

50.46a Public Comments and Draft NRC Responses June 28, 2006

- Topics:
 - Operational restrictions / maintaining mitigation
 - Criteria for changes subject to prior NRC review and approval
 - Risk-informed integrated safety performance (RISP) process
 - Other Comments

Maintaining Mitigation

- **Issue:** Proposed rule was overly prescriptive in specifying mitigation criteria and operating constraints for breaks greater than the Transition Break Size (TBS)
 - Proposed rule prohibited operation in a configuration not demonstrated to meet the acceptance criteria in paragraph (e) (*ECCS Performance*)
- **Public Comments on proposed rule included:**
 - Could preclude on-line maintenance thereby increasing risk
 - Contrary to relaxation of single failure requirements for >TBS LOCAs
 - Not consistent with Commission direction to provide mitigation capability controlled by NRC requirements commensurate with the safety significance of these capabilities

Maintaining Mitigation

- **Proposed change:** For LOCAs larger than the TBS, operation in a configuration not demonstrated to meet the acceptance criteria in paragraph (e)(4) shall be limited by technical specifications to a short period of time.
- **Mitigation requirements addressed by:**
 - For LOCAs larger than TBS
 - No single failure, no coincidental loss of offsite power, realistic analysis allowed, credit for non-safety equipment used to mitigate
 - Controls established by TS
 - Changes to TS AOTs for ECCS related equipment will require a reasonable basis

Criteria for changes subject to prior NRC review and approval

- **Issue: proposed rule required prior NRC approval for changes involving minimal increases in risk**
 - Proposed rule included a “minimal” risk criteria that every facility change would be evaluated against. If the criteria was not satisfied, prior review and approval by the NRC was required.
- **Public Comments on proposed rule included:**
 - 50.59 has been effective for evaluating what changes must be submitted
 - Rule imposes additional and unreasonable burden on changes that have an insignificant impact on risk
 - Licensees must prepare and NRC must review a myriad of insignificant changes
 - Changes that screen out under 50.59 will not significantly increase risk
 - Proposal that cumulative effect on risk can be controlled by periodically assessing and reporting the change in risk

Criteria for changes subject to prior NRC review and approval

- **Proposed change:** 50.59 will continue to be used to determine which changes must be submitted for prior NRC review/approval and periodic cumulative risk assessments and reporting will be required
- **Need to evaluate and control change in risk addressed by:**
 - RISP evaluation must still be performed for every change but can be coupled with existing processes
 - Licensee required to assure that the risk increase of any one change and that the cumulative increase of all changes remains small ($< 10^{-5}$)
 - Two year 50.59 report expanded to include summary of all changes having more than a very small ($<10^{-6}$) risk impact
 - Two operating cycle report on cumulative effect of all changes on risk including demonstration that risk-informed acceptance criteria are met (coincident with period for PRA update with cumulative delta CDF)

RISP Process

- **Issue:** Risk-informed integrated safety performance process and risk change criteria requiring prior NRC approval were overly burdensome
 - Proposed rule required that all facility changes be evaluated using a risk-informed integrated safety performance (RISP) assessment process and compared to overly restrictive acceptance criteria.
 - Need to ensure the increase in risk for each individual change and the cumulative increase in risk for all changes remains small.
- **Public Comments on proposed rule included:**
 - The process is an unnecessary and extremely burdensome
 - Process is redundant to existing regulatory controls associated with 50.59, 50.65, Application specific risk-informed RGs
 - Application to all changes expands the licensing basis

RISP Process

- Proposed change:
 - Remove overly restrictive risk criteria;
 - Use 50.59 criteria for identifying changes that must receive prior NRC review/approval;
 - Require periodic cumulative risk assessment for changes to the facility; and
 - allow more flexibility to use existing programs to implement RISP
 - Include high level risk-screening in the 50.59 process
 - Use current PRA update and re-evaluation processes used to support other risk-informed applications
 - RI-ISI
 - RI-AOT extensions
 - New RI-Tech Spec initiatives
 - 50.69
- Addressed the need to evaluate each change and cumulative risk against risk-informed acceptance criteria by requiring that all changes to the facility receive a RISP evaluation and periodic reports.

Maintaining Mitigation

- Proposed Rule Language

For LOCAs larger than the TBS, operation in a configuration not demonstrated to meet the acceptance criteria in paragraph (e)(4) shall be limited by technical specifications to a short period of time