

CFiles



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

December 2, 1992

Mr. David A. Ward, Chairman
Advisory Committee on Reactor Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Ward:

I am responding to your letter to the Chairman of October 16, 1992, in which you discussed SECY-92-287, "Form and Content for a Design Certification Rule." I am pleased that you are recommending approval of the staff's proposals for the form and content of a standard design certification rule under 10 CFR Part 52, subject to consideration of several comments that I have addressed in the following paragraphs.

You noted an apparent inconsistency between the staff's proposed backfit standard for Tier 2 information and the Commission's previous guidance in the staff requirements memorandum (SRM) for SECY-90-377, "Requirements for Design Certification under 10 CFR Part 52." The Commission also noted this in its SRM for SECY-92-287. The staff will discuss this issue in its response to the Commission, and a copy of the staff response will be provided to the ACRS.

The staff agrees with you that the final safety evaluation report (FSER) should be given clear status for future interpretation of the rule, and the staff will clarify this in the statements of consideration for the rule. The staff also agrees that unforeseen problems may arise in the future in interpreting the large volume of material in the design control document (DCD). The staff expects that these issues will be limited in number, but recognizes that these issues will have to be examined individually in the future, relying on both the FSER and the application.

The staff agrees with your proposal that documents and references that were used in making the staff's final safety determination be identified in the FSER. Both the staff and the applicants for design certification have attempted to cite the specific version and edition of all references in the FSER and the standard safety analysis report, respectively. An applicant for design certification will submit a proposed DCD, specifying the information to be included in the design certification rule. The staff will evaluate the design in the DCD when it is submitted to determine which information is based on any secondary references and which information would be considered resolved.

9212110166 921202
PDR ACRS
GENERAL

PDR

RETURN TO REGULATORY CENTRAL FILES

L-4-1, PT. 52
Design Certification
Rule
DF03

Mr. David A. Ward

- 2 -

The staff would base its positions for various design elements on the documents cited in the FSER. The staff will review the references cited in the DCD and the FSER to determine if any of these documents are not readily available and should be included in the application for certification.

Sincerely,

Original Signed By:

James M. Taylor

James M. Taylor

Executive Director
for Operations

cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque
SECY

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*See previous concurrence

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DOCUMENT NAME: GT008200.THB

Mr. David A. Ward

- 2 -

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Commissioner Rogers
Commissioner Curtiss
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Commissioner de Planque
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OFC:	D:PDST:ADAR	ADAR	ADT:NRR	D:NRR	EDO
NAME:	RPierson	DCrutchfield	WRussell	TMurley	JTaylor
DATE:	11/9/92	11/10/92	11/17/92	11/18/92	11/1/92

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NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

ACTION

EDO Principal Correspondence Control

FROM:

DUE: 11/10/92

EDO CONTROL: 0008200
DOC DT: 10/16/92
FINAL REPLY:

David A. Ward
ACRS

TO:

Chairman Selin

FOR SIGNATURE OF:

** GRN **

CRC NO:

Executive Director

DESC:

ROUTING:

SECY-92-287, "FORM AND CONTENT FOR A DESIGN
CERTIFICATION RULE"

DATE: 10/20/92

ASSIGNED TO:

NRR

CONTACT:

Murley

Taylor
Snizek
Thompson
Blaha
Mat Taylor
Beckjord, RES
Bernero, NMSS
Jordan, AEOD
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11/5/92