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Draft Letter to the Nuclear Energy Institute Regarding the Clarification of Regulatory Paths for Lead Test Assemblies

Comment On: NRC-2018-0109-0002

Draft Letter to Nuclear Energy Institute Regarding Clarification of Regulatory Paths for Lead Test Assemblies

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Comment on FR Doc # 2018-14121

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General Comment

I endorse the comments of Union of Concerned Scientists:

Comments on Draft Letter to the Nuclear Energy Institute Regarding the Clarification of Regulatory Paths for Lead Test Assemblies, [NRC-2018-0109] as published June 7, 2018, in the

Federal Register

, pp. 26503-26505

Comments uploaded to

www.regulations.gov

On behalf of the Union of Concerned Scientists, we submitted the attached comments on the draft letter. As explained in the comments, we believe the draft letter must not be finalized and issued. We agree with the reason for the draft letter the need to clarify regulatory expectations for the insertion of Lead Test Assemblies in operating reactor cores. That objective should be achieved through appropriate means, not via a letter to the industry trade group.

The draft letter outlines two regulatory pathways: (1) the Standard Technical Specification (STS) path for licensees having technical specification provisions comparable to STS 4.2.1, and (2) the 50.59 and non-exemption path.

The STS path is more appropriately provided through revisions to the STS Bases documents and/or issuance/revision of Regulatory Guides and Regulatory Issue Summaries to explain this path and the conditions for its use.

The 50.59 and non-exemption path is not needed because the pending 50.46 rulemaking expressly addresses the exemption portion and the proper application of 50.59 already addresses the remainder. Therefore, the draft letter must not be finalized and issued. It is an entirely inappropriate means for

communicating regulatory expectations on safety regulations protecting workers and the public.

Sincerely,

David Lochbaum

Director, Nuclear Safety Project

Edwin S. Lyman, Ph.D.

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