

July 9, 2004

Mr. Biff Bradley
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Dear Mr. Bradley:

The Nuclear Regulatory Commission (NRC) has completed its review of the Nuclear Energy Institute (NEI) proposed Draft Implementation Guidance for Risk Management Technical Specifications (RMTS) Initiative 1, CE Preferred End States TSTF-422. RMTS Initiative 1 would permit, for some systems, entry into hot shutdown rather than cold shutdown to repair equipment after the application of a configuration risk management program in conformance with the Implementation Guidance. Enclosed are the staff comments and requests for additional information (RAIs) on the Implementation Guidance.

We are prepared to meet with you to further discuss these comments and RAIs to ensure that the Implementation Guidance are acceptable, and to assist in making progress on TSTF-422.

Please contact me at (301) 415-1187 or e-mail trt@nrc.gov if you have any questions or need further information on these proposed changes.

Sincerely,

/RA/

T. R. Tjader, Senior Reactor Engineer
Technical Specifications Section
Reactor Operations Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

Enclosure: As stated

cc: See attached page

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REQUEST FOR ADDITIONAL INFORMATION AND COMMENTS ON THE INDUSTRY'S
DRAFT CE INITIATIVE 1 IMPLEMENTATION GUIDANCE OF MAY 27, 2004

1. Please explain the headings of the first two columns of Table 1, labeled "Analog Instrumentation" and "Digital Instrumentation." Are not the TS end-state Required Actions applicable to outages of the respective system and not just the system's (analog and digital) actuation logic?
2. The first "general guidance" item (top of page 4) stating that "*Plantsmust commit to guidance of NUMARC 93-01, Section 11.....*" needs clarification. It appears that this statement conflicts the preceding statement that "*Implementation of TSTF-422 requires modification of the current (a)(4) program.*"
3. The second paragraph of the second "general guidance" item (on page 4) stating that "*In performing risk assessments, the risk assessment should consider that reduced risks are associated with increased diversity and redundancy of RCS heat removal capability in Mode 4*" needs clarification. It may be perceived as a suggestion favoring Mode 4 as the end state without the benefit of a risk assessment. Perhaps it should state that the risk analyst should look for outages that reduce the diversity and redundancy normally available in Mode 4 to remove heat.
4. The third "general guidance" item (on page 4) should be modified to state that "*Entry into the preferred end state, as approved by TSTF-422, should be for the primary purpose of accomplishing repairs which necessitated exiting the original operating mode.*"
5. In the fourth "general guidance" item (on page 4), stating that "Configurations that should not be entered voluntarily have been defined as," the criterion for instantaneous risk increase (i.e., CDF increase smaller than 1E-3) must be added.
6. Additional general guidance must be included in Section 2.3 to reflect the staff's stipulations for operating in the new approved end states (listed in Section 6 of the SE).
7. In Section 2.2, "Considerations from CEOG Topical Report," it is mentioned that in the Topical Report and the Safety Evaluation are listed several actions to be considered in implementing the new TS end states. It would be useful to stress that the consideration of these actions is important to meet regulatory guidance. For example, could add a statement such as the following:

"Some restrictions and enhanced guidance were determined by the TS-specific risk assessments, included in the Topical Report and the staff's SE, to be needed to meet guidance provided in RGs 1.174 and 1.177 regarding defense-in-depth and potential high risk configurations. These restrictions and guidance are intended (1) to preclude preventive maintenance and operational activities on equipment combinations leading to

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reduced defense-in-depth and potentially high risk configurations and (2) to identify actions to exit expeditiously a risk-significant configuration should it occur. These restrictions and guidance should be included in appropriate plant procedures and administrative controls to preclude high risk plant configurations when the plant is at the proposed end states.”

8. Need to add TS 3.7.8 (Service Water System, et al) in Table 2 with similar guidance as for TS 3.7.7 (for CCW).
9. The staff does not agree with paragraph 2.5 on the “Interaction between TSTF-422 and LCO 3.0.4.” The staff does not believe that RMTS Initiative 1, TSTF-422 should be utilized to transition up in Mode; it should not be used in conjunction with LCO 3.0.4.