



1

PR-70
(71FR56344)

NUCLEAR ENERGY INSTITUTE

Felix M. Killar, Jr.
SENIOR DIRECTOR,
LICENSING & INSURANCE
NUCLEAR GENERATION DIVISION

October 27, 2006

DOCKETED
USNRC

Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

October 30, 2006 (10:35am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

**SUBJECT: Direct Final Rule: Facility Change Process Involving
Items Relied on for Safety: RIN 3150-AH96 (Federal
Register, Vol. 71, No. 187, p. 56344, September 27, 2006)**

The Nuclear Energy Institute (NEI)¹ on behalf of its industry members has reviewed the direct final rule that would amend 10 CFR Part 70.72(c)(2). NEI believes this clarification, which would permit a licensee to change, remove or replace an Item Relied on for Safety (IROFS) that is not required to meet the Part 70.61 performance criteria without NRC pre-approval, is appropriate. NEI recommends no changes to the proposed amendment.

Coincident with issuance of the direct final rule, the NRC staff prepared Regulatory Issue Summary (RIS) 2006-14. Regrettably, NEI members have serious concerns with the interpretations in this RIS on how to apply the direct final rule revisions to 10 CFR 70.72(c)(2). NEI will address these concerns in a separate communication.

Sincerely,

Felix M. Killar, Jr.

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

Template = SECY-067

SECY-02

From: "KILLAR, Felix" <fmk@nei.org>
To: <SECY@nrc.gov>
Date: Fri, Oct 27, 2006 4:46 PM
Subject: Direct Final Rule: Facility Change Process Involving Items Relied on for Safety: RIN 3150-AH96 (Federal Register, Vol. 71, No. 187, p. 56344, September 27, 2006)

October 27, 2006

Rulemakings and Adjudications Staff

U.S. Nuclear Regulatory Commission

Washington, D.C. 20555-0001

SUBJECT: Direct Final Rule: Facility Change Process Involving Items Relied on for Safety: RIN 3150-AH96 (Federal Register, Vol. 71, No. 187, p. 56344, September 27, 2006)

The Nuclear Energy Institute (NEI) on behalf of its industry members has reviewed the direct final rule that would amend 10 CFR Part 70.72(c)(2). NEI believes this clarification, which would permit a licensee to change, remove or replace an Item Relied on for Safety (IROFS) that is not required to meet the Part 70.61 performance criteria without NRC pre-approval, is appropriate. NEI recommends no changes to the proposed amendment.

Coincident with issuance of the direct final rule, the NRC staff prepared Regulatory Issue Summary (RIS) 2006-14. Regrettably, NEI members have serious concerns with the interpretations in this RIS on how to apply the direct final rule revisions to 10 CFR 70.72(c)(2). NEI will address these concerns in a separate communication.

Sincerely,

Felix M. Killar, Jr.

Senior Director,

Licensing & Insurance

Nuclear Generation Division

Phone: 202-739-8126

Email: fmk@nei.org

This electronic message transmission contains information from the Nuclear Energy Institute, Inc. The information is intended solely for the use of the addressee and its use by any other person is not authorized. If you are not the intended recipient, you have received this communication in error, and any review, use, disclosure, copying or distribution of the contents of this communication is strictly prohibited. If you have received this electronic transmission in error, please notify the sender immediately by telephone or by electronic mail and permanently delete the original message.

Mail Envelope Properties (45427024.451 : 19 : 21585)

Subject: Direct Final Rule: Facility Change Process Involving Items Relied on for Safety: RIN 3150-AH96 (Federal Register, Vol. 71, No. 187, p. 56344, September 27, 2006)
Creation Date Fri, Oct 27, 2006 4:46 PM
From: "KILLAR, Felix" <fmk@nei.org>

Created By: fmk@nei.org

Recipients

nrc.gov
TWGWPO02.HQGWDO01
SECY (SECY)

Post Office

TWGWPO02.HQGWDO01

Route

nrc.gov

Files	Size	Date & Time
MESSAGE	1841	Friday, October 27, 2006 4:46 PM
TEXT.htm	8176	
10-27-06_NRC_Facility Change Process Involving Items Relied on for Safety RIN 3150AH96.pdf	82926	
Mime.822	127776	

Options

Expiration Date: None
Priority: Standard
ReplyRequested: No
Return Notification: None

Concealed Subject: No
Security: Standard

Junk Mail Handling Evaluation Results

Message is eligible for Junk Mail handling
This message was not classified as Junk Mail

Junk Mail settings when this message was delivered

Junk Mail handling disabled by User
Junk Mail handling disabled by Administrator
Junk List is not enabled
Junk Mail using personal address books is not enabled
Block List is not enabled