NRC/NEI
Licensing Action Task Force (LATF) Meeting
September 20, 2000

Agenda

1. Industry comments on selected NRR Office Letters	NEI
2. Status of NRC's first use of CLIIP (PASS elimination)	NRC
3. NRC comments on draft NEI Bases/TRM White Paper	NRC
4. Standardization of LAR/SER formats	NRC/NEI
5. Reporting requirements	NEI
6. NRC information collection request related to burden reduction	NRC

DF04

Attachment 2

NEI DRAFT COMMENTS

NRR Office Letter 803, Rev. 3

9/20/00

DRAFT

NUCLEAR ENERGY INSTITUTE

Alex Marion
DIRECTOR, PROGRAMS
NUCLEAR GENERATION

September 20, 2000

Ms. Suzanne C. Black
Deputy Director, Division of Licensing Project Management
U. S. Nuclear Regulatory Commission
Office of Nuclear Reactor Regulation
Washington, DC 20555-0001

Dear Ms. Black:

NEI is submitting comments on NRR Office Letter 803, Revision 3, "License Amendment Review Procedures." The enclosed comments were developed from input received from utility licensees and coordinated with the NEI Licensing Action Task Force (LATF). Please contact me at (202) 739-8080 (am@nei.org), or Mike Schoppman at (202) 739-8011 (mas@nei.org), if you have questions or comments.

We look forward to continued dialogue as the NRR staff considers further revisions to this important Office Letter.

Sincerely,

Alex Marion
AM/amj

Enclosure

NEI Comments on NRR Office Letter 803, Revision 3 "License Amendment Review Procedures" ENCLOSURE

A. General Comments

1. Feedback from licensees indicates that Revision 3 to NRR Office Letter 803 (OL-803) is a key document that provides important insights into the licensing action review process. Project managers in the Office of Nuclear Reactor Regulation (NRR) are using OL-803, and there have been many examples of licensee and vendor submittals being clarified through early communications. NRC management should ensure that new project managers and new technical reviewers are trained in the content and use of OL-803, and that refresher training is conducted when new revisions to OL-803 are published.

2. OL-803 has been expanded to include clarifications intended to ensure consistency in the processing of other "licensing actions" as well as license amendments. We suggest the title of OL-803 be revised to "Licensing Action Review Procedures."

3. As stated in an NEI comment letter dated August 23, 1999, on OL-803 Revision 2, minor administrative or non-safety changes to the Technical Specifications receive a relatively low NRR review priority. A simplified administrative process for reviewing "minor Tech Spec changes" has been proposed by the NEI Licensing Action Task Force as described in a white paper entitled "Unintended Technical Specification Actions" (UTSA) that was submitted to NRC by NEI letter dated March 15, 2000. The white paper describes a process by which minor changes could be reviewed efficiently and effectively through use of a lesser degree of process control than used for safety/risk-related changes. The NRC staff response to the white paper is pending. NEI recommends that NRC and NEI staff meet to develop an action plan and schedule for resolving the UTSA issue.

4. The NEI Licensing Action Task Force provided a copy of a draft white paper to the NRC staff at a public meeting on June 28, 2000. The paper was entitled "Standardized Change Process for Technical Specification Bases and 'Technical Requirements' Documents." In the context of the white paper, the term Technical Requirements Documents refers to the set of documents, regardless of title, where selected technical specification requirements are relocated when they do not meet the criteria of 10 CFR 50.36 for inclusion in the technical specifications. Briefly, the draft white paper recommends that changes to the Bases (and to the Technical Requirements Document, if submitted) be processed as "information only" and not require explicit NRC

staff review and approval. Once the white paper is finalized, NEI recommends that NRC consider incorporating its concepts into OL-803. Standardized guidance for processing changes to the Bases and Technical Requirements Documents would provide a single, cost-effective administrative change process that is independent of Technical Specification vintage.

5. When possible, references to internal NRC memoranda should be avoided. Relevant portions of a memo should be incorporated into the body of an Office Letter, or the memo should be attached to the Office Letter.

6. OL-803 should provide guidance on how to process parallel submittals (i.e., two or more licensees making essentially the same change at the same time). The consolidated line item improvement process (CLIIP) may be applicable to these situations.

B. Comments on the Office Letter

1. *Section D, "Review and Concurrence of the Amendment Package," states: "The Office of the General Counsel (OGC) shall review all amendment packages for legal adequacy and defensibility, unless a memorandum of agreement is developed stating that specific amendments do not require OGC concurrence."*

   NEI continues to believe that OGC review of amendment packages should be the exception, not the rule. To improve administrative efficiency, Project Directors and Project Managers in the NRR Division of Licensing Project Management should play a role in determining when OGC input is needed.

   For example, if precedent has been identified, additional OGC review should not be necessary. Likewise, after the first application is approved under the consolidated line item improvement process (CLIIP), additional OGC review should not be necessary for subsequent approvals.

   Criteria for obtaining OGC review should reside in an internal NRC memorandum of understanding between the General Counsel and the NRR Office Director. The specific role of OGC in the amendment process should be defined.

C. Comments on the "Guide for Processing License Amendments"

1. *Section 2.3, "Search for Precedent Licensing Actions."*

   Before beginning a precedent search, an initial determination should be made to verify that the time spent would be helpful. A precedent search may not be warranted if the change is minor or unique. Please refer to NEI draft white paper entitled "Use of Precedent in NRC Licensing Actions," submitted by letter dated November 1, 1999, from Alex Marion to Ms. Suzanne Black.

