NUCLEAR ENERGY INSTITUTE

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Chief, Rules and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, DC 20555-0001

SUBJECT: Draft Regulatory Guide DG-1160, *"Calculation of Releases of Radioactive Materials in Gaseous and Liquid Effluents from Light-Water-Cooled Nuclear Power Reactors"*

PROJECT NUMBER: 689

On behalf of the nuclear industry, the Nuclear Energy Institute (NEI)[1] is pleased to submit the following response to the *Federal Register* notice, dated September 22, 2006, *Volume 71, Number 184,* which invited written comments on the Proposed Revision 1 of Regulatory Guide 1.112 (DG-1160), *"Calculation of Releases of Radioactive Materials in Gaseous and Liquid Effluents from Light-Water-Cooled Nuclear Power Reactors."*

NRC staff discussed the proposed revision to the subject regulatory guide at a public meeting with the Advisory Committee on Nuclear Waste (ACNW) on November 16, 2006. NRC staff stated that the "main focus" of the proposed revision is to update the guide's reference to ANSI/ANS 18.1, "Radioactive Source Term for Normal Operation of Light Water Reactors," to the include the most recent (1999) version of ANSI/ANS 18.1 "because applicants will refer to this standard" (emphasis added). The regulatory guide presently refers to a 1975 draft version of ANSI/ANS 18.1. NRC staff also clarified that additional changes being proposed in the revision to the guide are intended to "update [the guide] to current Part 20 applicable regulations, dual systems of units, etc."

[1] NEI is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, nuclear material licensees, and other organizations and individuals involved in the nuclear energy industry.

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We support NRC's proposal to update the regulatory guide for the purpose of reflecting more current standards and regulations. However, the Westinghouse AP1000 and the General Electric ABWR certified designs both reference an earlier version (1984) of ANSI/ANS 18.1 than that being proposed by the NRC staff in the draft regulatory guide (1999). Combined license applicants referring to a certified design are not required to recalculate liquid and gaseous effluent source terms using a different standard from that employed in the respective certified design because the certified design, including the calculated liquid and gaseous effluent source terms, has already been determined by the NRC to provide reasonable assurance of adequate protection of public health and safety.

NRC should provide useful and appropriate flexibility in the regulatory guide to allow applicants referencing a certified design to do so without the need to recalculate liquid and gaseous effluent source terms using a standard different from that employed in the respective certified design.

At the November 17 ACNW meeting, NRC staff explained that the proposed revision to the guide should be considered as an "interim" revision because the staff intends in 2007 to update the underlying technical bases of the guide, including the GALE computer code and NUREGs -0016 and -0017, after which the regulatory guide itself will be further revised and re-issued. We are concerned that the NRC is embarking on a piecemeal and untimely approach to updating the framework for regulating radiological effluents from nuclear power plants. Such an approach will unnecessarily complicate design certification, licensing, and eventual operation for new nuclear power plants. We encourage NRC to pursue such an effort in a comprehensive and well-coordinated manner – considering all of the applicable regulations, guidance, and standards.

We would welcome the opportunity to interact with NRC staff to help establish an integrated plan and schedule that will produce enhanced effectiveness and efficiency for the agency and licensees in the regulation of nuclear power plant radiological effluents.

We appreciate the opportunity to comment on the draft documents. If you have any questions regarding these comments, please contact Ralph Andersen at (202) 739-8111; rla@nei.org or me.

Sincerely,

Russell J. Bell

c: Ms. Harriet Karagiannis, NRC
Mr. Stephen C. O'Connor, NRC
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