

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
OFFICE OF NUCLEAR REACTOR REGULATION  
WASHINGTON, D.C. 20555

May 30, 1997

**NRC INFORMATION NOTICE 97-28: ELIMINATION OF INSTRUMENT RESPONSE TIME TESTING UNDER THE REQUIREMENTS OF 10 CFR 50.59**

Addressees

All holders of operating licenses or construction permits.

Purpose

The U.S. Nuclear Regulatory Commission (NRC) is issuing this information notice to alert addressees to changes to licensee-controlled documents made in accordance with Section 50.59 of Title 10 of the Code of Federal Regulations (10 CFR 50.59) that resulted in improper elimination of a technical specification (TS) surveillance test. It is expected that recipients will review the information for applicability to their facilities and consider actions, as appropriate, to avoid similar problems. However, suggestions contained in this information notice are not NRC requirements; therefore, no specific action or written response is required.

Description of Circumstances

In accordance with the provisions of Generic Letter (GL) 93-08, "Relocation of Technical Specification Tables of Instrument Response Time Limits," dated December 29, 1993, licensees may submit license amendment requests to remove existing tables of response time limits from the plant TSs to the final safety analysis report (FSAR). As stated in GL 93-08, the NRC intends to allow changes to response time limits in accordance with 10 CFR 50.59 without NRC approval while not eliminating the requirement to conduct response time testing.

In January 1994, the owners group for boiling-water reactor nuclear power plants (the BWR Owners Group) submitted licensing topical report NEDO-32291, "System Analyses for Elimination of Selected Response Time Testing Requirements," for NRC review. On December 28, 1994, the NRC issued a safety evaluation report generically approving the use of this report to justify elimination of certain response time testing requirements.

The NRC has learned that several BWR licensees have implemented NEDO-32291 by adding a footnote to FSAR tables of instrument response time limits for several safety-related functions, namely reactor protection, containment isolation, and emergency core cooling. These footnotes listed sensors eliminated from response time testing in accordance with 10 CFR 50.59 and, in some cases, allowed that response time testing was no longer required

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for the function. However, the TSs for these plants still require response time testing of these instruments. Consequently, these licensees did not test the response times of certain instruments and thereby violated the TSs.

Discussion

These circumstances arose because the affected licensees used the generically approved NEDO-32291 guidance to modify tables of instrument functions requiring response time testing without realizing that such modifications affected plant TSs. Changes to TSs are not permitted without NRC approval of a license amendment request for such changes.

These particular circumstances did not result in a significant safety or operability concern. The instruments in question were tested in accordance with the approved NEDO-32291 document. Some of the licensees involved submitted license amendment requests for these response time testing changes. The NRC has granted enforcement discretion while reviewing these requests.

This information notice requires no specific action or written response. If you have any questions about the information in this notice, please contact one of the technical contacts listed below or the appropriate Office of Nuclear Reactor Regulation (NRR) project manager.

*Seymour H Weiss for*  
Marylee M. Slosson, Acting Director  
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Office of Nuclear Reactor Regulation

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*Attachment filed in Tricket for May*

LIST OF RECENTLY ISSUED  
NRC INFORMATION NOTICES

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Information Notice No.	Subject	Date of Issuance	Issued to
97-27	Effect of Incorrect Strainer Pressure Drop on Available Net Positive Suction Head	05/16/97	All holders of OLs or CPs for light-water power reactors, except those licensees who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel
97-26	Degradation in Small-Radius U-Bend Regions of Steam Generator Tubes	05/19/97	All holders of OLs or CPs for pressurized-water reactors
87-10, Sup. 1	Potential for Water Hammer During Restart of Residual Heat Removal Pumps	05/15/97	All holders of OLs or CPs for boiling-water reactors
97-25	Dynamic Range Uncertainties in the Reactor Vessel Level Instrumentation	05/09/97	All holders of OLs or CPs for Westinghouse pressurized-water reactors
97-24	Failure of Packing Nuts on One-Inch Uranium Hexafluoride Cylinder Valves	05/08/97	All U.S. Nuclear Regulatory Commission licensees and certificatees authorized to handle uranium hexafluoride in 30- and 48-inch diameter cylinders
97-23	Evaluation and Reporting of Fires and Unplanned Chemical Reactor Events at Fuel Cycle Facilities	05/07/97	All fuel cycle conversion, enrichment, and fabrication facilities

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OL = Operating License  
CP = Construction Permit

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original signed by S.H.Weiss for  
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Tech Editor has reviewed and concurred on 5/8/97

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