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Guidance for Implementation of 10 CFR 50.59, "Changes, Tests, and Experiments"

Comment On: NRC-2016-0270-0001

Draft Regulatory Guides: Changes, Tests, and Experiments

Document: NRC-2016-0270-DRAFT-0003

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Submitter Information

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General Comment

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NEI 96-07 Rev. 1 describes the "50.59" process as consisting of three phases:

- (1) Applicability Determination - the 50.59 rule is applicable to an engineering design change if there are NO other more specific regulatory requirements for controlling the change
- (2) Screening - Once it has been determined that the 50.59 rule is applicable to an engineering design change, the engineering design change is screened to determine (in part): (a) if the engineering design change is a modification of equipment needed for a design function, and (b) the change has any adverse effect on a design function
- (3) Evaluation - If and only if the engineering design change has been determined to have any adverse effect on a design function, then the eight evaluation questions are answer and documented per the requirements of 50.59.

The vast majority of engineering design changes (for which 50.59 has been determined to be applicable), are not evaluated. Furthermore, NRC oversight is only applicable to evaluations and not screenings (i.e., no inspection procedures exist for screening). It is not clear however, what portion of engineering design changes do not modify equipment needed for a design function, and what portion do but are determined to have no adverse aspects.

The statements of consideration for the promulgation of the 50.59 rule (i.e., the ones that describe the definition of "change") only describe change as a modification to a design function; NEI 96-07 Rev. 1, added the guidance associated with "adverse".

SUNSI Review Complete

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Please add a regulatory position that all modifications:

(A) to equipment needed for a design function, or

(B) to other equipment or procedures that could adversely effect a design function,
require an evaluation.

This position would effectively change the "and" between (2)(a) and (2)(b) above to an "or".