

NOTATION VOTE

RESPONSE SHEET

TO: John C. Hoyle, Secretary
FROM: COMMISSIONER ROGERS
SUBJECT: SECY-97-044 - POLICY AND KEY TECHNICAL
ISSUES PERTAINING TO THE WESTINGHOUSE
AP600 STANDARDIZED PASSIVE REACTOR
DESIGN

Approved ^{WITH} _{* COMMENTS *} _{KCH} Disapproved Abstain
Not Participating Request Discussion

COMMENTS:

SEE ATTACHMENT. _{KCH}

Kenneth C. Rogers
SIGNATURE

June 24, 1997
DATE

Release Vote x

Withhold Vote

Entered on "AS" Yes x No

Commissioner Rogers' suggested comments on SECY-97-044:

I approve the Staff's position that the AP600 include a containment spray system or equivalent for accident management following a severe accident, but only with great reluctance. I am ultimately swayed by the ACRS endorsement, for the second time, of the Staff's position. Although I yield to the Committee's judgment, I also note the Committee's endorsement is less than enthusiastic. I remain unpersuaded by the Staff's arguments as to why the system is needed. Indeed, it appears that the evolution of this issue illustrates a lack of coherence in our decision making.

The Commission's safety goal policy defined quantitative health objectives that addressed the issue of "how safe is safe enough." It is my understanding that the AP600, without a containment spray, would meet those safety goals with sufficient margin to satisfy the Commission's expectation for a higher level of safety in future plants.

The Commission has indicated its intent to move toward risk-informed regulation. The proposed containment spray appears to offer no significant reduction in public risk.

The Commission has approved regulatory analysis guidelines intended to ensure that additional required safety features are cost beneficial. The proposed spray does not appear to be even remotely justified under these guidelines.

The Commission has approved Severe Accident Mitigation Design Alternatives guidelines for certified designs that were in fact used by the Staff to evaluate and reject additional safety features on the evolutionary designs. The proposed containment spray would not be required if those guidelines were applied.

In spite of the fact that the proposed system cannot be justified under any of the rational decision making guidelines that we have established for ourselves, the Staff would require it anyway. The ultimate reason seems to be that it is justified to compensate for uncertainties in how this design will behave under severe accident conditions. Even this reason is not well supported because we have not established a relationship between the proposed spray and the particular uncertainties it is supposed to address. "Defense-in-depth" becomes the final justification.

The Commission and the Staff should not continue ad hoc decision making indefinitely. Apparently, additional criteria are needed to allow the Staff and the Commission to conclude that an additional safety feature cannot be justified. There are many activities underway related to PRA implementation. The

Commission and the Staff need to assure themselves that those activities include the development of whatever criteria are needed to make a definitive determination that a plant or system or component is safe enough. If we argue that a proper balance has not been achieved between prevention and mitigation, we need to understand the criteria by which we can decide when the proper balance has been reached. The NRC must place some rational limits on the "defense-in-depth" argument.