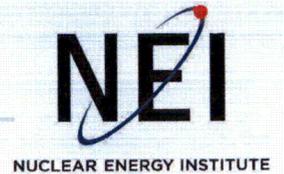


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August 26, 2015

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Office of Administration  
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Washington, DC 20555-0001

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**Subject:** Industry Comments on "Further Thoughts on Risk Management Regulatory Framework (RMRF) Option 2 'Implement a Risk-Informed Alternative Licensing Basis,'" July 13, 2015 Draft for Discussion with Interested Stakeholders," [Docket ID NRC-2013-0254]

**Project Number: 689**

Dear Ms. Bladey:

On behalf of the nuclear energy industry, the Nuclear Energy Institute (NEI)<sup>1</sup> is providing comments on the staff's paper "Further Thoughts on Risk Management Regulatory Framework (RMRF) Option 2, 'Implement a Risk-Informed Alternative Licensing Basis,'" [Docket ID NRC-2013-0254].

We appreciate the efforts by the NRC to provide additional thoughts concerning RMRF Option 2. NEI had previously submitted comments on the "NRC Staff White Paper on Options for Responding to the June 4, 2012 Chairman's Tasking Memorandum on Evaluating Options for a More Holistic Risk-Informed, Performance-Based Regulatory Approach," on June 11, 2015. The additional information provided by the staff concerning RMRF Option 2 provided does not result in a change in the industry's preferred option (Option 1).

The industry remains apprehensive about Option 2 based upon the lack of sufficient detail in the description of Option 2 in the new paper and during the discussions concerning Option 2 at the public meeting on July 29, 2015. Significant concerns remain on whether pursuing Option 2 as a voluntary initiative would be worthwhile. Given the current understanding of the examples provided by the staff, there is insufficient industry interest in adopting the Option 2 approach; thus rulemaking isn't justified.

<sup>1</sup> 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.

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The paper also included the staff's initial thoughts on two approaches to improving the current approach for determining what constitutes a "suitable PRA" for an Option 2 application. The two approaches that were introduced in the paper involved 1) "enhancing the current process, retaining 'peer review' as an integral part," and 2) developing a new "certified PRA" process. In considering these approaches, it is important to note that the industry and the NRC have invested significant resources over the past 10-15 years in the development of the ASME/ANS PRA Standard, supporting NEI PRA peer review guidance, and Regulatory Guide 1.200, "An Approach for Determining the Technical Adequacy of Probabilistic Risk Assessment Results for Risk-Informed Activities." Industry believes the benefits that would presumably come along with a certified PRA can be gained through other means, without requiring the creation of new processes and infrastructure. Industry agrees with the underlying notion that we must be more efficient in reviewing and deploying risk-informed initiatives. The industry continues to believe that using these processes, and improving them as lessons are learned, as we currently are in the RITS 4B and 10CFR50.69 applications, is the best approach for demonstrating the technical adequacy of the PRA for risk-informed application. Further, industry is interested in pursuing how to best leverage the lessons-learned from these applications, in order to streamline regulatory processes for plants that have implemented these broad spectrum applications. It should be noted that many of the issues identified in the paper concerning PRA Technical adequacy are already being addressed through the activities for improving the PRA peer review process that is being guided by the Risk-Informed Steering Committee Specific. Comments concerning lessons learned and improvements to the peer review process will be provided by separate correspondence since the industry is not advocating NRC expending additional resources under the RMRF.

Additionally, these options also included requirements for the qualification of PRA personnel. It should be noted that qualification of PRA personnel is currently part of the Institute of Nuclear Power Operations (INPO) accreditation program for engineering and support personnel. Qualification of PRA personnel should remain under this program, consistent with other engineering activities, rather than establishing new requirements.

Additional risk-related issues that are being considered with an Option 2 rulemaking were discussed both in the paper and during the public meeting. Specifically, these issues involved establishing criteria for defining the term "vulnerability" using the PRA, and development of objective acceptance criteria for defense-in-depth and safety margins. Although the industry is not supportive of going forward with the Option 2 rulemaking as currently presented, addressing these issues is important to the future of risk-informed regulation and should be raised to the Risk-Informed Steering Committee to prioritize efforts on the need to address them separate from proposed rulemaking activities.

If you have any questions or require additional information, please contact me (202-739-8083; [mdt@nei.org](mailto:mdt@nei.org)).

Sincerely,



Michael D. Tschiltz

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August 26, 2015

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