

BWXT comments on 3-1 draft ~.txt

```
<html>
<head>
<title>NRC TECHNICAL CONFERENCE Reply To Message</title>
</head>
<body TOPMARGIN=10 LEFTMARGIN=10 RIGHTMARGIN=10 BOTTOMMARGIN=10
BGCOLOR="FFFFFF" TEXT="000000">
<P>
<CENTER>
<TABLE CELLSPACING=0 CELLPADDING=0 BORDER=0 WIDTH=550>
<TR>
<TD WIDTH=120><A HREF="http://techconf.llnl.gov/index.html"><IMG
BORDER=0 WIDTH=120 HEIGHT=102
SRC="http://techconf.llnl.gov/images/BannerTableImages/NRCSealBnr.gif"
>
</A></TD>

<TD WIDTH=430><IMG WIDTH=430 HEIGHT=102
SRC="http://techconf.llnl.gov/images/BannerTableImages/ConfBnrHd.gif">
<
/ TD>
</TR>
</TABLE>

<TABLE CELLSPACING=0 CELLPADDING=0 BORDER=0 WIDTH=550 HEIGHT=17>
<TR>
<TD WIDTH=120><A HREF="http://techconf.llnl.gov/index.html"><IMG
WIDTH=120 HEIGHT=17 BORDER=0
SRC="http://techconf.llnl.gov/images/BannerTableImages/NRCHomeBtnOn.gif"
"></A></TD>
<TD WIDTH=86><IMG WIDTH=86 HEIGHT=17 BORDER=0
SRC="http://techconf.llnl.gov/images/BannerTableImages/BlankBtn.gif"><
/
TD>
<TD WIDTH=86><A
HREF="http://techconf.llnl.gov/cgi-bin/topics?news"><IMG WIDTH=86
HEIGHT=17 BORDER=0
SRC="http://techconf.llnl.gov/images/BannerTableImages/NewsBtnOff.gif"
">
</A></TD>
<TD WIDTH=86><A HREF="http://techconf.llnl.gov/cgi-bin/topics"><IMG
WIDTH=86 HEIGHT=17 BORDER=0
SRC="http://techconf.llnl.gov/images/BannerTableImages/ConfBtnOn.gif">
<
/A></TD>
<TD WIDTH=86><A HREF="http://techconf.llnl.gov/Email.html"><IMG
WIDTH=86 HEIGHT=17 BORDER=0
SRC="http://techconf.llnl.gov/images/BannerTableImages/FeedBtnOn.gif">
<
/A></TD>
<TD WIDTH=86><A
```

BWXT comments on 3-1 draft ~.txt

```

HREF="http://techconf.llnl.gov/docs/about/aboutNetForum.html"><IMG
WIDTH=86 HEIGHT=17 BORDER=0
SRC="http://techconf.llnl.gov/images/BannerTableImages/HelpBtnOff.gif"
>
</A></TD>
</TR></TABLE>

```

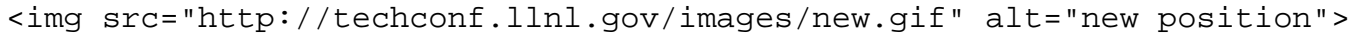
# Revised Requirements for the Domestic Licensing of Special Nuclear Material, 10 CFR Part 70

```

<IMG
SRC="http://techconf.llnl.gov/images/BannerTableImages/ConfHB.gif">
</CENTER>
<ul><li><b>Messages Sorted by: </b>|
  <a
href="http://techconf.llnl.gov/cgi-bin/messages?dom_lic/Thread">Thread
</a> |
  <a
href="http://techconf.llnl.gov/cgi-bin/messages?dom_lic/Date">Date</a>
|
  <a
href="http://techconf.llnl.gov/cgi-bin/messages?dom_lic/Author">Author
</a> |
  <a
href="http://techconf.llnl.gov/cgi-bin/messages?dom_lic/Position">Posi
tion</a> |
  <a
href="http://techconf.llnl.gov/cgi-bin/messages?dom_lic/Subject">Subje
ct</a> |
  <a
href="http://techconf.llnl.gov/cgi-bin/messages?dom_lic/Text">Abstract
</a> |
</ul>
<p>
<ul><li><a
href="http://techconf.llnl.gov/cgi-bin/replyto?dom_lic/6">Previous
Message</a><li><a
href="http://techconf.llnl.gov/cgi-bin/replyto?dom_lic/8">Next
Message</a><li><a
href="http://techconf.llnl.gov/cgi-bin/replyto?dom_lic/6">Previous
Thread</a><li><a
href="http://techconf.llnl.gov/cgi-bin/replyto?dom_lic/8">Next
Thread</a></ul><p>
<hr>

```

BWXT comments on 3-1 draft ~.txt



**<font size=+2><b>**

BWXT comments on 3/1 draft of 10CFR70

**</b></font>**

**<p>**

**<b>From: </b>Steve Schilthelm**

**<i>steve.w.schilthelm@mcdermott.com</i><br>**

**<b>Date: </b>3/17/99 4:55:35<br>**

**<b>Thread ID:</b> 7**

**<p>**

**<ul>70.4 New Processes at Existing Facilities**

**<br>**

This definition identifies three levels of change, two of which are included as a new process.

