

### TRANSMITTAL OF MEETING HANDOUT MATERIALS FOR IMMEDIATE PLACEMENT IN THE PUBLIC DOMAIN

*This form is to be filled out (typed or hand-printed) by the person who announced the meeting (i.e., the person who issued the meeting notice). The completed form, and the attached copy of meeting handout materials, will be sent to the Document Control Desk on the same day of the meeting; under no circumstances will this be done later than the working day after the meeting.  
**Do not include proprietary materials.***

DATE OF MEETING

02/01/2000

The attached document(s), which was/were handed out in this meeting, is/are to be placed in the public domain as soon as possible. The minutes of the meeting will be issued in the near future. Following are administrative details regarding this meeting:

|  |   |
|--|---|
| Docket Number(s)                                 | <u>50-361, 50-362</u>   |
| Plant/Facility Name                              | <u>San Onofre Nuclear Generating Station, Units 2 &amp; 3</u>   |
| TAC Number(s) (if available)                     | <u>MA7872</u>   |
| Reference Meeting Notice                         | <u>January 14, 2000 meeting</u>   |
| Purpose of Meeting<br>(copy from meeting notice) | <u>The NRC and participating utilities are jointly sponsoring a licensing wor</u><br><u>a licensing workshop with the goals of improving the</u><br><u>quality of licensing submittals...</u> |

NAME OF PERSON WHO ISSUED MEETING NOTICE

Mel Fields

TITLE

Project Manager

OFFICE

NRR

DIVISION

DRPM

BRANCH

PDIV-2

Distribution of this form and attachments:

Docket File/Central File

PUBLIC

DF01



## NRC's Region IV Licensing Workshop

Steve Dembek



## Licensing Workshop Objectives

- ▶ Promote understanding of Entire licensing process
- ▶ Improve licensing submittal quality
- ▶ Improve safety evaluation quality
- ▶ Enhance regulatory interface
- ▶ Provide information on current topics of interest



## Why Do We Need Improved Licensing Performance?

- ▶ NRC Budget and resource challenges
- ▶ NRC Operating plan goals
- ▶ Emphasis on timeliness and efficiency
- ▶ Licensee need for faster response
- ▶ Licensee need for more stable regulation environment

3



## Benefits of Improved Submittals

- ▶ **SIMPLIFY** -- Reduce extent and duration of interactions between reviewer and requester (reduce RAIs and need for supplements)
- ▶ **MAXIMIZE** -- Number of submittals NRR reviews in-house as least cost producer (more schedule control, lower labor rate, use of precedents)
- ▶ **REDUCE** -- Actions rejected or withdraw

4



## Reasons for RAIs

- ▶ Complex issues with less than complete information
- ▶ Staff unfamiliarity with topic
- ▶ NRC learning curve, the first one is always the most difficult

5



## Preview of Closing Session Feedback Areas

- ▶ Was workshop effective in meeting objectives?
- ▶ What parameters can be used to assess licensing submittal quality?
- ▶ What lessons learned can you integrate into your routine licensing practices?
- ▶ Suggestions for improving communications at NRC-licensee interface?
- ▶ Need for follow-on workshops?

6

# Regulatory Processes (Licensing 101)

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## Licensing Workshop

February 1 – 2, 2000

Bob Gramm

## Introduction

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### ◆ Goals

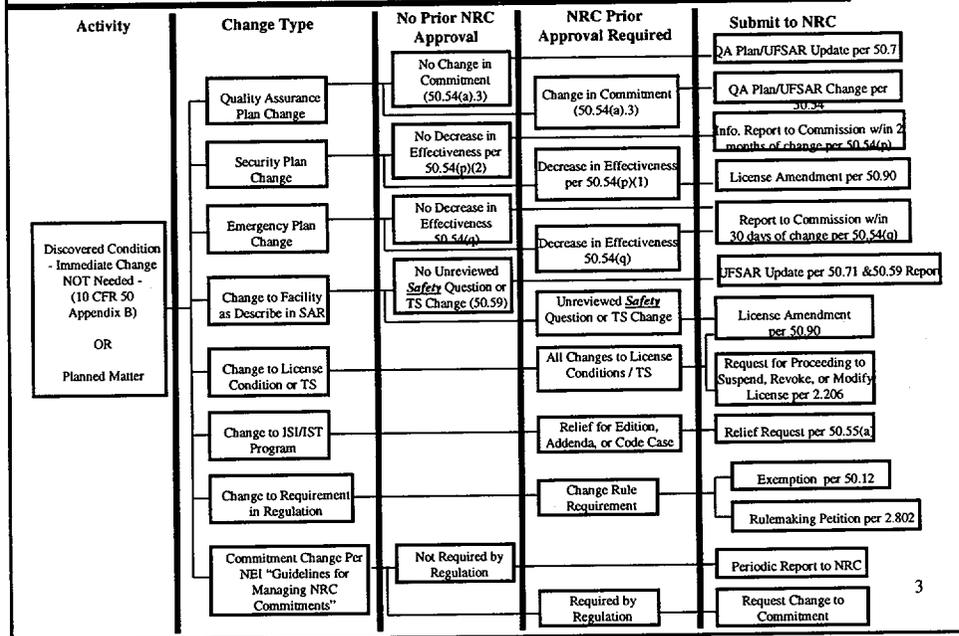
- Educate
- Develop Ideas for Improvement both at NRC and Utilities
- Stimulate Discussion for Breakout Sessions

### ◆ Discuss Processes for Change

- Licensee Controlled
- NRC Controlled

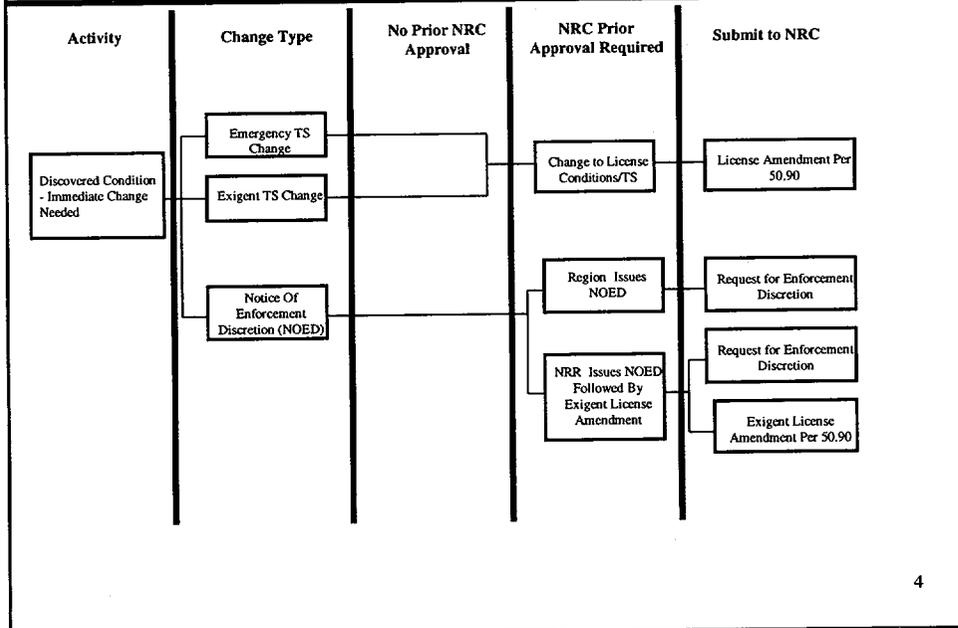
### ◆ Provide Overview of Each Change Process

# Regulatory Change Processes



3

## Regulatory Change Processes - continued



4

NRC GL 91-18: Degraded / Nonconforming Conditions

- ◆ Discovered Conditions Covered By This GL
- ◆ Regulatory Change Processes May Be Used As Part of Corrective Actions
  - Subject to all normal requirements and restraints plus
  - Schedule restraints of Appendix B, Section XVI
    - » Promptly identify and correct
    - » Timing commensurate with safety significance of issue
    - » Reference Inspection Manual 9900 “Operable/Operability”

5

License Amendment - 10 CFR 50.90

- ◆ Requirements
  - Submit as specified in 10 CFR 50.4
  - Fully describe changes; follow form of original application
  - No significant hazards consideration [50.92(c)]
    - » No significant increase in probability or consequences of an accident previously evaluated
    - » No possibility of a new/different kind of accident from any previously evaluated
    - » No significant reduction in margin of safety

6

### License Amendment - 10 CFR 50.90 - continued

#### ◆ Content

- Oath and affirmation
- Description of amendment
- Deterministic safety assessment
- Optional - supported by risk-informed information
- No significant hazards consideration
- Environment input
  - » To support impact statement per 10 CFR 51.20
  - » To support environmental assessment per 10 CFR 51.21
  - » None if exclusion applies per 10 CFR 51.22(c)
- Revised Technical Specifications or License Condition

7

### License Amendment - 10 CFR 50.90 - continued

#### ◆ Content (con't)

- New or revised commitments identified
- New or revised Design Basis (10 CFR 50.2) and Licensing Basis identified
- Reference to current licensing basis
- Cost Beneficial Licensing Actions (NRC AL95-02)
  - » Total lifetime savings identified
- Need date and basis identified
- Implementation schedule provided

8

## Relief Requests: 10 CFR 50.55a

### ◆ Criteria

- Alternatives - would provide acceptable level of quality and safety
- Hardship or unusual difficulty - without compensating increase in level of quality or safety
- Impractical - design, materials, access limitations [IST: 50.55a(f)(6)(i); ISI: 50.55a(g)(6)(i)]
- Augmented - may be required, in conjunction with “impractical” relief if:
  - » Added assurance of operational readiness is needed (IST)
  - » Added assurance of structural reliability is needed (ISI)

