

February 16, 2005

LICENSEE: Tennessee Valley Authority

FACILITIES: Browns Ferry Units 1, 2 and 3

SUBJECT: SUMMARY OF FEBRUARY 1, 2005, CONFERENCE CALL REGARDING REQUEST FOR INFORMATION REGARDING STATUS OF AMENDMENTS USING METHOD 3 (TAC NOS. MC1330, MC1427, MC2305, MC3812, MC4070, MC4071, MC4072, MC4161, MC3743, MC3744)

On February 1, 2005, the U.S. Nuclear Regulatory Commission (NRC) staff conducted a conference call with the Tennessee Valley Authority (TVA, the licensee) representatives. The call was conducted at the licensee's request and served as the licensee's response to the Nuclear Regulatory Commission (NRC) staff's January 6, 2005, letter, which discussed six amendments proposed by TVA. These proposed amendments involved setpoints calculated using Instrumentation, Systems and Automation Society of America (ISA) Standard, ISA-S67.04-1994, "Setpoints for Nuclear Safety-Related Instrumentation," Method 3.

Enclosure 1 is a list of attendees and Enclosure 2 is a copy of TVA viewgraphs presented during the meeting.

BACKGROUND

TVA submitted six license amendment requests (TS-418, TS-431, TS-434, TS-437, TS-443, TS-447) using instrumentation setpoints established using a methodology about which the NRC staff has concerns. The NRC staff has identified that the methodology does not provide adequate assurance that a plant will operate in accordance with the assumptions upon which the plant safety analyses have been based under certain conditions. The NRC staff's safety concerns were described in a letter from Mr. Ledyard Marsh to Mr. Alex Marion of the Nuclear Energy Institute [ADAMS Accession Number ML041690604]. The issue was also discussed in various public meetings held in June and July 2004.

TVA calculated multiple setpoint Allowable Values (AVs) by means of ISA Standard, ISA-S67.04-1994, "Setpoints for Nuclear Safety-Related Instrumentation." The NRC staff determined that setpoint AVs established by means of ISA 67.04 Part 2 Method 3 (Method 3) may not be calculated conservatively enough to ensure that instrument uncertainty and routine drift will not result in challenging the analytical limits. Since the six amendments were based on a methodology about which the NRC staff has concerns, the NRC issued a letter dated January 6, 2005, requesting TVA to address how they wanted to proceed. The letter requested that TVA either revise the applications to address the NRC staff's safety concerns and provide a schedule for submittal of the revised applications, or withdraw the requests and resubmit when the generic issue has been resolved.

DISCUSSION

The NRC staff described ongoing efforts to resolve concerns with Method 3. The staff is developing a generic resolution that will be presented to NRR senior management by March 31, 2005. The focal point of the NRC staff's proposed resolution is the issue of re-setting instruments to the calculated Trip Setpoint following periodic Channel Operational Testing. This aspect is of particular concern to the staff when Method 3 is employed due to the less conservative nature of the definition of the AV as the operability limit and potential challenges that could result in transgressing Analytical Limits as a result of loop uncertainty and instrument drift. The NRC staff agrees that ISA Method 3 is an acceptable method for determination of instrument setpoints, provided that the trip setpoint and the AV are set appropriately and reset of the instrument to the calculated trip setpoint is accomplished at the completion of surveillance testing. The difference between the licensee's proposed solution and the NRC staff's position involves the mechanism of regulatory controls over the practice of resetting the instrument at the conclusion of surveillance testing (i.e., the "as-left" value) and the regulatory controls needed to determine instrument technical specification (TS) operability.

The NRC staff indicated to the licensee that the requirement for re-set needs to be reflected in the plant TSs in accordance with Title 10, *Code of Federal Regulations* (10 CFR) Section 50.36. Recognizing that the re-set is currently captured in TS Bases and plant procedures for a significant number of affected plants, the NRC staff is considering development of a Consolidated Line Item Improvement Process to insert regulatory controls over a requirement to re-set the instruments after surveillance testing into the TSs. The NRC staff's proposed solution would not require any licensee to recalculate/revise the setpoints or to change setpoint calculation methodology. However, it would provide a regulatory control that ensures equipment would be capable of performing its intended safety function.

The licensee provided a history of the correspondence surrounding the generic review of this concern and then presented an interim plant-specific solution. TVA's proposed interim plant-specific solution is the addition of statements to the applicable TS Bases section clarifying what constitutes instrument operability, and stating that setpoints should be adjusted to within the established calibration tolerance band at the completion of testing. Deviations from the process would constitute a change to the approved methodology and, therefore, would require review and approval by the NRC staff. The licensee provided assurances that appropriate control of the practice can be performed through 10 CFR 50.59.

The NRC staff did not agree with the licensee's rationale that 10 CFR 50.59 would be adequate to ensure compliance with the requirements nor did the staff agree that a change to information in the TS Bases would require NRC staff review per 10 CFR 50.59. The NRC staff reiterated that reliance on settings or practices outside the TS, and not mandated by the TS, is not consistent with 10 CFR 50.36.

The licensee indicated their intent to delay revision of these submittals until the generic issue is resolved, and that the delay would not adversely affect site scheduled activities.

The NRC staff considered this conference call as the licensee's response to the January 6, 2005, letter. No commitments were made by the licensee and no regulatory decisions were made by the NRC staff during the proceedings of this conference call.

/RA/

Margaret H. Chernoff, Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-259, 50-260 and 50-296

Enclosures: 1. List of Participants
2. TVA Presentation Slides

w/ enclosures: See next page

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Participant List
Conference Call

FEBRUARY 1, 2005

NRC

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Carl Shulten
Bob Clark
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Hukam Garg
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