

April 25, 2005

Graham B. Wallis, Chairman  
Advisory Committee on Reactor Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

SUBJECT: PROPOSED RULEMAKING TO MODIFY 10 CFR 50.46, "RISK-INFORMED  
CHANGES TO LOSS-OF-COOLANT ACCIDENT TECHNICAL  
REQUIREMENTS"

Dear Dr. Wallis:

I am responding to your letter of March 14, 2005, on the staff efforts to develop a new voluntary rule to redefine the largest design basis loss-of-coolant accident (LOCA) from the current double ended guillotine break of the largest pipe to a smaller size. We appreciate the time and effort the Advisory Committee on Reactor Safeguards (ACRS) has devoted to this important subject.

Your letter recommended that the proposed rule for risk-informing 10 CFR 50.46 be released for public comment. Your letter also suggests that, as part of the public comment process, input be sought as to why the process of accepting changes to the licensing basis should be specified in the rule itself when the process is already in Regulatory Guide 1.174 "An Approach For Using Probabilistic Risk Assessment In Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis."

The staff has modified the Statement of Considerations in the proposed rule package to explicitly note the Commission's interest in receiving comments on this particular question. The package has been provided to the Commission for a decision on its release for comment.

Your letter also noted the ACRS opinion that a criterion for late containment failure should be considered in determining changes in risk, but that this issue should be dealt with in the general context of a revision to Regulatory Guide 1.174.

The staff agrees that it is more appropriate to consider this issue when future revisions to Regulatory Guide 1.174 are contemplated.

Sincerely,

**/RA/ Original signed by Martin J. Virgilio for:**  
Luis A. Reyes  
Executive Director  
for Operations

cc: Chairman Diaz  
Commissioner McGaffigan  
Commissioner Merrifield  
Commissioner Jaczko  
Commissioner Lyons  
SECY

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