2. *Section 2.4.3, "Schedule of Review" contains a subsection on Licensing Action Timeliness Goals.*

   NEI suggests adding flexibility to permit NRC management to adjust internal timeliness goals to accommodate reasonable changes in licensee schedules. Under certain circumstances, it may be feasible to extend the NRC timeliness goal for a licensing review if the delay is not a measure of NRR performance.

3. *Section 3.1, "Normal (30-day) Public Notification."*

   The last paragraph of this section contains general guidance pertaining to "oath & affirmation" (O&A) by licensee senior management. Additional guidance on O&A, as it applies to licensee responses to RAIs, should be added to either Section 3.1 or Section 4.3 (Requests for Additional Information). Specifically, we recommend that only those RAI responses that cite 10 CFR 50.54(f), or contain information that is being formally incorporated into the licensee's amendment application under 10 CFR 50.90, need to be signed by a duly authorized officer under oath or affirmation.

4. *Section 4.3, "Requests for Additional Information," contains guidance on the content and timing of RAIs.*

   - The content of Section 4.3 in Revision 3 is a marked improvement over Revision 2.

   - NRC staff training and management oversight is necessary to ensure the principles contained in Section 4.3 become standard practice for all project managers and technical reviewers.

   - This section should reference NRC internal guidance on the backfit rule (10 CFR 50.109) and stipulate that each RAI be reviewed to preclude direct or implied suggestions that the licensee make commitments that could constitute the inadvertent imposition of backfits.

5. *Section 4.4, "Regulatory Commitments," discusses the potential for escalation of commitments into license conditions.*

   The second full paragraph on page 4.6 implies that routine commitments normally would not be escalated into formal license conditions. Further guidance may be beneficial to properly implement this paragraph. Strict guidelines for management oversight should be added to ensure that escalation of a commitment is reserved for matters that satisfy the criteria for inclusion in technical specifications (10 CFR 50.36) or inclusion in the license to address a significant safety issue.

6. *Section 4.5.4, "Other," contains a subsection on Regulatory Commitments.*

   This section discusses the treatment of regulatory commitments made by the licensee. The guidance states that NRC "safety evaluations for amendment requests containing regulatory commitments should discuss the commitments and should state that the staff finds that the subject matter is adequately controlled by the licensee's administrative programs." NEI recommends that a safety evaluation also make an explicit statement when there are <u>no</u> administrative "regulatory commitments" associated with the amendment.

7. *Section 6.0, "Amendment Preparation and Issuance."*

   The NRC word-processor file (e.g., *filename.doc*, *filename.wpd*, *filename.pdf*, etc.) associated with an approved license amendment should include updated amendment number(s) on all revised pages. It is our understanding that, in some cases, NRC project managers use pen and ink changes to update the amendment number located (usually) on the bottom of the page. Inserting the amendment number(s) in the electronic file will facilitate the use of electronic information exchange (EIE) in processing license amendments.

8. *Section 7.0, "Risk-Informed Licensing Action Guidance."*

   Subsection 7.2.2(9) states "Assess all non-risk-informed licensing action and activity submittals to seek to identify if there are any unaddressed, potentially significant risk effects (e.g., potentially significant changes in CDF, LERF, design margins, or defense-in-depth) that approval of the licensing action could precipitate. If the reviewer suspects that there is such a potential, the nature of the concern should be documented and forwarded along with the submittal to SPSB for joint review and consultation."

This subsection gives NRC project managers and technical reviewers broad influence over the approval (or rejection) of a proposed non-risk-informed licensing action (i.e., one that is based on the licensee's NRC-approved, "deterministic" design basis). NEI's position on the use of regulatory guidelines as a means to determine if risk analysis is necessary to assure that a licensing action meets the definition of adequate protection remains as stated in NEI letter dated September 27, 1999, from Ralph E. Beedle to the Honorable Greta J. Dicus. Related comments on a proposed new Appendix to Standard Review Plan (NUREG-0800), Chapter 19, "Use of Probabilistic Risk Assessment in Plant-Specific, Risk Informed Decisionmaking: General Guidance" (65 *Fed. Reg.* 19030, April 10, 2000) were submitted in NEI letter to NRC (Stephen D. Floyd to David L. Meyer) dated May 26, 2000.

In summary, NRC guidance on the use of risk information was developed to address a licensee's voluntary use of such information in support of a licensing-action request. The fact that the licensee has the necessary PRA information is implicit in a voluntary risk-informed request. If the NRC staff was to impose Regulatory Guide 1.174 in a non-risk-informed context, as suggested by subsection 7.2.2(9), it could require the licensee to expand the PRA even though all design-basis and licensing-basis requirements have been satisfied. In other words, subsection 7.2.2(9) turns Reg. Guide 1.174, which is intended to verify "a prudent margin above adequate protection," into a test of adequate protection. This is a significant increase in the scope of Reg. Guide 1.174. NRC management oversight is necessary to ensure that the submittal of risk information does not become a routine condition for NRC approval of licensing actions.

