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November 8, 2010

Ms. Cindy K. Bladey
Chief, Rules, Announcements, and Directives Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Industry Comments on DG-1216, "Plant-Specific Applicability of Transition Break Size Specified in 10 CFR 50.46a." (Docket NRC–2010–0229)

Project Number: 689

Dear Ms. Bladey:

On behalf of the nuclear industry, the Nuclear Energy Institute (NEI)[1] submits the enclosed comments on the subject draft regulatory guide for your consideration. NEI appreciates the opportunity to comment on DG-1216, and looks forward to continuing to work with the staff on developing regulatory guidance to support implementation of voluntary rule 10 CFR 50.46a, "Risk-Informed Changes to Loss-of-Coolant Accident Technical Requirements."

Based on discussions at a public meeting on September 30, NEI understands that the staff intends to address an ACRS comment regarding consideration of the impact of plant changes on the frequency of indirect piping failures in addition to impact on the frequency of direct piping failures. Incorporation of that comment would constitute an appreciable expansion of this draft regulatory guidance. NEI believes that, should this expansion be pursued, DG-1216 should be re-released as a draft regulatory guide for public comment.

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[1] NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

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If you have any questions or require additional information, please contact me at 202.739.8083, reb@nei.org or Victoria Anderson at 202.739.8101; vka@nei.org.

Sincerely,

Biff Bradley

Attachment

c: Mr. Richard F. Dudley, Jr., NRR /DPR/PRIB, NRC
Mr. Richard A. Jervey, RES/DE/RGDB, NRC
Mr. Robert L. Tregoning, RES/DE
NRC Document Control Desk

ATTACHMENT

Industry Comments on DG-1216, Plant-Specific Applicability of Transition Break Size Specified in 10 CFR 50.46a

Complexity of Process Outlined in DG-1216. In general, the methodology outlined in DG-1216 is excessively burdensome and is likely to prevent widespread implementation of 10 CFR 50.46a. Further, for any licensee that has not implemented license renewal, the requirements are particularly onerous, making it unlikely that such a licensee will consider taking advantage of this voluntary rule.

As the transition break size (TBS) should be applicable for vast majority of plants, the goal of DG-1216 should be to identify those very few plants that might be outliers. Only the potential outlier plants should have to rigorously follow the process currently outlined in DG-1216. The rigor embodied in the current draft of DG-1216 should be reserved only for those plants that have had significant events in the past that could lead to appreciable degradation of large piping and pressure boundary components.

Instead, a simpler screening methodology is appropriate for the vast majority of operating plants. The first step to justify plant-specific applicability of NUREG-1829 (and NUREG-1903) should be to use a simple checklist to determine if a plant is clearly justified in adopting the TBS, or if the plant is an outlier that should follow the method(s) in the current draft of DG-1216. The checklist might include questions, such as the following:

- Has the plant experienced a seismic event in excess of the "Safe Shutdown Earthquake?"
- Has the reactor coolant system (RCS) experienced any unusual high mechanical stress event, such as severe water hammer?
- Does the plant have any known, unresolved significant RCS material degradation, such as stress corrosion cracking?
- Does the plant have any compliance issues with Codes and Standards or Technical Specifications relating to plant piping and piping supports?

Potential expansion of DG-1216 to Account for Indirect Failures: Currently, DG-1216 only directs the licensee to account for the impact of plant changes on the frequency of direct piping failures. Based on discussions at a public meeting on September 30, NEI understands that the staff intends to address an ACRS comment regarding consideration of indirect failures as well. Incorporation of that comment would constitute an appreciable expansion of this draft regulatory guidance; should this expansion be pursued, DG-1216 should be re-released as a draft regulatory guide for public comment.

Lack of Reliance on Existing Programs to Bound Plant Changes Reported to NRC: It would be appropriate for DG-1216 to place more reliance on existing programs and regulations to reduce the extent to which the licensee would need to submit extensive reports regarding plant changes.

For example, it may be possible to reduce the number of plant changes to be reported by relying more heavily on the plant's 50.59 process. This would be simpler for the NRC and the licensee.

Expectations Regarding Continuous Applicability Evaluation Process: The expectation for re-evaluation of applicability of NUREG-1829 and NUREG-1903 after plant changes embeds a continuous process for licensee adopting the voluntary rule. Implementation costs (demonstrating plant-specific applicability of NUREG-1829 and NUREG-1903) and associated reporting requirements will have the potential to limit industry-wide implementation of 10 CFR 50.46a. During the NRC meeting on September 30, 2010, it was clarified that "plant changes" refer to all changes to the plant, not just changes that following directly from 10 CFR 50.46a. Given the margin associated with the selected TBS, this continuous process is unnecessary.

Appropriate Consideration of TBS Margin: The TBS was developed with a substantial margin (approximately 13 inch diameter for pressurize water reactors (PWRs), up from the best estimate of about four-inch diameter break that corresponds to a frequency of $1x10^{-5}$ per year). The NRC Staff said the purpose of this margin was to ensure regulatory stability. We believe this margin is sufficient to provide confidence that the TBS applies to all plants in the US. In light of this, the above comments on reducing the burden associated with DG-1216 should be given due consideration by the staff.

Pilot of DG-1216 Process Prior to Issuance: Finally, prior to issuance of the final regulatory guide on the applicability demonstration process, the process should be piloted at one or more plants to determine if any adjustments are needed. The PWR Owners Group has indicated a willingness to assist with this pilot process, and NEI encourages the staff to remain closely involved with that process.