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September 17, 2014

Mr. Michael E. Mayfield
Director
Division of Advanced Reactors and Rulemaking
Office of New Reactors
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mr. Michael C. Cheok
Director
Division of Construction Inspection and
Operational Programs
Office of New Reactors
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Submittal of *Plant Engineering: Guideline for the Acceptance of Commercial-Grade Items in Nuclear Safety-Related Applications*, Revision 1 to EPRI NP-5652 and TR-102260

Project Number: 689

Dear Mr. Mayfield and Mr. Cheok:

On behalf of the nuclear industry, the Nuclear Energy Institute (NEI)¹ is pleased to submit to the U.S. Nuclear Regulatory Commission (NRC) *Plant Engineering: Guideline for the Acceptance of Commercial-Grade Items in Nuclear Safety-Related Applications*, Revision 1 to EPRI NP-5652 and TR-102260. We request that the NRC review this guidance for endorsement through a Regulatory Guide.

The EPRI document fulfills the need for guidance on commercial grade dedication requirements in 10 CFR Part 21 identified in SECY-11-0135. The NRC has created Draft Regulatory Guide DG-1292 and indicated the possibility of using it to endorse industry guidance. As discussed in our recent letter to the NRC (ML1419B196), we believe that all of the issues identified by the NRC can be resolved through guidance, and that NRC endorsement of the EPRI guidance could avoid an unnecessary Part 21 rulemaking.

The EPRI guidance describes an approach that nuclear power plant licensees and their suppliers of basic components can take to comply with the commercial grade dedication requirements in 10 CFR Part 21. This

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

Mr. Michael E. Mayfield
Mr. Michael C. Cheok
September 17, 2014
Page 2

revision is updated to address those areas that were conditionally endorsed by the NRC, incorporate lessons learned, and provide clarity in other areas. It is consistent with NRC regulations, Generic Letters (GL) 89-02 and 91-05, Information Notice (IN) 2011-01, and NRC inspection procedures. The NRC staff has worked closely with EPRI to develop the revised guidance to be consistent with existing regulations.

The EPRI guidance document can be downloaded from the following link:

<http://www.epri.com/abstracts/Pages/ProductAbstract.aspx?ProductId=000000003002002982>

We appreciate the NRC's consideration of the guidance and are available to meet to discuss it in more detail. If you have any questions, please feel free to contact me or Marc Nichol (202.739.8131; mnrn@nei.org).

Sincerely,



Christopher E. Earls

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