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

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

By email

Comments of Nuclear Information and Resource Service on the Proposed Rule for
Combustible Gas Control in Containmentment

Nuclear Information and Resource Service (NIRS) provides the following public comments on the Proposed Rule for Combustible Gas Control in Containmentment as made available through the Federal Register: August 2, 2002 (Volume 67, Number 149)] [Proposed Rules] [Page 50374-50383].

NIRS is opposed to modifications to 10 CFR 50.44 that are based largely on reducing the financial obligations of the nuclear power industry to maintain a robust defense-in-depth strategy. NIRS is therefore opposed to modifications that would eliminate the requirement to monitor hydrogen concentration; eliminate the requirement to control combustible gas concentration resulting from a postulated-LOCA and substitute operable and qualified systems for combustible gas control with "realistic calculations" that demonstrate that containments can withstand a hydrogen burn for accidents with a high probability of causing severe core damage that may in fact be risk misinformed.

As stated in the Federal Register Notice "The Commission proposes to eliminate the design-basis LOCA hydrogen release from Sec. 50.44 and to consolidate the requirements for hydrogen and oxygen monitoring into Sec. 50.44 while relaxing safety classifications and licensee commitments to certain design and qualification criteria." NIRS contends that this effort does not benefit public health and safety but rather the financial interests of the regulated industry.

NIRS contends eliminating the design-basis LOCA hydrogen release and relaxing safety classification and licensee commitments only benefits the moneyed-interest of nuclear power reactor operators that is seeking to cut financial corners in its obligation to maintain an adequate defense-in-depth philosophy.

The Proposed Section 50.44 does not require the deliberate ignition systems used by BWRs with Mark III type containments and PWRs with ice condenser type containments to be available during station blackout events. The deliberate ignition systems should be

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available upon the restoration of power. NIRS contends that deliberate ignition systems should be operable during station blackout to reduce the build of hydrogen and oxygen in advance of restoration of onsite and a potential detonation resulting from an electrical spark. NIRS contends that a static charge might also discharge a spark sufficient to ignite a hydrogen and oxygen rich pocket or atmosphere. NRC has not provided analysis with confidence that enough data points

Again, NIRS contends relaxing requirements to assure that operators maintain deliberate hydrogen ignition systems used in BWR Mark III and PWR ice condenser containments only benefits the moneyed-interest of nuclear power reactor operators that is seeking to cut financial corners in its obligation to maintain an adequate defense-in-depth philosophy. NIRS

NIRS does not believe that NRC reliance upon the limited TMI data points to be sufficient to reference modifications that reduce the defense-in-depth philosophy and relax safety requirements by eliminating or relaxing hydrogen and oxygen monitoring requirements solely to accommodate industry cost cutting strategies. NIRS regards this as unreasonable advocacy for the financial interest of the regulated industry and as such constitutes an undue risk to the public health and safety that the agency is mandated to prioritize in its mission statement.

NIRS contends that NRC and the industry have not close out Generic Safety Issues that are significant contributors to the risk from fuel clad-coolant reaction between fuel cladding and reactor coolant such as GSI-191 for emergency core cooling system sump blockage during a pipe break accident. Therefore, NIRS believes the proposed actions to remove hydrogen recombiner requirements and relaxing hydrogen and oxygen monitoring requirements to be premature and constitutes a dangerous trend towards risk "misinformed" regulation resulting in an undue risk to public health and safety.

Finally, NIRS contends that NRC and the industry do not have a non-destructive analysis tool for achieving a high enough degree of confidence to eliminate concerns that all containments were constructed with voids in the walls, that all steel reinforcement bar was improperly installed during construction to assure uniform structural integrity of containment walls, and that the concrete used in containment walls is of sufficient quality that leaching of containment walls has not weakened the structure. Without such confidence, NIRS contends it is unreasonable to reduce the defense-in-depth strategy with the proposed rule and creates an undue risk to the public health and safety to solely accommodate the financial interest of the regulated industry.

Therefore for all of the above stated concerns, NIRS is opposed to the proposed rule change.

Sincerely,

Paul Gunter, Director
Reactor Watchdog Project
Nuclear Information and Resource Service