

December 10, 2010

Dr. Said Abdel-Khalik, Chairman
Advisory Committee on Reactor Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

SUBJECT: RESPONSE TO THE OCTOBER 7, 2010, EXECUTIVE DIRECTOR OF
OPERATIONS LETTER REGARDING CLOSURE OF DESIGN ACCEPTANCE
CRITERIA FOR NEW REACTORS

Dear Dr. Abdel-Khalik:

In your letter dated November 9, 2010, you summarized the views of the Advisory Committee on Reactor Safeguards (ACRS or the Committee) on the U.S. Nuclear Regulatory Commission (NRC) staff's approach to closure of design acceptance criteria (DAC) for new reactors. Your letter indicated that, as described in the staff's October 7, 2010, letter, the DAC Task Working Group plans to resolve substantial sources of uncertainty in the DAC closure process. In addition, you indicated that ACRS is pleased with the level of agreement between the staff and the Committee on several aspects of the Committee's recommendations. The staff is also pleased with the progress made to date and the level of agreement we have on DAC closure.

Your letter also indicated that one aspect of the Committee's recommendations remains a point of disagreement: that there should be an independent ACRS assessment of DAC closure. The NRC staff will brief the Committee on the digital instrumentation and controls DAC inspection procedures and the first implementation of the procedures starting in calendar year 2011. These briefings will include a discussion of the inspection strategy and specific procedures, as well as a practical demonstration of our approach toward DAC closure in our inspection efforts for the South Texas Project. The staff believes that a decision on the degree of ACRS independent assessment of staff inspection activities would benefit from the discussions that will occur at those briefings. We look forward to continued dialogue on this topic and welcome ACRS comments and recommendations from those meetings as a way to improve our program.

S. Abdel-Khalik

-2-

The NRC appreciates the comments and perspectives provided by ACRS. We look forward to continued interactions with the Committee as the staff develops a resolution and closure process for DAC.

Sincerely,

/RA by Martin J. Virgilio for/

R. W. Borchardt
Executive Director
for Operations

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
SECY

The NRC appreciates the comments and perspectives provided by ACRS. We look forward to continued interactions with the Committee as the staff develops a resolution and closure process for DAC.

Sincerely,

/RA by Martin J. Virgilio for/

R. W. Borchardt
Executive Director
for Operations

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
SECY

DISTRIBUTION: G20100683/EDATS: OEDO-2010-0920
Public ACRS Reading File RidsAcrsAcnew_MailCTR
RidsNroDe RidsNroDcip RidsNroDnrl
RidsNroOd RidsNroMailCenter RidsOgcMailCenter
RidsEdoMailCenter

ADAMS Accession: Package ML103400025 *via e-mail EDO-002

OFFICE	NRO/DCIP	NRO/DCIP	NRO/DCIP	NRO/DNRL
NAME	TFredette	RLukes	JTappert	DMatthews (FAkstulewicz for)
DATE	11/18/2010	11/18/2010	11/18/2010	11/22/2010
OFFICE	NRO/DE	OGC	QTE	NRO/DO
NAME	TBergman	AWilson	KAzariah-Kribbs*	MJohnson (GHolahan for)
DATE	11/23/2010	12/1/2010	12/06/2010	12/08/2010
OFFICE	EDO			
NAME	RWBorchardt (MVirgilio for)			
DATE	12/10/2010			

OFFICAL RECORD COPY