9

## Relief Requests: 10 CFR 50.55a - continued

### ◆ Content

- Must accurately cite specific Code requirement
  - » Edition, Addenda
  - » Section, Subsection, and Paragraph
- Must accurately cite specific provision of regulations
  - » Alternatives, hardship, or impractical
- Identify or list applicable components, systems, structures, welds
- Clear/concise basis for each relief or alternative
- Describe hardship in detail, fully explain impracticalities
- Provide drawings where clarity in request is helpful
- References to earlier submittal for current 10-yr interval

10

## 10 CFR 50.59

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### ◆ Purpose

– Used to Determine Whether Prior NRC Review and Approval is Necessary Before Licensee Makes:

- » Changes to facility as described in Safety Analysis Report
- » Changes in procedures as described in Safety Analysis Report
- » Test/experiments not described in Safety Analysis Report

– When Prior Approval Required, Submit Application for Amendment per 10 CFR 50.90

11

## Exemptions: 10 CFR 50.12

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### ◆ Criteria

– Must meet one or more special circumstances:

- » Application of regulation in particular circumstances conflicts with other rules or requirements of NRC
- » Application of regulation in particular circumstances would not serve the underlying purpose of rule or is not necessary to achieve underlying purpose of rule
- » Compliance would result in undue hardship or other costs significantly in excess of those incurred by others similarly situated
- » Exemption would result in benefit to public health and safety that compensates for any decrease in safety that may result from granting the exemption
- » Exemption would provide only temporary relief from applicable regulation and licensee or applicant has made good faith efforts to comply with regulation
- » Other material circumstances present not considered when the regulation was adopted for which the exemption would be in public's best interest

12

## Exemptions: 10 CFR 50.12 - continued

### ◆ Content

- Deterministic safety assessment
- Risk-inform support (optional)
- Environmental considerations
- Significant Hazards Determination not required
- Address how one or more of criteria is met

### ◆ Approval

- Following EA notice in Federal Register
- NRC Policy: reluctance to change rules by exemptions

13

## Request to Modify License (2.206)

### ◆ Criteria

- Generally meant for public use and imposing civil penalties
- Specify action requested and set forth facts
- If not submitted by licensee, any licensee input at NRR request or by 50.54
- Licensee may be party to any hearing

### ◆ Content

- Petition by Licensee
  - » Safety analysis to support action requested
  - » Set forth facts
  - » Specify Tech Specs, license conditions to be modified/added
  - » Environmental Analysis
  - » Information to initiate hearing/support subsequent Order<sup>14</sup>

## Petition for Rulemaking (2.802)

### ◆ Content

- General solution to specify problem or substance or text of proposed regulation or amendment, or specify regulation to amend or revoke
- Grounds for/interest in action requested
- Statement of specific issues involved, views or arguments on those issues, relevant data involved, and other pertinent information
- Specific cases where current rule is unduly burdensome, deficient, or needs to be strengthened

### ◆ Timing

- Submittal deficiency letter from NRC w/in 30 days of receipt
- Petitioner response to deficiency letter w/in 90 days

## Notice of Enforcement Discretion

### ◆ Content (Policy – Inspection Man. 9900, 6/29/99)

- Tech Spec or License Condition to be violated
- Description of events leading to request
- Safety basis: evaluation of significance and potential consequences
- Basis that noncompliance will not be detriment to public health and safety, does not involve USQ or significant hazard consideration
- Basis that noncompliance will not involve adverse consequences to environment

## Notice of Enforcement Discretion - continued

### ◆ Content (con't)

- Identify compensatory measures, actions taken to avoid noncompliance, actions to avert/alleviate the emergency
- Justify duration of of noncompliance
- Approval of appropriate review committee
- For plant startup: must meet one of 3 criteria
- Severe weather requests covered by NRC AL 95-05, Revision 2

17

## Notice of Enforcement Discretion - continued

### ◆ Region Issues NOED for noncompliance

- Of short duration ( $\leq 14$  days) from limits of function specified in LCO
- With an action statement time limit
- With a surveillance interval or one-time deviation from surveillance requirement
- When time is too short to process an emergency amendment

### ◆ NR Issues NOED for noncompliance

- With LCO until LCO can be revised by amendment
- With action statement time limit until license amendment issued to make temporary or permanent
- With surveillance interval or change to surveillance by license amendment

18

## Notice of Enforcement Discretion - continued

### ◆ Timing

- Must not abuse requirements of 50.91(a)(5)
- Oral request must be followed by written request w/in 24 hours
- NRC Approval letter to be issued w/in 2 working days
- Region issued NOED not to exceed 14 days
- Exigent TS amendment request, if appropriate, w/in 48 hours
- Exigent amendment issued w/in 4 weeks

### ◆ References

- NRC Administrative Letter 95-05, Revision 2
- NRC Inspection Manual Part 9900, NOEDs, 6/29/99
- NUREG-1600, NRC Enforcement Policy

19

## Emergency License Amendment: 50.91

### ◆ Criteria

- Must meet all License Amendment criteria from 50.91 and 50.92
- Failure to act on request would result in
  - » Nuclear power plant shutdown
  - » Prevention of resumption of operation or increase in power up to licensed level
- Issue without prior notice and opportunity for hearing or public comment **ONLY** if change would **NOT** involve significant hazards consideration

20

## Emergency License Amendment: 50.91 - continued

### ◆ Content

- License Amendment content plus
  - » Explanation of why emergency situation occurred
  - » Explanation of why situation could not be avoided
- Facts must match NOED request information (if NOED issued)
- NRC publishes notice for opportunity for hearing and public comment after issuance per 2.106

### ◆ Timing

- Amendment not issued if failure to be timely created the emergency
- Request must be submitted w/in 48 hours if NOED issued

21

## General Submittal Concepts/Guidance

- ◆ Know the Specific Regulations Affected
- ◆ Use Flexibility Allowed by the Regulations
- ◆ Keep PM Aware of What is Happening at Plant
- ◆ Keep PM Up-to-date With What You Need
- ◆ Discuss Requested Need With PM Before Submittal is Written
- ◆ Be Clear in What you are Asking of the Staff
- ◆ Submit Requests Early, Allowing Adequate Time for Staff Review

22

**General Submittal Concepts/Guidance - continued**

- ◆ Provide Future Licensing Needs to Staff Well Before Next Outage
- ◆ Plan Ahead for Sholly Notice Period
- ◆ Minimize Complexity of the Requests
- ◆ Cite Precedents
- ◆ Consider Safety Evaluation Perspective
- ◆ Provide Complete, Well Written, Thorough, High Quality Submittals
- ◆ Provide Copies of Licensing Submittals to PM by Mail and Electronically
- ◆ Be Prepared to Interact Promptly with the Staff

23



# Project Manager Responsibilities

Steven Bloom  
Region IV Workshop  
February 1 – 2, 2000



## Introduction

- ▶ Project Manager (PM) Responsibilities
- ▶ Processing of Licensing Actions
  - ▶ Initial Processing
  - ▶ Work planning/Reviewer
  - ▶ Noticing/No Significant Hazards Determination and Environmental Assessment
  - ▶ Review process and document preparation
  - ▶ Commitments
- ▶ References



## PM Roles

- Headquarters Focal Point
- Licensee performance evaluation
- Project management

2



## Headquarters Focal Point

- Knowledgeable of plant design and status
  - familiar with TS and FSAR
  - daily communication with residents /licensing contacts
  - event response
- Coordinate plant visits, licensee drop-ins, meetings and briefings
- Administrative functions

3



## PM Interfaces

- ▶ Licensee
- ▶ Region
- ▶ State government, Congress, other agencies
- ▶ Public
  - ▶ noticing amendments, meetings
  - ▶ Freedom of Information Act Requests
  - ▶ Petition to suspend, revoke, or modify license

4



## Licensee Performance Evaluation

- ▶ Regional office has the lead
- ▶ Role of NRR has been reduced

5



## Project Management

PMs manage all correspondence between the licensee and NRC headquarters

- License amendments
- Relief requests
- Exemption requests
- Generic letter/bulletin responses
- QA, EP, safeguards changes

6



## Initial Processing

- Amendments, relief requests, exemptions
  - Acceptance review
  - Work planning
  - Prioritization

7



## Acceptance Review

- Oath & affirmation, State copy
- Clear description of change
- Safety analysis and justification
- NSHC and EA (or exclusion)
- Approval and implementation schedules
- Is it risk-informed?

