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 July 12, 2001
 Rules and Directives
 USNRC

66 FR 32400
 6/14/01
 (2)

Chief, Rules and Directives Branch
 Division of Administrative Services
 Office of Administration
 U. S. Nuclear Regulatory Commission
 Mail Station: T-6 D59
 Washington, DC 20555-0001

Dear Sirs:

**Subject: Palo Verde Nuclear Generating Station (PVNGS)
 Units 1, 2, and 3
 Docket Nos. STN 50-528/529/530
 Comments on Model Safety Evaluation on Technical Specification
 Improvement To Modify Requirements Regarding Missed
 Surveillances Using the Consolidated Line Item Improvement
 Process (TSTF-358)**

In the June 14, 2001 *Federal Register* (66 FR 32400), the NRC requested public comments on the model safety evaluation for the technical specification improvement to modify requirements regarding missed surveillances using the consolidated line item improvement process (CLIIP). This technical specification improvement was proposed in technical specification task force (TSTF) traveler number TSTF-358.

On behalf of itself and the licensees participating in the Strategic Teaming and Resource Sharing (STARS) alliance, Arizona Public Service Company (APS) is submitting the comments below. The STARS group consists of the five plants operated by TXU Electric, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company and STP Nuclear Operating Company.

1. In Section 1, "Introduction," in the proposed model safety evaluation (66 FR 32401), the NRC staff identifies two changes to TSTF-358, Revision 5, that are necessary to make the TSTF acceptable for use with the model SE and this CLIIP. We recommend, for clarity, that TSTF-358 be revised to incorporate the NRC changes (as potentially modified to address comment (2) below), and that the final model SE endorse the TSTF revision without exception.
2. In the last paragraph of Section 1.0, "Introduction," in the proposed model safety evaluation (66 FR 32401), NRC staff additions to TSTF-358 Inserts 2 and 3 are

Template = ADM-013

E-RIDS = ADM-03
 Add = R. Denning (RLD)

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discussed in quotation marks. Item (1) in that paragraph inadvertently omits the word "impact." Traveler Insert 3 should be revised to read "...and the risk impact shall be managed." The intended use of the term "risk impact" rather than just the term "risk" is evidenced by the FRN's use of "risk impact" in at least 5 other places (66 FR 32401, 32402, 32403, 32406).

3. The first paragraph of Section 2.1, "Background Determination," in the Proposed Safety Evaluation (66 FR 32402) - Item (2) in that paragraph incorrectly implies that the traveler's "proposed" Bases changes discuss how this change is not intended to be used as an operational convenience. That Bases discussion is already contained in Rev. 1 of the standard technical specifications' (STS) Bases. The parenthetical statement at the end of item (2) should read: "(as stated in the existing [SR 3.0.3] Bases)". Traveler Insert 2 discusses surveillance performance at the first reasonable opportunity, risk impact evaluation and management, missed SR treatment as an emergent condition, and the interface with the licensee's CAP - nothing in Insert 2 discusses operational convenience since that discussion is already contained in the STS Bases.

In addition to these comments, a proposed example licensee application for this CLIP is attached for NRC consideration. An example application was provided at the NRC Web site for the Post Accident Sampling CLIP (TSTF-366) that proved useful to licensees.

No commitments are being made to the NRC by this letter.

Should you have any questions, please contact Thomas N. Weber at (623) 393-5764.

