
Industry/TSTF Standard Technical Specification Change Traveler

Revision to TS Bases Control Program to Incorporate Changes to 10 CFR 50.59

Classification: 2) Consistency/Standardization

NUREGs Affected: 1430 1431 1432 1433 1434

Description:

Technical Specification 5.5.14, Technical Specifications (TS) Bases Control Program, requires a program for processing changes to the Bases of the Technical Specifications. TS 5.5.14b. states: Licensees may make changes to the Bases without prior NRC approval provided the changes do not involve either of the following: 1. a change in the TS incorporated in the license; or 2. a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59. TS 5.5.14b.2. is revised to state: "a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59." based on the changes to 10 CFR 50.59 published in the Federal Register (Volume 64, Number 191) dated October 4, 1999.

Justification:

BACKGROUND

10 CFR 50.59 establishes the conditions under which licensees may make changes to the facility or procedures and conduct test or experiments without prior NRC approval.

In 1999, the NRC revised its regulation (Federal Register - Volume 64, Number 191 dated October 4, 1999) controlling changes, tests and experiments performed by nuclear plant licensees. The changes were prompted by the need to resolve differences in interpretation of the rule's requirements by the industry and the NRC that came clear focus in 1996. The rule changes had two principal objectives, both aimed at restoring much needed regulatory stability to this extensively used regulation:

- Establish clear definitions to promote common understanding of the rule's requirements
- Clarify the criteria for determining when changes, tests, and experiments require prior NRC approval.

The changes approved by the Commission in 1999 made 10 CFR 50.59 more focused and efficient by:

- Providing greater flexibility to licensees, primarily by allowing changes that have minimal safety impact to be made without prior NRC approval
- Clarifying the threshold for "screening out" changes that do not require full evaluation under 10 CFR 50.59, primarily by adoption of key definitions.

Proposed changes, tests, and experiments that satisfy the definitions and one or more of the criteria in the rule must be reviewed and approved by the NRC before implementation.

NEED FOR CHANGE

As indicated above, the Bases Control Program required by TS 5.5.14 allows licensees to make changes to the Bases without NRC approval provided the change does not involve a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59. With the revisions to 10 CFR 50.59, the definition of unreviewed safety question was eliminated. Therefore, the TS should be revised consistent with the revision to 10 CFR 50.59.

PROPOSED CHANGE

The proposed change revises TS 5.5.14b.2. to state: "a change to the updated FSAR or Bases that requires NRC

3/28/2001

approval pursuant to 10 CFR 50.59."

JUSTIFICATION

The NRC amended its regulations concerning the authority for licensees of production or utilization facilities, such as nuclear reactors, and independent spent fuel storage facilities, and for certificate holders for spent fuel storage casks, to make changes to the facility or procedures, or to conduct tests or experiments, without prior NRC approval. The final rule clarifies the specific types of changes, tests, and experiments conducted at a licensed facility or by a certificate holder that require evaluation, and revises the criteria that licensees and certificate holders must use to determine when NRC approval is needed before such changes, tests, or experiments can be implemented. The final rule also adds definitions for terms that have been subject to differing interpretations, and reorganizes the rule language for clarity.

10 CFR 50.59 was revised to state, in part:

(c)(1) A licensee may make changes in the facility as described in the final safety analysis report (as updated), make changes in the procedures as described in the final safety analysis report (as updated), and conduct tests or experiments not described in the final safety analysis report (as updated) without obtaining a license amendment pursuant to 10 CFR 50.90 only if:

- (i) A change to the technical specifications incorporated in the license is not required, and
- (ii) The change, test, or experiment does not meet any of the criteria in paragraph (c)(2) of this section.

