

July 26, 2004

MEMORANDUM TO: Michael T. Lesar, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

FROM: Catherine Haney, Program Director */RA/*
Policy and Rulemaking Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

SUBJECT: FEDERAL REGISTER NOTICE OF AVAILABILITY OF DRAFT RULE
CONCEPTUAL BASIS AND DRAFT RULE LANGUAGE ON REVISION
TO 10 CFR 50.46 TO REDEFINE LARGE BREAK LOCAS AND
NOTICE OF PUBLIC MEETING

In a staff requirements memorandum on July 1, 2004, the Commission directed the NRC staff to proceed with a proposed rule to risk-inform 10 CFR 50.46 by redefining large break LOCAs. The Commission also stated that the proposed rule should be completed by the staff in six months. Since the schedule for the rule is expedited, the staff has limited opportunity for stakeholder input. However, the staff does plan to post a draft rule conceptual basis and draft rule language on the NRC website. The staff also plans to hold a public meeting to solicit information for use in preparing the regulatory analysis for the proposed rule.

Please arrange for publication of the attached *Federal Register* Notice announcing the availability of the draft rule conceptual basis and draft rule language and notifying stakeholders of a public meeting to discuss the regulatory analysis for the proposed rule. We will send you the material for posting separately. Please post the draft rule conceptual basis narrative and draft rule language on the NRC Web site at <http://ruleforum.llnl.gov/> with a link entitled "Draft Rule Conceptual Basis and Draft Rule Language for Proposed Rulemaking - Risk-Informed Revision to Emergency Core Cooling System Requirements (10 CFR 50.46)." Please ensure that the comment feature on the rule forum is turned off since we cannot accept any comments at this time. Owner's rights in ADAMS for the attached files have been given to ADM/DAS/RDB. Publicly available NRC documents referenced in the Notice have been entered into ADAMS and profiled for public release.

Attachments: 1. *Federal Register* Notice (One original and four copies; ML042080202)
2. One 3.5 inch diskette (electronic version of *Federal Register* Notice)

CONTACT: Richard Dudley, NRR/DRIP
301-415-1116
Email: rfd@nrc.gov

cc: SECY (w/ copy of Attachment 1)

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NAME	RDudley(EMcKenna for)*	EMcKenna*	STreby*	CHaney*
DATE	07/26/2004	07/26/2004	7/23/04	07/26/2004

*See previous concurrence

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ATTACHMENT 1

FEDERAL REGISTER NOTICE

ADAMS Accession Number: ML042080202

ATTACHMENT 2

Draft Rule Conceptual Basis

ADAMS Accession Number: ML042080299