NEI recommends further interaction with the Risk-Informed Regulation Working Group (RIRWG) to establish controls over the use of risk-informed concepts in the review of deterministic submittals. For example:

- NRC staff training on the use of risk-informed decisionmaking guidelines (e.g., Regulatory Guide 1.174, Standard Review Plan 19, and Regulatory Issue Summary 2000-07).

- Licensee concurrence with the details of the risk model used by NRC.

- NRC management controls to ensure the consistent use of risk-informed decisionmaking at the staff level.

- Licensee participation in the risk-informed decisionmaking process, including the means to appeal disagreements with the NRC staff to a higher level.

- NRC/Industry workshops to promote a common understanding of risk-informed decisionmaking.

Additional comments:

- Update footnote 5 on page 7.4.
- Expand the guidance on the meaning and use of Table 4 on page 7.6.

NEI DRAFT WHITE PAPER

Standardized Change Process for Technical Specification Bases and "Technical Requirements" Documents

6/27/00

NEI WHITE PAPER
Standardized Change Process for Technical Specification Bases and "Technical Requirements" Documents

1.0 INTRODUCTION

This White Paper provides commercial operating reactor licensees with standardized guidance for revising the "technical specification bases" (Bases[1]) and the "technical requirements manual" (TRM[2]). It can be applied to the various Technical Specification Bases formats ranging from "custom Technical Specifications" that retain the originally licensed format to "improved Standard Technical Specifications" that have been reformatted using the latest approved NUREG in the 1430-1434[3] series. It can also be applied to the various TRM formats that have evolved since the promulgation of Technical Specification screening criteria in 10 CFR 50.36.[4] The objective of this White Paper is to increase efficiency and reduce costs associated with revising the Bases and TRM documents by devising a single change-control process that can be used by all licensees, regardless of their Technical Specification vintage or TRM format.

Bases and TRM changes do not require prior NRC review and approval because neither the Bases nor the TRM is considered part of the plant's Operating License. Each licensee through use of site-specific screening, evaluation, and management review procedures manages the Bases/TRM change process.

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[1] The scope of the "technical specifications" and the "technical specification bases" for a commercial reactor is defined in 10 CFR 50.36. The "technical specifications," which are appended to each plant's Operating License, establish the safety limits and equipment functional performance requirements necessary to detect and prevent (or mitigate) the effects of hypothetical design-basis accidents (or transients) on physical fission-product barriers (i.e., the fuel cladding, reactor coolant system piping, and containment structure). The "technical specification bases" are summary statements of the reasons for such technical specifications, but are not considered part of the Operating License.

[2] The term "technical requirements manual" (TRM) is used as a general term throughout this White Paper. The acronym TRM is used herein to refer to the set of documents, regardless of title, where selected technical specification requirements may be relocated when it is determined they do not meet the criteria of 10 CFR 50.36 for inclusion in the technical specifications. For example, a licensee may choose to relocate a TS requirement to the FSAR, the QA plan, a document specifically titled Technical Requirements Manual, or some other licensee-controlled document.

[3] U.S. Nuclear Regulatory Commission, NUREG-1430, Rev. 1, *Standard Technical Specifications, Babcock and Wilcox Plants* April 1995. There are corresponding NUREGs for plants designed by Westinghouse (NUREG-1431), Combustion Engineering (NUREG-1432), and General Electric (NUREG-1433 and NUREG-1434).

[4] U.S. Code of Federal Regulations (CFR), Title 10, Part 50.36, *Technical specifications*.

2.0 BACKGROUND

In the early 1980s, a NRC task group known as the Technical Specifications Improvement Project (TSIP) and an industry subcommittee of the Atomic Industrial Forum (AIF) began studying whether the system of establishing technical specification requirements for nuclear power plants needed improvement. The overall conclusion of the TSIP/AIF studies was that improvements in the scope and content of technical specifications were needed and that each NSSS owners group should rewrite and streamline the then-existing "standard technical specifications" (STS). The objective was to identify criteria that would permit the transfer of certain requirements from control by technical specifications to control by other mechanisms that would not require a license amendment or prior NRC staff approval when changes were needed (e.g., updated FSAR, plant procedures, QA program, or other licensee-controlled document).

In response to TSIP and AIF recommendations, the NRC published an interim Policy Statement[5] in 1987 containing proposed criteria for refining the scope of technical specification "limiting conditions for operation" (LCOs). Subsequently, the NRC issued Revision 0 of improved vendor-specific STS in 1992 and a final Policy Statement[6] in 1993. The criteria in the final Policy Statement were incorporated in 10 CFR 50.36 by rulemaking in 1995.[7] By applying the criteria in 50.36, a licensee can capture the conditions for operation of its facility that are required to meet the principal operative standard in Section 182a of the Atomic Energy Act, that is, provide adequate protection of the health and safety of the public.

3.0 DEFINITIONS

3.1 Technical Specification Bases

Each operating reactor licensee is required to comply with NRC rules, regulations, orders, and a plant-specific operating license. The operating license includes technical specifications and other license conditions. Although each licensee is required by 10 CFR 50.36 to include a Bases section in the Technical Specifications, 10 CFR 50.36 also specifically states that Bases are not considered part of the Technical Specifications.

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[5] U.S. Nuclear Regulatory Commission, *Interim Policy Statement on Technical Specification Improvements for Nuclear Power Reactors*, 52 FR 3788, February 6, 1987.

[6] U.S. Nuclear Regulatory Commission, *Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors*, 58 FR 39132, July 22, 1993.

