

Docket No.: STN 50-470F

September 30, 1983
LD-83-089

Mr. Darrell G. Eisenhut, Director
Division of Licensing
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Referenceability of CESSAR-F Final Design Approval

Dear Mr. Eisenhut:

Based upon a previous meeting with you (and a subsequent meeting with members of your staff), we understand that the NRC is considering imposition of the following two restrictions on the Final Design Approval (FDA) for the Combustion Engineering Standard Safety Analysis Report - FSAR (CESSAR-F), when it is issued:

- (1) Forward referenceability for future plants will not be allowed at this time.
- (2) Backward referenceability (for those plants that referenced the PDA) will be limited to three years.

Combustion Engineering (C-E) feels that both of these restrictions are inappropriate.

In October 1978, C-E submitted its application for an FDA on the System 80™ design as described in CESSAR-F. This application immediately followed, and was based upon, the Commission's August 1978 standardization policy statement. That policy statement allowed forward referenceability for three years (after expiration of the PDA) and backward referenceability without a time limit. C-E has fulfilled all of its commitments under the 1978 policy statement. We even updated CESSAR-F to address regulatory requirements after the cut-off date (twice), then we updated CESSAR-F to address all of the post-TMI requirements for NTOLs. Finally, we updated CESSAR-F to address the CP/ML rule. C-E has invested tremendous resources in developing and licensing the System 80 design and, since we have already addressed the post-TMI issues, we see no reason for the NRC to avoid following the 1978 policy statement on standardization.

As the only standard design currently referenced in Operating License (OL) applications (CESSAR-F is referenced by the Palo Verde and WNP-3 dockets), CESSAR-F should serve as the showcase for demonstrating the NRC's commitment to standardization today - not as an abstract concept for the future. Further, the bulk of CESSAR-F's review occurred during 1981 (prior to issuance of the first proposed change to the standardization policy in SECY-82-1) and was expected by Staff reviewers and the ACRS to be used for multiple units. While we can understand - but do not necessarily agree with - the delay in providing

forward referenceability, we are very concerned about the NRC's plans for limiting backward referenceability to three years. The 1978 standardization policy specifically did not provide for a time limit on the referenceability of an FDA for the OLs of those plants that referenced the PDA for their Construction Permits. During discussions between the NRC Staff and the Commissioners on the proposed severe accident policy, we are not aware of any discussions that related to changes in standardization policy for backward referenceability. Overall, four plants (ten units) have received construction permits referencing CESSAR-P, and two plants (four units) of these are currently referencing CESSAR-F. Considering the limited number of plants (units) involved, we feel that CESSAR-F's referenceability for plants that referenced the PDA should not be further restricted.

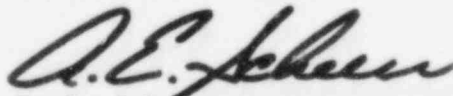
In our January 21, 1982 letter to William Dircks, we expressed our concern that the NRC "... must honor the policies of standardization it has already laid down. An arbitrary abrogation of established policy by the NRC undermines the confidence and trust that public and industry place in the conclusiveness of future policy statements". We further stated that "... the NRC cannot build confidence and stability into the licensing process by reneging on its August 1978 commitments". Thus, although we can understand the NRC's reasons for revising the standardization policy to address severe accident concerns, we do not see any substantial unresolved safety issues that would justify a moratorium on the generic approval of standard designs in the interim.

In summary, C-E believes that it is inconsistent for the NRC to voice support for standardization as an abstract concept for the future without resolving the standardization issues that exist today (especially since the viability of standardization concept rests on the confidence that the NRC will absolutely honor its previous commitments absent a significant safety issue). Since all of the significant issues resulting from the TMI accident that are within the scope of the System 80 design have been addressed and resolved, C-E believes that the NRC should honor the 1978 standardization policy, under which the CESSAR-F application was filed.

If you have any questions, please feel free to contact me or Mr. G. A. Davis of my staff at (203) 285-5207.

Sincerely,

COMBUSTION ENGINEERING, INC.



A. E. Scherer
Director
Nuclear Licensing