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From: "Scott Head" <smhead@stpegs.com>
To: <Rag@nrc.gov>
Date: 6/18/01 9:10AM
Subject: EXEMPTION REQUEST COMMENTS

Bob

Here are the comments I promised.

Scott

FACTUAL ERRORS AND OMISSIONS IN PRELIMINARY SAFETY EVALUATION (SE) FOR THE STP EXEMPTION

No.	SE Sec.	SE Pg	STP's Proposed Change to Statement in the SE	Reason for Proposed Change
1	2.8	10	The technical requirements of replacement SSCs related to material specifications, loadings, design methodology, and stress allowables will remain consistent with the original SSC technical requirements. The repair or replacement item will meet the technical requirements of the ASME Code or other nationally-recognized code, standard or specification.	The statement in the SE does not accurately characterize STP's commitment. STP may use other codes that contain a different design methodology and stress allowables than the ASME Code. STP's proposed change uses the actual language in UFSAR Table 13.7-1.
2	2.9	11	STPNOC relies on NRC's approval of the exemption as serving the same purpose as 10 CFR 50.59. the categorization of the SSCs as an equivalent evaluation of the safety significance of the SSCs and as such the evaluation required by 10 CFR 50.59 would be redundant.	STP's proposed change more accurately paraphrases the bases for STP's exemption request, as stated in STP's 8/31/00 Exemption Request, Attachment 1, p. 60, and Attachment 2, p. 5.
3	2.10	12	As discussed further in Section 19.0 of this SE, based on the staff's evaluation, the staff finds that the licensee's request to replace Class 1E LSS and NRS components with Non-Class 1E components, in cases where the replacement does not meet all design and functional requirements, is not consistent with the licensee's submittal and with the proposed rulemaking for the Risk-Informing Special Treatment Requirements and, therefore, is not acceptable. The...	As discussed below with respect to SE 19.4, the SE does not accurately characterize STP's position, as provided in Attachment 4 of STP's letter to NRC dated 1/18/01.

4	3.2.2.1.2	16	The results of the licensee's sensitivity study showed that the overall plant CDF increased from the current CDF of 9.087E-6/year to about 9.323 9.159E-6/year, an increase of about 2.45E-7 8.09E-8/year or about 2.7 0.9 percent. The LERF increased from 1.374E-7/year to 1.391 1.381E-7/year, an increase of about 1.7E-9 6.4E-10/year or about 1.2 0.5 percent.	STP's proposed changes reflect the updated numbers provided in its 5/8/01 response to Open Item 3.4.
5	3.2.2.3	22	(1) the risk ranking methodology approved for use at STP in support of its relief request to use a risk-informed inservice inspection (RI-ISI) program (see ADAMS Accession No. ML003749167) based on the NRC-endorsed EPRI risk-informed inservice inspection (RI-ISI) methodology	NRC has not yet approved the RI-ISI relief request for Class 2 components. STP's proposed change uses the actual language from UFSAR 13.7.2.5.
6	3.2.2.4	23-24	With respect to maintaining safety margins when plant SSCs are categorized, the licensee reported that the categorization process does not allow for changes in the design or function of SSCs (i.e., setpoints, procedures) <u>will not be changed by the exemption.</u>	The categorization process does allow for and account for design changes. STP's proposed change more accurately reflects the actual language in UFSAR 13.7.2.6.
7	4.1	26	STPNOC states that safety-related SSCs classified as HSS or MSS will continue to receive treatment required by the NRC regulations, and will be evaluated for risk-significant functions to identify any functions not being treated under its current programs <u>will be evaluated for enhanced treatment.</u>	STP's proposed change more precisely reflects the language in UFSAR 13.7.3.1.
8	4.2	26	STPNOC states that SSCs with medium or high safety significance will be evaluated for enhanced treatment, <u>if the SSCs are non-safety-related or if the SSCs perform a risk-significant function that is not being treated under STP's current programs</u>	STP will not evaluate all safety-related HSS and MSS SSCs for enhanced treatment; it will only evaluate such SSCs for enhanced treatment if they perform a risk-significant function that is not being treated under STP's current programs. STP's proposed change more precisely reflects the language in UFSAR 13.7.3.1.

