UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

August 30, 1977

MEMORANDUM FOR: J. Knight, Assistant Director
for Engineering
D. Ross, Assistant Director
for Reactor Safety
R. Tedesco, Assistant Director
for Plant Systems

FROM: W. P. Haass, Special Assistant
for Standardization
Division of Systems Safety

SUBJECT: DEFINITION OF RGCOD FOR PDA REVIEWS

In accordance with recent discussions regarding the RESAR-414 review, DSS staff members should proceed on the basis of the following definition for the Regulatory Guide Cut-Off Date (RGCOD) established for PDA reviews:

> RGCOD is a specific date, established by the cognizant LPM to be generally the same as the date for transmittal of all staff positions (O_2's) to the applicant, after which no new positions approved through the R3C and the Director, NRR, as necessary, may be applied in the review of PDA applications. The date of NRR management approval, not the date for implementation on CP applications given in the Regulatory Guide, is the determining factor for applicability. Note that this definition applies only to those new positions determined to be necessary for forefit only (i.e., Category 1 positions).

W. P. Haass

W. P. Haass, Special Assistant
for Standardization
Division of Systems Safety

cc: R. J. Mattson
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FEB 28 1979

MEMORANDUM FOR: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

FROM: Roger S. Boyd, Director
Division of Project Management, NRR

SUBJECT: TREATMENT OF RRRC CATEGORY II AND III AND NRR CATEGORY IV MATTERS ON UTILITY APPLICATIONS REFERENCING PDA'S

A matter that we believe requires your immediate attention is that of establishing the procedure for the staff review of the subject matters on utility applications that reference PDA's. In our view, there seems to be some diversity of understanding about what we are, and are not, going to do.

This uncertainty is associated with how, and more specifically, when, the staff should review conformance of the applicant to approved RRRC Category II and III matters and the NRR Category IV matters. The problem originates because a distinction was not made on the applicability of these matters between custom plants and those plants involving a standardization option, i.e., reference designs, duplication, or replication. The problem only concerns past RRRC decisions, since the new implementation schedules make the applicability clear with regard to standard plants; although even the review implementation schedule, do not address when matters should be resolved. We believe it is necessary to establish and document a review procedure for standard plant applications to assure that our reviews are reconciled with the Commission's recent policy statements on standardization as well as our recent pronouncements to Congress concerning the need to limit design changes to approved standard designs. As I am sure you are aware, the Commission, in its June 29, 1977 policy statement, notes that " ... the full benefits of standardization will only be realized if both government and industry management are firm in their commitment to limit changes to an approved standard design to those clearly needed for public health and safety reasons." We find it difficult to see how many of these Category II, III and IV matters could meet that test.

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We have developed for your approval an approach that we believe is consistent with the standardization policy, and at the same time, provides for consideration of each of the significant matters in an orderly and structured way. The approach would involve deferral of the review of these matters until the FDA or OL, as appropriate. This would permit PDA's to remain valid when referenced in a CP application and provide the needed predictability for utilities. The alternatives to this approach are to reopen PDA's each time they are referenced, or to take up the matters in the referencing CP applications. In our view, either of these alternatives would deal a severe blow to the standardization program.

We have tailored our proposed generic approach to the New Haven 1 & 2 review in draft letters (attached) to NYSEG, C-E, and S&W. These letters were sent out for review and comment to Ed Case, Dick DeYoung and Roger Mattson. Ed and Roger endorsed the approach while Dick suggested that it was improper to set policy in the form of letters to applicants. He recommended that the matter be brought before RRRC to receive their recommendation.

While we do agree in general with Dick's comment, we believe the following factors argue in favor of having this issue decided by you:

(1) The decision is urgently needed in that the detailed review of New Haven 1 & 2 is about to begin.

(2) These matters are being deferred routinely to the OL stage on approved custom plants and those in the late stages of approval, thus raising these issues on New Haven will give the appearance of penalizing applications that reference standard designs.

(3) The RRRC decisions are silent as to the applicability of their decisions to standard plants, and thus, only an interpretation is needed.

(4) RRRC decisions are in the form of recommendations and are subject to final approval or modification by the Office Director prior to their implementation.

To reiterate, we propose to (1) defer the review of Category II, III, and IV matters on applications referencing PDA's, (2) inform the applicant/vendor/A/E that implementation of subsequent regulatory requirements will be reviewed at the OL/FDA stage, and (3) any designs which are inconsistent with our present regulatory requirements and for which suitable design alternatives might be foreclosed at the OL/FDA stage, must be brought to the staff's attention without delay.

If further discussion or information would be useful in deciding this matter, perhaps I can get together with you on Thursday, March 1, 1979, since I will be away from the office the following two weeks, and, as noted, the matter has a time constraint.

Original signed by:

Roger S. Boyd, Director
Division of Project Management

Enclosure:
As stated

cc: E. Case
R. DeYoung
R. Mattson

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