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May 29, 1985

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Mr. Harold Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Denton:

The Utility Group on ATWS has been directly involved in the resolution of Unresolved Safety Issue A-9, ATWS, since June 1980. With the publication of the final rule (49 FR 26036) on June 26, 1984, and issuance of Generic Letter 85-06, "Quality Assurance Guidance for ATWS Equipment That is Not Safety-Related," on April 16, 1985, we believe that a very satisfactory and technically sound rulemaking has been achieved. While the rule and guidance went somewhat beyond what we felt necessary, the utility group is pleased with the Commission's decision to avoid detailed analysis and requirements for safety-related equipment. We anticipate that NRC review of specific hardware will not necessitate any new analysis and that designs can be quickly approved.

The purpose of this letter is to request that NRR now provide the regulated industry with some specific information on the next step, i.e., implementation. In the interim period between the passage of the final rule and the QA guidance, utility owners' groups have devoted considerable efforts to establishing preliminary design concepts for complying with the rule; however, until they were aware of the scope and detail of the QA guidance they were unable to proceed any further. Two owners' groups have in fact already met with your staff and provided some concepts they have been developing.

What we believe is now needed is some guidance on what type of schedule information is desired from each utility, under §50.62(d), other than final implementation, and what the NRR review process will consist of. Without this information utilities are not well prepared to plan their schedules, particularly the anticipated length of the NRR review which must precede utility specific design and engineering, procurement, installation, testing, training and operation.

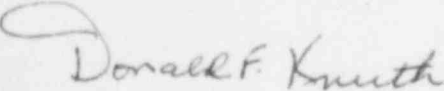
Another issue we would like to bring to your attention is the delay which has occurred between the Commission's vote to approve the

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rule, and the issuance of the QA guidance. The Commission on June 1, 1984 provided the staff with direction to produce QA guidance in not more than sixty days, i.e., August 1, 1984. The actual promulgation date was April 16, 1985, a period of eleven and one half months after the Commission voted on the rule. This delay was due in large measure to NRC's careful efforts to analyze what requirements were appropriate to the ATWS equipment and to take into account public comment. However, it was indeed a significant delay which caused many utilities to postpone their efforts to finalize design concepts and initiate specific ATWS hardware designs.

Given the lengthy delay in the issuance of the QA guidance, which the Commissioners did not anticipate (and which nearly equals the length of some fuel cycles), we believe it would be appropriate for the NRC to make clear that it will accept schedules which allow final implementation at least up to the third refueling outage after July 26, 1984. While the rule already allows the utilities the opportunity to provide justification for delay beyond the second refueling outage after July 26, 1984, the delay in the QA guidance (which also delayed schedule submittals) should be acknowledged, thereby relieving utilities of the need to provide individual justifications for a generic delay. A major benefit of this action would be to preclude the possibility of bias in individual licensee-NRC schedule negotiations, as well as to allow coordinated action by owners' groups, which will minimize cost and save NRC reviewer resources. If pressure is applied to meet the original date, several utilities will be forced to initiate plant-specific action immediately, and thus lose the advantage of generic work. Since several utilities have second refuelings commencing in Spring 1986, which is less than a year away, there is insufficient time for them to take advantage of a generic solution. Given that utilities have 180 days to submit just their schedules for their implementation plans, the current deadline is not credible and should be so recognized by the Commission.

Sincerely,



Donald F. Knuth
President