

123 Main Street  
White Plains, New York 10601  
914 681.6950  
914 287.3309 (Fax)



DS09  
J. Foye  
B. Pascarelli

63FR 42439  
August 7, 1998  
RECEIVED (27)  
1998 OCT 15 AM 10:56  
James Knudsen  
Senior Vice President and  
Chief Nuclear Officer  
RULES & DIRECTIVES BRANCH  
US NRC

October 6, 1998  
JPN-98-043  
IPN-98-106

Chief, Rules and Directives Branch  
Division of Administrative Services  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

SUBJECT: Indian Point 3 Nuclear Power Plant  
Docket No. 50-286  
James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333  
**Comments on the Integrated Review  
of the Assessment Process for  
Commercial Nuclear Power Plants**

- REFERENCES:
1. Federal Register, August 7, 1998, Volume 63, Number 152, pages 42439-42459.
  2. NEI letter, R. E. Beedle to David L. Meyer, USNRC, "Integrated Review of the Assessment Process for Commercial Nuclear Power Plants, dated October 6, 1998.

Dear Sir:

The Authority has reviewed the notice soliciting comments on the Integrated Review of the Assessment Process for Commercial Nuclear Power Plants (Reference 1). The Authority has also reviewed the comments being submitted on behalf of the nuclear power industry by the Nuclear Energy Institute (NEI) (Reference 2). The Authority endorses and supports NEI's comments and suggested approach to a new regulatory assessment process.

NEI has suggested an assessment process with several important features that the Authority considers essential to the regulatory assessment process. Equally important, it excludes peripheral elements that could distract from safety performance. As discussed during the recent NRC workshop, the NEI approach will facilitate licensees application of risk insights to the allocation of resources.

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Features of NEI proposal considered essential by the Authority include:

- Directly related to public health and safety
- Measurable
- Objective
- Distinguishes between compliance and safety
- Reliance on effective corrective action program
- Results oriented
- Utilization of operating experience and risk insights
- Eliminates relative plant performance and recognizes rising standards
- Regulatory action commensurate with performance results, safety significance, and actual consequences.

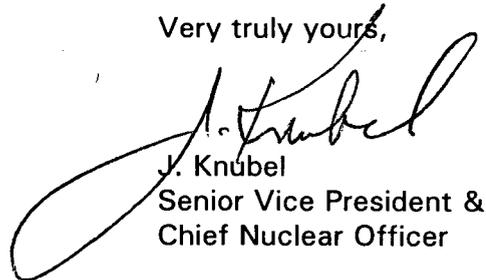
NEI's comments are comprehensive and in-depth and will well serve the new paradigm of regulatory oversight sought by both the NRC and industry.

#### **Assessment Process Feedback**

The Authority acknowledges the time and resources the Commission's staff has devoted to developing a new assessment process. The Authority believes the new assessment process should be periodically reviewed and the feedback incorporated as appropriate to improve the process. NYPA is ready to work with the NRC and the industry to refine the assessment process into a well-developed assessment tool that can serve both the NRC and the Authority.

This letter does not contain any new commitments. If you have any questions regarding this matter, please contact the Director - Nuclear Licensing, Ms. C. D. Faison.

Very truly yours,



J. Knübel  
Senior Vice President &  
Chief Nuclear Officer

cc: Next page

cc: Regional Administrator  
U. S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Office of the Resident Inspector  
U. S. Nuclear Regulatory Commission  
P.O. Box 136  
Lycoming, NY 13093

Office of the Resident Inspector  
U.S. Nuclear Regulatory Commission  
Indian Point 3  
P. O. Box 337  
Buchanan, NY 10511

Mr. George F. Wunder, Project Manager  
Project Directorate I-1  
Division of Reactor Projects I/II  
U. S. Nuclear Regulatory Commission  
Mail Stop 14B2  
Washington, DC 20555

Mr. J. Williams, Project Manager  
Project Directorate I-1  
Division of Reactor Projects I/II  
U. S. Nuclear Regulatory Commission  
Mail Stop 14B2  
Washington, DC 20555