[7] Nuclear Regulatory Commission, Final rule, *Technical Specifications*, 60 FR 36953, July 19, 1995.

The reasons for certain technical specifications (safety limits, limiting conditions for operation, and surveillance requirements) are contained in each plant's Bases document. Prior NRC staff approval in accordance with 10 CFR 50.90[8] is required before a licensee can change the Technical Specification, but is not required before a licensee can change the Bases.[9]

3.2 Technical Requirements Manual

The TRM is a licensee-controlled document to which certain information may be relocated if it does not meet the criteria of 10 CFR 50.36 to remain in Technical Specifications. The scope of the TRM may include other requirements, surveillances, and operator actions. Some licensees, especially those with improved STS, relocate information to a TRM, although the information may be relocated to other licensee-controlled documents as well (such as administrative procedures, the FSAR, the QA program, etc.). Typically, there is a specific document entitled the Technical Requirements Manual. The TRM may or may not be incorporated by reference in, and considered a part of, the Updated Final Safety Analysis Report (UFSAR). Whereas the UFSAR is updated after the applicable change to the plant has been implemented, the TRM is considered a compliance document and is usually revised to be effective concurrent with implementation of the change to the plant.

The TRM may contain actions that require declaring Technical Specification systems inoperable or that require a plant shutdown. These requirements augment, but do not supersede, Technical Specification requirements. Although the TRM may contain similar definitions and usage requirements as those found in the Technical Specifications, the TRM is not actually part of the Technical Specifications. Thus, a TRM deviation does not necessarily represent a Technical Specification operability concern. Deviations from the TRM are subject to the corrective action program.

4.0 <u>BASES/TRM CHANGE PROCESS</u>

Plant's that have converted their Technical Specifications to the improved STS format are required to maintain a "Technical Specifications (TS) Bases Control Program" in accordance with Section 5 of the improved STS. The attributes of such a program are listed below. A Bases/TRM change process that satisfies these

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[8] U.S. Code of Federal Regulations, Title 10, Part 50.90, *Application for amendment of license or construction permit.*

[9] In general, when a Bases change is associated with a TS change, it is not made until NRC approves the TS change. Some licensees submit corresponding Bases changes along with proposed TS changes, and some do not.

attributes would be acceptable for use by all commercial operating reactor licensees, whether they have Technical Specifications based on the improved STS, older versions of the STS, or custom Technical Specifications.

This White Paper does not differentiate between a stand-alone Bases/TRM change and a Bases/TRM change made to conform to a proposed Technical Specification change. Even though a licensee may include Bases/TRM change pages for information as part of each proposed Technical Specification change, the process for preparing, reviewing, and incorporating Bases/TRM changes is under the licensee's control. Prior NRC approval is necessary for proposed changes to the Technical Specifications, but not for Bases/TRM changes.

A licensee's Bases/TRM change process should satisfy the following attributes:

- Perform a 10 CFR 50.59[10] "screening" of the proposed change, if applicable.[11] Perform a 50.59 "evaluation" if the screening determined an evaluation was required.

- For TRM additions that result from Technical Specification relocations (i.e., additions made pursuant to a proposed license amendment), the NRC Safety Evaluation Report (SER) issued with the amended license satisfies the 50.59 review requirement.

- Perform technical reviews of the proposed change required by site-specific review procedures

- Obtain appropriate management approval of the proposed change.

- Distribute the approved change in accordance with plant document distribution requirements.

- Submit a copy of the change to NRC for information as required by the plant's licensing bases. Submittal frequency should be, as a minimum, consistent with FSAR updates submitted in accordance with 10 CFR 50.71(e).

[10] Code of Federal Regulations, Title 10, Part 50.59, *Changes, tests and experiments.*

[11] NEI 96-07, *Guidelines for 10 CFR 50.59 Evaluations.*

NEI DRAFT FORMAT
License Amendment Request (LAR)

Ref: 10CFR50.90

[Note: Highlights may be deleted from document using Find and Replace]
[Note: email and fax LAR to NRR PM upon approval]

[Licensee's standard letter header]

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

SUBJECT: [PLANT/UNIT NAME]
DOCKET NO[S. 50-nnn AND 50-nnn]
LICENSE AMENDMENT REQUEST
REVISION TO TECHNICAL SPECIFICATION (TS) [nnn]
[specification title or descriptive title]

REF:

Gentlemen:

Pursuant to 10CFR50.90, [Licensee Name] hereby requests an amendment [insert standard licensee LAR cover sheet.]

[Licensee Name] requests approval of the proposed License Amendment by [date] to be implemented within [60 days - 60 days is typical, if more is requested some reason should be provided, e.g., significant procedures changes are required] of the issuance of the license amendment. [Provide justification for chosen date such as; The approval date was administratively selected to allow for NRC review but the plant does not require this amendment to allow continued safe full power operations, this amendment is required to enter MODE 4 following the fall refueling outage.]

Should you have any questions, please contact Mr. [Licensing Lead, point of contact for NRR] at [nnn-nnn-nnnn].

Sincerely,

[.....]

