



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

December 16, 1996

Distribution  
JTaylor  
JMilhoan  
HThompson  
JBlaha  
FMiraglia, NRR  
KCyr, OGC  
CPaperiello, NMSS  
Regional Administrators  
GT96696  
EDO r/f

Mr. A. David Rossin  
Center Affiliated Scholar  
Center for International Security  
and Arms Control at Stanford  
24129 Hillview Drive  
Los Altos Hills, California 94024

Dear Mr. Rossin:

I am responding to your letter of September 3, 1996, which sets forth your views regarding the treatment of margin in the Commission's regulatory activities. After your letter was received, members of the staff talked with you to clarify your concerns related to the impact of regulatory activities on margin. The Commission has an initiative underway that is, among other matters, reexamining the current practices related to the maintenance of margin during a plant lifetime and the need for regulatory review when margins are changed. Your concerns will be considered as part of the staff development of regulatory positions in these areas.

As you may know, the staff recently found that, at some plants, plant conditions had been modified such that the plant was no longer in compliance with regulatory requirements. As a result, the staff is reviewing the requirements for maintaining plant design bases and the guidance for complying with those requirements. In connection with these efforts, the staff intends to work with the industry and others to obtain a broad spectrum of views.

Thank you for your interest and views on these matters.

Sincerely,

Shirley Ann Jackson

9612240268 961216  
PDR COMMS NRCC  
CORRESPONDENCE PDR

Mr. A. David Rossin  
Center Affiliated Scholar  
Center for International Security  
and Arms Control at Stanford  
24129 Hillview Drive  
Los Altos Hills, CA 94024

Dear Mr. Rossin:

I am responding to your letter of September 3, 1996, which sets forth your views regarding the treatment of margin in the Commission's regulatory activities.

Pursuant to 10 CFR 50.59, a licensee may make changes to its facility or procedures as described in its Final Safety Analysis Report (FSAR) without NRC approval if it determines that such changes do not involve an unreviewed safety question or a change in a technical specification. As provided in 10 CFR 50.59, an unreviewed safety question is considered to exist if, among other things, the margin of safety as defined in the basis for any technical specification is reduced. If a licensee proposes to modify its facility or procedures as described in the FSAR, in a way that would involve a reduction in the level of margin established by the licensee, and considered in NRC licensing reviews, then NRC review and approval of the proposed change is required.

Recently, the NRC found that, at some plants, modifications to plant design bases documented in the safety analysis report (SAR) and in plant technical specifications (TSs) had not been implemented in complete accordance with 10 CFR 50.59. The staff found that some plant conditions were modified to such a degree that the plant was no longer in compliance with NRC regulatory requirements. Accordingly, the staff has focused and will continue to focus its inspection and oversight activities on plant modifications and on changes in licensee-established design and operating margins, as well as on the reviews made to support them, to ensure regulatory requirements are met.

Thank you for your interest and views on this matter.

Sincerely,

Shirley Ann Jackson

DOCUMENT NAME: G:\JLB\ROSSIN.LTR

EDO CONTROL:GT96696

\*See Previous Concurrences

OFFICE	Tech Ed*	PGEB	PGEB	PGEB
NAME	BCalure	JBirmingham	FAkstulewicz	DMatthews
DATE	10/01/96	10/17/96	10/17/96	10/18/96
OFFICE	OGC*	D:DRPM	D:NRBM	EDO
NAME	SBurns	TMartin	FMargolia	JTavol
DATE	10/21/96	10/18/96	10/18/96	10/13/96

22 OFFICIAL RECORD COPY

*Frank*  
*Action*

→ *DUPLICATE*  
**ACTION**

*ASSIGNED TO MATTHEWS*

EDO Principal Correspondence Control

*TIE TO 50.59*  
*McKenna Issues*

FROM:

DUE: 09/27/96

EDO CONTROL: (GT96696)  
DOC DT: 09/03/96  
FINAL REPLY:

A. David Rossin

TO:

Chairman Jackson

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 96-0981

Chairman Jackson

DESC:

MARGIN AS USED IN THE REGULATORY SENSE

ROUTING:

Taylor  
Milhoan  
Thompson  
Blaha  
Paperiello, NMSS  
Cyr, OGC

DATE: 09/17/96

ASSIGNED TO:

CONTACT:

NRR

Russell

SPECIAL INSTRUCTIONS OR REMARKS:

\ Coordinate with OGC.

NRR RECEIVED:

NRR ACTION:

NRR ROUTING:

SEPTEMBER 17, 1996  
ADPR: C. GRIMES

RUSSELL  
MIRAGLIA  
THADANI  
ZIMMERMAN  
MARTIN  
BOHRER

**ACTION**

DUE TO NRR DIRECTOR'S OFFICE

BY *Sept. 25, '96*

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-96-0981 LOGGING DATE: Sep 16 96  
ACTION OFFICE: EDO/OGC  
AUTHOR: A DAVID ROSSIN  
AFFILIATION: CALIFORNIA  
ADDRESSEE: CHAIRMAN JACKSON  
LETTER DATE: Sep 3 96 FILE CODE:  
SUBJECT: MARGIN--REGULATORY  
ACTION: Signature of Chairman  
DISTRIBUTION: CHAIRMAN  
SPECIAL HANDLING: SECY TO ACK  
CONSTITUENT:  
NOTES: OCM # 5218  
DATE DUE: Sep 30 96  
SIGNATURE: . DATE SIGNED:  
AFFILIATION:

EDO -- GT96696