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FINAL REPLY:

Eugene S. Grecheck
Dominion Generation

TO:

Chairman Meserve

FOR SIGNATURE OF :

** PRI **

CRC NO: 02-0396

Chairman Meserve

DESC:

SECY-02-0067 - Inspection, Tests, Analyses and
Acceptance Criteria (ITAAC) for Operational
Programs

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SPECIAL INSTRUCTIONS OR REMARKS:

Ref. G20020285

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OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: EDO

AUTHOR: Eugene Grecheck
AFFILIATION: VA
ADDRESSEE: Richard Meserve
SUBJECT: SECY 02-067...Inspection, Tests, Analyses, and Acceptance Criteria (ITAAC) for operational programs

ACTION: Signature of Chairman
DISTRIBUTION: RF, SECY to Ack

LETTER DATE: 05/30/2002
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FILE LOCATION: Adams

DATE DUE: 06/19/2002 **DATE SIGNED:**

EDO --G20020336



May 30, 2002

The Honorable Richard A. Meserve, Chairman
U. S. Nuclear Regulatory Commission
Mail Stop 0-16 C1
Washington, DC 20555-0001

GL02-035

Dear Chairman Meserve:

Programmatic Inspection, Tests, Analyses and Acceptance Criteria

On May 13, 2002, the Nuclear Energy Institute wrote to you on behalf of the nuclear industry expressing strong concern with the NRC Staff's proposal in SECY-02-067 that Part 52 combined licenses contain inspection, tests, analyses, and acceptance criteria (ITAAC) for operational programs, commonly referred to as "Programmatic ITAAC."

In brief, NEI stated that programmatic ITAAC were not necessary because 1) it was not the Congress' intent, nor that of the Atomic Energy Act or Part 52 to require programmatic ITAAC, 2) the need for programmatic ITAAC had not been clearly established, 3) the NRC already had adequate authority and ability to make the findings required by law to issue a combined license under Part 52, and 4) the question of programmatic ITAAC was not a safety issue, but rather a policy issue to decide whether an additional determination beyond existing NRC inspection and enforcement activities was required.

On August 7, 2001, in response to NRC's request for comment published in the Federal Register on June 21, 2001 (66 FR 122), Dominion offered comments on the same topic to the NRC. At that time, we stated that the Commission should adopt as a matter of policy the interpretation that Part 52 does not require combined licenses to include ITAAC for operational programs, with the exception of that deemed applicable to emergency planning as currently required by 10 CFR 52.79 and 52.97. Dominion continues to support that position and continues to endorse the industry position stated in the referenced NEI letter.

We encourage the Commission to seek resolution of this issue in a manner that will result in the stable, predictable, and timely process that Part 52 was envisioned to be as we move forward to support our nation's future energy needs.

Respectfully,



FOR:

Eugene S. Grecheck
Vice President – Nuclear Support Services

~~The Honorable Cristóbal Díaz~~

The Honorable Nils J. Diaz

The Honorable Edward McGaffigan, Jr.

The Honorable Jeffrey S. Merrifield

Dr. William D. Travers

Mr. William F. Kane

Mr. Samuel J. Collins

Mr. R. William Borchardt

Mr. James E. Lyons

Mr. J. F. Colvin, NEI