9	4.3	32	Specifically, the licensee will apply (1) the current special treatment requirements to safety-related HSS and MSS SSCs, and evaluate their risk-significant functions to identify any functions not being adequately treated under its current programs will be evaluated for enhanced treatment	STP's proposed change more precisely reflects the language in UFSAR 13.7.3.1.
10	4.3.2	34	Further, proposed FSAR Section 13.7.3.2 states that the licensee will evaluate enhanced treatment for safety-related HSS and MSS SSCs where credit is taken for risk-significant beyond-design basis functions of those SSCs that are not being treated under STP's current programs , using a process similar to that described for nonsafety-related HSS and MSS SSCs.	Not all risk-significant beyond-design-basis functions will be evaluated for enhanced treatment; instead only such functions that are not being treated under STP's current programs will be evaluated for enhanced treatment. STP's proposed change uses the actual language in UFSAR 13.7.3.1.
11	4.3.3	35	For example, STPNOC stated that validation of functionality of HSS and LSS SSCs (safety-related SSCs for which existing special treatment does not provide the applicable level of confidence and non-safety-related SSCs) will consist of a documented technical evaluation to determine what enhanced treatment, if any, is warranted for these SSCs to provide reasonable confidence that the applicable risk significant functions will be satisfied.	This provision in the SE does not accurately characterize STP's position. As discussed above, STP will not be performing a technical evaluation for all safety-related HSS and MSS components. STP's proposed change uses the actual language in UFSAR 13.7.3.2.
12	4.3.4.1	37	The staff considers STPNOC's commitment to continue to implement the design control process in accordance with 10 CFR Part 50, Appendix B, to include maintaining and applying the design inputs and assumptions for safety-related LSS and NRS SSCs to provide reasonable confidence in the ability of these SSCs to perform their safety functions under design-basis conditions throughout their service life.	STP has not agreed to maintain design inputs and assumptions. To the contrary, UFSAR 13.7.3.3.1 explicitly states that STP may make changes using the design control process in Appendix B to Part 50 and other regulatory requirements such as 10 CFR 50.59.

13	4.3.4.2 4.3.4.3 4.3.4.4 4.3.4.5 4.3.4.7	38 39 40 41 44	national consensus commercial standards will be used at STP consistent with STP's normal commercial and industrial practices	STP has not committed to use national consensus commercial standards in general. Instead, it has only committed to use the standards that it applies under its commercial practices. STP's proposed change uses the actual language from UFSAR 13.7.3.3.
14	4.3.4.7	43	The current staff endorsed guidelines, prepared by the Nuclear Energy Institute (NEI), state that documentation (such as NRC generic communications) pertinent to the change in commitment, should be reviewed to understand the safety basis of the commitments and to determine if the SSC would remain capable of performing its safety function(s). The NEI guidelines further state that such changes are significant to safety and may require prior NRC approval only if they involve a significant hazards consideration.	The SE could be misinterpreted as implying that changes that affect a safety function require prior NRC approval. STP's proposed change more accurately characterizes the NEI guidance and avoids the potential for misunderstanding regarding the types of changes that require prior NRC approval.
15	5.3	48	1. The licensee shall follow the categorization, treatment, and oversight (evaluation and assessment) processes described in its submittal dated July 13, 1999, as supplemented October 14 and 27, 1999, January 26 and August 31, 2000, and January 15, 18, 23, March 19, May 8 and 21, 2001, and relied upon by the staff in approving this exemption as discussed in the NRC's SE dated [to be determined]. The licensee has documented these its processes in a proposed FSAR submittal dated May 21, 2001, found acceptable by the staff as the regulatory basis for granting this exemption. The licensee shall incorporate this proposed FSAR submittal into the STP FSAR.	STP is only committed to follow the processes as described in UFSAR 13.7, not all of the other documents referenced in the SE.

16	7.3.1	53	The licensee further commits to maintain the design functions for the exempted SSCs.	STP has not agreed to maintain the design functions of exempted SSCs. To the contrary, UFSAR 13.7.3.3.1 explicitly states that STP may make changes using the design control process in Appendix B to Part 50 and other regulatory requirements such as 10 CFR 50.59.
17	8.4	64	provided that the vendor documentation specifies that the item can perform its function subject to design-basis conditions performance characteristics for the item that satisfy the SSC's design requirements	The SE does not accurately reflect the UFSAR, and contains provisions that do not reflect the type of information contained in vendor document. Vendor documentation, such as vendor catalogs, will not specifically discuss STP's design basis. Furthermore, STP's proposed change uses the actual language in UFSAR 13.7.3.3.2.
18	8.4	64	The section entitled Equivalency Evaluation refers to "identical" components in four separate sentences. Instead, it should refer to "equivalent" components.	Use of the term "equivalent" is more appropriate than "identical," because an identical component would be fully qualified and would not require an exemption. Furthermore, STP's proposed change uses the actual language in UFSAR 13.7.3.3.2, which refers to "equivalent" components.
19	8.4	65	However, technical analysis which is based on one or more engineering methods that include, as necessary, in combination with necessary supporting test data and other relevant information as described in Section 13.7.3.3 of the licensee's proposed FSAR Section dated May 21, 2001, can be used to demonstrate that the differences in design or materials would not impact the component's functionality when subjected to a design-basis event.	Technical analyses do not necessarily require test data. STP's proposed change uses the actual language in UFSAR 13.7.3.3.2.

