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Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

August 29, 2003

Secretary
U.S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, D.C. 20555-0001

Gentlemen:

NUCLEAR REGULATORY COMMISSION (NRC) - COMMENTS ON PROPOSED
RULEMAKING FOR 10 CFR 50.69, RISK-INFORMED CATEGORIZATION AND
TREATMENT OF STRUCTURES, SYSTEMS AND COMPONENTS FOR NUCLEAR POWER
REACTORS, RIN 3150 - AG42 (VOL. 68 FEDERAL REGISTER 26511, DATED
MAY 16, 2003)

TVA appreciates the opportunity to comment on the subject proposed
rule. Implementation of rulemaking to properly categorize and
treat structures, systems, and components (SSC) according to their
contribution to risk has the potential for substantially enhancing
the safety focus, coherence, and efficiency of current regulations
governing nuclear power plant operations.

TVA wishes to recognize the NRC staff's efforts to this point in
developing the proposed rule. The currently proposed rule language
is improved over earlier drafts.

TVA has reviewed the comments contained in the August 22, 2003
letter to NRC submitted by the Nuclear Energy Institute (NEI). TVA
endorses and supports NEI's comments.

Specifically, TVA agrees with NEI's conclusion that two major
issues must be resolved for successful issuance of a final rule.

First, the rule language and statements of consideration (SOC) are
inconsistent with regard to expectations for treatment and
monitoring of plant SSCs that are safety-related and of low safety
significance (RISC-3 SSCs). In some cases, the proposed rule and
SOC contain requirements and expectations that are impractical, not
risk-effective, or that actually exceed current requirements for
safety-related equipment. It is the fundamental purpose of this
rule to concentrate plant and regulatory resources on areas of
higher safety significance. Additional requirements and
expectations for RISC-3 SSCs result in disproportionate
requirements on SSCs which can be shown to have minimal safety
significance.

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Second, the issue of PRA (probabilistic risk assessment) scope and technical capability necessary for this application must be resolved. TVA believes that the requirements currently specified in the proposed rule provide a sufficient basis for categorizing SSCs. The addition of a requirement for a level 2 internal and external initiating events, all-mode, peer-reviewed PRA that must be submitted to and approved by the NRC is unnecessary and burdensome to the point of outweighing the benefits of this rulemaking.

If you have any questions, please contact me at (423) 751-2508.

Sincerely,



Mark J. Burzynski
Manager
Nuclear Licensing

cc: U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001