

October 18, 2000

Mr. David Modeen
Director of Engineering
Nuclear Energy Institute
1776 I Street NW, Suite 400
Washington, DC 20006-3708

SUBJECT: DRAFT REPORT, "REGULATORY EFFECTIVENESS OF THE ANTICIPATED TRANSIENT WITHOUT SCRAM RULE"

Dear Mr. Modeen:

Enclosed for your review and comment is a copy of draft report, "Regulatory Effectiveness of the Anticipated Transient Without Scram Rule," prepared by the Regulatory Effectiveness Assessment and Human Factors Branch, Office of Nuclear Regulatory Research (RES). In accordance with our "peer review" process prior to finalizing and distributing the report, we wish to provide you with the opportunity to comment regarding (1) the reasonableness of the approach, (2) the appropriateness of the conclusion, (3) and other regulations, accompanying regulatory guides and inspection documents that should be assessed to make U.S. Nuclear Regulatory Commission (NRC) activities and decisions more effective, efficient, and realistic.

RES is reviewing regulations to determine if the requirements are achieving the desired outcomes. This initiative is part of an evolving program to make NRC activities and decisions more effective, efficient, and realistic. The goal of this evaluation is to determine whether the anticipated transient without scram (ATWS) rule and the recommendations issued with it were effective. The effectiveness of the ATWS rule was determined by comparing regulatory expectations to outcomes. The report concluded that the ATWS rule was effective in reducing ATWS risk and that the cost of implementing the rule reasonable. However, uncertainties in reactor protection system unreliability and mitigative capability may warrant continued attention to ensure the expected levels of safety are maintained.

We welcome your comments. To meet our planned issuance schedule, we would appreciate receiving your comments by December 20, 2000.

As you may know, RES reports do not represent official NRC positions. Our reports are one input to an ongoing review and evaluation process.

A copy of this draft report and letter are being sent to other organizations and placed in the Public Document Room located at 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. In addition, the draft report is also available through Adams using the accession number referenced below.

If you have any questions regarding this report, please feel free to contact William S. Raughley, E-mail: WSR@NRC.GOV, (301) 415-7577.

Sincerely,

Original signed by:

Farouk Eltawila, Acting Director
Division of Systems Analysis and Regulatory Effectiveness
Office of Nuclear Regulatory Research

Enclosure: As stated

Package: ADAMS Accession No. ML003761685
Transmittal Memo: ADAMS Accession No. ML003761678
Draft Report: ADAMS Accession No. ML003753154

Identical letters sent to: See attached list

SUBJECT: DRAFT REPORT, "REGULATORY EFFECTIVENESS OF THE ANTICIPATED TRANSIENT WITHOUT SCRAM RULE"

Identical letters sent to:

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/RA/

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Letter dated October 18, 2000

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Distribution w/o att.:

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