



Westinghouse

DOCKET NUMBER
PROPOSED RULE **PR 50**
(10FR 67598)

DOCKETED
USNRC

March 10, 2006 (8:21am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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Our ref: LTR-NRC-06-6

March 3, 2006

Subject: RIN 3150-AH29, Risk-Informed Changes to Loss-of-Coolant Accident Technical Requirements, Westinghouse Comments on Draft Rule Change

Westinghouse appreciates the opportunity to provide comments to the NRC regarding the November 7, 2005 draft of the 10 CFR Part 50.46 rule change. The work presented in this draft of the proposed rule language is a very significant step forward. LBLOCA redefinition is an important part of a vision for a consistent, risk-informed, performance-based regulatory structure. However, to ensure broad implementation of the revised rule across the industry, substantial rework is needed.

The draft rule, as currently written, is excessively burdensome with respect to change control, operational restriction and expansion of the plant licensing basis. Existing change control processes including §§ 50.59, 50.90, and 50.65 already impose sufficient control to protect the public health and safety.

Westinghouse endorses the comments offered by the Westinghouse Owners Group (WOG), and the specific rule-change alternatives proposed by NEI. The following comments address general areas of the proposed rule that are of particular concern.

Application to future LWRs

The NRC requested comments on Section 50.46a(b), where the Commission specifically precludes the application of the § 50.46a alternative requirements to future reactors. Westinghouse believes that § 50.46a should be made available to future light water reactors. Future LWRs operating with materials, pressures and temperatures similar to operating LWRs should be able to use § 50.46a. There is no technical reason that new plants should have to meet outdated requirements for which existing plants can opt out.

Excessive change control requirements

Change control requirements are excessive, including the requirement for the NRC to review and approve the change control program. Existing change control processes including §§ 50.59, 50.90, and 50.65(a)(4), RG 1.174, RG 1.177, RG 1.200 already impose sufficient control to protect the public health and safety. The draft rule language for § 50.46a should not "reinvent" these processes. They should be valid and adequate for any changes that are made as a result of invoking § 50.46a. The new risk-informed safety performance (RISP) assessment elements of § 50.46a may be so burdensome that no licensee would choose to implement § 50.46a.

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Excessive Operational Restriction

The draft § 50.46a rule includes the requirement that all allowable at-power operating configurations be included in the analysis of LOCAs larger than the Transition Break Size (TBS) and demonstrated to meet the ECCS acceptance criteria. Owing to the very low frequency of beyond the TBS LOCAs, there should be a minimum of associated operational restrictions. Westinghouse believes that the existing change control processes (§§ 50.59 and 50.90) and operating restrictions (§ 50.65(a)(4)) are adequate to protect the public health and safety, and that there should be no need to continue to meet the ECCS acceptance criteria for beyond TBS LOCAs. As-written, the proposed requirement could preclude a licensee from performing on-line maintenance on the ECCS. Consequently, the effect of the operational restriction is likely to be risk-adverse.

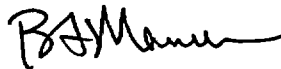
Unnecessary expansion of the licensing basis

Licensees that adopt the draft rule language would be required to use an integrated, risk-informed change control process to demonstrate the acceptability of all future facility changes. Use of this RISP for all future facility changes under § 50.59 and § 50.90 represents a new operational restriction based on beyond design-basis considerations. The effect of the rule would be to require the NRC to individually review a myriad of insignificant changes to which they already have access through license amendments, 10 CFR 50.59 reports, and inspection. This represents a very significant expansion of the licensing basis and would be an excessive burden on licensees and regulators. Requiring that all plant changes be processed through the RISP assessment is an unnecessary burden without a commensurate safety benefit.

The ultimate success of the revised rule will depend on licensees' ability to implement the rule. The revised rule should result in significantly reduced administrative and analytical burden for both licensees and the NRC. The design and operational focus should be shifted to the more safety significant events. Therefore, the requirements for breaks larger than the Transition Break Size (TBS) should be commensurate with the risk contribution of these larger break sizes.

If you have any questions or require additional information, please contact either me or Bob Jaquith at (860) 731-6447.

Very truly yours,



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