



Carl B. Corbin, Chairman
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STARS-09019

December 22, 2009

Mr. James E. Lyons, Chairman
Committee to Review Generic Requirements
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)
COMMENTS ON THE FUTURE ROLE OF THE
COMMITTEE TO REVIEW GENERIC REQUIREMENTS**

Reference: 1) 74 FR 40765, Performance-Based Emergency Core Cooling System Acceptance Criteria, dated August 13, 2009 (ADAMS Accession No.: ML092940161)
2) Letter from Ellen C. Ginsberg, NEI, to James E. Lyons, NRC, dated December 16, 2009, Comments on the Future Role of the Committee to Review Generic Requirements.

Dear Mr. Lyons,

The Strategic Teaming and Resource Sharing (STARS)¹ alliance is submitting comments on the future role of the Committee to Review Generic Requirements (CRGR). STARS, the Nuclear Energy Institute (NEI), and others participated in the NRC public meeting on November 9, 2009, to discuss the future role of the CRGR (Reference 1). STARS is submitting these written comments to follow up on feedback provided at the meeting. Additionally, STARS endorses the comments submitted separately by the NEI (Reference 2).

STARS commends the NRC for understanding the need for central oversight when they created the CRGR years ago. It was also the right thing to do when the NRC improved and enhanced the process to allow for industry / public comments and feedback early in the process, and to incorporate the backfit considerations in the NRC's process during preparation of a generic communication.

One of the key principles of a good regulatory process is objectivity. We believe that organizations sponsoring changes should review their changes to assure backfits are not imposed. However, this process should not take the place of an independent third party review.

¹ STARS consists of thirteen plants at seven stations operated by Luminant Power, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company, Arizona Public Service Company, and Southern California Edison.

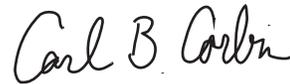
Just as licensees have independent committees to review work products, the CRGR provides valuable oversight within the NRC.

STARS believe the CRGR should include full reviews of not only proposed rulemaking, but also include items such as Generic Letters, Bulletins, Regulatory Issue Summaries, NRC Inspection Procedures, Requests for Additional Information, and Interim Staff Guidance (ISGs). These documents can have an even greater impact by imposing requirements not intended by or consistent with the regulations. CRGR reviews help assure consistent and appropriate actions are taken to assure the proper processes are followed to impose new requirements.

Many licensees perceive that the NRC is generally not receptive to claims of backfit and are consequently reluctant to make backfit assertions. A fully functioning CRGR provides confidence to the public and the industry that proposed changes are properly justified.

Thank you for your consideration of these comments. If there are any questions regarding these comments, please contact me at 254-897-0121, or carl.corbin@luminant.com.

Sincerely,

A handwritten signature in black ink that reads "Carl B. Corbin". The signature is written in a cursive style with a large, prominent "C" at the beginning.

Carl B. Corbin, Chairman
STARS Integrated Regulatory Affairs Group