

Standards Committee

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**PR 50 and 53
(71FR26267)**

**DOCKETED
USNRC**

Secretary,
US Nuclear Regulatory Commission
Washington, DC 20555-0001

September 12, 2006 (12:23pm)

**OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF**

ATTN: Rulemaking and Adjudications Staff

Response by American Nuclear Society (ANS) to Advance Notice of Proposed Rulemaking (ANPR) on Proposed 10 CFR Part 53 (RIN 3150-AH81): Approaches to Risk-Informed and Performance-Based Requirements for Nuclear Power Reactors

The Nuclear Facilities Standards Committee (NFSC) of ANS, a Standards Development Organization (SDO) has reviewed the subject ANPR and offers the below response to the NRC questions published in the *Federal Register/Vol. 71, No. 86, pp. 26267-26275*. This response represents the views of a body that is involved in standards developing activities specifically addressing the needs of advanced reactors, and which is populated by professionals that represent hundreds of professional years of experience in a wide variety of reactor technologies.

Accordingly, the ANS NFSC provides the following general comments regarding the proposed rulemaking, with more detailed comments to follow subsequently:

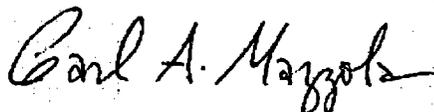
1. ANS NFSC supports the NRC proposed rulemaking to the extent that it represents a departure from earlier regulatory approaches that had the potential to inhibit design and operational innovation and creativity. However, ANS NFSC cautions that this proposed rulemaking should not detract from the efforts of advanced reactor designers to cost-effectively apply the successful experiences and lessons learned with the current population of light water reactors.
2. The proposed rulemaking should take full advantage of all of the various completed activities stemming from NRC regulatory reform initiatives that have been undertaken over the last ten years.
3. All eight ANS NFSC Subcommittees, as well as other elements of the ANS standards organization, over the past few years, have been devoting considerable attention to preparing for the anticipated need for new and improved standards for advanced reactors; especially in implementing risk-informed and performance-based concepts. For instance, a new NFSC subcommittee was formed about 2 years ago to develop a suite of plant and system design standards for the modular, gas-cooled reactor. This suite is being developed as risk informed and performance based where the criteria can be applied.
4. Consistent with the Federal Government policies associated with Voluntary Consensus Standards, as articulated in the National Technology Transfer and Advancement Act of 1995 and OMB Circular A-119, the NRC should take full advantage of the pool of technical resources available from ongoing efforts of the national SDOs to improve the

efficiency of the regulatory structure, including guidance documents. A key component of such NRC efforts should be to implement a transparent and predictable standards endorsement process that will further remove regulatory and licensing uncertainties from the next generation of nuclear power reactors.

5. ANS NFSC has coordinating points of contact with most of the other impacted SDOs (e.g., ASME, ASTM, IEEE), and has worked closely with them on various crosscutting standards. Such coordination also extends to international standards activities, such as those of the International Organization for Standardization (ISO) Subcommittee TC-85 on Nuclear Energy and the Canadian Standards Association who represents the interests of Canada. The subject rulemaking and the associated advanced reactor activities can and should serve as a focal area for bringing various SDO stakeholders to work in concert for the mutual benefit of all parties, including affected NRC departments. Effective coordination efforts that are focused to prioritize standards development would be especially useful.

ANS NFSC appreciates this opportunity to comment on the subject ANPR and it looks forward to working closely with the NRC to ensure that effective standards are developed that will enhance the licensing efforts of utilities that are presently embarking on early efforts to construct and operate the next generation of nuclear power generation facilities.

Sincerely,



Carl Mazzola, Chairman
ANS NFSC

- C: Dr. N. Prasad Kadambi, Chairman ANS Standards Board
Donald J. Spellman, Vice-Chairman ANS Standards Board
James F. Mallay, Co-Chair NRMCC
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From: "Pat Schroeder" <PSchroeder@ans.org>
To: <cag@nrc.gov>, <SECY@nrc.gov>
Date: Mon, Sep 11, 2006 6:12 PM
Subject: ANS Response to ANPR on RIN 3150-AH81

To Whom It May Concern,

Please find attached a response from the American Nuclear Society to the Advance Notice of Proposed Rulemaking on 10 CFR Part 53 (RIN 3150-AH81): Approaches to Risk-Informed and Performance-Based Requirements for Nuclear Power Reactors. More detailed comments will follow.

Regards,
Pat

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