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 PROPOSED RULE **PR 55**  
**(65FR 41021)**

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**AMERICAN NUCLEAR SOCIETY**  
**STANDARDS COMMITTEE**  
**Working Group 3.5**

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Tuesday, 12 December 2000  
 Bethlehem, Pennsylvania

Annette L Vietti-Cook, Secretary  
 U. S. Nuclear Regulatory Commission  
 Washington, D.C. 20555-0001

Attention: Rulemakings and Adjudications Staff -- Mail Stop O-16C1

RE: Proposed U S Nuclear Regulatory Commission amendment to the Code of Federal Regulations Title 10 Part 55, "Operator License Eligibility and Use of Simulation Facilities in Operator Licensing" published as RIN 3150-AG40 in the Federal Register, Vol. 65, No. 128, page 41021, on Monday, 03 July 2000.

Ms. Secretary:

Please find attached results of the American Nuclear Society (ANS) Standards Committee Working Group (WG) ANS-3.5<sup>1</sup> deliberations completed during its Fall 2000 meeting, 25-26 October 2000, at D C Cook Nuclear Plant in Bridgman, Michigan. The three ANS-3.5 WG comments in the attachment regard the proposed U. S. Nuclear Regulatory Commission (NRC) amendment to the Code of Federal Regulations Title 10 Part 55 (10 CFR Part 55), "Operator License Eligibility and Use of Simulation Facilities in Operator Licensing", published as RIN 3150-AG40 in the Federal Register, Vol. 65, No. 128, page 41021 (65 FR 41021), on Monday, 03 July 2000.

Thank you also for having Mr. Samuel J Collins, Director in the Office of Nuclear Reactor Regulation, respond to our request to extend the time for submitting these comments. The ANS-3.5 WG appreciates

<sup>1</sup> The ANS-3.5 WG is an active writing group of ANS Standards Committee efforts. It has produced an effective Standard regarding the use of simulators in operator training in 1979 and has updated that Standard in 1981, 1985, 1993 and 1998. The group is currently organized under a consensus plan, which includes a balance of membership interests, an openness to interests beyond the membership, and a consensus requirement for modification of its Standard or publication of its opinions.

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the necessity for the NRC to maintain strict schedules in the rulemaking process as a method to maintain fairness to all those submitting comments. However, whereupon the volunteer nature of ANS Standards Working Groups, the difficulty in attaining a consensus from a diverse group of interests, and recent federal law regarding use of voluntary industry standards, we would also appreciate your best efforts to include these comments in your deliberations toward a revised rule.

The comments were first developed in a preliminary draft by e-mail between the membership. Following which the ANS-3.5 WG met for two days of deliberations with eleven (11) of the fourteen (14) voting members, a proxy for an absent member, a guest utility participant, and D C Cook staff in attendance, resulting in consensus being attained on the three comments. The full membership was given a final draft via e-mail. All voting members indicated receiving this draft and no one had changed their vote (two of the members not in attendance at the meeting have concurred with the results).

Please note that any submittals from the ANS-3.5 WG represent the comments of that group and its individual members only, and do not extend to their supporting organizations or to the overseeing committees of ANS.

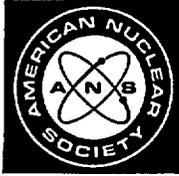
Thank you for the opportunity to participate in the formation of federal rules, which affect the training and examination of licensed operators at our nuclear power plants.

Standardly yours,

Timothy Dennis  
Chair - ANS-3.5

Attachment: ANS-3.5 WG Comments of 26 October 2000 to 65 FR 41021

copy: James B Florence - ANS-3.5 Vice-chair (Nebraska Public Power District Cooper Station);  
Keith P Welchel - ANS-3.5 Secretary (Duke Power Company Oconee Station);  
ANS-3.5 Working Group members (11);  
Shawn Coyne-Nalbach - ANS Standards Committee Secretary;  
Michael J Wright - NFSC Sub-committee 1 Chair (Entergy Grand Gulf Station)



**AMERICAN NUCLEAR SOCIETY**  
**STANDARDS COMMITTEE**  
**Working Group 3.5**

**ANS-3.5 Working Group Comments of 26 October 2000 to 65 FR 41021**  
**“Operator License Eligibility and Use of Simulation Facilities in Operator Licensing”**

**Comment 1: -Consensus by unanimous affirmation-**

The ANS 3.5-1998 Standard defines performance testing as “Testing characterized by a comparison of the results of integrated operation of the simulation facility to actual or predicted reference unit data. Performance testing encompasses testing other than software development testing”, and Section 4.4.3 states, “Simulator performance testing comprises operability and scenario-based testing.”

In section 55.4, Definitions, the proposed rule change defines performance testing as “Performance testing means validation, scenario-based, or operability testing conducted to verify a simulation facility's performance as compared to actual or predicted reference plant performance.”

The ANS 3.5 Working Group recommends that the proposed rule be changed to read as follows: “Performance testing means scenario-based and operability testing conducted to verify a simulation facility's performance as compared to actual or predicted reference plant performance.”

**Comment 2: -Consensus with one dissension-**

Based on public comments from the NRC's public WEB page “Proposed Rulemaking – Operator License Eligibility and Use of Simulation Facilities in Operator Licensing Public Comments Library”, Original File “780-0017.pdf, Date 09/22/00, Description “Comment letter from James W. Davis, Nuclear Energy Institute”, the ANS 3.5 working group supports the revised wording: “The plant referenced simulator uses models relating to nuclear and thermal-hydraulic characteristics that reasonably represent the core load that exists in the nuclear power reference plant for the facility at which a license is being sought...” as proposed by NEI in their comments submitted with respect to the subject.

**Comment 3: -Consensus by unanimous affirmation**

As stated in SECY-00-0083, dated April 12, 2000, “The current revision of the national standard, ANSI/ANS 3.5-1998, “Nuclear Power Plant Simulators for Use in Operator Training and Examination,” employs a scenario-based testing and quality control philosophy that is inconsistent with the testing assumptions and requirements

of the rule. The staff believes that implementation of ANSI/ANS 3.5 -1998 by facility licensees without revision of the rule would result in duplicate and inefficient simulator performance testing. The requirements of 10 CFR 55.45(b), in its present form, have become an impediment to facility licensees who might seek to reduce unnecessary regulatory burden and increase training program efficiency by adopting the staff's endorsement of later revisions of the national standard."

With the elimination of the certification process and the Form 474, please explain where the linkage between the proposed regulatory rule change, Reg. Guide 1.149, and the ANSI/ANS 3.5-1998 Standard is maintained.

How does the proposed rule change facilitate the voluntary implementation of the ANSI/ANS 3.5-1998 Standard?