

# *50.46a Public Comments and Draft NRC Responses*

- Topics:
  - Operational restrictions / maintaining mitigation
  - Criteria for changes subject to prior NRC review and approval
  - Risk-informed integrated safety performance (RISP) process
  - Other Comments

# *Maintaining Mitigation*

- **Issue:** Proposed rule was overly prescriptive in specifying mitigation criteria and operating constraints for breaks greater than the Transition Break Size (TBS)
  - Proposed rule prohibited operation in a configuration not demonstrated to meet the acceptance criteria in paragraph (e) (*ECCS Performance*)
- **Public Comments on proposed rule included:**
  - Not consistent with Commission direction to provide mitigation capability controlled by NRC requirements commensurate with the safety significance of these capabilities
  - Could preclude on-line maintenance thereby increasing risk
  - Contrary to relaxation of single failure requirements for >TBS LOCAs

# *Maintaining Mitigation*

- **Proposed change:** For LOCAs larger than the TBS, operation in a configuration not demonstrated to meet the acceptance criteria in paragraph (e) shall be controlled by technical specifications (TS)
- **Mitigation requirements addressed by:**
  - Controls established by TS
  - Changes to TS AOTs for ECCS related equipment will require a reasonable basis
  - For LOCAs larger than TBS
    - No single failure, no coincidental loss of offsite power, realistic analysis allowed, credit for non-safety equipment used to mitigate

# *Criteria for changes subject to prior NRC review and approval*

- **Issue: proposed rule required prior NRC approval for changes involving minimal increases in risk**
  - Proposed rule included a “minimal” risk criteria that every facility change would be evaluated against. If the criteria was not satisfied, prior review and approval by the NRC was required.
- **Public Comments on proposed rule included:**
  - 50.59 has been effective for evaluating what changes must be submitted
  - Changes that screen out under 50.59 will not significantly increase risk
  - Rule imposes additional and unreasonable burden on changes that have an insignificant impact on risk
  - Licensees must prepare and NRC must review a myriad of insignificant changes
  - Proposal that cumulative effect on risk can be controlled by periodically assessing and reporting the change in risk

# *Criteria for changes subject to prior NRC review and approval*

- **Proposed change:** 50.59 will continue to be used to determine which changes must be submitted for prior NRC review/approval and periodic cumulative risk assessments and reporting will be required
- **Need to evaluate and control change in risk addressed by:**
  - Licensee required to assure that the risk increase of any one change and the cumulative increase of all changes remains small ( $< 10^{-5}$ )
  - RISP evaluation must still be performed for every change but can be coupled with existing processes
  - Two year 50.59 report expanded to include summary of all changes having more than a very small ( $<10^{-6}$ ) risk impact
  - Two operating cycle report on cumulative effect of all changes on risk including demonstration that risk-informed acceptance criteria are met (coincident with period for PRA update with cumulative delta CDF)

# *RISP Process*

- **Issue:** Risk-informed integrated safety performance process and risk change criteria requiring prior NRC approval were overly burdensome
  - Proposed rule required that all facility changes be evaluated using a risk-informed integrated safety performance (RISP) assessment process and compared to overly restrictive acceptance criteria.
  - Need to ensure the increase in risk for each individual change and the cumulative increase in risk for all changes remains small.
- **Public Comments on proposed rule included:**
  - The process is an unnecessary and extremely burdensome
  - Process is redundant to existing regulatory controls associated with 50.59, 50.65, Application specific risk-informed RGs
  - Application to all changes expands the licensing basis

# *RISP Process*

- Proposed change:
  - Remove overly restrictive risk criteria;
  - Use 50.59 criteria for identifying changes that must receive prior NRC review/approval;
  - Require periodic cumulative risk assessment for changes to the facility; and
  - allow more flexibility to use existing programs to implement RISP
    - Include high level risk-screening in the 50.59 process
    - Use current PRA update and re-evaluation processes used to support other risk-informed applications
      - RI-ISI
      - RI-AOT extensions
      - New RI-Tech Spec initiatives
      - 50.69
- Addressed the need to evaluate each change and cumulative risk against risk-informed acceptance criteria by requiring that all changes to the facility receive a RISP evaluation and periodic reports.