8



## Work Planning

- PM (and Technical Staff)
  - Search for precedents
  - Review method (PM, tech staff, etc.)
  - Scope & depth of review
  - Resource planning and schedule
  - Priority

9



## Priorities

- ▶ Priority 1
  - ▶ Highly risk-significant safety concern
  - ▶ Issue involving plant shutdown, derate, or restart
  - ▶ Compliance with statutory requirements

10



## Priorities (continued)

- ▶ Priority 2
  - ▶ Significant safety issue
  - ▶ Support continued safe plant operations
  - ▶ Determine significance of operating event
  - ▶ Risk-informed licensing action
  - ▶ Topical report with near-term or significant safety benefit

11



## Priorities(continued)

- ▶ Priority 3
  - ▶ Moderate to low safety significance
  - ▶ Cost beneficial licensing actions
  - ▶ Generic issue or multi-plant action
  - ▶ Topical report with limited benefit

12



## NSHC Determination

- ▶ NSHC Based on 50.92 (51 FR 7751)
  - ▶ Significant increase in probability or consequences of an accident
  - ▶ Possible new or different accident
  - ▶ Significant reduction in margin of safety
- ▶ If proposed NSHC, hearing can be after amendment
- ▶ If SHC or no determination, any hearing would precede amendment

13



## Environmental Assessments

- ▶ Environmental Impact Statements (EISs) and EAs based on 51.20 to 51.22
  - ▶ EISs very rare
  - ▶ Amendment EA exclusions in 51.22
  - ▶ Most amendments meet the exclusions
  - ▶ EA must be published in the Federal Register before the amendment is issued

14



## Noticing

- ▶ “Normal” amendments, 50.91(a)(2)
  - ▶ Bi-weekly or individual *Federal Register* notices - 30 day comment period
  - ▶ Notice of proposed amendment, proposed NSHC, hearing opportunity
  - ▶ Notice of issuance
- ▶ If a proposed NSHC determination is not made, use individual notices
  - ▶ Can't be handled as an exigent or emergency

15



## Noticing - Exigent amendment

- ▶ Notice in Federal Register (FR) if amendment is to be issued after 15 days but before 30 days
  - ▶ Individual FR notice
  - ▶ Repeat in bi-weekly FR notice
- ▶ Notice in local media if amendment is to be issued after 6 days but before 15 days
  - ▶ Repeat in bi-weekly FR notice
- ▶ Amendments require a final NSHC determination

16



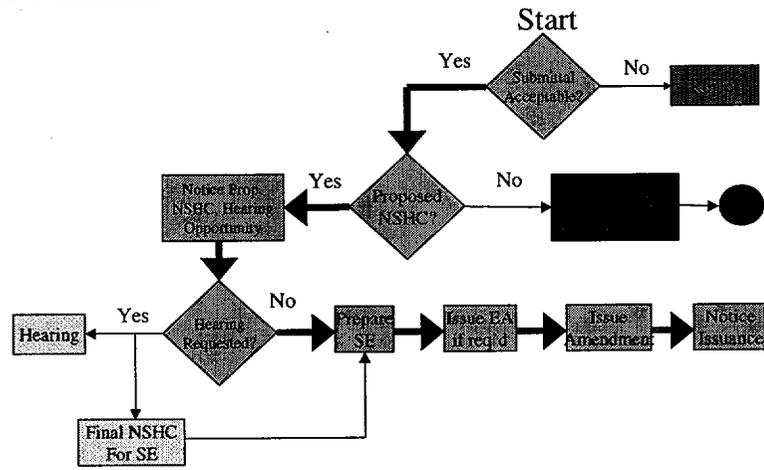
## Noticing - Emergency Amendment

- ▶ Emergency amendments noticed after issuance for comment and an opportunity for hearing

17



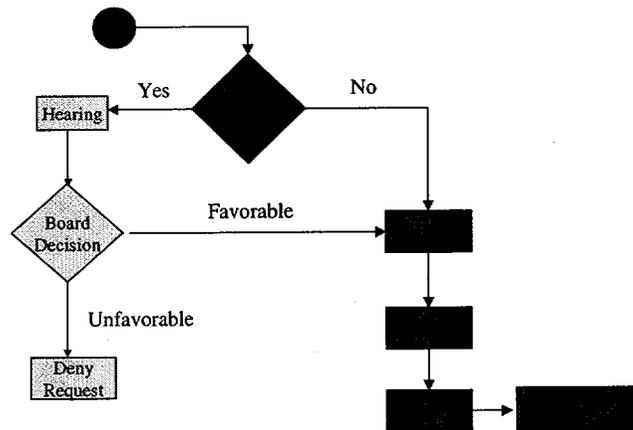
# Amendment Process



18



# Amendment Process



19



## Reviewer Assignments

- ▶ Reviews can be performed by PM or technical staff, considerations include:
  - ▶ Technical complexity & risk significance
  - ▶ PM technical expertise
  - ▶ Conformance to improved Standard Technical Specifications (ISTS) guidance
  - ▶ Conformance to precedents
  - ▶ Resource availability & schedule needs

20



## Review Process And Documents Preparation

- ▶ Review process
  - ▶ Precedents
  - ▶ Requests for additional information (RAIs)
  - ▶ Regulatory commitments
- ▶ Document preparation
  - ▶ Safety evaluation
  - ▶ Concurrence review
  - ▶ Amendment issuance

21



## Review Process And Documents Preparation

- Precedents
  - Ensure request meets current expectations
    - Format
    - Guidance to industry
    - Technical content

22



## Review Process And Documents Preparation

- Requests for additional information
  - Staff goal: 1 RAI per reviewing technical branch
  - Early communication with licensee
    - Resolve minor issues
    - Clarify questions
    - Establish reasonable response date

23



## Commitments

- ▶ Regulatory commitments are information relied on by the staff in making its conclusion but are not included in the technical specifications.
  
- ▶ Current staff practice outlined in SECY-98-224, NRC Guidance on Commitment Management

24



## Commitments

- ▶ Hierarchy of licensing-basis information
  - ✓ Obligations - license, TS, rules, orders
  - ✓ Mandated Licensing-Basis Information - UFSAR, QA/security/emergency plans
  - ✓ Regulatory Commitments - docketed statements agreeing or volunteering to take specific actions
  - ✓ Non-Licensing-Basis Information

25



## Commitments

- ▶ Commitments stated in the safety evaluation are considered part of the licensing basis but are not legally binding requirements
- ▶ Safety evaluation should clearly state what actions are considered regulatory commitments
- ▶ Control of commitments is in accordance with licensees' programs

26



## Commitments

- ▶ Escalation to license conditions reserved for safety-significant matters (e.g., those that meet 10 CFR 50.36 criteria for inclusion)
- ▶ Staff is continuing to include license conditions for relocation of information to UFSAR or other controlled documents in amendment implementation condition

27



## Commitments

- ▶ Office Letter 900 to be issued spring 2000
  - ▶ Will address NEI's revised guidance
  - ▶ Will include "audits" of licensee's Commitment Management Program
    - ✓ performed by PMs
    - ✓ 1/3 of plants per year

28



## Safety Evaluation

- ▶ Routinely included
  - ▶ Staff evaluation - why the request satisfies regulatory requirements
  - ▶ State consultation
  - ▶ Environmental considerations
- ▶ As needed
  - ▶ Regulatory commitments
  - ▶ Emergency/exigent provisions
  - ▶ Final NSHC determination

29



## Concurrence

- ▶ Licensing Assistant
  - ▶ format and revised TS pages
- ▶ Technical Branch
  - ▶ technical adequacy
- ▶ Technical Specifications Branch
  - ▶ Significant deviations from iSTS guidance or changes consistent with iSTS
  - ▶ Use of 10 CFR 50.36 criteria
- ▶ Office of the General Counsel
  - ▶ Legal defensibility and completeness

30



## Amendment Issuance

- ▶ Ensure that we've addressed all comments from public and state
- ▶ Transmitted to licensee via letter
  - ▶ Issued after associated EA
- ▶ Standard distribution (cc) list
  - ▶ Notify NRC staff of licensee's organization changes to list via docketed letter
- ▶ ***Federal Register*** notice of issuance

31



## References

- NRR Office Letter 803, Rev. 3
- 10 CFR 50.30 (Applications)
- 10 CFR 50.90 (Amendment Applications)
- 10 CFR 50.91 (Noticing, State Consult.)
- 10 CFR 2.105 (Noticing)
- 10 CFR 50.92 (NSHC, Issuance)
- 10 CFR 51.20-22 (EIS and EA)
- 10 CFR 50.36 (TS Criteria)
- SECY 98-244 (Commitments)



## ***EMERGING NRC PROCESSES***

Mel Fields

NRC Project Manager – Palo Verde



- ADAMS
- REVISION 3 TO OFFICE LETTER 803
- RISK-INFORMED LICENSING  
ACTIONS



***AGENCYWIDE DOCUMENTS***  
***ACCESS & MANAGEMENT SYSTEM***

***(ADAMS)***



**DEFINITION OF ADAMS**

The policies, processes, and software tools to manage unclassified, official program, and administrative records of lasting business value to the NRC in an electronic rather than paper-based environment



## IMPORTANCE OF ADAMS

- The NRC will achieve productivity gains
- Improve communication within the NRC and with licensees and other stakeholders
- Make public documents available to the public via the Internet
- Submittals to the NRC can be in electronic form via the internet

5



## WHAT WILL ADAMS CHANGE

- Voluntary electronic submission of documents from the NRC stakeholders
- Electronic distribution of documents
- The electronic image of the document will be the official agency record
- Electronically route, assign, concur in documents, and track status
- Retrieve full text and images of documents from electronic repository

6



## **BENEFITS OF ADAMS**

- Improved integrity of information
- Faster, broader access to documents
- Streamlined concurrence; Improved tracking
- Security/access control
- Eventual elimination of paper copy
- Documents available much faster
- Reduced information management costs

7



## **IMPLEMENTATION STRATEGY**

There will be a phased deployment of users and system capabilities that has already begun

8



## OFFICE LETTER 803

### REVISION 3



## OL 803 - GENERAL

- ▶ Purpose – establish procedures for processing license amendments
- ▶ Applicable to all NRR activities
- ▶ Living document – annual updates expected



## REVISION 3 TO OL 803

- 1999 reorganization
- Applicability to other licensing actions
- Applicability to decommissioned units
- Clarification and consistency changes

