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Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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PROPOSED RULE FILE 21, 50, 52, 54 + 100  
(65FR11488)

Attention: Rulemaking and Adjudications Staff

Subject: Response to Request for Comments on Advance Notice of Proposed Rulemaking on Risk-Informing Special Treatment Requirements

References: (1) Volume 65, Federal Register, Page 11488 (65 FR 11488), dated March 3, 2000.

(2) Letter from Stephen D. Floyd, Nuclear Energy Institute to U. S. NRC, "Advance Notice of Proposed Rulemaking on Risk-Informing Special Treatment Requirements, (65 Fed. Reg. 11488, March 3, 2000)," dated May 17, 2000.

Commonwealth Edison (ComEd) Company appreciates the opportunity to comment on the Advance Notice of Proposed Rulemaking (ANPR) on Risk-Informing Special Treatment Requirements.

ComEd has been actively engaged with the Nuclear Energy Institute (NEI) Working Group on this issue and fully endorses the industry comments submitted by the NEI in Reference 2.

In addition, ComEd submits the following comments. After carefully review of the ANPR, we support the objective stated by both the NRC and the NEI that the risk-informed special treatment process be defined such that prior NRC review and approval of case-by-case implementation is not required. A new detailed Appendix T to 10 CFR Part 50 is not required in order to meet this objective. As noted by NEI, several regulations that do not involve such an appendix have been issued and implemented without the need for prior NRC review and approval. Advances in technology and the continual refinement in analytical and engineering analysis could easily result in the development of more efficient and improved methods of categorizing Structures,

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Systems, and Components (SSC) based on risk insights. Prescribing detailed implementation procedures in a new Appendix T could preclude or significantly discourage future improvements.

Additionally, ComEd strongly supports a two-category approach for application of the regulation, safety-significant and commercial. Regulatory requirements would apply only to the safety-significant SSCs.

Before Option 2, i.e., improving the scope of structures, systems, and components that are governed by NRC special treatment regulations, should be piloted, a higher degree of regulatory predictability and benefit must be established. This can be done through the development of an NRC endorsed industry guideline. The final approval must be pragmatic and practical and provide a tangible cost/benefit.

Respectfully,

A handwritten signature in black ink, appearing to read "R. M. Krich". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

R. M. Krich  
Vice President - Regulatory Services