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DOCKET NUMBER
PETITION RULE PRM 50-76
(67FR51783)

NEI
NUCLEAR ENERGY INSTITUTE

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October 25, 2002

Ms Annette L. Vietti-Cook
Secretary
U.S. Nuclear Regulatory Commission
Mail Stop O-16C1
Washington, DC 20555-0001

ATTENTION: Rulemakings and Adjudications Staff

SUBJECT: NEI[1] comments on the Robert H. Leyse, Petition for Rulemaking (Ref. 67 Fed. Reg. 51783, dated August 9, 2002)

NEI endorses the comments made by the Westinghouse Electric Company on the subject petition. The proposed revisions to Regulatory Guide 1.157 and Appendix K to Part 50 are unnecessary. The petitioner's comments on the differences between test conditions and expected fluid conditions during postulated loss of coolant accidents (LOCA) do not invalidate the use of the existing database in LOCA analyses. For the conditions covered by the petition, the flow condition is a secondary effect.

The petition does not take into consideration the current state of technical knowledge, or the additional testing and analyses that have been performed by the industry and the national laboratories. These evaluations support the conclusion that the particular flow conditions considered for the Cathcart-Pawel correlation did not introduce any bias because of hydrogen-blanketing, steam-starvation or other oxidation-limiting phenomena. Some of these tests were performed using different mediums in place of steam or to partially replace steam and support the Cathcart-Pawel correlation. The analyses demonstrate that the Cathcart-Pawel relationship is conservative and could justify increasing the peak cladding temperature limit.

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[1] NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including regulatory aspects of generic operational and technical issues. NEI members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

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The test, FLECHT Run 9573, has not been ignored. The test was performed under very severe, beyond design basis conditions. Post test evaluations showed that oxidation was within the expected range and "runaway" oxidation did not occur until the temperature was well beyond 2300F.

There is no need for further analyses of the Part 50 backup data. The concerns raised in the petition do not constitute a significant safety concern. There is no need for Commission action to revise Appendix K or NRC Regulatory Guide 1.157 based on the concerns described in the petition.

Sincerely,

Anthony R. Pietrangelo