11



## 1999 REORGANIZATION CHANGES

- Organization name changes - DLPM
- Responsibility changes
  - References to Project Director replaced by Section Chief

12



## APPLICABILITY TO OTHER LICENSING ACTIONS

- Amendment requests
- Relief requests
- Exemption requests
- QA plan changes
- EP changes
- Security plan changes
- Other licensing actions

13



## DECOMMISSIONING

- The guidance contained in OL 803 should be applied, to the greatest extent possible, to decommissioned plants

14



## CLARIFICATION AND CONSISTENCY

- Added risk-informed guidance
- Precedent LAs – PMs to search and add to SE
- Estimating application review hours
- Communication with licensee
- Prepare the NSHC notice as soon as practicable
- Do not use RAIs to encourage commitments
- Information in SE should
  - Be consistent with submittal
  - Not contradict submittal
  - Not impose any commitments

15



## OL 803 REVISION 4

- Electronic Information Exchange
- ADAMS
- Work Planning Center

16



## RISK-INFORMED LICENSING ACTIONS



## RISK-INFORMED LA DEFINITION

Any activity that uses quantitative or qualitative risk assessment insights or techniques to provide a key component of the basis for the acceptability or unacceptability of the proposed action



## DOCUMENTS AVAILABLE

|   |                                   |
|---|-----------------------------------|
| Change in Licensing Basis<br>and/or 10 CFR 40.101 | 10 CFR 40.101<br>SRP Chapter 10.1 |
| Design Testing                                    | 10 CFR 40.102<br>SRP Chapter 10.2 |
| Design Quality Assurance                          | 10 CFR 40.103                     |
| Technical Specifications                          | 10 CFR 40.104<br>SRP Chapter 10.4 |
| Inspection Inspector                              | 10 CFR 40.105<br>SRP Chapter 10.5 |

19



## NRC PROCESSING

- Requests are tagged with an identifier indicating that they are risk-informed
  - ▶ Assigned as a priority 2 for scheduling purposes

20



## SAFETY PRINCIPLES

- ▶ Meet current regulations
- ▶ Consistent with defense-in-depth
- ▶ Maintain sufficient safety margin
- ▶ Risk increase to be small – CDF & LERF
- ▶ Consistent with Safety Goal Policy Statement
- ▶ Monitor using performance measurement

21



## EXAMPLES

- Most common types of requests
- ▶ Extension of EDG AOTs
  - ▶ Extension of ECCS AOTs
  - ▶ Risk-informed ISI/IST

22



## PROCESS IMPROVEMENTS

- ▶ Management attention via risk-informed licensing panel (NRR division directors with OGC support)
- ▶ Conflicts between deterministic and risk viewpoints are being resolved
- ▶ Timeliness and efficiency have improved

23



## FUTURE ACTIVITIES

- ▶ Risk-informed technical specifications
  - ▶ LCO-required action end statements
  - ▶ Increased mode change flexibility
  - ▶ Required action for missed surveillances
  - ▶ Risk-informed completion times
  - ▶ Modify LCO 3.0.3 actions and timing
  - ▶ Risk-informed operability definition
  - ▶ Optimized and relocated surveillance requirements coordinated with the maintenance rule

24

**NRC LICENSING WORKSHOP  
AMERENUE PRESENTATION ON  
STEAM GENERATOR  
ELECTROSLEEVING LICENSE  
AMENDMENT  
FEBRUARY 1, 2000**

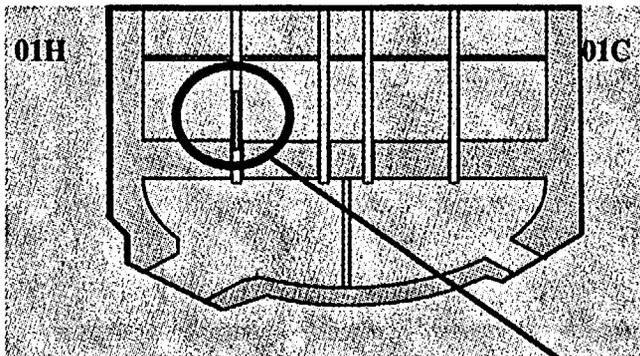
- 1) Background
- 2) Discussion of NRC Staff Concerns
- 3) AmerenUE Concerns
- 4) Resolution
- 5) Next Steps

# **BACKGROUND**

## 1) Electrosleeving Process

- a) Used for repair of TTS SCC flaws
- b) Nickel material electroplated on flawed tube and becomes the pressure boundary
- c) No residual stress from repair process
- d) Very good corrosion properties

# Electrosleeve™ Tube Repair



- o Nanostructured Nickel Microalloy
- o Electroformed To Tube
- o Code Case N-569

Access for Future Repair

Tube Microstructure Unchanged

## No Tube Deformation

- o High Residual Stress Eliminated
- o Stress Relief Not Required

Continuous Bond (No Crevices)

## Advantages

Complete Access  
o Periphery  
o TSPs

Low Flow Loss

## 2) License Amendment

### a) Original request 4/96

- added Electrosleeving as a means of repair

### b) Superseded by a revised request 10/98

- issue of capability of NDE to detect flaw growth in parent material

### c) Two-year limit on use of Electrosleeve pending resolution of NDE issues

**3) Telecon 3/99 raised Severe Accident  
Issue**

# **NRC STAFF CONCERNS**

- 1) “New” material introduced into RCS
  - Test data provided at severe conditions shows material degrades more than Inconel
  - Failure data for flaws  $>2$ ”

2) Attempts to evaluate against RG 1.174 standards not successful due to lack of info

- Not a risk-informed submittal
- Commission policy not established
- General feeling that “high/dry” conditions >E-7

3) Meeting on 4/22/99 to discuss proposed resolution

- “Burden of Proof” on Staff – BUT, lack of licensee supplied info will delay/kill
- Significant attention from EDO and Commission Staff
- Callaway schedule required a decision in early May proceed or withdraw amendment

4) NRC Proposed resolution

- Limit on flaw size for Electrosleeving

# **AMEREN CONCERNS**

- 1) Lack of detail of Staff Analysis
  
- 2) Lack of detail for new TS proposal
  - Tracking requirement for max flaw size
  - Tie in with 2-year NDE requirement

3) Schedule

4) Expansion of Licensing Basis for Callaway  
- Not in our request

# **RESOLUTION**

1) LA issued 5/99

- Contained 2-cycle NDE restriction
- No mention of SA in LA or SER
- Transmittal letter addressed issue

2) SECY 99-246 issued to Commission  
10/12/99

- References Callaway LA
- Requests Commission policy
- Staff determines if “new or different” material or process triggers RG 1.174 review regardless of request
- Staff can request risk info – failure to provide will delay or cause rejection of LA

3) September NEI Letter to NRC objected to  
essence of policy

4) NRC Action

- Will require Staff to seek stakeholder  
input
- Policy will be in effect for the interim

# **NEXT STEPS**

1) NEI Risk Informed Regulation Working Group following

- Will comment when FR notice appears
- Industry position opposes this process as bypassing rulemaking, backfit

# ● **Licensing Workshop - Safety Evaluations**

Dave Jaffe, USNRC

## **NRC STAFF SAFETY EVALUATION (WHAT, WHY, WHO)**

- Nearly every action affecting an operating nuclear power plant involves consideration of the impact of that action on public health and safety and the environment.
- Consideration involves preparation of a documented evaluation of the potential affect of that action on the safety of facility operation and the environment, known as an NRC staff safety evaluation (SE).

2

## **NRC STAFF SAFETY** **EVALUATION - continued**

- Preparation of SEs (with or without technical input) is the responsibility of the PM.
- The SE should provide sufficient information to explain the staff's rationale for its response to someone unfamiliar with the requested licensing action (eg the Public)

3

## **NRC STAFF SAFETY** **EVALUATION - continued**

- SEs should be prepared in response to requested licensing actions, to delineate the technical, safety, and legal basis for the NRC's disposition of a requested licensing action, or NRC staff initiative.
- SEs play an important part in building internal NRC consensus/policy.

4

## **LEGAL FINDINGS**

### 1. The Nuclear Regulatory Commission (the Commission) has found that:

- A. The application for amendment by     dated  
   , complies with the standards and requirements  
of the Atomic Energy Act of 1954, as amended  
(the Act), and the Commission's rules and  
regulations set forth in 10 CFR Chapter I;

5

## **LEGAL FINDINGS- continued**

- B. The facility will operate in conformity with the  
application, as amended, the provisions of the  
Act, and the rules and regulations of the  
Commission;
- C. There is reasonable assurance (i) that the  
activities authorized by this amendment can be  
conducted without endangering the health and  
safety of the public, and (ii) that such activities  
will be conducted in compliance with the  
Commission's regulations;

6

## **LEGAL FINDINGS-** **continued**

D. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public; and

E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

7

## **LEGAL FINDINGS-** **continued**

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment and paragraph 2.C.(2) of Facility Operating License No. is hereby amended to read as follows:

8

## **LICENSE AMENDMENT SE** **CONCLUSIONS**

### 5.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure.

9

## **LICENSE AMENDMENT SE** **CONCLUSIONS - continued**

The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (citation and date). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

10

## **LICENSE AMENDMENT SE** **CONCLUSIONS - continued**

### 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

11

## **CAN THE NRC/LICENSEES** **DO WITHOUT NRC STAFF** **SAFETY EVALUATIONS?**

- Why not just present conclusions/legal findings?
- Would any licensee be satisfied with conclusions/legal findings (only)?
- If not, why not?

