

June 27, 2002

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - SECY-02-0080 - PROPOSED
RULEMAKING -- RISK-INFORMED 10 CFR 50.44,
"COMBUSTIBLE GAS CONTROL IN CONTAINMENT"

The Commission has approved publication of the notice of proposed rulemaking for 10 CFR 50.44 in the *Federal Register*, subject to the comments noted below, and certifies that this rule, if promulgated, will not have a negative economic impact on a substantial number of small entities as required by the Regulatory Flexibility Act.

(EDO)

(SECY Suspense:

7/26/02)

Draft Regulatory Guide DG-1117 (Attachment 3 - Page 3) and the Notice of Proposed Rulemaking (Attachment 1 - Page 22) convey, in part, that equipment survivability expectations under severe accident conditions should consider the circumstances of applicable initiating events such as station blackout. The staff should clarify these documents so that they more clearly articulate a recognition that the AC powered igniters will not be available (but will be available when power is restored) during station blackout sequences and that this matter is being addressed by the staff via Generic Issue 189 (GI-189) activities.

The staff should move toward resolution of Generic Issue 189 concerning the need for additional measures to ensure a reliable power supply for hydrogen igniters in PWR ice condenser and BWR Mark III containments in a timely fashion.

The Congressional letters should be rewritten so that the basis for the proposed rule is clear. Unlike the draft press release, the Congressional letters do not convey that the proposed rule is supported by 20 years of research on combustible gas generation and behavior in nuclear power reactors during accidents. The letters should convey that our studies show that the hydrogen release stemming from a design-basis loss-of-coolant accident is not risk significant because it would not lead to containment failure. Therefore, hydrogen monitoring and control equipment requirements can be relaxed without compromising safety.

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR