to utilize PRA in its review of Technical Specification change requests. We believe that the staff needs to provide more detailed guidance on the definition of "significant to public health and safety."

This additional guidance should probably appear in the implementing regulatory guide(s).

This problem with Criterion 4 also exists in a number of recent staff initiatives (obvious examples are structures, systems, and components to be covered by the Maintenance Rule and the staff's reluctance to define "vulnerabilities" with respect to the Individual Plant Examination program).

Many problems related to the use of PRA by the NRC staff were described in our May 20, 1993 letter concerning the "Draft Report of the PRA Working Group." The issue raised in the present report is in the same class.

Sincerely,

J. Ernest Wilkins, Jr., Chairman
Advisory Committee on Reactor
Safeguards

References:

1. SECY-93-067 dated March 17, 1993, for the Commissioners from James M. Taylor, Executive Director for Operations, NRC, Subject: Final Policy Statement on Technical Specifications Improvements
2. Memorandum dated June 3, 1993, from Brian K. Grimes, Office of Nuclear Reactor Regulation, for John T. Larkins, ACRS, Subject: Request for ACRS Review of Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors
3. Staff Requirements Memorandum dated May 25, 1993, from Samuel J. Chilk, Secretary, for James M. Taylor, Executive Director for Operations, NRC, Subject: SECY-93-067 - Final Policy Statement on Technical Specifications Improvements

June 18, 1993

The Honorable Ivan Selin, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Selin:

SUBJECT: SECY-93-113, ADDITIONAL IMPLEMENTATION INFORMATION FOR 10 CFR PART 54, "REQUIREMENTS FOR RENEWAL OF OPERATING LICENSES FOR NUCLEAR POWER PLANTS"

During the 398th meeting of the Advisory Committee on Reactor Safeguards, June 10-11, 1993, we discussed with the staff its

proposals in SECY-93-113 for clarifying the staff's approach described in SECY-93-049, Implementation of 10 CFR Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants." We had the benefit of the documents referenced.

More can be done to reduce the necessary scope of review of components subject to age-related degradation by giving full credit to the maintenance programs in place during the initial term of license. Where these maintenance programs have been determined by the NRC to be adequate in preserving safety during the original term of the license, they become part of the current licensing basis and, if continued, may be acceptable for managing age-related degradation during the license renewal period. If necessary, 10 CFR Part 54 should be revised to permit the staff to recognize these programs.

The staff has made substantial progress in clarifying how it will implement 10 CFR Part 54. It will now invite public comment. This should disclose whether the uncertainty that the industry representatives once believed to be present in the rule is now acceptably lowered. We will be interested in reviewing the public comments and the staff's resolution of these comments.

Sincerely,

J. Ernest Wilkins, Jr., Chairman
Advisory Committee on Reactor
Safeguards

References:

1. SECY-93-113 dated April 30, 1993, for the Commissioners from James M. Taylor, Executive Director for Operations, NRC, Subject: Additional Implementation Information for 10 CFR Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants"
2. SECY-93-049 dated March 1, 1993, for the Commissioners from James M. Taylor, Executive Director for Operations, NRC, Subject: Implementation of 10 CFR Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants"

June 18, 1993

Mr. James M. Taylor
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Taylor:

SUBJECT: PUBLIC COMMENTS ON PROPOSED RULE ON ALWR SEVERE
ACCIDENT PERFORMANCE

During the 398th meeting of the Advisory Committee on Reactor Safeguards, June 10-11, 1993, we discussed with members of the staff public comments received on the Advance Notice of Proposed Rulemaking (ANPR) on ALWR Severe Accident Performance. We had the benefit of the documents referenced.

It is our understanding that the staff's proposed approach for proceeding with rulemaking involves the following four elements:

1. Continuing discussions with ACRS concerning a potential generic rule,
2. Delaying a final decision on implementation of the rule until after final safety evaluation reports are issued for the Advanced Boiling Water Reactor (ABWR) and the CE System 80+,
3. Coordinating the efforts of drafting a generic rule and the design certification rules for the ABWR and the CE System 80+ to ensure consistency, and
4. Following the reviews of the evolutionary and passive reactor designs to ensure consistency of the draft rule with these reviews.

We agree with this approach.

In our reports on this subject dated May 17, 1991 and May 14, 1992, we developed and subsequently endorsed what is designated as Alternative 3 in the ANPR. We continue to recommend this alternative.

For your further consideration, we recommend that your approach accommodate the following:

1. The amended regulations should not be so prescriptive as to preclude the use of a design feature which substantially reduces the challenge(s) to the containment. For example, the approach should not require accommodation of large amounts of hydrogen generation if a design change (such as different core materials) precludes significant hydrogen generation,
2. The recognition of passive design features to cope with some phenomena, e.g., a large volume-high strength containment, and
3. Consideration for dealing with combinations of containment loads from severe accident phenomena, e.g., steam explosions and hydrogen combustion/detonation.

We expect to have further discussions with the staff on this matter.

Sincerely,

J. Ernest Wilkins, Jr., Chairman
Advisory Committee on Reactor
Safeguards

References:

1. Memorandum dated May 14, 1993, from Warren Minners, Office of Nuclear Regulatory Research, for John T. Larkins, Advisory Committee on Reactor Safeguards, Subject: Summary of Public Comments on Proposed Rule on ALWR Severe Accident Performance - 57 FR 44513 (Predecisional Draft Commission Paper Attached)
2. Report dated May 17, 1991, from David A. Ward, Chairman, ACRS, to Kenneth M. Carr, Chairman, NRC, Subject: Proposed Criteria to Accommodate Severe Accidents in Containment Design
3. Report dated May 14, 1992, from David A. Ward, Chairman, ACRS, to James M. Taylor, Executive Director for Operations, NRC, Subject: Advance Notice of Proposed Rulemaking on Severe Accident Plant Performance Criteria for Future LWRS