Sincerely,



SAB/TNW/GAM/kg

Attachment: Proposed Example Application for TSTF-358 CLIP

cc: E. W. Merschoff
L. R. Wharton
J. H. Moorman
D. H. Jaffe

ATTACHMENT

PROPOSED EXAMPLE APPLICATION FOR TSTF-358

PROPOSED EXAMPLE APPLICATION FOR TSTF-358

[Licensee's letterhead]

[Date]

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

SUBJECT: *[Plant/Unit Name(s)]*
 Docket No(s) *[50-___, 50-___]*
 Application for Technical Specification Improvement to Modify
 the Surveillance Requirement (SR) 3.0.3 Requirements
 Regarding Missed Surveillances

REFERENCES: *[as necessary]*

Dear Sir or Madam:

Pursuant to 10 CFR 50.90, *[license holder]* hereby requests an Operating License amendment(s) to modify Technical Specification Surveillance Requirement (SR) 3.0.3 to allow a delay period for a missed SR of 24 hours or up to the surveillance frequency, whichever is longer. The changes are consistent with NRC approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-358, Revision X. The availability of this technical specification improvement was announced in the *Federal Register* on *[DATE OF NOTICE OF AVAILABILITY]* (66 FR XXXX) as part of the consolidated line item improvement process (CLIIP). Based on the enclosed analyses, *[licensee name]* concludes that the proposed amendment(s) present no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

[License holder] requests approval of the proposed amendment by *[date + justification]*. Once approved, the amendment shall be implemented within *[]* days.

[License holder] agrees to revise the Technical Specifications (TS) Bases, as a condition of this proposed amendment, to incorporate the changes addressed by TSTF-358, Revision X. Marked-up TS Bases changes are provided in Attachment 4. The TS Bases are controlled by the TS Bases Control Program in TS [5.5.14].

If you have any questions or require additional information, please contact
*[Mr./Mrs./Ms., licensee's point of contact for the NRC Office of Nuclear Reactor
Regulation] at [telephone number].*

Sincerely,

[Signature]

[Name]
[Title]

Enclosures:

- ❖ Notarized affidavit¹
- ❖ Licensee's evaluation of the proposed change(s)

Attachments:

1. Proposed Technical Specification Changes (mark-up)
2. *[Proposed Technical Specification pages (retyped)]*² - *OPTIONAL*
3. List of Regulatory Commitments
4. Changes to TS Bases pages

cc: *[Region __]*
[NRR Project Manager]
[Plant/Unit Resident Inspector(s)]
[State contact]

¹ As an alternative to a notarized "oath & affirmation" affidavit, a licensee may substitute the following statement in the cover letter: "I declare under penalty of perjury that the foregoing is true and correct. Executed on (date)." The alternative statement is pursuant to 28 USC 1746. It does not require notarization.

² This attachment is OPTIONAL. Many licensees defer submittal of retyped Technical Specification pages until the end of the process, thereby permitting the incorporation of any revisions derived from responses to NRC Requests for Additional Information or other sources.

AFFIDAVIT

[Licensee's standard affidavit. This attachment is not required if the licensee chooses to use the standard language from 28 USC 1746 in the cover letter – see footnote 5.]

LICENSEE'S EVALUATION

Subject: Application for Technical Specification Improvement to Modify the Surveillance Requirement (SR) 3.0.3 Requirements Regarding Missed Surveillances.

1. DESCRIPTION
2. PROPOSED CHANGE
3. BACKGROUND
4. TECHNICAL ANALYSIS
5. REGULATORY SAFETY ANALYSIS
 - 5.1 No Significant Hazards Consideration (NSHC)
 - 5.2 Applicable Regulatory Requirements/Criteria
6. ENVIRONMENTAL CONSIDERATION
7. REFERENCES

1.0 DESCRIPTION

This letter is a request to amend Operating License(s) [*license number(s)*] for [*plant/unit name(s)*].

The proposed change(s) would revise the Operating License(s) to modify Technical Specification Surveillance Requirement (SR) 3.0.3 to allow a delay period for a missed SR of 24 hours or up to the surveillance frequency, whichever is longer.

The proposed changes are consistent with NRC approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-358, Revision X. The availability of this technical specification improvement was announced in the *Federal Register* on [DATE OF NOTICE OF AVAILABILITY] (66 FR XXXX) as part of the consolidated line item improvement process (CLIIP).