Attachments
1. Affidavit
2. Description and Assessment
3. Markup of Technical Specifications pages
4. Markup of Technical Specifications Bases pages (for information)
5. Retyped Technical Specification Pages
[6. Retyped Technical Specification Bases Pages (for information) – optional]
[7. Proposed FSAR changes (for information) - optional]

[Enclosures
1. .....
2. .....]

c - [Regional Administrator]
[Regional project Branch Chief]
[NRR Project Manager]
Resident Inspectors, [PLANT/UNIT NAME]

[State contact]

Attachment 1

[Licensee's standard affidavit]

ATTACHMENT 2

DESCRIPTION AND ASSESSMENT

Description and Assessment

1.0 INTRODUCTION

1.1 This letter is a request to revise Technical Specifications (TS) [nnn], "[title]" for [Plant/unit name] [Units 1 and 2].

1.2 Final Safety Analysis Report (FSAR) Section

[This section for providing FSAR markup is optional. If FSAR markups are not provided, the licensee should, where appropriate, provide references to the FSAR. The changes to the FSAR that are currently anticipated as a result of this LAR are provided in Attachment [7] and include the effects of all safety evaluations performed by the licensee to support this request (for information only).

or

No changes to the [PLANT/UNIT NAME] Final Safety Analysis Report are anticipated at this time as a result of this License Amendment Request.]

2.0 DESCRIPTION

The proposed change would revise TS to [provide a short general description of the change.]

[Provide a detailed discussion of each item being changed in the TS.]

["In summary,..." provide a short description of the change, no more than two or three sentences. These should be words which are suitable to be used in the Fed Reg notice (e.g., not slang or undefined acronyms) to describe the change, may duplicate the words used in the transmittal letter for the LAR, and should envelope in a general manner all the detailed changes being made.]

[For Information only, this LAR includes proposed associated changes to the Technical Specification Bases ..... (if any).]

3.0 BACKGROUND

[The background section should provide: a system description including applicable FSAR references (text and figures); current requirements and the conditions to be resolved; description of the circumstances surrounding the proposed change (history, previous NRC discussions / correspondence, industry references, how we got here and the reason for requesting the change).]

4.0 TECHNICAL ANALYSIS

[This section contains a detailed description of why it is acceptable to make the change. It should include: a description of analytical methods, data, results and applicable standards; the technical details of the safety arguments including any PRA analysis and any impact on FSAR accident analyses. Provide a short summary of the arguments at the end of the section.

The Technical analysis section should be written such that it can be used with little or no modification by the NRC for the SE. The section should have a conclusion that reads something like, "In conclusion, the proposed changes allow safe operation because...," or "In summary, the proposed modification is acceptable because ...."]

5.0 REGULATORY ANALYSIS

5.1 No significant Hazards Determination

[Licensee Name] has evaluated whether or not a significant hazards consideration is involved with the proposed changes by focusing on the three standards set forth in 10CFR50.92 as discussed below:

[This section should contain sufficient technical details to provide the basis for the response to the three questions. It should be written as a stand alone section (e.g., no unexplained abbreviations) so that it can be incorporated into the FRN without change.]

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No

[The proposed change .....]

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No

[The proposed change .....]

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No

[The proposed change .....]

Therefore the proposed change does not involve a reduction in a margin of safety.

Based on the above evaluations, [Licensee Name] concludes that the activities associated with the above described changes present no significant hazards consideration under the standards set forth in 10CFR50.92 and accordingly, a finding by the NRC of no significant hazards consideration is justified.

5.2 Regulatory Safety Analysis

Applicable Regulatory Requirements / Criteria

[Add applicable regulatory requirements and/or guidance associated with the affected specification (e.g., 10CFR50, GDCs , Reg Guides, SRP etc)]

[Explain how these regulatory requirements apply to the plant and to the specification of concern. Be sure to differentiate between guidance that is committed to and guidance that applies generically but is not part of the licensing basis.]

Analysis

[Provide discussion of why the change continues to meet the regulatory basis of the affected specification. The discussion should be broad enough to discussed the requirements and guidance identified above.]

Conclusion

[The technical analysis performed by [Licensee Name] ..... and thus continues to be compliant with the above regulatory requirements. This section is only a couple sentences and should read just like the summary normally provide in NRC SEs.]

6.0 ENVIRONMENTAL EVALUATION

[The environmental evaluation should have sufficient detail to support a positive conclusion. For the majority of changes, by inspection, it is obvious that the environment is not impacted and a simple response (see below) for those kind of changes is appropriate (e.g., extending a surveillance interval). When it is not clear that the change will not adversely impact the environment a more detailed justification may be required.]

[[Licensee Name] has determined that the proposed amendment would change requirements with respect to the installation or use of a facility component located within the restricted area, as defined in 10CFR20, or would change an inspection or surveillance requirement. [Licensee Name] has evaluated the proposed changes and has determined that the changes do not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amount of effluent that may be released offsite, or (iii) a significant increase in the individual or cumulative occupational radiation exposure. Accordingly, the proposed change meets the eligibility criterion for categorical exclusion set forth in 10CFR51.22 (c)(9). Therefore, pursuant to 10CFR51.22 (b), an environmental assessment of the proposed change is not required.]

[7.0. REFERENCES

Identify the references used, if any. If the reference is needed to understand, review or approve the change, include the reference as an enclosure and identify the enclosure number. Number the references. Each reference should be used at least once in this attachment.]