12

## **ORGANIZATION/CONTENTS OF A GOOD NRC STAFF SE**

- INTRODUCTION
- BACKGROUND
- DISCUSSION
- EVALUATION

13

## **CONTENTS OF A GOOD NRC STAFF SE - continued**

- TECHNICAL SPECIFICATIONS (IF APPLICABLE)
- ENVIRONMENTAL CONSIDERATIONS
- CONCLUSIONS (LEGAL)

14

## **INTRODUCTION**

Provide a brief description of the requested licensing action. Discuss pertinent reference material (i.e., date(s) of application and any supplements, the name of the licensee, the name of the facility, and the associated docket number(s) and license number(s)). This section typically is only one or two paragraphs. Also, address the impact of supplements on "No significant hazards" findings (if applicable).

15

## **BACKGROUND**

Provide the regulatory framework for the requested licensing action. Include a summary of relevant regulations, regulatory guides, generic letters, or NRC staff positions. If applicable, describe the structure, system, or component affected by the requested licensing action and associated design bases. Additionally, this section may include a summary of the licensee's rationale for the requested licensing action.

16

## **BACKGROUND - continued**

### **LAW AND REQUIREMENTS**

- ATOMIC ENERGY ACT
- TITLE 10 CODE OF FEDERAL REGULATIONS (10 CFR)
- SPECIFIC PART (eg 10 CFR PART 50)
- SECTION (eg 10 CFR PART 50, SECTION 50.46)

17

## **BACKGROUND - continued**

### **GUIDANCE**

- STANDARD REVIEW PLAN (eg SRP 6.3)
- REGULATORY GUIDES (eg RG 1.157)
- CODES, STANDARDS, ETC

18

## **DISCUSSION**

This section provides a description of those analyses undertaken by the licensee in support of the application under review. Discusses the potential impacts of the action on the continued safe operation of the facility.

19

## **EVALUATION**

This section provides the basis for the NRC staff approval/denial of the action, referencing relevant regulatory criteria and guidance documents where appropriate. A summary paragraph emphasizing the basis for the approval/denial is generally appropriate. Environmental considerations may be included in this section if little or no environmental impact is anticipated. Otherwise, a separate environmental evaluation may be required.

20

## **TECHNICAL SPECIFICATIONS (IF APPLICABLE)**

Each change to the Technical Specifications should be individually addressed including the basis for acceptability. The author may choose to reiterate the basis if contained in the Discussion/Evaluation

21

## **ENVIRONMENTAL CONSIDERATIONS**

- The licensing action is Categorically Exempt (Boiler Plate)
- The NRC staff provided an Environmental Assessment and a Federal Register Notice citation is given

22

## **CONCLUSION**

Present the staff's conclusions regarding the possible safety impact of the proposed action on continued facility operation (boilerplate). The results of the evaluation in the discussion section must support the conclusion.

23

## **INTERNAL NRC CONCURRENCE**

- Technical Concurrence required if PM prepares the SE
- Role of concurrence in consensus building
- Role of the Office of the General Counsel

24

## **ENFORCEMENT STATUS** **OF SE**

- The SE is not an “enforceable” document
- The NRC staff may choose to issue an Order to create enforceable conditions (eg license condition)
- The licensee may choose to amend their application to include enforceable conditions
- The NRC staff should not make any representations in the SE that are in excess of those provided by the licensee in the licensee’s application

25

## **LICENSEE INTERACTION** **WITH NRC STAFF**

- Review all NRC SEs for accuracy
- Demand high quality including a full description of the basis for NRC staff acceptance/denial
- Communicate promptly with the NRC staff if there is a problem
- Request a supplemental SE if necessary

26

# **Attributes of a Good NRC Safety Evaluation**

Jack Rainsberry

San Onofre Nuclear Generating Station

# **NRC Safety Evaluation Reports**

- **Use of NRC Safety Evaluation Reports**
- **Safety Evaluation Report Conclusions**
- **Commitments**
- **Issues with Precedent**

# **NRC Safety Evaluation Reports**

- **Use of NRC Safety Evaluation Reports**
  - **Review when issued to ensure it correctly reflects licensee submittals**
  - **Historical review when questions arise on Technical Specifications and other issues**

# **NRC Safety Evaluation Reports**

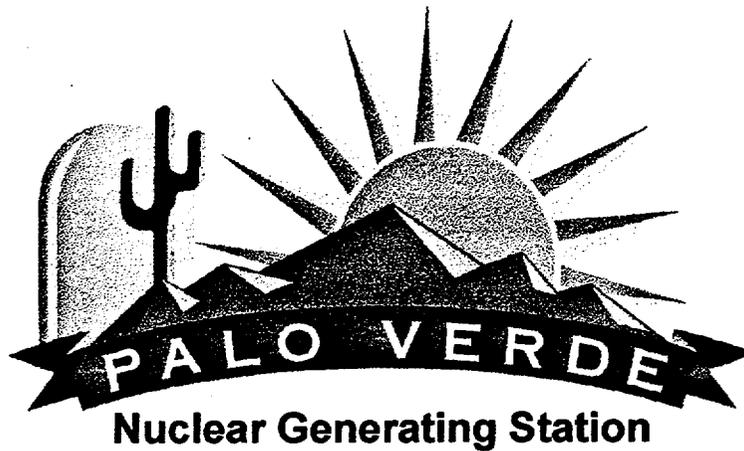
- **Safety Evaluation Report Conclusions**
  - **Basis for conclusion should be as clear as possible**
    - **Regulatory basis**
    - **Plant specific licensing basis**
    - **Clear tie to information relied on**
    - **Differences from licensee submittal should be identified**
  - **Limitations or conditions of approval should be clearly stated**
    - **Regulatory Basis**

# **NRC Safety Evaluation Reports**

- **Commitments**
  - **Commitments important to conclusion should be clearly stated**
  - **Should be clearly required**
  - **Consider mechanisms for change, dependent on commitment**
    - **NEI 99-04**
    - **10 CFR 50.59**
    - **10 CFR 50.90**

# **NRC Safety Evaluation Reports**

- **Issues With Precedence**
  - **Generic issues**
    - **Generic Safety Evaluation Report**
  - **Previously approved issues**
    - **Assess applicability to current application**
    - **Model after previous Safety Evaluation Report**
    - **Should not require new information**



**NRC/RUG-IV Workshop  
Licensing Submittal Quality  
February 1-2, 2000**

**Recommendations  
to Improve the  
Licensing Process**

**Angie Krainik  
Palo Verde Nuclear Generating Station  
(623) 393-5421  
AKRAINIK@apsc.com**

## **NEI Licensing Action Task Force**

### **Mission Statement:**

The purpose of the task force, which was formed in November 1998, is to identify potential improvements to the licensing processes used by NRC to review and approve industry submittals and to take licensing actions. The task force will meet periodically with an internal NRC task group that is studying the same subject. Some points for discussion are:

- the procedures and processes used by the NRC staff to review proposed licensing actions and prepare safety evaluation reports (SERs)
- NRC management oversight of requests for additional information (RAIs)
- joint licensee/NRC milestone scheduling for the submittal and review of industry submittals
- identification of barriers to improved efficiency that are embedded in current processes
- communications between licensees and the NRC staff on licensing-process issues
- the quality of industry submittals
- new ideas for improving/expediting the processing and issuance of licensing actions.

The task force will monitor NRC process initiatives and coordinate industry feedback to the NRC staff.

(May 1999)

## NEI Licensing Action Task Force Membership List

| <u>NAME</u>       | <u>COMPANY</u>       | <u>PHONE</u> | <u>E-MAIL</u>                         |
|-------------------|----------------------|--------------|---------------------------------------|
| Brinkman, Charles | ABB/CE               | 301-881-7040 | charles.b.brinkman@ussev.mail.abb.com |
| Fisicaro, James   | Duke-Energy          | 704-382-1578 | jffisica@duke-energy.com              |
| Harrison, Wayne   | WOG (HL&P)           | 512-972-7298 | awharrison@stpegs.com                 |
| Kelly, Joe        | Framatome            | 804-832-2964 | jkelly@framatech.com                  |
| Kenny, Jim        | BWROG (PP&L)         | 610-774-7535 | jmkenny@papl.com                      |
| Kokolakis, Pete   | NYP&A                | 914-681-6254 | kokolakis.p@nypa.gov                  |
| Krainik, Angela   | CEOG (APS)           | 623-393-5421 | v21680@apsc.com                       |
| Marion, Alex      | NEI                  | 202-739-8080 | am@nei.org                            |
| McIntyre, Brian   | Westinghouse         | 412-374-4334 | mcintyba@westinghouse.com             |
| Osborne, John     | BG&E                 | 410-495-2252 | john.m.osborne@bge.com                |
| Passwater, Al     | AmerenUE             | 314-554-3205 | acpasswater@ameren.com                |
| Perkins, Chip     | Entergy              | 504-739-6379 | eperki1@entergy.com                   |
|                   | Winston & Strawn     | 202-371-     | @winston.com                          |
| Salas, Pedro      | TVA                  | 423-843-7170 | psalas@tva.gov                        |
| Schoppman, Mike   | NEI                  | 202-739-8011 | mas@nei.org                           |
| Vine, Gary        | EPRI                 | 202-293-6347 | gvine@epri.com                        |
| Walker, Roger     | Texas Utilities      | 254-897-8233 | rwalker5@tuelectric.com               |
| Wuokko, Dale      | B&WOG (First Energy) | 419-321-7120 | drwuokko@firstenergycorp.com          |

