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NUCLEAR ENERGY INSTITUTE

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March 11, 1998

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

DOCKET NUMBER
PROPOSED RULE **PR 50**
(64FR9035)

ATTENTION: Rulemaking and Adjudications Staff

SUBJECT: Changes to Quality Assurance Programs (Amendment to 10 CFR 50.54(a)), Direct Final Rule. (64 Fed. Reg. P. 9035 February 23, 1999).

The following comments are provided by the Nuclear Energy Institute on behalf of the nuclear energy industry in response to the subject direct final rule. The industry appreciates the opportunity to provide input on this important revision to 10 CFR 50.54(a) on changes to quality assurance programs.

In the NEI petition, submitted in 1995, we indicated industry experience suggested that without being granted greater regulatory flexibility, utilities would be deterred from making improvements in their quality assurance programs. The petition spoke to the issue of accepting changes to a plant's quality assurance program predicated on the effect(s) of the changes on plant safety, and not solely on a perceived "reduction in commitment."

The industry is encouraged that the NRC, through this direct final rule, will provide greater flexibility to make selected changes to quality assurance programs without prior NRC approval. This rule change represents a small step, but certainly in the correct direction. Therefore, we have no adverse comments on the direct final rule.

The industry looks forward to a more substantive rulemaking in the near future, going beyond the six areas addressed in this direct final rule. Specifically, the industry expects the NRC will move quality assurance requirements in a direction which will mirror the current thrust toward risk-informed, performance-based regulation. With a focus on a quality assurance program's effect (performance) relative to safety, the NRC can provide additional flexibility for the nuclear industry to maintain dynamic quality assurance programs.

Sincerely,

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