[8.0. PRECEDENTS

(if any) Precedents should provide a discussion on how that precedent applies to the specific circumstances for the requested change. Include an explanation of any differences and what the impact is of those differences on the acceptability of the proposed change. Remember that precedent does not demonstrate the acceptability of a proposed change, it merely give the NRC information concerning how they have treated similar changes in the past which may simplify their review. If the precedent does not help the NRC review, do not list it. An inappropriate or improperly identified precedent can slow down the LAR review process and may generate additional unnecessary questions.]

ATTACHMENT 3

MARKUP OF TECHNICAL SPECIFICATION PAGE

Pages [list enclosed pages]

ATTACHMENT 4

MARKUP OF TECHNICAL SPECIFICATION BASES PAGES
(For Information Only)

Pages [list enclosed pages]

ATTACHMENT 5

RETYPED TECHNICAL SPECIFICATION PAGES

Pages [list enclosed pages]

[This attachment is optional. In general, retyped Technical Specification Bases pages are not provided in the LAR but may be included if the licensee feels it will aid the NRC during its review.]

ATTACHMENT 6

RETYPED TECHNICAL SPECIFICATION BASES PAGES
(For Information Only)

Pages [list enclosed pages]

[If any FSAR changes, resulting from the LAR, are identified at the time the LAR is submitted. This attachment is optional.]

ATTACHMENT [7]

PROPOSED FSAR CHANGES (FOR INFORMATION)

Pages [list pages]

ENCLOSURE 1

[DOCUMENT TITLE]

NEI DRAFT LIST

Deletion of Unnecessary Reporting Requirements

9/20/00

Deletion of Unnecessary Reporting Requirements

The NEI Licensing Action Task Force is revisiting the deletion of unnecessary reporting requirements. This matter has been pursued in the past and many unnecessary reporting requirements have been deleted. It has been several years since the last coordinated effort in this area, and many things have changed since then. It is appropriate to revisit the matter periodically and TXU Electric has prepared a draft list for use by the task force.

A list of current reporting requirements that should be considered for revision or deletion has been developed and is provided below. This list was developed by reviewing the current list of reporting requirements maintained by TXU Electric for Comanche Peak Steam Electric Station and by reviewing a list of proposed rule changes presented to the NRC by Commonwealth Edison earlier this year.

1. **10 CFR 26.71(d)**

Submittal of fitness-for-duty (FFD) program performance data every six months.

CHANGE: Eliminate requirement to submit the data.

RATIONALE: FFD program performance data will still be collected, compiled, and available for inspection.

SAVINGS: $2,000 annual savings from eliminating administrative cost to submit data.

2. **10 CFR 50.4(b)(6)**

Submit signed original and 10 copies of updated final safety analysis report (UFSAR) replacement pages to the Document Control Desk (Note: this also applies to other documents periodically updated that are referenced in UFSAR, e.g., fire protection report, etc.)

CHANGE: Eliminate requirement to include 10 copies of updated document replacement pages.

RATIONALE: Now that NRC is using ADAMS and reducing dependency on paper copies of documents, it no longer makes sense to send the Document Control Desk 10 copies.

SAVINGS: $1,000 annual savings per site by eliminating administrative cost to prepare 10 additional copies of each updated document.

3. **10 CFR 50.36a(a)(2)**

Submit annual radioactive effluent reports.

CHANGE: Eliminate requirement to submit an annual report.

RATIONALE: 10 CFR 50 Appendix I Section IV.A requires the NRC be notified if actual release during any calendar quarter would exceed one-half the design objective annual exposure, otherwise routine information available for inspection.

SAVINGS: $2,000 savings annually per site by eliminating cost to submit report.

4. **10 CFR 50.46(a)(3)(ii)**

Requirement to submit a 30 day report any time the absolute value of peak cladding temperature (PCT) changes by >50 degrees F and an annual report for any change.

CHANGE: Eliminate these reporting requirements.

RATIONALE: This is the only core parameter with a calculated value that is required to be reported to the NRC. This parameter only needs to be tracked internally by the licensee and be available for NRC inspection upon request.

SAVINGS: $4,000 per year per site for annual report and one 30-day report.

5. **10 CFR 50.54(p)(2) and 10 CFR 72.44(e)**

Submit within 2 months changes made to physical security plans without prior NRC approval.

CHANGE: Eliminate requirement to submit changes made without prior NRC approval.

RATIONALE: Submittal is of informational nature only, physical security plans are available for inspection as are any related evaluations of changes made without NRC prior approval.

SAVINGS: $1,000 savings by eliminating cost to submit changes.

6. **10 CFR 50.54(q), 10 CFR 50, Appendix E, Section V, and 10 CFR 72.44(f)**

Submit within 30 days any changes made to the emergency plan or implementing procedures without prior NRC approval (Note: 10 CFR 72.44(f) is similar requirement but allows six months.)

CHANGE: Eliminate requirement to submit changes made without prior NRC approval.

RATIONALE: Submittal is of informational nature only, emergency plan and implementing procedures are available for inspection as are any related evaluations of changes made without NRC prior approval.

SAVINGS: $2,000 savings by eliminating cost to submit changes.

7. **10 CFR 50.54(w)(3)**

Annual property insurance coverage report specifying level of insurance maintained and its source.

CHANGE: Eliminate requirement to submit report.

RATIONALE: 10 CFR 50.54(w)(1) specifies amount of insurance required and acceptable sources, a licensee is required to comply with the regulations, submittal of the information annually serves no purpose and is not required in the case of other regulations to demonstrate compliance.