## LATF Issue Teams

### I. Communications & Policy

(Jim Fisicaro, Brian McIntyre, Charlie Brinkman, Alex Marion)  
(NRC Contact: Bill Reckley)

1. Use of NRC precedent\*
2. Informal telecons\*
3. Initial issuance of documents (e.g., SERs) in draft form\*
4. Increase communications between licensees and NRC (OL-803)\*\*
5. Industry provide feedback on NRR licensing-process trends; factor into OL-803\*\*
6. Coordinate comments on OL-803 (short term)\*\*
7. NRC paper on the generic communications process (3/30/99)
8. NRC management oversight when reviewers are reassigned\*\*
9. OGC factors associated with licensing reviews\*\*
10. Task Interface Agreements (TIAs)\*
11. Backfit issues
12. Role of the Project Manager

\* NEI LATF presented thoughts in 7/27/99 meeting

\*\* NEI provided comments in 8/23/99 letter to NRC

### II. Tech Spec Change Process

(Al Passwater, Pedro Salas, Don Woodlan, Dale Wuokko, Harold Chernoff,  
Alex Marion)  
(NRC Contact: Bill Reckley)

1. Simplified process for minor Tech Spec changes (short term)
2. Guidance for Bases changes
3. Generic Tech Spec changes
4. Precedent Tech Spec changes

### III. Licensing Submittals (other than Tech Specs)

(Angie Krainik, Chip Perkins, John Osborne, Mike Schoppman)  
(NRC Contact: Len Olshan)

1. Code exemptions/relief requests (streamlining approval)
2. 10 CFR 50.12 exemption approval
3. QA/Security/Emergency Plan changes
4. Licensee consistency of submittals on similar issues
5. Submittal quality factors
6. NRC acceptance of precedent (once a submittal is approved, subsequent reviews of similar submittals from other licensees should be expedited)
7. Topical reports
8. Mandatory reports to be submitted (review value added)

### IV. Requests for Additional Information

(Roger Walker, Pete Kokolakis, Jim Kenny, Mike Schoppman)  
(NRC Contact: Sheri Peterson)

1. Monitor progress made thus far in RAI area
2. Consistent application of Backfit Rule to RAIs
3. Integrated reviews and RAIs
4. Support NRR Projects in the review & screening of RAIs
5. Explore value of draft safety evaluations in RAI process

**NEI LICENSING ACTION TASK FORCE (LATF)  
PRIORITY ISSUES**

- **Office Letter 803 (License Amendment Review Procedures)**
- **Office Letter 1201 (Task Interface Agreements)**
- **Unintended Tech Spec Actions**
- **Consolidated Approval of Generic Licensing Actions**

## COMMENTS & FEEDBACK ON OL-803

- Industry comments/feedback requested by NRC
- Comments provided in NEI letter to NRC (Alex Marion to Suzanne Black, dated August 23, 1999)
- Overall feedback on quality of OL-803 is positive
- OL-803 is being used by Project Managers
- Improved communications between NRC & licensees
- Mixed industry feedback on NRR implementation of OL-803 in technical branches
- Increase NRC management involvement to internalize OL-803 into the entire review process
- Continuing industry interest in monitoring future revisions
- Encourage incorporation of NEI comments

## UNINTENDED TECHNICAL SPECIFICATION ACTIONS

- Lead Plant Submittal (Sequoyah) - August 30, 1999
- Ready for Federal Register Notice (FRN)
- Review can occur concurrent with FRN
- Opportunity to obtain prompt closure of this LATF item
- Implementation through Corrective Action Program

## DEFINITION

### UNINTENDED TECHNICAL SPECIFICATION ACTION

1.37 An UNINTENDED TECHNICAL SPECIFICATION ACTION is an unnecessary plant evolution or other action that results from an erroneous Technical Specification requirement. The erroneous Technical Specification may arise from an editorial error, an administrative error, or a technical inconsistency between a Technical Specification requirement and the underlying intent of the requirement as defined in supporting documents submitted to or generated by the NRC. The intended Technical Specification requirement, as described in applicable documentation, is not contradicted by other documentation of which the licensee is aware.

## LCO

3.0.7 If a condition is identified that will result in an UNINTENDED TECHNICAL SPECIFICATION ACTION, operation may continue and, for an interim period, the licensee will be in compliance with the affected Technical Specification provided that a corrected Technical Specification requirement is defined and implemented. The interim, corrected Technical Specification will comply with the technical intent and underlying purpose of the affected Technical Specification as defined in supporting documents submitted to or generated by the NRC. If a Technical Specification requirement is modified in accordance with this provision, an application to amend the Technical Specifications to correct the identified discrepancy will be submitted to the NRC within 60 days of the identification of the erroneous Technical Specification requirement (i.e., the interim, corrected Technical Specification requirement). The application to correct the Technical Specification discrepancy will present the basis for classifying the condition as an UNINTENDED TECHNICAL SPECIFICATION ACTION. The licensee may use the interim, corrected Technical Specification requirement to comply with the affected Technical Specification until the NRC issues a decision on the proposed correction to the identified error.

## BASES

3.0.7 Compliance with a Technical Specification involves compliance with the technical intent and the underlying purpose of the Technical Specification. Compliance is based, in part, on the definitions provided in Section 1.0, common definitions of words not defined in Section 1.0, and on the construction of sentences, clauses, and phrases. The technical intent and underlying purpose is established by the applicable Bases, any associated Safety Evaluations issued by the NRC, the Updated Final Safety Analysis Report, or other documentation generated by either the licensee or the NRC.

Experience has demonstrated that there are cases in which an issued Technical Specification may literally be inconsistent with the technical intent and underlying purpose of the specification. The inconsistency may not be discovered until the resulting compliance would force, for example, an unnecessary plant evolution or

unnecessarily restrict plant operations. The normal regulatory processes such as Notices of Enforcement Discretion and amendment of the Technical Specifications using emergency or exigent provisions are an ineffective way of dealing with these circumstances, given that the discrepancies associated with the use of this specification do not present a safety concern. The low significance of these discrepancies may be readily concluded since the intent of the affected Technical Specification requirement is supported by existing docketed information. As such, prior NRC consent for an interim, corrected Technical Specification requirement to address an UNINTENDED TECHNICAL SPECIFICATION ACTION is not warranted.

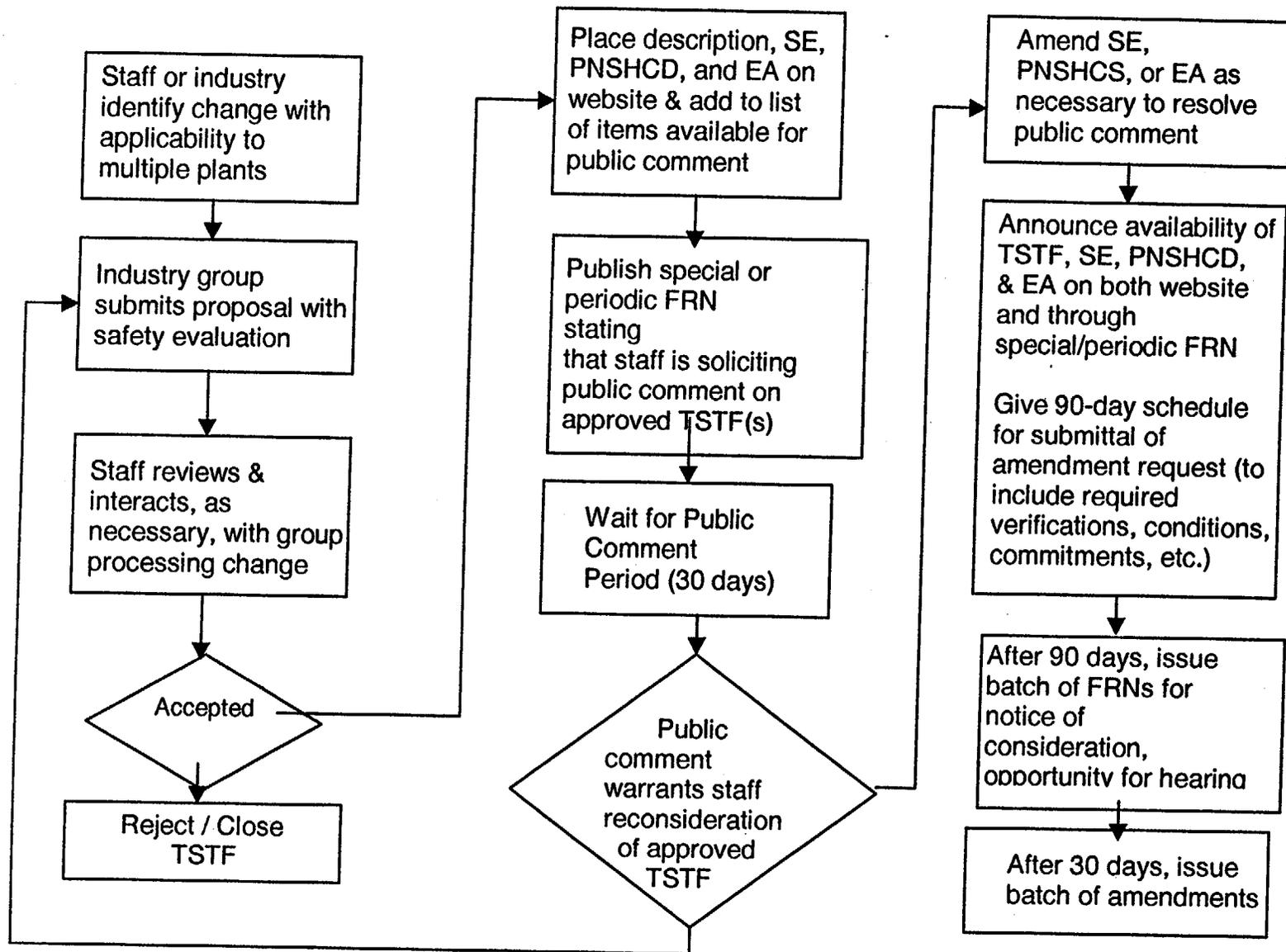
To correct the UNINTENDED TECHNICAL SPECIFICATION ACTION and to inform the NRC of the actions taken, an application for a license amendment will be submitted to the NRC whenever this provision is exercised. The application for a license amendment will be submitted to the NRC within 60 days of the identification of an erroneous requirement that causes an UNINTENDED TECHNICAL SPECIFICATION ACTION and a decision to implement an interim, corrected Technical Specification in place of the erroneous requirement. The licensee may use the interim, corrected Technical Specification requirement to comply with the affected Technical Specification until the NRC issues a decision on the licensee's proposed correction to the identified error. In cases where the erroneous requirement involves a repetitive surveillance or condition, the requirement to submit an application to amend the Technical Specifications will satisfy subsequent occurrences until the NRC issues a decision pertaining to the amendment request.