(2) A licensee shall obtain a license amendment pursuant to 10 CFR 50.90 prior to implementing a proposed change, test, or experiment if the change, test, or experiment would:

- (i) Result in more than a minimal increase in the frequency of occurrence of an accident previously evaluated in the final safety analysis report (as updated);
- (ii) Result in more than a minimal increase in the likelihood of occurrence of a malfunction of a structure, system, or component (SSC) important to safety previously evaluated in the final safety analysis report (as updated);
- (iii) Result in more than a minimal increase in the consequences of an accident previously evaluated in the final safety analysis report (as updated);
- (iv) Result in more than a minimal increase in the consequences of a malfunction of an SSC important to safety previously evaluated in the final safety analysis report (as updated);
- (v) Create a possibility for an accident of a different type than any previously evaluated in the final safety analysis report (as updated);
- (vi) Create a possibility for a malfunction of an SSC important to safety with a different result than any previously evaluated in the final safety analysis report (as updated);
- (vii) Result in a design basis limit for a fission product barrier as described in the UFSAR being exceeded or altered; or
- (viii) Results in a departure from a method of evaluation described in the FSAR (as updated) used in establishing the design bases or in the safety analyses.

Determination of No Significant Hazards Considerations

A change is proposed to the Improved Technical Specifications, NUREGs 1430 - 1434, TS 5.5.14, Technical Specification (TS) Bases Control Program, to provide consistency the changes to 10 CFR 50.59 published in the Federal Register (Volume 64, Number 191) dated October 4, 1999.

In accordance with the criteria set forth in 10 CFR 50.92, the Industry has evaluated these proposed Improved Technical Specification changes and determined they do not represent a significant hazards consideration. The following is provided in support of this conclusion.

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated.

3/28/2001

The proposed change deletes the reference to unreviewed safety question as defined in 10 CFR 50.59. Deletion of the definition of unreviewed safety question was approved by the NRC with the revisions to 10 CFR 50.59. Consequently, the probability of an accident previously evaluated is not significantly increased. Changes to the TS Bases are still evaluated in accordance with 10 CFR 50.59. As a result, the consequences of any accident previously evaluated are not significantly affected. Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously analyzed?

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. Thus, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does this change involve a significant reduction in the margin of safety?

The proposed change will not reduce a margin of safety because it has no direct effect on any safety analyses assumptions. Changes to the TS Bases that result in meeting the criteria in paragraph (c)(2) will still require NRC approval pursuant to 10 CFR 50.59. This change is administrative in nature based on the amending of 10 CFR 50.59. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Industry Contact:	Wideman, Steve	(316) 364-4037	stwidem@wcnoc.com
NRC Contact:	Tjader, Bob	301-415-1187	trt@nrc.gov

Revision History

OG Revision 0

Revision Status: Active

Next Action:

Revision Proposed by: Wolf Creek

Revision Description:
Original Issue

Owners Group Review Information

Date Originated by OG: 08-Mar-00

Owners Group Comments
(No Comments)

Owners Group Resolution: Approved Date: 08-Mar-00

TSTF Review Information

TSTF Received Date: 08-Mar-00 Date Distributed for Review 08-Mar-00

OG Review Completed: BWOG WOG CEOG BWROG

TSTF Comments:
(No Comments)

TSTF Resolution: Approved Date: 08-Mar-00

NRC Review Information

NRC Received Date: 13-Mar-00

3/28/2001

OG Revision 0

Revision Status: Active

Next Action:

NRC Comments:

NOTE:

TSTF-364 was revised by WOG-ED-24 to change "do not involve" to "do not require".

Final Resolution: NRC Approves

Final Resolution Date: 16-Jun-00

Incorporation Into the NUREGs

File to BBS/LAN Date:

TSTF Informed Date:

TSTF Approved Date:

NUREG Rev Incorporated:

Affected Technical Specifications

5.5.14	Technical Specifications (TS) Bases Control Program	NUREG(s)- 1430 1431 1432 Only
5.5.11	Technical Specifications (TS) Bases Control Program	NUREG(s)- 1433 1434 Only

3/28/2001

INSERT

A change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.

TSTF-364

5.5 Programs and Manuals

5.5.13 Diesel Fuel Oil Testing Program (continued)

2. a flash point and kinematic viscosity within limits for ASTM 2D fuel oil, and
3. a clear and bright appearance with proper color;
- b. Other properties for ASTM 2D fuel oil are within limits within 30 days following sampling and addition to storage tanks; and
- c. Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days in accordance with ASTM D-2276, Method A-2 or A-3.

