



NUCLEAR ENERGY INSTITUTE

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9/20/06

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December 15, 2006

Chief, Rules and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
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SUBJECT: Draft Regulatory Guide DG-1166, "Initial Test Programs for Water-Cooled Nuclear Power Plants"

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 3 of Regulatory Guide 1.68 (DG-1166), "Initial Test Programs for Water-Cooled Nuclear Power Plants."

The enclosure provides recommendations to improve clarity and ensure consistency with current industry standards and practices.

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.

SUNSI Review Complete
Template = ADM-013

E-RIDS = ADM-03
all = R.A. Pettis (RLPH)
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We appreciate the opportunity to comment on the draft documents. If you have any questions regarding this effort please contact Leslie Kass at (202) 739-8115; lck@nei.org.

Sincerely,

A handwritten signature in black ink, appearing to read "RJ Bell", with a stylized flourish at the end.

Russell J. Bell

Enclosure

c: Mr. Robert L. Pettis
Mr. Stephen C. O'Connor
NRC Document Control Desk

DG-1166 Comments

Section	Priority (HML)	Basis	Description of the Issue	Proposed Alternate
C.X.Y.n.m	1, 2 or 3	Basis for the comment	Description of the issue, why this is an issue.	Mark-up or alternate wording
A	2	Need to reference appropriate guidance.	8 th paragraph refers to both Part 50 and Part 52 but references only RG 1.70. This section should also reference DG-1145 (or RG 1.206 once it is issued), or alternatively, the references to Part 52 and combined licenses should be in the 10 th paragraph.	"Chapter 14 of Regulatory Guide 1.70, "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants," and <u>Section C.I.14 of Regulatory Guide 1.206, "add title," provide</u> guidance on the information pertaining to ITPs to be included in both the preliminary safety analysis report (PSAR) and the FSAR for the NRC staff to perform its safety evaluations for construction permits, operating licenses and combined licenses."
C.2	2	Clarity	C.2 states "Tests designated in the FSAR as pre-operational tests should be completed and the results of such tests should be evaluated and approved by the applicant prior to issuance of the Operating License." This sentence should have a clear reference to the Part 50 licensing process.	"Tests designated in the FSAR as pre-operational tests should be completed and the results of such tests should be evaluated and approved by the applicant prior to issuance of the <u>Part 50</u> Operating License."
C.2	2	Clarity	C.2 states "In accordance with 10 CFR 52.103, "Operation Under a Combined License," the COL holder must complete the pre-operational tests and verify that any ITAAC associated with these tests have been met prior to initial fuel load." Section	"In accordance with 10 CFR 52.103, "Operation Under a Combined License," the COL holder must <u>fulfill the acceptance criteria identified in the license associated with initial plant testing prior to initial fuel load.</u> "

Section	Priority (HML)	Basis	Description of the Issue	Proposed Alternate
			52.103 does not require completion of the pre-operational testing prior to fuel loading as implied by this statement.	
C.4	3	Editorial	The last paragraph of C.4 states “Prior to commencement of fuel loading, results or completed pre-operational tests should be evaluated by personnel or groups designated by the applicant.” This should be “results of completed pre-operational tests...” as written in Rev. 2.	“Prior to commencement of fuel loading, results <u>of</u> completed pre-operational tests should be evaluated by personnel or groups designated by the applicant.”
C.5	2	Clarity of guidance	C.5 states “The applicant’s schedules for conducting the pre-operational phase and the initial startup phase should provide for a minimum time of approximately 9 months and 3 months, respectively.” These time frames should be provided as guidelines or typical times, but should not be identified as “minimums.” Multiple years of operating experience is likely to reduce the time periods necessary for the ITP.	“ <u>Previous</u> applicant’s schedules for conducting the pre-operational phase and the initial startup phase <u>have typically provided</u> for a minimum time of approximately 9 months and 3 months, respectively. <u>Significantly shorter time periods should be justified.</u> ”
App A	2	Clarity	The first paragraph of Appendix A states “The staff accepted the ITPs for certified designs referenced under 10 CFR Part 52, Appendix A, “Design Certification Rule for the U.S. Advanced Boiling Water Reactor,” and Appendix D, “Design Certification Rule for the AP1000 Design.”” It is not clear why only Appendices A and D are identified. Is there an implication that the ITPs of the System 80+ and AP600 were	“The staff accepted the ITPs for certified designs referenced under <u>the applicable appendix to 10 CFR Part 52.</u> ”

Section	Priority (HML)	Basis	Description of the Issue	Proposed Alternate
			not accepted? Similarly, §6 of App. A also discusses only the ABWR and AP1000.	
App B	2	Docketing of draft procedures.	The third paragraph of Appendix B states “Drafts of these procedures should be made available as early as practical.” Rev. 2 of this guide indicated that these inspections are conducted by NRC inspection personnel. Draft Rev. 3 of this guide indicates that these inspections are conducted by both NRR-NRO personnel and NRC inspection personnel. The NRC should recognize that utilities will be very hesitant to make draft procedures available to NRC such that they will be automatically made available to the public, i.e., as “submitted” documents. NRC should expect drafts to be available to local inspectors only, not “submitted” to NRC headquarters.	“Drafts of these procedures should be made available <u>on-site</u> as early as practical.”
App B	2	Clarity	The bullet (1) text has an added phrase at the end that reads “and in the CIP for new plants licensed in accordance with the requirements of 10 CFR Part 52.” This phrase addition does not make sense in that it does not understandably combine with the subject and verb of the sentence.	No suggestion. The intent of the addition is not sufficiently clear to make suggestions.
App C	2	Consistency	Section 2.A(6) of Appendix C states “A response check of nuclear instruments to a neutron source should be required within 8	“A response check of nuclear instruments to a neutron source should be required within N hours prior to

Section	Priority (HML)	Basis	Description of the Issue	Proposed Alternate
			hours prior to loading (or resumption of loading, if delayed for 8 hours or more).” These 8 hour source checks are inconsistent with many Tech Spec surveillance frequencies and are likely to be the source of a consistent deviation from this RG.	loading (or resumption of loading, if delayed for N hours or more) where N is consistent with the Technical Specification surveillance frequency for source range nuclear instruments in the refueling mode, typically 8 or 12 hours.”

The following criteria may be used to prioritize comments/observations regarding RG and SRP reviews.

Priority	Examples
High = 1	New requirements, requirements without regulatory basis, inconsistent with established precedent, significant hearing exposure, clear revisiting of closed issues, etc.
Medium = 2	Additional information submittal, opportunity for inconsistency between individual reviewers, unclear distinction in credit for closed issues, opportunity to negotiate after COLA submittal, etc.
Low = 3	Editorial, straightforward clarification required