



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, D. C. 20555

from ACRS

December 10, 1990

The Honorable Kenneth M. Carr
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Carr:

SUBJECT: SECY-90-377, "REQUIREMENTS FOR DESIGN CERTIFICATION UNDER
10 CFR PART 52"

During the 368th meeting of the Advisory Committee on Reactor Safeguards, December 6-8, 1990, we reviewed the Commission Policy Issue Paper SECY-90-377 related to the requirements for design certification under 10 CFR Part 52. Our Subcommittee on Improved Light Water Reactors also reviewed this matter during a meeting on December 4, 1990. During these reviews, we had the benefit of discussions with representatives of the NRC staff and of NUMARC. We also had the benefit of the document referenced.

We commend the staff for its accomplishment in producing SECY-90-377 on a complex subject and in a relatively short time. In general, we concur with the staff's approach to design certification. We agree that the scope and level of detail should be similar to that required for a final safety analysis report (FSAR) at the operating license (OL) stage for a recently licensed plant (1985-90), without site-specific and as-built information. We concur with the graded approach of defining the level of design required, and the tiered approach proposed. However, we do not agree that the vast amount of information and level of detail that is proposed to be included with the application is needed for a safety determination. Therefore, we recommend that SECY-90-377 not be implemented as presently written.

SECY-90-377 appears to be driven by requirements for both standardization and safety. We recommend that the staff focus the scope on that needed for its safety determinations. In this regard, we propose that Tier 1 and Tier 2 information be limited to that required for the safety determination.

In general, we agree with the flexibility for making changes to the technical information. However, we believe that greater flexibility should be permitted for making changes to Tier 2 information following design certification. This flexibility would allow the necessary design refinements that are inevitable. We note that in

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SECY-90-377 the staff proposes to provide for a process similar to that of 10 CFR 50.59 for making changes to Tier 2 information between Combined Operating License (COL) issuance and operation. We recommend that the same change process be permitted for the period beginning after design certification.

We recommend that the Commission instruct the staff to proceed with preparation of the proposed regulatory guide. The focus of the regulatory guide should be on that information required for the staff's safety determination.

We recommend that the Commission instruct the staff to update the Standard Review Plan so that it can support design certification reviews.

Sincerely,



Carlyle Michelson
Chairman

Reference:

SECY-90-377 dated November 8, 1990 from James M. Taylor, Executive Director for Operations, to NRC Commissioners, Subject: "Requirements for Design Certification Under 10 CFR Part 52"