20	8.5	67	The categorization process relies, in part, on the ability of these SSCs to perform their safety functions during design-basis events, the importance of the system function supported by the component.	The statement in the SE does not accurately characterize STP's process. STP's proposed change uses the actual language in UFSAR 13.7.2.4.
21	9.4	69	Thus, the process for ensuring that these safety-related pumps and valves will remain capable of performing their safety function under design-basis conditions on an ongoing basis must include elements such as periodic testing and evaluation of test/performance data sufficient to allow STPNOC to conclude <u>obtains data or information that allows evaluation of operating characteristics to support STP's determination</u> that the pumps and valves will perform their safety function under design-basis conditions throughout the service life of the SSC.	The statement in the SE does not accurately characterize the UFSAR. STP's proposed change uses the actual language in UFSAR 13.7.3.3.5.
22	10.3.1	73	The requested exemption from the requirements of 10 CFR 50.55a(g) would enable STPNOC to replace LSS and NRS ASME Class 2 and 3 components or supports with non-ASME components or supports, subject to ensuring that the material specifications and the design (design loadings, design methodology, and stress allowables) are consistent with the original requirements. <u>repair or replacement item will meet the technical requirements of the ASME Code or other nationally-recognized code, standard or specification.</u>	The statement in the SE does not accurately characterize the UFSAR. STP may use other codes that contain a different design methodology and stress allowables than the ASME Code. STP's proposed change uses the actual language in UFSAR Table 13.7-1.

23	10.4.1	75	Regarding the repair and replacement of LSS and NRS ASME Code Class 2 and 3 components and supports, the licensee stated that the design and material requirements for replacement components and supports would be consistent with the original design requirements (see Section 3.3.7.3 of Attachment 1 of the August 31, 2000, submittal) repair or replacement item will meet the technical requirements of the ASME Code or other nationally-recognized code, standard or specification.	At the request of NRC, STP revised its proposal of 8/31/00. STP's proposed change uses the actual language in UFSAR Table 13.7-1.
24	11.5	80	The licensee's alternate treatment program requires that the design bases and functionality of safety-related LSS and NRS components be maintained.	STP has not agreed to maintain the design functions of exempted SSCs. To the contrary, UFSAR 13.7.3.3.1 explicitly states that STP may make changes using the design control process in Appendix B to Part 50 and other regulatory requirements such as 10 CFR 50.59.
25	11.5	80	the capability to perform their functions under design basis environmental and seismic conditions qualification of components (Section 4.4 of IEEE 279) would be maintained for safety-related LSS and NRS components.	NRC is granting an exemption from the environmental and seismic qualification requirements. Following the exemption, STP need not maintain the qualification of LSS and NRS components.
26	12.4	83	The NEI process states that documentation (such as NRC generic communications) pertinent to the change in commitment, should be reviewed to understand the safety basis of the commitments and to determine if the SSC would remain capable of performing its safety function(s). <u>The NEI guidelines further state that such changes are significant to safety and may require prior NRC approval only if they involve a significant hazards consideration.</u>	The SE could be misinterpreted as implying that changes that affect a safety function require prior NRC approval. STP's proposed language is needed to completely characterize the NEI guidance and avoid the potential for misunderstanding regarding the types of changes that require prior NRC approval.

27	14.4	89	In three places, this section refers to "safety-related" when it should refer to "important to safety."	GDC 2 and STP's exemption request use the term "important to safety," not "safety-related."
28	14.4	89	Add the following as the first paragraph of this section: <u>The staff evaluated the licensee's request for an exemption from the requirements of 10CFR Part 50, Appendix A, GDC 2, for important to safety LSS or NRS SSCs. As described below, the staff concludes that the requirements for which an exemption has been requested are not within the scope of GDC 2. There is no apparent need for an exemption. Therefore, the STPNOC request for an exemption should not be granted.</u>	STP's proposed change uses essentially the same language as contained in existing SE Sections 15.4 and 16.4 as applied to GDC 4 and 18. This proposed change is needed to clearly state that special treatment requirements are not within the scope of GDC 2.
29	17.1	93	In its exemption request, STPNOC submitted for staff review an exemption from 10 CFR Part 50, AppendixJ, Option B, Section III.B. This request would exempt certain containment isolation valves from the Type C leakage rate test <u>and other LSS and NRS components from Type B local leak rate tests.</u>	As provided in UFSAR Table 13.7-1, STP's exemption request encompasses certain 'LSS containment isolation valves <i>and other safety-related LSS or NRS components.</i> ' (Emphasis added).
30	17.2	94	As stated above, the licensee's request would exempt from Type C testing those containment isolation valves that satisfy a set of proposed criteria, <u>and other LSS and NRS components would be exempted from Type B local leak rate tests.</u>	As provided in UFSAR Table 13.7-1, STP's exemption request encompasses certain 'LSS containment isolation valves <i>and other safety-related LSS or NRS components.</i> ' (Emphasis added).
31	17.3	95	The licensee's proposed exemptions will revise the licensing basis only by exempting certain identified containment isolation valves from Type C testing <u>and other LSS and NRS components from Type B local leak rate tests</u>	As provided in UFSAR Table 13.7-1, STP's exemption request encompasses certain 'LSS containment isolation valves <i>and other safety-related LSS or NRS components.</i> ' (Emphasis added).

