



NUCLEAR ENERGY INSTITUTE

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May 23, 2007

Mr. David B. Matthews  
Director, Division of New Reactor Licensing  
Office of New Reactors  
U.S. Nuclear Regulatory Commission  
Mail Stop 12-E5  
Washington, DC 20555-0001

**Subject:** Industry Comments on Recent Guidance Documents

**Project Number: 689**

Dear Mr. Matthews:

The meetings between the NRC and the NEI New Plant Working Group have been very beneficial. In the May 10, 2007 meeting there was a discussion on six of the approximately 300 new plant related NRC guidance documents that have been recently issued. It was agreed that there should be additional public meetings involving NRC and industry management focused on the issues emanating from these documents.

This letter provides additional information on the industry concerns associated with the six guidance documents and forms the bases for the future meetings. In the four regulatory guides listed below, the industry has identified new staff positions that are not supported by regulations or standards:

- RG 1.9, Rev. 4, *Application and Testing of Safety-Related Diesel Generators*
- RG 1.209, Rev. 0, *Guidelines for Environmental Qualification of Safety-Related Computer-Based I&C*
- RG-1.20, Rev. 3, *Comprehensive Vibration Assessment Program for Reactor Internals during Preoperational and Initial Startup Testing*
- RG 4.15, Rev.2, *Quality Assurance for Radiological Monitoring Programs (Inception through Normal Operations to License Termination) – Effluent Streams and the Environment*

The industry previously submitted detailed comments on these draft regulatory guides when they were issued for comment, and many issues were resolved. However, there are outstanding issues that could have substantial impact on the preparations of quality combined license applications. These issues are described in the enclosure.

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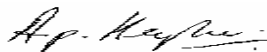
As mentioned in the meeting, we are also currently working with the staff to resolve concerns with the NRC Standard Review Plan Section (SRP) 17.6, Maintenance Rule, and NRC Branch Technical Position (BTP) 7-12, Instrument Setpoints. Interactions on SRP 17.6 are in progress and future meetings are being planned. The enclosure summarizes the issues under discussion.

On BTP 7-12, our comments are extensive and significant, especially in the area related to non-safety setpoints. A meeting has been planned for June 13, 2007 to discuss the issues. As proposed, the document will result in a dramatic increase in regulatory burden. NEI will submit detailed comments prior to the meeting to assure a more constructive and productive outcome from the discussions.

The industry acknowledges the efforts of the NRC staff in developing and updating numerous guidance documents on an expedited schedule to support COL applications. The small number of remaining issues reflects a balanced and professional NRC staff and industry attitude towards resolving open issues over the past nine months. We look forward to continuing the productive meetings as we move into the final stages of combined license application preparations.

Thank you again for your time and attention to these matters. If you have any questions regarding this effort, please contact Leslie Kass at (202) 739-8115; [lck@nei.org](mailto:lck@nei.org) or me.

Sincerely,



Adrian P. Heymer

Enclosure

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Mr. Farouk Eltawila, NRC  
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