

PR 50
(70FR67598)

PWROG Project No. 694
BWROG Project No. 691

June 15, 2007

DOCKETED
USNRC

OG-07-280
BWROG-07032

June 18, 2007 (1:32pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Commissioners
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: Owners Group Comments on SECY-07-0082, Rulemaking to Make Risk-Informed Changes to Loss-of-Coolant Accident Technical Requirements; 10 CFR 50.46a, "Alternative Acceptance Criteria for Emergency Core Cooling Systems for Light-Water Nuclear Power Reactors" (MUHP-3062)

Since 1999, the PWR Owners Group (PWROG) and BWR Owners Group (BWROG) have supported the NRC's efforts to risk inform the ECCS acceptance criteria of 10 CFR 50.46a. However, we are disappointed with the option recommended by the staff in the referenced SECY paper and do not believe it will result in a timely or successful rule change. Our view is that the remaining issues with the rule can be successfully resolved among all stakeholders such that a final rule could be issued yet this year. Therefore, we urge the Commission to direct the staff to continue to treat this rule change as a high priority and expend the resources to resolve these issues on the rule package in 2007.

During the last two years, the NRC staff and the nuclear industry have made substantial progress in the resolution of issues with the proposed rule, culminating in the October 3, 2006 draft of the 10 CFR Part 50.46 rule change. While both Owners Groups have raised issues to be remedied in the final rule, we see no insurmountable obstacles to the rule change being a usable product that is consistent with the Commission's policy statement on risk-informed regulation.

The PWROG and BWROG continue to believe that 10 CFR 50.46a will improve the safety focus of operating reactors and is a cornerstone for risk-informed regulation. There has been a great deal of thought and effort expended since the beginning of this initiative to assure the final rule is successful from both industry and the Commission's perspectives. We look forward to a final rule in 2007.

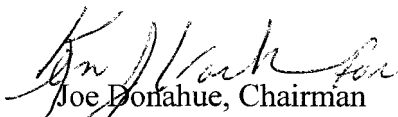
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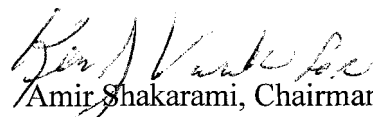
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Sincerely yours,



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