32	17.4	96	The licensee is proposing an exemption from 10 CFR Part 50, Appendix J, Option B, Section III.B, so that certain containment isolation valves will not be Type C leak rate tested <u>and other LSS and NRS components will not be subject to Type B local leak rate tests.</u>	As provided in UFSAR Table 13.7-1, STP's exemption request encompasses certain 'LSS containment isolation valves <i>and other safety-related LSS or NRS components.</i> ' (Emphasis added).
33	17.5	98	Based on these findings, the staff concluded that granting of the requested exemption from the TypeC testing requirements of 10 CFR Part 50, Appendix J, Option B, Section III.B, for LSS and NRS containment isolation valves that meet the licensee's proposed criteria discussed and evaluated above, <u>and granting the requested exemption from the Type B testing requirements,</u> would pose no undue risk to public health and safety.	As provided in UFSAR Table 13.7-1, STP's exemption request encompasses certain 'LSS containment isolation valves <i>and other safety-related LSS or NRS components.</i> ' (Emphasis added).
34	18.4	103	If the catalog information specifies that the item can perform its function subject to earthquake motion, as described in the design bases including seismic inputs and design load combinations <u>performance characteristics for the item that satisfy the SSC's design requirements,</u> it could be used to assure functionality of the SSC during an earthquake.	The statement in the SE is not consistent with UFSAR 13.7.3.3.2. STP's proposed change uses the actual language in UFSAR 13.7.3.3.2.
35	18.4	103	If the vendor catalog does not contain this level of detail, then the design seismic loads, including necessary design load combinations at the location of the SSC, could be provided in the procurement specification.	The statement in the SE is not consistent with UFSAR 13.7.3.3.2. There is no reason that procurement specification should contain load combinations, as long as the load itself is specified. STP's proposed change uses the actual language in UFSAR 13.7.3.3.2.

36	18.4	104	<p>However, the STP FSAR (Section 3.10.1) contains a design requirement that seismic qualification of equipment by analysis or test is able to withstand seismic loads as a result of the SSE preceded by five OBEs without loss of function.</p>	<p>The statement in the SE does not accurately paraphrase the provisions in UFSAR 3.10.1. This Section is entitled "<i>Seismic Qualification Criteria</i>." (Emphasis added). The Section states:</p> <p><i>"Seismic qualification of equipment by analysis and/or tests demonstrates that the equipment is able to withstand seismic loads as a result of the Safe Shutdown Earthquake (SSE) preceded by five Operating Basis Earthquakes (OBE) without loss of function in the operating mode."</i> (Emphasis added).</p> <p>Therefore, contrary to the statement in the SE, Section 3.10.1 of the UFSAR imposes a "seismic qualification" requirement, not a "design requirement." Since STP is obtaining an exemption from the seismic qualification requirements, this provision in Section 3.10.1 is not applicable to items within the scope of the exemption.</p>
37	19.4	107	<p>Thus, this request contradicts the assumption that all LSS and NRS components should satisfy all the current design and functional requirements. As provided in Attachment 4 of STP's letter to NRC dated 1/18/01, STP has clarified "that changes in the functional capability of Class 1E equipment will be evaluated in accordance with STPNOC's design control program and process for implementing 10 CFR 50.59."</p>	<p>The statement in the SE does not accurately reflect STP's position.</p>

38	19.5	107	Based on the staff's evaluation, the staff finds that the licensee's request to replace Class 1E LSS and NRS components with Non-Class 1E components, in cases where the replacement does not meet all design and functional requirements, is not consistent with the licensee's submittal and with the proposed rulemaking for the Risk-Informing Special Treatment Requirements and, therefore, is not acceptable , <u>provided that the licensee implements the change using its design control process and 10 CFR 50.59, as applicable.</u>	The statement in the SE does not accurately reflect STP's position.
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