

STARS

Strategic Teaming and Resource Sharing

66 FR 47700  
9/13/01

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D. R. Woodlan, Chairman  
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STARS-01009

October 29, 2001

Rules and Directive Branch,  
Office of Administration  
U. S. Nuclear Regulatory Commission  
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**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)  
COMMENTS ON PROPOSED GENERIC COMMUNICATION;  
RESOLUTION OF DEGRADED AND NONCONFORMING CONDITIONS;  
("GENERIC LETTER 91-18 PROCESS") (MB2530) (66 FR 47700)**

Docket Numbers: 50-483, 50-482, 50-498, 50-499, 50-275, 50-323, 50-445, 50-446

Gentlemen:

This letter presents comments from the Strategic Teaming and Resource Sharing (STARS)<sup>1</sup> nuclear power plants on the subject generic communication which was proposed by the U. S. Nuclear Regulatory Commission on September 13, 2001, in the above referenced Federal Register (FR) notice.

The STARS utilities have reviewed the proposed generic communication to the nuclear power industry to update staff guidance on the resolution of degraded and nonconforming conditions. While we agree that this updated guidance will reflect relevant NRC regulatory process and regulation changes that have occurred since Generic Letter 91-18, Revision 1, was issued, we believe that additional changes to Part 9900 "Resolution of Degraded and Nonconforming Conditions" should be made and that changes to Part 9900 "Operability" should also be made. Based on a review of findings in the industry, it appears that additional clarification is warranted.

<sup>1</sup> The STARS group consists of five plants operated by TXU Electric, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company and STP Nuclear Operating Company. In addition, the Palo Verde Nuclear Generating Station participated in the development of these comments.

Template = ADM-013

E-RIDS = ADM-03  
Add = J. Shapaker (SWS)

Callaway • Comanche Peak • Diablo Canyon • STP Nuclear Operating Company • Wolf Creek

E. McKenna (EMM)

The following specific comments are provided:

1. GL 91-18 issues have been around for 10 years and the term "GL 91-18" has become engrained into many of the utilities' programs and procedures. Changing the basic reference document will cause confusion and will unnecessarily require significant licensee resources to update plant documentation. Recommend issuing the proposed RIS as GL 91-18 Revision 2.
2. The definition of Operable/Operability in Section 2.6 should be consistent with the Standard Technical Specification (STS) definition of Operable/Operability. Specifically, "safety" was deleted from "specified safety function(s)," "normal or emergency" was deleted before "electrical power," and in two places, "or" was replaced with an "and." The NRC and the industry agreed upon this STS definition after much focused effort and the STS definition should be used.
3. The expression "With the explicit inclusion of an affected requirement in Facility TS" in the second paragraph of Section 4.2 is unclear and confusing. We have no recommended change because we could not understand the intent of the sentence.
4. Page 1 of the flow chart for "Resolution of Degraded and Nonconforming Conditions" should be updated/human factored. For example, under "Prompt Follow-Up Action" it is not clear if the "AND" box goes with both decision boxes above it. Similar confusion exists in the bottom part of the "Decision Category."
5. Justification for Continued Operation (JCO) is a term that is confusing and misleading. The term JCO is not used in the NOED process (see RIS 2001-10). It is confusing switching between basis for continued operation in Section 4.5 and JCO in Section 4.6. We recommend moving the first paragraph in Section 4.6 to the end of Section 4.5. The third and fourth sentence in that paragraph, where JCO is discussed, should be deleted. The remaining paragraph in Section 4.6 should be modified by deleting the first sentence and "For example," from the second sentence. With these changes, the 10 CFR 50.54(x), 10 CFR 50.54(y) and NOED processes are discussed under the basis for continued operation (a better location) without any reference to a JCO. The term JCO is limited to specific processes already addressed by regulatory guidance, for example the equipment qualification area (see GL 88-07).
6. There are inconsistencies between Part 9900 Operability and the proposed revision to the guidance on resolution of degraded and nonconforming conditions. Examples include:
  - Section 1.0, Purpose and Scope, in Part 9900 Operability,
  - Section 2.0, Definitions, in Part 9900 Operability.

In addition, Part 9900 Operability needs to be updated to clarify specific issues. For example:

- Section 6.10, Equipment Qualification, needs to include seismic adequacy (GL 87-02).
- Section 6.12, Support System Operability, should include ITS 3.0.6.

On behalf of the STARS utilities, I thank you for the opportunity to comment on the proposed changes to the Generic Letter 91-18 Process. Please contact me if there are any questions concerning these comments (254-897-6887 or dwoodl1@txu.com).

Sincerely,

D. R. Woodlan, Chairman  
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Strategic Teaming and Resource Sharing  
(STARS)

JCH/jch