

D910417

The Honorable Kenneth M. Carr
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Carr:

SUBJECT: DRAFT FINAL RULE ON NUCLEAR POWER PLANT LICENSE RENEWAL

During the 372nd meeting of the Advisory Committee on Reactor Safeguards, April 11-13, 1991, we reviewed the draft of the final rule on nuclear power plant license renewal (10 CFR Part 54). Our Subcommittee on Plant License Renewal discussed this matter during its April 8, 1991 meeting. During our consideration of this matter, we had the benefit of discussions with representatives of the NRC staff, NUMARC, and Northern States Power Company. The latter is the licensee for the Monticello Nuclear Generating Plant, which is a lead plant in the license renewal program. We also had the benefit of the document referenced.

The ACRS reported to you on the proposed license renewal rule in its report of April 11, 1990. Since that time, the proposed rule was published for public comment. The staff received 197 comments. It has assimilated information from these comments and information received in a number of interactions with industry and has prepared a draft final rule. The schedule calls for the final rule to be published by June 28, 1991, and for other parts of the rulemaking package, a regulatory guide and a standard review plan, to be published about one year later.

As stated in our April 11, 1990 report, we concur with the approach being taken by the staff in this rulemaking. However, there are two areas of disagreement between the staff and NUMARC that we would like to bring to your attention. The first might require a modification in the draft final rule. The second is related to implementation of the rule.

The first matter is an issue on which we do not have a recommendation except that it should receive your consideration. The draft final rule requires that each applicant for license renewal develop a "compilation" of its Current Licensing Basis. Although it is not precisely clear what this means, it was agreed that it would, at a minimum, include a list of all licensing commitments agreed to by the applicant over the history of its plant. Industry representatives believe this is unnecessary.

The second issue is how implementation of the rule will be limited in scope to concentrate resources for aging management where needed. The rule would require that each applicant develop a list of Systems, Structures, and Components Important to License Renewal (SSCITLR) and then implement an aging management program appropriate for items on that list. The staff's position is that the original SSCITLR list should include all those items in the plant that play a role in meeting any docketed commitment the

licensee has made. This would include the original license; commitments related to new rules as they came into being; and commitments made in response to Safety Evaluation Reports, Information Notices, Bulletins, Generic Letters, and Orders.

The industry representatives told us that such a definition of SSCITLR would result in a list that includes 85 to 90 percent of all equipment in the plant. They believe that application of a special aging program to all of these items would be unnecessary and onerous. The process of reducing the initial SSCITLR list to just those items to be covered by a special aging program is critical. Items important to implement other commitments would not thereby be ignored. They would be maintained through the new license period just as they are now.

We believe that selection of those items to be subjected to a special aging program should be based on technical rather than legal argument. Our understanding is that a program of this nature can be developed with the rule as presently drafted. However, implementation will require careful crafting of the regulatory guide and the standard review plan. We would like the opportunity to review these documents before they are issued.

Sincerely,

David A. Ward
Chairman

Reference:

Memorandum dated March 6, 1991 from Warren Minners, Office of Nuclear Regulatory Research, to Raymond F. Fraley, ACRS, Subject: Final Rule on Nuclear Power Plant License Renewal, with enclosures (Predecisional)