

the categorization or treatment processes, to maintain categorization process results valid. Section 50.69(d)(2)(iii) requires periodic maintenance, testing and surveillance activities for RISC-3 SSCs. Based upon review of this information, if SSC reliability degrades to the point that the evaluations done to show that the potential risk was small are no longer bounding, action is necessary to either adjust the treatment (to improve reliability) or to perform the categorization process again (to determine if any changes in categorization of SSC are necessary).

V.7.0 Section 50.69(f) Program Documentation and Change Control and Records

Section 50.69(f) contains administrative requirements for keeping information current, for handling planned changes to programs and processes and for records. Each subparagraph is discussed below.

Section 50.69(f)(1) states that the licensee or applicant shall document the basis for categorization of SSCs in accordance with this section before removing any requirements. The documentation is expected to address why a component was determined to be either safety-significant or low safety-significant based upon the requirements in § 50.69(c).

The Commission is not, except in limited instances, specifying particular records to retain. Since the licensee is responsible for compliance with the requirements, subject to NRC oversight and inspection, the licensee (or applicant) would need to be able to show that they have established the processes required by the rules and conducted activities sufficient to provide reasonable confidence in functionality of SSCs under design basis conditions.

Section 50.69(f)(2) specifies that the licensee must update its FSAR to reflect which systems have been categorized using the provisions of § 50.69, and thus, may have revised treatment applied to the structures and components within that system. This provision is included to maintain clear information, at a minimum level of detail, about which requirements a licensee is satisfying; detailed information about particular SSCs is not required to be submitted. For an applicant, this updating would be expected to be either part of the original application or as a supplement to the FSAR under § 50.34. For licensees, the updating must be in accordance with the provisions of § 50.71(e) for licensees.

Once the NRC has completed its review of a licensee's § 50.69 submittal as it relates to categorization, the licensee or applicant would be able to adjust its treatment processes provided that the rule requirements are met. NRC does not plan to perform a pre-implementation review of the revised treatment requirements under § 50.69(d). However, the Commission recognizes that existing information in the quality assurance (QA) plan or in the FSAR may need to be revised to reflect the changes to treatment that would be made as a result of implementation of § 50.69. Any revisions to these documents are to be submitted in accordance with the existing requirements of § 50.54(a)(2) and § 50.71(e) respectively. For instance, § 50.71(e) states that the FSAR is to contain the latest information developed and is to reflect information submitted to the Commission since the last update. The regulations further state in the cited sections how a licensee is to submit to the NRC revisions to the QA plan or to the FSAR. Information in these documents that would no longer be accurate upon implementation of § 50.69 must be updated. Details of the processes would be expected to be contained in plant procedures, procurement documents, surveillance records, etc.

Section 50.69(f)(3) specifies that for initial implementation of the rule, changes to the FSAR for implementation of this proposed rule need not include a supporting § 50.59 evaluation of changes directly related to implementation. Future changes to the treatment processes and procedures for § 50.69 implementation may be made, provided the requirements of the rule and § 50.59 continue to be met. While the licensee is to update its programs to reflect implementation of § 50.69, the Commission concluded that no additional review under § 50.59 is necessary for such changes, to these parts of the FSAR that might occur.

Section 50.69(f)(4) specifies that for initial implementation of the rule, changes to the quality assurance plan for implementation of this proposed rule need not include a supporting § 50.54(a) review of changes directly related to implementation. Future changes to the treatment processes and procedures for § 50.69 implementation may also be made, provided the requirements of the rule and § 50.54(a) continue to be met. While the licensee is to update its programs to reflect implementation of § 50.69, the Commission concluded that no additional review under § 50.54(a) is

necessary for changes to these parts of the QA plan.

No specific change control process is being established for the categorization process outlined by § 50.69(c). Because the NRC is reviewing and approving a submittal containing the licensee or applicant's commitments for categorization, changes that would invalidate their submittal would also invalidate the approval. However, provided any revised process continues to conform with what was submitted or committed to (such as through a commitment to follow a particular RG), NRC review would not be needed of lower-tier changes (such as to implementing procedures) that might arise.

No explicit requirements are included in § 50.69 for the period for retention of records. The proposed rule would specify only a few specific types of records that must be prepared, e.g., those for the basis for categorization in § 50.69(f)(1). In accordance with § 50.71(c), these records are to be maintained until the Commission terminates the facility license.

V.8.0 Section 50.69(g) Reporting

Section 50.69(g) provides a new reporting requirement applicable to events or conditions that would have prevented a RISC-1 or RISC-2 SSCs from performing a safety-significant function. Most events involving these SSCs will meet existing § 50.72 and § 50.73 reporting criteria. However, it is possible for events and conditions to arise that impact whether RISC-1 or RISC-2 SSCs would perform beyond design basis functions consistent with the assumptions made in the categorization process. This reporting requirement is intended to capture these situations. The reporting requirement is contained in § 50.69, rather than as a revision of § 50.73 so that its applicability only to those facilities that have implemented § 50.69 is clear. The existing reporting requirements in § 50.72 and § 50.73 would no longer apply to RISC-3 (and RISC-4) SSCs under the proposed rule.

VI. Other Topics for Public Comment

VI.1.0 Additional Potential Requirements for Public Comment

The cornerstone of proposed § 50.69 is a robust, risk-informed categorization process that provides high confidence that the safety significance of SSCs is correctly determined considering all relevant information. The categorization requirements incorporated into the proposed rule achieve this objective. The Commission proposes to remove