

September 8, 2006

Mr. Randy Bunt, BWROG Chair
BWR Owner's Group
c/o Southern Nuclear
40 Inverness Center Parkway
P. O. Box 1295
Birmingham, AL 35242

SUBJECT: BWR Owner's Group Request for Review of TSTF-478 "BWR Technical Specification Changes that Implement the Revised Rule for Combustible Gas Control"

Dear Mr. Bunt;

The purpose of this letter is to address your request by letter dated July 26, 2006, that NRC expedite its review of TSTF-478, Rev. 0, "BWR Technical Specification Changes that Implement the Revised Rule for Combustible Gas Control." This traveler was submitted by the Technical Specifications Task Force (TSTF) to implement regulatory changes made by the Gas Combustible Control Rule (10 CFR 50.44). Your request was made to eliminate the hardship being experienced by some BWR owners to expend resources on equipment which the rule amendment concluded were not risk significant and could be eliminated. You specifically noted the burden to BWR owners with Mark I containments that used the containment atmosphere dilution (CAD) system.

It should be noted that the TSTF had previous opportunities to implement the amended rule. Initially, to implement the amended rule, the TSTF submitted TSTF-447, "Elimination of Hydrogen Recombiners and Change to Hydrogen and Oxygen Monitors." However, at that time, the TSTF elected not to include the CAD systems used in Mark I containment designs. The NRC approved the use of that TSTF on October 1, 2003.

Subsequently, the TSTF submitted TSTF-478 for NRC review in April 2005. However, the submittal requested a fee exemption, and explicitly stated that the Owners Group had not allocated funding for NRC review of TSTF-478, and that if a fee waiver was not granted, the TSTF would consider whether to pursue or withdraw this change. By letter dated August 15, 2005, the NRC denied the fee waiver request. By letter dated November 2, 2005, the TSTF formerly requested that the NRC review TSTF-478 with fees billed to the BWROG.

During the February 23, 2006, public meeting between NRC and the TSTF, NRC notified the TSTF that August 25, 2006, was the estimated Notice of Availability date for TSTF-478. However, since that time, NRC has had to reallocate resources to assist with ESBWR certification review. Therefore, the anticipated date for the Notice of Availability is now May 31,

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2007. Notwithstanding, the staff will make every effort to complete its review sooner and eliminate as much burden as possible.

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Thank you for your interest in this matter. If you have any further questions please contact Timothy Kobetz, Chief, Technical Specifications Branch at (301) 415-1932.

Sincerely,

/RA/ Stuart Richards for

Michael J. Case, Director
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

cc:

T. Browning, CGCARI Committee Chairman

M. Crowthers, TSICC Chairman

B. Mann, Excel Services

R. Bunt

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Thank you for your interest in this matter. If you have any further questions please contact Timothy Kobetz, Chief, Technical Specifications Branch at (301) 415-1932.

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