**<br>**

**<br>**

\* Facility Level (included)

**<br>**

\* Systems Level (included)

**<br>**

\* Component Level (excluded)

**<br>**

**<br>**

Facility and System Level changes would require submittal of a Preliminary Process Hazards Analysis, submittal of license amendment, and prior NRC approval per 70.64(c) & (d). This is lower than existing thresholds for license amendments and is contrary to Commission directive in SECY-98-185, which limits the types of changes requiring submittal to, "those few significant changes that currently would require license amendments." It is unclear how 70.72 is attempting to

define the terms Facility, System, and Component Level.

**<br>**

**<br>**

The definition should only include Facility Level changes so that the requirements of 70.64 (c) & (d) are consistent with Commission directives in SECY 98-185. The value of 70.72 should also be considered given that 70.64 appears to define when a license amendment is required.

**<br>**

**<br>**

BWXT has reviewed Facility, System, and Component Level changes initiated during 1998 under SNM-42. The following summarizes our

BWXT comments on 3-1 draft ~.txt

review, which indicates an additional 30 license amendments would have been required in 1998 under the proposed rule language.

<br>

<br>

Facility Level - 1

<br>

Systems Level - 31

<br>

Component Level - 69

<br>

<br>

This review was based upon our interpretation of the three levels

Future NRC interpretation could drive these numbers in either direction

and will likely be a point of contention.

<br>

<br>

70.64 (c)(4)

<br>

Performing a Preliminary Process Hazards Analysis appears to be a

reasonable requirement, however, providing it to NRC prior to construction is an exercise which appears to have no function in the licensing process. The licensee has no action after submittal. The NRC

has no review or approval authority. This appears to be nothing more than "forced" communication without an objective end-point. While early and sufficient communication is prudent, forcing it through an open-ended regulatory requirement is inappropriate.

<br>

<br>

70.65(b)

<br>

This section implies ALL license amendments require an ISA summary. There are, however, administrative and programmatic commitments in the license application (e.g., Organization) which do not impact the ISA Summary. Flexibility should be provided for these types of amendments.

<br>

<br>

70.65(b)(1-10)

<br>

The ISA Summary content requirements appear to be expanded even beyond those presented in the draft SRP. This level of information in

the ISA Summary will provide more detail than the review can digest and  
may mask the forest with the trees. Suggest a higher level summary.  
<br>

<br>  
NOTE: See later comment on frequency of update in 70.72(g)  
<br>

<br>  
70.65(b)(10)  
<br>

Performance of an ISA at facilities licensed under 10 CFR 70 has ALWAYS been viewed as a qualitative process. These terms can be discussed in qualitative terms but the decision regarding where a particular event, failure, or occurrence fits in these terms MUST be based on the experience and judgement of qualified ISA team members.  
<br>

<br>  
Neither the ANSI standards related to criticality safety (ANSI/ANS-8.1 thru 8.23) nor the Nuclear Criticality Safety Guide, LA-12808, (the development of which was sponsored by DOE and NRC) define the terms likely, unlikely, highly unlikely, and credible. The professional community in writing the ANSI standards and the two National Laboratories that developed LS-12808 purposefully did not define these terms.  
<br>

<br>  
Attempts to define these terms implies a level of quantitative assessment that is simply not practical or necessary at fuel facilities.  
<br>

<br>  
70.72  
<br>

Neither Option 1 or 2 of paragraph (d) is consistent with commission directive in SECY 98-185 which limits the types of changes requiring submittal for license amendment to "those few significant changes that currently would require a license amendment." It is also unclear how these options relate to the definition of New Processes at Existing Facilities and the requirements 70.64(c) & (d).  
<br>

<br>

BWXT comments on 3-1 draft ~.txt

NRC should limit the requirements for license amendments to facility level changes and changes to authorized activities. This would be consistent with Commission directives not to lower the license amendment threshold. 70.64(c) & (d) and 70.72 should be revised to clearly state.

<br>

<br>

70.72(g)

<br>

Given the proposed level of detail in the ISA Summary, it would be a rare event for change to process safety information without changing the ISA Summary. Thus, nearly every change will require revision of the ISA Summary essentially prompting a revision submittal every 90 days. This seems excessive! Also, given the level of detail in the ISA Summary, the 6-month notification of change to process safety information seems unnecessary. Why would the licensing reviewer be interested in changes to information he has never seen in the first place? The licensee will have records of such changes for inspection purposes.

<br>

<br>

BWXT recommends the ISA Summary be updated annually, or with each license amendment. Notification of changed process safety information should be deleted.</ul>

<hr></html>