

LAPS

Angela K. Krainik
Director
Regulatory Affairs
Palo Verde Nuclear
Generating Station

Tel: 623/393-5421
Fax: 623/393-5442

65 FR # 19030

10 Apr 00

Mail Station 7636
P.O. Box 52034
Phoenix, AZ 85072-2034

102-04448-AKK/SAB/GAM
May 26, 2000



RECEIVED
2000 JUN -7 PM 9:53
RULES & DIR. BRANCH
US NRC

Mr. David L. Meyer
Chief, Rules and Directives Branch
Division of Administrative Services
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Sir:

**Subject: Palo Verde Nuclear Generating Station (PVNGS)
Units 1, 2, and 3
Docket Nos. STN 50-528/529/530
Comments on Proposed New Appendix to Standard Review Plan
(NUREG-0800), Chapter 19, "Use of Probabilistic Risk Assessment in
Plant-Specific Risk-Informed Decisionmaking: General Guidance"**

In the April 10, 2000 Federal Register (65 FR 19030), the NRC published for public comment a proposed new appendix to Chapter 19 of its Standard Review Plan (SRP) (NUREG-0800) titled "Appendix D - Use of Risk Information in Review of Non-Risk Informed License Amendment Requests." Arizona Public Service Company (APS) endorses the comments provided by Nuclear Energy Institute (NEI) to the NRC on this proposed new SRP appendix in their letter dated May 26, 2000. In addition, APS is providing the comments below.

The NRC should not require a licensee to perform a risk-informed evaluation for a license amendment unless the NRC conclusively demonstrates that the applicable regulations, as written, do not provide adequate protection of the public health and safety. Specifically, a licensee should be required to provide a risk-informed evaluation only where the requested change creates "special circumstances" under which compliance with the regulations does not produce the intended or expected level of safety, and plant operation poses an undue risk to the public health and safety.

Significant variation in risk may be achieved through different approaches to meeting regulations, all of which provide adequate protection to the health and safety of the public. Because a change results in a change in risk larger than that allowed by Regulatory Guide 1.174 is not sufficient reason to conclude that adequate protection of the health and safety of the public is not maintained.

Template: ADM-03

E-RIDS=ADM-03
Add: R Palla (RLP3)

U. S. Nuclear Regulatory Commission
Comments on Proposed New Appendix to Standard Review Plan (NUREG-0800),
Chapter 19, "Use of Probabilistic Risk Assessment in Plant-Specific Risk-Informed
Decisionmaking: General Guidance"
Page 2

In addition, "special circumstances" should only be considered to exist when the requested change would substantially increase the likelihood of severe accidents that are risk-significant, but beyond the design or licensing basis of the plant. The examples cited in the draft SRP (e.g. use of digital controls, hardened vents, steam generator tube criteria) are not appropriate because they do not clearly represent cases where adequate protection does not exist. The SRP does not provide sufficient criteria for determining when adequate protection does not exist.

No commitments are being made to the NRC by this letter.

Please contact Mr. Scott Bauer at (623) 393-5978 if you have any questions.

Sincerely,



AKK/SAB/GAM/kg

cc: E. W. Merschoff
M. B. Fields
J. H. Mooman

RECEIVED
200 JUN -7 PM 9:53
RULES & DIR. BRANCH
US NRC