

January 19, 2007

William J. Shack, Chairman  
Advisory Committee on Reactor Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

SUBJECT: PROPOSED RULEMAKING TO MODIFY 10 CFR 50.46, "RISK-INFORMED  
CHANGES TO LOSS-OF-COOLANT ACCIDENT TECHNICAL REQUIREMENTS"

Dear Mr. Shack:

I am responding to your November 16, 2006, letter regarding the staff efforts to issue a final voluntary rule to redefine the largest design basis loss-of-coolant accident from the current double-ended guillotine break of the largest pipe to a risk-informed smaller size. We appreciate the time and effort the Advisory Committee on Reactor Safeguards (ACRS) has devoted to this important subject.

Your letter recommended that the draft final rule for risk-informing 10 CFR 50.46 not be issued in its current form. Additionally, the letter contains a number of specific recommendations for performing additional technical reviews and making changes to the current draft final rule.

The staff plans to address each of the Committee's recommendations in its continuing work on this rulemaking. The effort will also involve significant stakeholder interaction to assure that the final rule both maintains safety and is cost effective to implement. However, because the resource and schedule implications of the ACRS recommendations are significant, we plan to inform the Commission of these implications before proceeding. After communicating with the Commission, the staff will continue to interact with the ACRS to appropriately address the issues raised by your November 16, 2006, letter. For all resulting rulemaking activities, the staff will address pertinent issues when the rule again comes before the ACRS during the normal review process.

Sincerely,

***/RA/***

Luis A. Reyes  
Executive Director  
For Operations

cc: Chairman Klein  
Commissioner McGaffigan  
Commissioner Merrifield  
Commissioner Jaczko  
Commissioner Lyons  
SECY

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