

December 16, 2005

Mr. Alexander Marion, Senior Director, Engineering
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION RESPONSE REGARDING THE
NUCLEAR ENERGY INSTITUTE REQUEST FOR A 45-DAY EXTENSION TO
THE COMMENT PERIOD FOR THE DRAFT GENERIC LETTER, "POST-FIRE
SAFE-SHUTDOWN CIRCUIT ANALYSIS SPURIOUS ACTUATIONS,"
70FR60859, OCTOBER 19, 2005

Dear Mr. Marion:

This letter responds to your letter to the Chief, Rules and Directives Branch dated December 1, 2005 (ADAMS Accession ML053430118), in which you requested a 45-day extension to the comment period for the draft Generic Letter (GL), "Post-Fire Safe-Shutdown Circuit Analysis Spurious Actuations." According to *Federal Register* Notice (70FR60859), the comment period for the subject GL expires on December 18, 2005.

Your letter indicates that as a result of the recent meeting of the Nuclear Energy Institute (NEI) Fire Protection Working Group, NEI believes that additional time will be needed by the industry to provide appropriate comments on the draft GL. Your letter noted that the following actions must be completed by the industry in order to provide appropriate comments:

1. Assessment of the safety significance of multiple sequential and cumulative failures.
2. Evaluation of the industry test results and interviews with the industry project team.
3. Evaluation of the NUREG/CR-6776.
4. Assessment of the U.S. Nuclear Regulatory Commission (NRC)/licensee documentation associated with the prior NRC staff positions and practices related to safe-shutdown circuit analysis.

We have reviewed the basis of your request and concluded that your request is appropriate, because most of your reasons involve collecting factual information with respect to the costs and benefits associated with the staff position that we have communicated to you via the draft GL. Because the comment period for the draft GL expires December 18, 2005, it is too late to extend the comment period. To accommodate this request, the comment period will be reopened for an additional 45 days. The staff believes that reopening the comment period for this period provides a reasonable time frame to address complex analyses and information gathering necessary to provide appropriate comments on the assumptions and bases noted in the draft GL.

A.Marion

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Please contact Robert Wolfgang (301-415-1624) of my staff if you have additional questions or comments on this matter.

Sincerely,

/RA/

James E. Lyons, Director
Division of Risk Assessment
Office of Nuclear Reactor Regulation

