

January 13, 2005

Technical Specification Task Force
11921 Rockville Pike
Suite 100
Rockville, MD 20852

Dear Members of the TSTF:

The Nuclear Regulatory Commission (NRC) has completed the review of the Technical Specification Task Force Change Traveler, TSTF-374, R.0, "Revision to STS 5.5.13, "Diesel Fuel Oil Testing Program" and associated TS Bases for Diesel Fuel Oil ." The staff has approved the proposed change. The Staff's Safety Evaluation Report for TSTF-374 is attached.

Please contact me at (301) 415-0184 or e-mail thb@nrc.gov if you have any questions or need further information on these proposed changes.

Sincerely,

/RA/

Thomas H. Boyce, Section Chief
Technical Specifications Section
Reactor Operations Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

cc: Dennis Buschbaum, (WOG)
Bertram Morris, (BWROG)
Patricia Furio, (CEOG)
Paul Infanger, (BWOG)
Donald Hoffman, (EXCEL)
Brian Mann, (EXCEL)

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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
TECHNICAL SPECIFICATION TASK FORCE-374, Rev.0
REVISION TO STS 5.5.13 AND ASSOCIATED STS BASES FOR DIESEL FUEL OIL

1.0 INTRODUCTION

By letter dated April 27, 2001, Nuclear Energy Institute (NEI) submitted Technical Specification Task Force Change Traveler, TSTF-374, R.0, "Revision to STS 5.5.13, "Diesel Fuel Oil Testing Program" and associated Technical Specifications (TS) Bases for Diesel Fuel Oil." Specifically, the proposed revisions to Standard Technical Specifications (STS) 5.5.13 relocate the specific American Society for Testing and Materials (ASTM) Standard from the Administrative Controls Section of TS to a licensee-controlled document. An option to allow the performance of alternate water and sediment content test to establish the acceptability of new fuel oil prior to addition to the storage tank has been added to the clear and bright test.

STS 5.5.13 contains the testing requirements for both new fuel oil and stored fuel oil. The Diesel Fuel Oil Testing Program includes sampling and testing requirements and acceptance criteria.

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to include TS as part of the license. The TS ensure the operational capability of structures, systems and components that are required to protect the health and safety of the public. The Commission's regulatory requirements related to the content of the TS are contained in 10 CFR Section 50.36. That regulation requires that the TS include items in the following specific categories: (1) safety limits, limiting safety systems settings, and limiting control settings (50.36(c)(1)); (2) Limiting Conditions for Operation (50.36(c)(2)); (3) Surveillance Requirements (50.36(c)(3)); (4) design features (50.34(c)(4)); and (5) administrative controls (50.36(c)(5)).

In general, there are two classes of changes to TS: (1) changes needed to reflect modifications to the design basis (TS are derived from the design basis), and (2) voluntary changes to take advantage of the evolution in policy and guidance as to the required content and preferred format of TS over time. This amendment deals with the second class of changes.

In determining the acceptability of revising STS 3.8.1, the staff used the accumulation of generically approved guidance in NUREG-1430, "Standard Technical Specifications, Revision 3 Babcock and Wilcox Plants," dated June, 2004; NUREG-1431, Revision 3, "Standard Technical Specifications, Westinghouse Plants," dated June, 2004; and NUREG-1432, "Standard Technical Specifications, Revision 3 Combustion Engineering Plants," dated June, 2004; NUREG-1433, Revision 3, "Standard Technical Specifications, General Electric Plants,

BWR 4,” dated June, 2004; and NUREG-1434, “Standard Technical Specifications, Revision 3 General Electric Plants, BWR 6” dated June, 2004.

Licenseses may revise the TS to adopt current improved STS format and content provided that plant-specific review supports a finding of continued adequate safety because: (1) the change is editorial, administrative or provides clarification (i.e., no requirements are materially altered), (2) the change is more restrictive than the licensee’s current requirement, or (3) the change is less restrictive than the licensee’s current requirement, but nonetheless still affords adequate assurance of safety when judged against current regulatory standards. The detailed application of this general framework, and additional specialized guidance, are discussed in Section 3.0 in the context of specific proposed changes.

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the justification for the proposed TSTF as described in the April 27, 2001 submittal. The detailed evaluation below will support the conclusion that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

3.1 Relocation of the specific American Society for Testing and Materials (ASTM) Standard from the Administrative Controls Section of TS to a licensee-controlled document

The TSTF proposes to relocate the specific American Society for Testing and Materials (ASTM) Standard for allowable particulate concentration in fuel from the Administrative Controls Section STS 5.5.13 to a licensee-controlled document, because referencing ASTM Standards in the TS is not required by 10 CFR 50.36. The actual value of allowable particulate concentration in fuel, which is required by 10 CFR 50.36(c), remains in STS 5.5.13.

3.2 Revision to Fuel Color Test in STS 5.5.13.a.3

The TSTF proposes to provide more objectivity to the fuel color test as follows:

Replacing “a clear and bright appearance with proper color” with “a clear and bright appearance with proper color or water and sediment content within limits.”

This revision provides additional detail to the appearance test, as presented in the current STS 5.5.13.a.3., and is therefore a more restrictive change.

3.3 Revision to Bases B 3.8.3 Reference

This proposed revision updates Bases B 3.8.3 to reference the current ASTM Standards. The proposed change revises the STS Bases for SR 3.8.3.3 to indicate that the API gravity is tested in accordance with ASTM D1298 and to provide an additional method (ASTM D4294) for sulfur testing.

4.0 CONCLUSION

The changes proposed by TSTF-374 assure the quality of the diesel fuel will be maintained at standards that provide high reliability of diesel availability. The NRC staff concludes that the proposed changes are consistent with the requirements as contained in 10 CFR 50.36. On this basis, the NRC staff concludes that the changes proposed by TSTF-374 are acceptable.

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner; (2) such activities will be conducted in compliance with the Commission's regulations; and, (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.