It is important that this provision not be perceived as anything other than a mechanism to resolve discrepancies that are occasionally introduced into Technical Specification requirements. The use of this provision is limited to the erroneous types of requirements previously discussed. The use of the UNINTENDED TECHNICAL SPECIFICATION ACTION provision is not an alternative to a Notice of Enforcement Discretion or Technical Specification amendments in accordance with 10 CFR 50.90 and 50.91 when the subject Technical Specification requirement is not clearly in error. Improper use of this provision, either by classifying a condition as an UNINTENDED TECHNICAL SPECIFICATION ACTION when the requirement was not in error or by the failure to implement an appropriate interim, corrected requirement, constitutes a violation of the Technical Specification at issue as well as this Technical Specification.

**CONSOLIDATED PROCESSING  
OF  
TECH SPEC LINE-ITEM IMPROVEMENTS**

- Presented consolidated processing to NRC:
  - ✓ July 28, 1999, NRC/NEI LATF meeting
  
- Received preliminary, favorable NRC feedback:
  - ✓ September 8, 1999, NRC/NEI conference call
  
- Possible future TS candidates:
  - ✓ Improved Standard Tech Spec changes
    - Unintended TS Actions
  - ✓ Risk-Informed Tech Specs
  - ✓ Owners Group Topical Reports
  
- Possible pilot for consolidated processing:
  - ✓ Unintended TS Actions
  - ✓ NEI LATF developing TSTF (Tech Spec Task Force) "traveler" for Unintended TS Actions
  - ✓ Work with NRC on developing Regulatory Issue Summary for Unintended TS Actions

# Consolidated Line Item Improvement Process -DRAFT-





## STREAMLINING LICENSING SUBMITTALS

FEBRUARY 1 - 2, 2000

LICENSING WORKSHOP

SAN ONOFRE NUCLEAR POWER STATION

JOHN A. NAKOSKI  
SENIOR PROJECT MANAGER, NRC

1

### Discussion Focus

- Generic Technical Specification Changes
- Consolidated Line Item Improvements
- Use of Electronic Media

2

## GENERIC TECHNICAL SPECIFICATION CHANGES

- Improved Standard Technical Specifications
- Streamline License Amendment Requests
- Streamline NRC Staff Review
- Sponsored by Technical Specification Task Force (TSTF)
- TSTF - Representatives from Four Owners Groups and the Nuclear Energy Institute (NEI)

3

- Industry Focus has Shifted from Improved Technical Specification (ITS) Submittals to Generic Changes to ITS NUREGS
- Generic Changes Reviewed and Prepared using TSTF Process
- After NRC Approval, Generic Changes are Available for Plants with ITS or are Developing ITS
- NRC Review Lead times may Necessitate Approval of Plant Specific Change before Generic Change

4

### Generic Change Development Process

- Potential Generic Change Identified by Licensee
- Propose Change to ITS NUREG Through Owners Group TSTF Representative
- Change Reviewed by Owners Group and TSTF
- Submitted to NRC Technical Specification Branch
- NRC Approved Changes Made Available via NRC Webpage

5

### Adopting Generic Changes

- Verify Change Justification Applies
- License Amendment Submittal
  1. Reference generic change justification
  2. Note plant specific differences
  3. Avoid deviation from generic change
  4. Provide plant specific justifications for deviations
  5. Reference generic change on TS mark-up pages
  6. Adopt multiple generic changes in submittal
  7. Use No Significance Hazards Consideration Guidance

6

### No Significant Hazards Considerations

- NRC Staff Developing Generic Evaluations For:
  1. Administrative Changes
  2. More Restrictive Changes
  3. Relocation of Requirements
  4. Less Restrictive Changes - Removing Detail
  5. Relaxing LCO Requirements
  6. Relaxing When LCO Apply

### No Significant Hazards Considerations (con't)

- NRC Staff Developing Generic Evaluations For:
  7. Relaxing Required Action Completion Times
  8. Relaxing Required Actions
  9. Deleting Surveillance Requirements
  10. Relaxing Surveillance Acceptance Criteria
  11. Changing Surveillance Frequency

### Approving Plant Specific Changes Before Generic Changes are Approved

- Nuclear Safety Issues
- Dose Reduction
- Operational Necessity (avoid unnecessary shutdown or power reduction, or to start operations)
- Exigent or Emergency Circumstances (10 CFR 50.90)

### Non-ITS Converted Plants

- May use ITS NUREG Change Justification to Assist in Developing Plant Specific Justification
- Must Consider
  1. Specific format and content of ITS
  2. ITS word usage and definitions
  3. ITS notation conventions
  4. Use of expanded bases in ITS
  5. ITS Section 3.0 Limiting Conditions for Operation

### CONSOLIDATED LINE ITEM IMPROVEMENTS

- Process like Generic Technical Specification Change
- Must be applicable to multiple plants
- Submitted by Industry Group with technical justification for change
- NRC publishes description, Safety Evaluation, preliminary NSHCD, and preliminary EA for 30 day public comment period

### CONSOLIDATED LINE ITEM IMPROVEMENTS (con't)

- NRC publishes availability of change for specific period (typically 90 days)
- Not restricted to plants with Improved Standard Technical Specifications
- Submittal relies on SE, preliminary NSHCD, and preliminary EA, and addresses plant specific conditions
- Individual Federal Register Notices Required
- Individual Amendments Required

**EXAMPLE:**

**WOG & CEOG Submittals to Eliminate PASS Requirements**

- WOG submittal dated October 26, 1998
- CEOG submittal dated May 5, 1999
- Staff has reviewed both submittals
- Public comment period has closed
- NRC addressing public comments
- Approval expected within next several months

13

**USE OF ELECTRONIC MEDIA**

**Provide NRC with Electronic Copy of License Submittals**

- Information made available to the NRC quicker
- Preparation of Notices, Safety Evaluations, Amendments easier
- Information posted on ADAMS for easier access
- NRC working on Policies for Electronic Information Exchange - Voluntary Participation

14

### Electronic Information Exchange (EIE)

- Must register to become Electronic Trading Partner
- NRC is reviewing the surety levels required for submitted documents to establish the requirements for handling them in electronic form.
- Rulemaking will be Initiated to Allow Electronic Filing (expected July 2000)
- NRC will be responsible for distribution
- Externally generated documents will be distributed using ADAMS software.

15

### Electronic Information Exchange (EIE) (con't)

- Distribution outside the NRC, either electronic or paper form depending on the recipient
- Very large documents would be submitted via the U.S. mail on CD-ROM (larger than 2 MB)
- Smaller documents, the majority, would be submitted electronically via NRC's EIE program at our web site
- NRC's current plan is to accept documents in PDF, MS Word, and Word Perfect formats

16

COMMENTS OR QUESTIONS



## ***ATTRIBUTES OF A SOUND***

### ***LICENSEE SUBMITTAL***

Mel Fields

NRC Project Manager – Palo Verde



## **PROBLEM STATEMENT**

- **DILEMMA:** How to provide the NRC with a quality License Amendment request on a complex technical subject under an evolving regulatory framework?
  
- **ANSWER:** Establish expectations for submittals, maintain open lines of communication, and meet periodically to improve the process



## BASIC PARTS OF A SUBMITTAL

- Administrative information
- Applicable regulations and design bases
- Technical analyses
- Specific changes to license (TS pages)
- No significant hazards consideration

3



## ADMIN INFORMATION

- Clearly explain the What, Why and When for the request
- Refer to prior correspondence & meetings
- Cite appropriate precedence
- Discuss special circumstances (proprietary, exigent request) including regulations
- Is submittal risk-informed
- List commitments and how controlled
- Oath or affirmation, including RAI responses

4



## REGULATORY REQUIREMENTS

- Provide the regulatory process for change (normal or exigent TS, relief request)
- Describe current licensing basis applicable to change
- Cite appropriate regulatory requirements and/or guides

5



## TECHNICAL ANALYSIS

- Demonstrate how applicable regulations are satisfied
- If appropriate, demonstrate how current design basis is unchanged
- Include sufficient detail for independent assessment
  - Analytical methods used
  - Key input parameters
  - How methods differ from previously approved methods

6



## SPECIFIC CHANGES

- Provide marked up and clean copies of affected pages
- Provide a description of each change so that the reviewer can clearly understand the differences
- Verify specific changes are accurate and consistent with licensing documents and plant procedures

7



## No Sig Hazards Consideration

- The audience is the Public
- Prepare a stand-alone document that can go into the *Federal Register* w/o any changes
- Directly and completely answer each of the three questions
- Address all proposed changes in LA request (Including editorial or admin changes)

8



## IMPROVING A SOUND SUBMITTAL

- Use plain language
- Inform the PM of upcoming LA submittals
- Each issue has unique complexities – focus
- Before submitting an LA request to the NRC, ask “Is this the best we can do?”

