

June 27, 2001

Mr. Marvin S. Fertel
Senior Vice President
Business Operations
Nuclear Energy Institute
1776 I Street, NW
Suite 400
Washington, DC 20006-3708

SUBJECT: PUBLIC COMMENT REGARDING INSPECTIONS, TESTS, ANALYSES, AND
ACCEPTANCE CRITERIA (ITAAC)

Dear Mr. Fertel:

The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on ITAAC that are required for issuance of combined licenses (COLs) for nuclear power facilities under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, Subpart C. 10 CFR Section 52.79(c) requires that the COL application include ITAAC that are necessary and sufficient to demonstrate that the facility has been constructed and will operate in conformity with the COL, the Atomic Energy Act of 1954, and the Commission's regulations. The staff is seeking public comment on whether or not COL applications should contain ITAAC on operational programs such as security, training, and emergency planning. To this end, a *Federal Register* notice seeking public comment within 45 days of the publication of the notice was published in the *Federal Register* on June 25, 2001 (66 FR 33178). We are informing you and other stakeholders of the opportunity to comment on this matter (see enclosed cc list). Further action will be taken following receipt and evaluation of the comments submitted in response to the *Federal Register* notice, a copy of which is enclosed.

Sincerely,

/RA/

Richard J. Barrett, Acting Director
Future Licensing Organization
Office of Nuclear Reactor Regulation

Enclosures: (1) cc list
(2) FR Notice

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Senior Vice President
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Richard J. Barrett, Acting Director
Future Licensing Organization
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(2) FR Notice

Distribution:

FLO R/F PUBLIC JNWilson GMizuno, OGC STreby, OGC
SECY OCA OSP OPA EGHylton
JMSebrosky

This letter was also sent to the individuals on the attached list.

OFFICE	LA	FLO/PM	FLO	FLO/SC	AD:FLO
NAME	EHylton	JSebrosky	JNWilson	MGamberoni	RBarrett
DATE	6/11/01	6/12/01	6/12/01	6/12/01	6/18/01

OFFICIAL RECORD COPY

cc: Mr. W. E. Cummins, Director
Passive Plant Development
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

Mr. Thomas Miller
Advanced Research Program Manager
Department of Energy, NE-20 Room A286
19901 Germantown Road
Germantown, MD 20874

Mr. Ed Rodwell, Manager
PWR Design Certification
Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94303

Mr. Steven A Hucik, General Manager
Nuclear Plant Projects
GE Nuclear Energy
175 Curtner Avenue, M/C 780
San Jose, CA 95125-1088

Dr. Regis A. Matzie
Senior Vice President of Nuclear Systems
Westinghouse Electric Company
P.O. Box 500
2000 Day Hill Road
Windsor, CT 06095-0500

Mr. Paul Gunter
Nuclear Information & Resource Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

Mr. David Lochbaum
Union of Concerned Scientists
1616 P Street, NW, Suite 310
Washington, DC 20036

Ms. Wenonah Hauter
Public Citizen
Critical Mass Energy Project
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Charles Brinkman, Director
Washington Operations
Westinghouse Electric Company
12300 Twinbrook Parkway
Suite 330
Rockville, MD 20852

UNITED STATES NUCLEAR REGULATORY COMMISSION
PUBLIC COMMENT ON INSPECTIONS, TESTS, ANALYSES
AND ACCEPTANCE CRITERIA (ITAAC)

The U.S. Nuclear Regulatory Commission (NRC) staff is seeking public comment on ITAAC that are required for issuance of combined licenses (COLs) for nuclear power facilities under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, Subpart C. Subpart C of 10 CFR Part 52 sets forth a process for issuing combined licenses (COLs) for nuclear power facilities. A COL authorizes construction and conditional operation of a nuclear power facility. 10 CFR Section 52.79(c) requires that the COL application include ITAAC that are necessary and sufficient to demonstrate that the facility has been constructed and will operate in conformity with the COL, the Atomic Energy Act of 1954, and the Commission's regulations. 10 CFR 52.103(g) requires that the Commission find that the acceptance criteria in the ITAAC have been met before a facility can be authorized to operate. The staff is seeking public comment on whether or not COL applications should contain ITAAC on operational programs such as security, training, and emergency planning (programmatic ITAAC).

In SECY-00-0092, "Combined License Review Process" dated April 20, 2000, the staff provided a basis for its stated position that "programmatic" ITAAC are necessary to meet the requirements of 10 CFR Part 52 and the Atomic Energy Act of 1954. In the staff requirements memorandum (SRM) on SECY-00-0092 dated September 6, 2000, the Commission provided guidance to the staff in this area and stated that "in connection with the Part 52 rulemaking, the staff should specifically seek comment on and continue to work with stakeholders on the need for and scope of the ITAAC for programmatic areas." In accordance with the Commission direction, the NRC staff is seeking comments on the need for and scope of ITAAC for programmatic areas. Comments received will be evaluated by the staff.

In a letter dated May 14, 2001, to Chairman Meserve the Nuclear Energy Institute (NEI) provided its position that COL applications should not contain ITAAC on operational programs. NEI's letter contains a paper that summarizes its position. NEI requests an "early resolution of this issue to allow licensees, the NRC, and other stakeholders to be clear on how key Part 52 requirements on the scope of COL ITAAC are to be met."

The documents discussed above (i.e., SECY-00-0092, the SRM on SECY-00-0092, and the May 14, 2001, letter from NEI) are available in NRC's Public Document Room. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. These documents are also accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov> (the Electronic Reading Room). Questions and comments should be directed to Joseph M. Sebrosky, Mail Stop O-11 F1, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555-001, [Email:jms3@nrc.gov](mailto:jms3@nrc.gov) or by telephone at 301-415-1132. Comments should be submitted within 45 days of the publication of this notice.

