

July 27, 2000

Dr. Dana A. Powers, Chairman
Advisory Committee on Reactor Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

SUBJECT: ACRS COMMENTS ON DRAFT REPORT, "REGULATORY EFFECTIVENESS
OF THE STATION BLACKOUT RULE"

Dear Dr. Powers:

Thank you for your letter of June 22, 2000, regarding the Draft Report, "Regulatory Effectiveness of the Station Blackout Rule." The staff has addressed your numbered recommendations and conclusions as indicated below and as part of finalizing the report by August 30, 2000.

ACRS Recommendations and Conclusions

1. The initiative undertaken by the staff to evaluate selected regulations to determine whether they have been effective in achieving their objectives is valuable and should be continued.

Response

RES plans to issue its review of the anticipated transient without scram (ATWS) rule for internal and external peer review in FY 2000; and in FY 2001 finalize reports on ATWS, Appendix J, and one other topic to be named upon completion of discussions with other offices. Two reviews are presently planned through FY 2002.

2. Regulatory documents related to the Station Blackout (SBO) rule should be reviewed to eliminate identified inconsistencies in the definition of reliability. Because of these inconsistencies, the intended reliability targets for emergency diesel generators (EDGs) are not being met in some cases.

Response

We agree with this comment. RES plans to: (a) clarify that EDG unavailability during maintenance or test with the reactor at power should be included in the reliability calculation, (b) clarify that licensees should balance increased EDG reliability against the increased EDG unavailability to maintain the RG 1.155 minimum individual EDG target reliabilities, (c) clarify that the EDG system boundary used in the reliability calculation should include the load sequencer and the bus between the EDG and the loads, and (d) establish common EDG start and load-run criteria for the guidance.

CONTACT: William S. Raughley (WSR), REAHFB:DSARE:RES
(301) 415-7577

It should be noted that the SBO report focused on the SBO rule and related SBO regulatory documents and did not address plant-specific issues. A sampling of plants that have not met EDG reliability targets have been identified in NUREG/CR-5500, Volume 5, INEL-95/0035, "Emergency Diesel Generator Power System Reliability," February 1996. This report is being updated by RES to include more plants and current operating experience. Upon completion of the above activities, RES will determine the course of action to be taken to address the findings of the updated NUREG/CR-5500.

3. Acceptance of the use of trigger values in inspection documents should be discontinued.

Response

Comment 3 is consistent with the conclusions of the report. The Office of Nuclear Reactor Regulation will revise the relevant inspection procedure guidance to discontinue acceptance of licensee use of EDG trigger values.

4. The evaluation of the regulatory effectiveness of the SBO rule provides significant lessons that should be beneficial in preparing a template for the evaluation of other regulations and in the development of future regulations.

Response

The ACRS suggested preparation of a template for future regulatory effectiveness evaluations using the lessons learned from the SBO rule evaluation. This suggestion has been implemented as the methods and lessons learned from the SBO evaluation are being used as a template for other regulatory effectiveness evaluations. The ACRS also observed that the report shows the importance of establishing a risk-reduction expectation prior to development of a new regulation. We agree that development of the risk-reduction expectation early in the development of the rule is a good approach and is consistent with our activities in risk-informing Part 50. As you are aware, the current regulatory process still ensures that a substantial improvement in safety is demonstrated as outlined in NUREG/BR-0058, "Regulatory Analysis Guidelines of the U.S. Nuclear Regulatory Commission," Revision 2, dated November 1995.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

cc:
Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
SECY
D. Powers

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