SAVINGS: $1,000 annual savings per site from eliminating cost to submit report.

8. **10 CFR 50.54(bb)**

Submit to NRC for review and preliminary approval the irradiated fuel management and funding plan and notify the NRC of any future significant changes.

CHANGES: Eliminate requirement to submit plan and future notifications.

RATIONALE: In part, the information required is redundant to that required by 10 CFR 50.82 in the post-shutdown decommissioning activities report and the site-specific decommissioning cost estimate. Also, if a licensee chooses dry cask storage, the NRC is notified in accordance with 10 CFR 72.

SAVINGS: $2,000 savings from eliminating cost to submit plan and future notifications.

9. **10 CFR 50.59(b)(2) and 10 CFR 72 48(b)(2)**

Periodically submit a summary of 10 CFR 50.59 and 10 CFR 72.48 evaluations.

CHANGE: Eliminate requirement to submit summary reports.

RATIONALE: The completed evaluations are available for inspection, the submittal is of only informational nature.

SAVINGS: $25,000 savings annually per site by eliminating cost to submit report.

10. **10 CFR 50.71(b)**

Submit the annual financial report, including the certified financial statements, upon issuance of the report.

CHANGE: Eliminate requirement to submit report.

RATIONALE: Submittal is of informational nature only, the annual report is available for inspection.

SAVINGS: $400 annual savings per site from eliminating cost to submit report.

11. **10 CFR 72.44(d)(3)**

Submit an annual report of radioactive effluents.

CHANGES: Eliminate requirement to submit report for dry cask storage types which do not have effluents.

RATIONALE: No value added to submit a report of effluents when by design no effluents will occur and the NRC acknowledges this in the cask safety evaluation.

SAVINGS: $1,000 annual savings from eliminating cost to submit report.

12. **10 CFR 50.75(f)(1)**

Status of decommissioning funding. After initial report, this report is required every two years thereafter. Reports should only be required if the approach is changing, upon merger or acquisition, or about 5 years prior to decommissioning (as part of the decommissioning plan).

SAVINGS: $1000/yr.

13. **10 CFR 140.15(b)(1)**

Financial statement. The value of this report is unclear. Unless this report is actually used and reviewed by the NRC, it should be deleted.

SAVINGS: $1000/yr.

14. **10 CFR 140.21**

Submit annually evidence of guarantee of payment of deferred premiums.

CHANGE: Eliminate submittal requirement.

RATIONALE: Submittal is of informational nature only and the reporting requirement is redundant to base regulation 10 CFR 140.11 which a licensee must be in compliance.

SAVINGS: $800 annual savings from eliminating cost to submit report.

15. **Monthly Operating Report**

CHANGE: Delete reporting requirement from Technical Specifications.

SAVINGS: Approximately 600 man-hours/yr.

Collect Information from External Stakeholders

Purpose

To Gather Information to Use in Our PBPM Process and Demonstrate How Our Outputs Contribute to Performance Levels

Jack Strosnider
Director, Division of Engineering
Office of Nuclear Reactor Regulation
LATF Meeting - September 20, 2000

Attachment 3

Collect Information from External Stakeholders

- NRC Performance Goals:
  - Maintain safety
  - Increase public confidence
  - Reduce unnecessary regulatory burden
  - Make NRC activities and decisions more effective, efficient, and realistic

Collect Information from External Stakeholders

- Alignment to Goals:
  - Make NRC activities and decisions more effective by working on those activities that contribute most to maintaining safety and reducing unnecessary regulatory burden
- Concept:
  - Each industry submittal indicates how safety is maintained and its potential benefit (e.g., reduction in cost, risk, or radiation exposure)

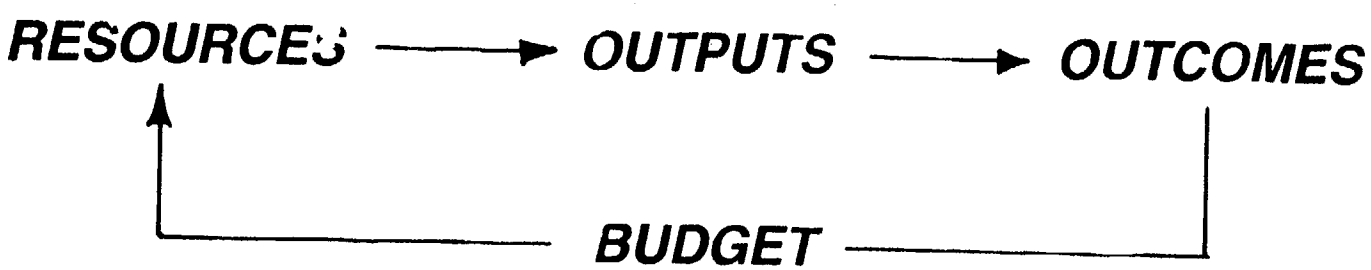
Collect Information from External Stakeholders

- What Are Possible Measures of Benefit & Burden Reduction?
  - Risk reduction
    - Quantitative
      - Decrease CDF or LERF by ____%
    - Qualitative
      - Maintains or reduces risk
  - Cost reduction
    - $____ savings in replacement power
    - Reduction in radiation exposure

