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USNRC

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South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

~~DOCKET NUMBER~~
PETITION FILE PRM 50-75
(67FR 16654)

May 29, 2002 (8:15AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFFMay 28, 2002
NOC-AE-02001311
STI: 31438572

Secretary, U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
Attention: Rulemakings and Adjudications Staff

Comments on NEI Petition for Rulemaking -
Alternative Maximum Design Basis Pipe Break Size (67FR16654, PRM-50-75)

The STP Nuclear Operating Company (STPNOC) appreciates the opportunity to comment on the subject petition for rulemaking. STPNOC has actively participated in the industry efforts associated with redefining the design basis pipe break size and views the proposal in the petition as an important element in creating a regulatory structure that reflects today's state of knowledge and operating experience.

STPNOC encourages the NRC to adopt the changes proposed in the petition. The changes proposed by the petition will enable the NRC to establish a regulatory design basis that will better serve the public safety and confidence because it would reflect the current state of knowledge and it would restore the consistency between 10CFR50.46 and the General Design Criteria.

The double-ended pipe break design basis required by the current regulations is a dominant regulatory criterion with far-reaching effects on plant design and operation. More than 30 years of improvements in engineering knowledge and methods and operating experience have shown that a double-ended break of the largest reactor coolant system piping should no longer be a dominant Light Water Reactor safety criterion. Adoption of the proposed petition by the NRC would enable more regulatory and industry energy to be focused on areas that are of more benefit to the safe and reliable operation of the nation's nuclear power plants.

Also, as described in the petition, the existing regulations are inconsistent in their treatment of the dynamic effects and other design effects of a postulated design basis pipe break. Adoption of the proposed petition would allow the NRC to make the regulations more consistent, which would serve to increase public confidence in the regulatory process.

Template = SECY-067

SECY-02

NOC-AE-02001311

Page 2

The industry and its various owners groups have worked together to develop this NEI petition. This change to risk-inform Part 50 has been identified by the industry as the single broadest improvement that can be made to Part 50. To date this effort has had significant technical and financial support from the industry. However, we believe that the Large Break LOCA redefinition is key to industry support for other important risk-informed changes that could follow. The NRC's response to this petition will provide a clear indication to the industry of regulatory interest in real risk-informed changes and commensurate safety and economic benefits associated with these changes.

STPNOC views the regulatory change proposed in the NEI petition as a cornerstone in the NRC's process to improve the regulatory structure. From the senior management level on down, the industry has actively supported redefinition of the maximum break size and has frequently encouraged the NRC to move forward with this effort as the highest priority for risk-informing the technical requirements in the regulations.

We concur with recent statements of one Commissioner that "...the Large Break LOCA is obsolete now, a true anachronism in today's safety envelope. It needs to be abandoned in favor of what really affects safety and is risk significant." We believe that the NEI proposed rule will enable us to move toward this objective.

If you have any questions regarding these comments, please contact me at 361-972-8434.

W. T. Cottle
Chairman, President and
Chief Executive Officer

AWH/

cc:

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STP RMS/DC