5.5.14 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not involve either of the following:
 1. A change in the TS incorporated in the license; or
 2. ~~A change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59.~~
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the FSAR.
- d. Proposed changes that meet the criteria of 5.5.14b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).

Insert

WOG-ED-24 changed "do not involve" to "do not require"

(continued)

TSTI-364

5.5 Programs and Manuals

5.5.13 Diesel Fuel Oil Testing Program (continued)

2. a flash point and kinematic viscosity within limits for ASTM 2D fuel oil, and
3. a clear and bright appearance with proper color;
- b. Other properties for ASTM 2D fuel oil are within limits within 31 days following sampling and addition to storage tanks; and
- c. Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days in accordance with ASTM D-2276, Method A-2 or A-3.

5.5.14 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not involve either of the following:
 1. a change in the TS incorporated in the license; or
 2. a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the FSAR.
- d. Proposed changes that meet the criteria of Specification 5.5.14b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).

Insert

WOG-ED-24 changed "do not involve" to "do not require"

(continued)

TSTF-364

5.5 Programs and Manuals (continued)

5.5.13 Diesel Fuel Oil Testing Program

A diesel fuel oil testing program to implement required testing of both new fuel oil and stored fuel oil shall be established. The program shall include sampling and testing requirements, and acceptance criteria, all in accordance with applicable ASTM Standards. The purpose of the program is to establish the following:

- a. Acceptability of new fuel oil for use prior to addition to storage tanks by determining that the fuel oil has:
 - 1. An API gravity or an absolute specific gravity within limits,
 - 2. A flash point and kinematic viscosity within limits for ASTM 2D fuel oil, and
 - 3. A clear and bright appearance with proper color;
- b. Other properties for ASTM 2D fuel oil are within limits within 31 days following sampling and addition to storage tanks; and
- c. Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days in accordance with ASTM D-2276, Method A-2 or A-3.

5.5.14 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not involve either of the following:

A change in the TS incorporated in the license; or

A change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59.

Insert

WOG-ED-24 changed "do not involve" to "do not require"

(continued)

TSTF-364

5.5 Programs and Manuals (continued)

5.5.10 Diesel Fuel Oil Testing Program

A diesel fuel oil testing program to implement required testing of both new fuel oil and stored fuel oil shall be established. The program shall include sampling and testing requirements, and acceptance criteria, all in accordance with applicable ASTM Standards. The purpose of the program is to establish the following:

- a. Acceptability of new fuel oil for use prior to addition to storage tanks by determining that the fuel oil has:
 - 1. an API gravity or an absolute specific gravity within limits,
 - 2. a flash point and kinematic viscosity within limits for ASTM 2D fuel oil, and
 - 3. a clear and bright appearance with proper color;
- b. Other properties for ASTM 2D fuel oil are within limits within 31 days following sampling and addition to storage tanks; and
- c. Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days in accordance with ASTM D-2276, Method A-2 or A-3.

5.5.11 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not involve either of the following:

- 1. a change in the TS incorporated in the license; or
- 2. a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59.

Insert

WOG-ED-24 changed "do not involve" to "do not require"

(continued)

TSTF 384

5.5 Programs and Manuals

5.5.10 Diesel Fuel Oil Testing Program (continued)

- a. Acceptability of new fuel oil for use prior to addition to storage tanks by determining that the fuel oil has:
 - 1. an API gravity or an absolute specific gravity within limits,
 - 2. a flash point and kinematic viscosity within limits for ASTM 2D fuel oil,
 - 3. a clear and bright appearance with proper color;
- b. Other properties for ASTM 2D fuel oil are within limits within 31 days following sampling and addition to storage tanks; and
- c. Total particulate concentration of the fuel oil is ≤ 10 mg/l when tested every 31 days in accordance with ASTM D-2276, Method A-2 or A-3.

5.5.11 Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not involve either of the following:
 - 1. a change in the TS incorporated in the license; or
 - 2. a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the FSAR.
- d. Proposed changes that meet the criteria of 5.5.11b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without

Insert

WOG-ED-24 changed "do not involve" to "do not require"

(continued)