Collect Information from External Stakeholders

- External Stakeholders Meeting at 12:30 pm in room O10B6

PERFORMANCE BUDGETING PLANNING MANAGEMENT



Office Letter 807, "Control of Licensing Bases for Operating Reactors" - Summary Table
Preliminary/Draft Version in Preparation for Revision 1 Planned for 4th Quarter 2000

Office Letter 807 Control of Licensing Bases for Operating Reactors Quick Reference Aid	Obligations							Mandated Licensing Bases Documents									Regulatory Commitments
	Regulations				Operating License & Technical Specifications			UFSAR		Tech Spec Bases Section	QA Program	Emergency Preparednes s Program	Security Plan	Fire Protection Program	ODCM	COLR	
	General Regulations	50.55a	50.46	License Transfers	License	Technical Specification s	Orders	UFSAR (including design basis	TRM								
Regulatory Bases	10 CFR	50.55a	50.46	50.80	10 CFR	50.36	2.202	50.34	License Amendment	50.36, Appendix K	50.34(b), 50.54(a), Appendix B	50.34(b), 50.47, 50.54(q), Appendix E	73.55 and 50.54(p)	GDC 3, 50.48, Appendix R	TS Admin Controls Section	TS Admin Controls Section	n/a (54.3 definition of CLB)
Location of Information	10 CFR	ISI/IST Programs	FSAR / topical reports	various	License (including conditions)	Technical Specification s	Order	UFSAR	TRM (as extension of UFSAR)	TS Bases Section	Quality Assurance program	Emergency Plan	Security Plan	Fire protection Program	ODCM	COLR	various docketed
Nonconformances s or Unplanned Changes	GL 91-18 & C/A Program	Verbal or Interim Relief	C/A program - plan if >50F	n/a	GL 91-18 & C/A Program	NOED & emergency - exigent changes	GL 91-18 & C/A Program	91-18 & C/A Program	91-18 & C/A Program	91-18 & C/A Program	91-18 & C/A Program	91-18 & C/A Program	As directed by Secuurity Plan	As directed by Fire Protection Plogram	C/A Program	C/A Program	91-18 & C/A Program
Planned or Routine Changes	Exemptions (50.12)	Relief Requests	NRR review of evaluation model	50.80 & 50.90 applications	50.90	50.90	50.90 or 2.202	50.59	50.59	50.59 (per TS Admin Control)	50.54(a)	50.54(q)	50.54(p), 50.90 for changes requiring prior approval	50.12, standard license condition	Per TS Admin Controls Program	Per TS Admin Controls Program	NEI 99-04 (or similar)
Reporting	no specific		50.46(a)(3)	prior approval	license specific	50.73 & prior approval	no specific	50.71 & 50.59 or prior approval	50.71 & 50.59 or prior approval	50.71 & 50.59 or prior approval	50.71 & 50.59 or prior approval	50.54(q) (30 days) or prior approval	50.54(p) or prior approval	on site or prior approval	Per TS Admin Controls Program	Per TS Admin Controls Program	NEI 99-04 (or similar)
Verification and Monitoring	Insp Program & Licensing Process	IM	Licensing Reviews	n/a	IM	IM	IM	IM & PM Review	IM & PM Review	IM & PM Review	IM and NRR Reviews	IM and NRR Reviews	IM and NRR reviews	IM	IM & NRR Reviews	IM & NRR Reviews	NRR periodic assessments
Enforcement	EM	EM	EM	n/a	EM	EM	EM	EM	EM	EM	EM	EM	EM	EM	EM	EM	NOD (see EM)
Public Involvement	Public Record	Public Record	Public Record	Hearing Rights	Hearing Rights	Hearing Rights	Hearing Rights	Public Record	Public Record	Public Record	Public Record	Public Record	50.90 for changes requiring prior approval	Per exemption process	Public Record	Public Record	Public Record
Available Guidance	n/a	OL 808		SRP	OL 803	OL 803		RG 1.181		pending							OL 900

TS	Regulatory requirements	Design basis	Analysis	Conclusion and licensee action
3.9.4	Consequences of a postulated fuel handling accident (FHA) inside containment during core alterations or fuel handling activities remain within 10 CFR Part 100 limits. See USAR Section 15.7.4 and SRP 15.7.4.	'1. Ensure that there is at least one integral barrier to the release path. Minimum of one door in the emergency airlock is closed and each penetration providing direct access from the containment to the outside atmosphere either be closed by a manual or automatic means. 2. Presently, containment penetration flow path(s) are allowed to remain open under administrative controls during modes 1 thru 4 provided direct access is available for isolation. 3. FHA is defined as the dropping of a single irradiated fuel assembly in the fuel building or inside containment. Postulated FHA inside containment assumes that personnel airlock doors are open.	No change No change. Postulated FHA inside containment with open personnel airlock doors bounds open containment penetration condition. Basis for this conclusion: In the case of open containment penetration, there is no pressure differential and radioactive dispersion could occur only through air circulation during core alterations. Dose consequences will be within acceptable limits. Administrative controls for prompt closure of the containment flow paths would minimize dose consequences. FHA analyses are consistent with RG 1.25.	Appropriate personnel will maintain an awareness of the open status of the penetration flow path during core alterations and fuel movement inside containment. Designate individuals will promptly close penetration flow paths incase of an FHA. The above administrative controls for prompt closure of the containment flow paths would minimize dose consequences. FHA analyses are consistent with RG 1.25.