2.0 PROPOSED CHANGE

The proposed change(s) would revise the Operating License(s) to modify Technical Specification Surveillance Requirement (SR) 3.0.3 to allow a delay period for a missed SR, from the time of discovery, of 24 hours or up to the surveillance frequency, whichever is longer. The current SR 3.0.3 requires that a missed SR be performed, from the time of discovery, within 24 hours or up to the surveillance frequency, whichever is less.

The proposed changes are consistent with NRC approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-358, Revision X, without exception. The availability of this technical specification improvement was announced in the *Federal Register* on [DATE OF NOTICE OF AVAILABILITY] (66 FR XXXX) as part of the consolidated line item improvement process (CLIIP).

The Technical Specifications (TS) Bases will be revised to incorporate the changes addressed by TSTF-358, Revision X.

3.0 BACKGROUND

In the *Federal Register* on [DATE OF NOTICE OF AVAILABILITY] (66 FR XXXX), as part of the consolidated line item improvement process (CLIIP), the NRC noticed the availability of a Technical Specification improvement to modify Technical Specification Surveillance Requirement (SR) 3.0.3 to allow a delay period for a missed SR of 24 hours or up to the surveillance frequency, whichever is longer. The Technical Specification improvement would implement the changes in the NRC

approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-358, Revision X. The proposed change(s) in this submittal are consistent with TSTF-358, Revision X, and the model safety evaluation without exception.

4.0 TECHNICAL ANALYSIS

[Licensee name] has reviewed the model safety evaluation in the *Federal Register* on [DATE OF NOTICE OF AVAILABILITY] (66 FR XXXX) as part of the consolidated line item improvement process (CLIIP) for TSTF-358, Revision X. *[Licensee name]* has concluded that the model safety evaluation is applicable to this proposed change.

5.0 REGULATORY SAFETY ANALYSIS

5.1 No Significant Hazards Consideration

[Licensee name] has reviewed the proposed no significant hazards consideration in the *Federal Register* on [DATE OF NOTICE OF AVAILABILITY] (66 FR XXXX) as part of the consolidated line item improvement process (CLIIP) for TSTF-358, Revision X. *[Licensee name]* has concluded that the determination in the FR notice is applicable to this proposed change and the determination is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

5.2 Applicable Regulatory Requirements/Criteria

The applicable regulatory requirements associated with this proposed amendment are described in the *Federal Register* on [DATE OF NOTICE OF AVAILABILITY] (66 FR XXXX) as part of the consolidated line item improvement process (CLIIP) for TSTF-358, Revision X. The proposed change(s) in this submittal are consistent with TSTF-358, Revision X, and the model safety evaluation without exception.

6.0 ENVIRONMENTAL CONSIDERATION

A review has determined that the proposed amendment would change a requirement with respect to installation or use of a facility component located within the restricted area, as defined in 10 CFR 20, or would change an inspection or surveillance requirement. However, the proposed amendment does not involve (i)

a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluent that may be released offsite, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the proposed amendment.

7.0 REFERENCES

- a. *Federal Register* on [DATE OF NOTICE OF AVAILABILITY] (66 FR XXXX).
- b. Consolidated line item improvement process (CLIIP) for TSTF-358, Revision X.

D R A F T

c. Attachment 1

Proposed Technical Specification Changes (mark-up)

D R A F T

Attachment 2
(OPTIONAL)

Proposed Technical Specification Pages (retyped)

List of Regulatory Commitments

The following table identifies those actions committed to by *[Licensee]* in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments. Please direct questions regarding these commitments to *[name of licensee contact]*.

| REGULATORY COMMITMENTS | DUE DATE/EVENT |
|--|--------------------------------------|
| <i>[License holder]</i> agrees to revise the Technical Specifications (TS) Bases, as a condition of this proposed amendment, to incorporate the changes addressed by TSTF-358, Revision X. | Upon implementation of TS amendment. |
| | |
| | |
| | |

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Attachment 4

Changes to Technical Specification Bases Pages