

The Honorable Lando W. Zech, Jr.
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Zech:

SUBJECT: FINAL RULE ON STANDARDIZATION AND LICENSING REFORM, 10 CFR
PART 52, "EARLY SITE PERMITS; STANDARD DESIGN CERTIFICATIONS;
AND COMBINED LICENSES FOR NUCLEAR POWER PLANTS"

During the 346th meeting of the Advisory Committee on Reactor Safeguards, February 9-11, 1989, we reviewed the draft final rule on Standardization and Licensing Reform, transmitted January 26, 1989, which would provide for early site permits, standard design certifications, and combined licenses for nuclear power plants. We had previously reviewed an incomplete draft final rule package on this subject during our 345th meeting on January 12-14, 1989. We also had the benefit of briefings by the NRC staff on the draft final rule during the 345th meeting and during a meeting of our Subcommittee on Improved LWRs on January 10, 1989, and on the draft final rule package during our 346th meeting. The ACRS has provided comments on this subject in reports of August 12, 1986, October 15, 1986, June 7, 1988, and January 19, 1989.

We offer the following comments and recommendations based on our review of the draft final rule and the Statement of Considerations.

Section 52.47 b(2)(i) of the draft final rule establishes the requirements for certification of a standard design which differs significantly from an "evolutionary" light water reactor design, or which utilizes simplified, inherent, passive, or other innovative means to accomplish its safety function. We have several concerns with the provisions of this section as written. We interpret this section to provide for the following:

- (1) Certification of a design may be granted without testing if the scope of the design is complete and the analysis of the performance and interdependence of the safety features is found acceptable. We recommend against providing for certification of a design solely on the basis of analysis. The staff indicates that our concerns can be handled by proper modification of the Statement of Considerations.
- (2) Certification may be granted for a design whose scope is less than complete if the testing of a prototype demonstrates that the noncertified portion of the plant cannot significantly affect safe operation of the plant. Our problem with this provision is that unless the design of the noncertified portion of the plant is well defined and considered, the potential adverse effects on safe operation of the plant from the noncertified portion may not be identified by testing of the prototype. We recommend against

providing certifications for less than complete scope for these designs.

Our letter of January 19, 1989 on the incomplete final rule package included a recommendation for requiring the submittal of procurement specifications and construction and installation specifications as an appropriate indication of the expected scope and level of information required for effective review of an "essentially complete" design. Requirements for design and procurement type specifications did appear in the Standardization Policy Statement of September 15, 1987, but were not included in the draft final rule. We believe they should be.

It is noteworthy that the requirements which we recommend, appear in the Electric Power Research Institute report, "Advanced Light Water Reactor Utility Requirements Document" (June 1986) and in the Atomic Industrial Forum (AIF) report, "Standardization of Nuclear Power Plants in the U.S." (December 16, 1986). The AIF document also states that, "the degree of design detail necessary for providing an 'essentially complete' design will generally be that detail which is suitable for obtaining specific equipment or construction bids."

Sincerely,

Forrest J. Remick
Chairman

References:

1. Draft Final Rule (undated) for The Commissioners from William C. Parler, General Counsel, Subject: Rulemaking on Early Site Permits, Design Certifications, and Combined Licenses (received January 26, 1989)
2. Incomplete draft final rule package (undated) 10 CFR Part 52, Early Site Permits; Standard Design Certification; and Combined Licenses for Nuclear Power Reactors (received January 3, 1987)

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