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May 27, 2015

Mr. Michael E. Mayfield
Director
Division of Advanced Reactors and Rulemaking
Office of New Reactors
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Submittal of NEI 15-02, Draft A of Revision 0, *Industry Guideline for the Development of Tier 1 and ITAAC Under 10 CFR Part 52*, dated May 2015

Project Number: 689

Dear Mr. Mayfield:

On behalf of the nuclear industry, the Nuclear Energy Institute (NEI)¹ is pleased to submit for NRC review and discussion the attached NEI 15-02, Draft A of Revision 0, *Industry Guideline for the Development of Tier 1 and ITAAC Under 10 CFR Part 52*, dated May 2015. NEI 15-02 provides generic guidance for design certification applicants to develop Tier 1 and ITAAC for new nuclear plants, including small modular reactors, licensed under 10 CFR Part 52.

Over the past 16 months, the NRC has held numerous public meetings with the industry to discuss the standardization of inspections, tests, analyses and acceptance criteria (ITAAC) with the objective to clarify the scope of ITAAC required for design certification applications. This process has been guided by the application of First Principles for the scope of Tier 1 and ITAAC that have been expressed in several NRC policy papers from the early 1990s. Lessons learned from the development and implementation of ITAAC for the lead new plant projects have also been incorporated to improve clarity. Our interactions with the NRC have facilitated substantial alignment between the NRC staff and industry on the appropriate scope of ITAAC, which is reflected in the attached guidance.

¹ The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

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Tier 1/ITAAC First Principles are consolidated and presented in Section 4 of NEI 15-02 as the basis for determining the scope of required design certification ITAAC. Standardized design certification ITAAC applicable to light water reactor designs (large and small) are presented in Appendix C and reflect consideration of discussions with the NRC staff through our most recent public meeting on April 1. Standardized ITAAC for physical security were not completed in time to include in this initial draft of NEI 15-02, but will be included later. To provide comprehensive guidance to future applicants, NEI 15-02 also:

- provides guidance for developing design-specific ITAAC by applying First Principles to innovative or unique design features
- describes Tier 1 form and content and provides a template for Tier 1 Introduction/General Provisions
- provides guidance for including information in Section 14.3 of future Design Control Documents that clarifies the intent of each design certification ITAAC.

It is our intent to incorporate combined license application ITAAC, e.g., emergency preparedness and backfill ITAAC, in a future revision of NEI 15-02.

Upon resolution of any staff comments on draft NEI 15-02, we plan to submit final guidance for NRC endorsement in a regulatory guide. In order to provide clarity and enable completion of the guidance in time to support the needs of near-term design certification applicants, we request that the NRC staff provide feedback on the attached industry guidance and schedule a public meeting to discuss comments within 60 days.

If you have any questions or require additional information, please contact Marc Nichol (mrn@nei.org; 202-739-8131) or me.

Sincerely,



Russell J. Bell

Attachment

c: Mr. Michael C. Cheok, NRO/DCIP, NRC
Mr. Brian C. Anderson, NRO/DCIP/IGCB, NRC
Mr. Christopher R. Welch, NRO/DCIP/IGCB, NRC
Mr. Joseph Colaccino, NRO/DARR/APOB, NRC
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