9



## OUTLINE

- Use the attached two-page outline for the breakout session
- Agree or disagree with specific points
- Identify improvements to outline

10

## QUALITIES OF A "GOOD" LICENSE SUBMITTAL FROM NRC/ENTERGY LICENSING WORKSHOP

The NRC and Entergy Operations Inc. jointly sponsored a licensing workshop Entergy's Waterford plant on December 2 and 3, 1998. The culmination of the workshop was the production of an outline of the qualities of a "good" submittal. The outline is reproduced below for your use. One goal of the Region IV workshop is to refine this outline based on insights from attendees.

The COVER LETTER should include the following attributes and features:

- A descriptive title.
- A clear summation of what you want, why you want it and when you want it.
- References to prior correspondence, meeting, telephone calls, etc.
- A clear statement of proprietary information.
- A brief description of the safety/technical basis for the action.
- A clear description of the regulatory processes for change (50.59, 50.55a, etc).
- Discuss the risk-informed nature of the submittal, if applicable.
- "If multiple process, provide clear road map."
- Indicate and cite applicable regulation if the amendment is being filed as exigent or emergency.

The ATTACHMENTS format should generally follow this outline:

- Have logically ordered headings and subheadings.
- Have an organized thought process to tell "the whole story".
- Break out sections into distinct pieces, such as historical, technical, etc.
- Define and explain technical terms.
- The no significant hazards consideration sections should redefine technical terms (acronyms).
- Anticipate questions and address them in the letter.
- Write background and basis for change sections for use in the NRC staff's safety evaluation report.
- Consider submitting drawings for clarification.
- Supplements to original submittals need to stand alone.

DESCRIPTIONS OF CHANGE:

- Identify affected technical specifications sections and describe changes.
- Make sure change reflects what you think it does.

BACKGROUND should include:

- System descriptions (regulatory/design basis).
- Industry references, including other licensee approvals.
- Previous discussion, correspondence.
- Current requirements.
- The conditions to be resolved.
- The applicable final safety analysis report sections for reference.
- The history of the topic.

BASIS FOR CHANGE should:

- Avoid false sense of security based upon industry precedent.
- Describe analytical methods, data and results.

QUALITIES OF A "GOOD" LICENSE SUBMITTAL  
FROM NRC/ENTERGY LICENSING WORKSHOP

- Describe how you conform to applicable standards such as regulatory guides, standard. review plans, Nuclear Energy Institute documents, etc.
- Not make broad commitments. Be specific or don't commit.
- Be complete in the justification for change.
- Discuss the impact of the change on accident analysis/risk.

JUSTIFICATION FOR EXIGENT/EMERGENCY CONSIDERATION:

- In applicable, include reasons for requesting emergency or exigent circumstances.

NO SIGNIFICANT HAZARDS CONSIDERATION

- Be a stand alone section available for use in the Federal Register notice.
- Reflect previous discussion.
- Provide a brief summary of the change.
- Answer each question fully.
- Be clear, understandable, concise, yet sufficiently detailed. The audience is the public.
- Be specific to the plant, especially if a generic change is used as a justification.

ENVIRONMENTAL STATEMENTS:

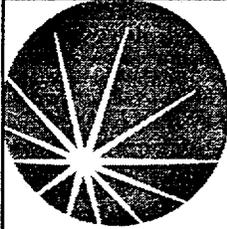
- Include if necessary.

TECHNICAL SPECIFICATIONS PAGES. Include both:

- Marked-up pages.
- Revised pages.

COMMITMENTS:

- If any.



# **THE CPSES LICENSE AMENDMENT PROCESS**

**TXU**

## **What Makes a Good License Amendment Request (LAR) Submittal**

PRESENTED BY BOB DACKO February 2, 2000

1

## **GOALS OF THE CPSES LICENSE AMENDMENT PROCESS**

- **Provide Clear and Concise Specifications  
that are Easily Implemented by the Plant**
- **Minimize the Potential for RAIs**
- **Make the Submittal User-Friendly for the  
NRC**

2

# OUTLINE OF PRESENTATION

- **Identifying need for a TS change**
- **Types of Changes**
- **Getting the Change into the TS Change System**
- **Processing the Change**
- **Review and Approval Process**
- **LAR submittal**
- **Issuance of License Amendment**

3

## I. Identifying need for a TS change

- **Who Identifies That a TS Change is Required**
- **How Typical Changes Are Identified**
  - **Normal Operations and Maintenance**
  - **Design Modification Process**
  - **10CFR50.59 process**
  - **Utility Interfaces**
  - **Overview/QA Audits**

4



## **II. Types of Changes**

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- **Correction/Clarification**
- **Updates**
- **Enhancement**
  - **Plant Specific**
  - **Industry Sponsored**
  - **Approved Precedence**

5



## **III. Getting the Change into the TS Change System**

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- **TS Change Tracking Number**
  - **TS Database**
  - **Periodic Reports**
- **Submittal of Paperwork**
  - **Hand or Electronic Markup of Proposed Changes**
  - **Appropriate Justification**
  - **Requested Implementation Date**

6



## **IV. Processing the Change**

### **• Responsibility of the License Amendment Coordinator**

- Identifies the Complexity of Change**
- Establishes Preliminary Activities Schedule**
- Tracks and Coordinates Required Activities**
- Performs Licensing Impact Assessment**
- Searches for Precedents**
- Arranges Interdisciplinary and Inter-Utility Meetings**
- Arranges NRC Meetings/Tele-Conferences**

7



## **IV. Processing the Change (Cont.)**

- Preliminary Strategy Meetings (for complex changes)**
- Advance NRC Notification of Intent**
- Treatment of Multiple Changes in the Same LAR Submittal**

8



## **IV. Processing the change (Cont.)**

### **• Preparing the Draft License Amendment**

- **Cover Letter and Affidavit**
- **Description and Assessment**
- **Affected TS Pages**
- **Other Informational Attachments**

9



## **IV. Processing the change (Cont.)**

### **• Cover Letter and Affidavit**

- **Brief Description of Request**
- **Requested Approval Date/Implementation Interval**
- **Commitment Statement**
- **Signature Under Oath and Affirmation**

10



## **IV. Processing the change (Cont.)**

### **• Description and Assessment**

- **Introduction**
- **Description of TS Change**
- **Analysis**
- **Significance Hazards Consideration**
- **Environmental Evaluation**
- **Precedents and References**

11



## **IV. Processing the change (Cont.)**

### **Description and Assessment (Cont.)**

- **Introduction**
  - **Background/History**
  - **Purpose of the Specification**
  - **How We Got Here**
  - **Reason for Requesting Change**
  - **Basis for the Requested Approval Date**

12



## **IV. Processing the change (Cont.)**

### **Description and Assessment (Cont.)**

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- **Description of Change**

- **A Word Description of the TS Changes**
- **Does Not Include Markup**

13



## **IV. Processing the change (Cont.)**

### **Description and Assessment (Cont.)**

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- **Analysis**

- **Why Changes are Technically Acceptable**
- **Impact on FSAR Accident Analyses**
- **Radiological Assessment**
- **Risk-Informed Discussions (if applicable)**

14



## **IV. Processing the change (Cont.)**

### **Description and Assessment (Cont.)**

- **No Significant Hazards Consideration (NSHC) Determination**
  - **Content of NSHC**
  - **Input to Federal Register Notification**

15



## **IV. Processing the change (Cont.)**

### **Description and Assessment (Cont.)**

- **Environmental Evaluation**
  - **Changes That Obviously Have No Impact**
  - **Changes Where Environmental Impact Is Not Obvious**

16



## **IV. Processing the Change (Cont.)**

### **Description and Assessment (Cont.)**

- **Precedents**
  - **Search Techniques**
  - **Applicability of Precedents**
- **References**

17



## **IV. Processing the Change (Cont.)**

### **• Affected TS Pages**

- **Marked-up TS Pages**
- **Word-Processed/Replacement TS Pages**

18



## **IV. Processing the Change (Cont.)**

### **• Other Informational Attachments**

- Proposed Bases Markup**
- Topicals/ Evaluations Specific to LAR**
- Copies of Certain Referenced Material**
- Applicable Precedence**

19



## **V. Review and Approval Process**

- Interdisciplinary Review**
- Utility Reviews (Joint submittals)**
- Reg Affairs Review**
- Onsite Review Committee (SORC)**
- Offsite Review Committee (ORC)**

20



## **VI. LAR submittal**

- **NRC post-submittal meetings**
- **RAIs**
- **Supplements to LAR submittal**

21



## **VII. Issuance of License Amendment**

- **Verification of Accuracy/Consistency of LA and SER**
- **Verification of Completion of Implementation Activities**
- **Issuance of Replacement Pages**
- **Coordination of Effective Date of TS**

22