Dated at Rockville, Maryland this 19th day of June 2001.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Richard J. Barrett, Acting Director
Future Licensing Organization
Office of Nuclear Reactor Regulation

June 27, 2001

Mr. W. E. Cummins, Director
Passive Plant Development
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

SUBJECT: PUBLIC COMMENT REGARDING INSPECTIONS, TESTS, ANALYSES, AND
ACCEPTANCE CRITERIA (ITAAC)

Dear Mr. Cummins:

The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on ITAAC that are required for issuance of combined licenses (COLs) for nuclear power facilities under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, Subpart C. 10 CFR Section 52.79(c) requires that the COL application include ITAAC that are necessary and sufficient to demonstrate that the facility has been constructed and will operate in conformity with the COL, the Atomic Energy Act of 1954, and the Commission's regulations. The staff is seeking public comment on whether or not COL applications should contain ITAAC on operational programs such as security, training, and emergency planning. To this end, a *Federal Register* notice seeking public comment within 45 days of the publication of the notice was published in the *Federal Register* on June 25, 2001 (66 FR 33178). We are informing you and other stakeholders of the opportunity to comment on this matter (see enclosed cc list). Further action will be taken following receipt and evaluation of the comments submitted in response to the *Federal Register* notice, a copy of which is enclosed.

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Richard J. Barrett, Acting Director
Future Licensing Organization
Office of Nuclear Reactor Regulation

Enclosures: (1) cc list
(2) FR Notice

June 27, 2001

Mr. Thomas Miller, Program Manager
Department of Energy, NE-50
19901 Germantown Road
Germantown, MD 20874

SUBJECT: PUBLIC COMMENT REGARDING INSPECTIONS, TESTS, ANALYSES, AND
ACCEPTANCE CRITERIA (ITAAC)

Dear Mr. Miller:

The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on ITAAC that are required for issuance of combined licenses (COLs) for nuclear power facilities under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, Subpart C. 10 CFR Section 52.79(c) requires that the COL application include ITAAC that are necessary and sufficient to demonstrate that the facility has been constructed and will operate in conformity with the COL, the Atomic Energy Act of 1954, and the Commission's regulations. The staff is seeking public comment on whether or not COL applications should contain ITAAC on operational programs such as security, training, and emergency planning. To this end, a *Federal Register* notice seeking public comment within 45 days of the publication of the notice was published in the *Federal Register* on June 25, 2001 (66 FR 33178). We are informing you and other stakeholders of the opportunity to comment on this matter (see enclosed cc list). Further action will be taken following receipt and evaluation of the comments submitted in response to the *Federal Register* notice, a copy of which is enclosed.

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June 27, 2001

Mr. Ed Rodwell, Manager
PWR Design Certification
Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94303

SUBJECT: PUBLIC COMMENT REGARDING INSPECTIONS, TESTS, ANALYSES, AND
ACCEPTANCE CRITERIA (ITAAC)

Dear Mr. Rodwell:

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Enclosures: (1) cc list
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June 27, 2001

Mr. Steven A Hucik, General Manager
Nuclear Plant Projects
GE Nuclear Energy
175 Curtner Avenue, M/C 780
San Jose, CA 95125-1088

SUBJECT: PUBLIC COMMENT REGARDING INSPECTIONS, TESTS, ANALYSES, AND
ACCEPTANCE CRITERIA (ITAAC)

Dear Mr. Hucik:

The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on ITAAC that are required for issuance of combined licenses (COLs) for nuclear power facilities under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52, Subpart C. 10 CFR Section 52.79(c) requires that the COL application include ITAAC that are necessary and sufficient to demonstrate that the facility has been constructed and will operate in conformity with the COL, the Atomic Energy Act of 1954, and the Commission's regulations. The staff is seeking public comment on whether or not COL applications should contain ITAAC on operational programs such as security, training, and emergency planning. To this end, a *Federal Register* notice seeking public comment within 45 days of the publication of the notice was published in the *Federal Register* on June 25, 2001 (66 FR 33178). We are informing you and other stakeholders of the opportunity to comment on this matter (see enclosed cc list). Further action will be taken following receipt and evaluation of the comments submitted in response to the *Federal Register* notice, a copy of which is enclosed.

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Richard J. Barrett, Acting Director
Future Licensing Organization
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Enclosures: (1) cc list
(2) FR Notice

June 27, 2001

Dr. Regis A. Matzie
Senior Vice President of Nuclear Systems
Westinghouse Electric Company
P.O. Box 500
2000 Day Hill Road
Windsor, CT 06095-0500

SUBJECT: PUBLIC COMMENT REGARDING INSPECTIONS, TESTS, ANALYSES, AND
ACCEPTANCE CRITERIA (ITAAC)

Dear Dr. Matzie:

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June 27, 2001

Mr. Paul Gunter
Nuclear Information & Resource Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

SUBJECT: PUBLIC COMMENT REGARDING INSPECTIONS, TESTS, ANALYSES, AND
ACCEPTANCE CRITERIA (ITAAC)

Dear Mr. Gunter:

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June 27, 2001

Mr. David Lochbaum
Union of Concerned Scientists
1616 P Street, NW, Suite 310
Washington, DC 20036

SUBJECT: PUBLIC COMMENT REGARDING INSPECTIONS, TESTS, ANALYSES, AND
ACCEPTANCE CRITERIA (ITAAC)

Dear Mr. Lochbaum:

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Ms. Wenonah Hauter
Public Citizen
Critical Mass Energy Project
215 Pennsylvania Avenue, SE
Washington, DC 20003

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Dear Ms. Hauter:

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Washington Operations
Westinghouse Electric Company
12300 Twinbrook Parkway
Suite 330
Rockville, MD 20852

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