

December 6, 2005

LICENSEE: Technical Specification Task Force (TSTF) A Joint Owners Group Activity  
FACILITY: B&W Owners Group, Boiling Water Reactor Owner's Group, Combustion Engineering Owner's Group, Westinghouse Owners Group  
SUBJECT: SUMMARY OF OCTOBER 13, 2005, MEETING WITH THE TECHNICAL SPECIFICATION TASK FORCE, TO DISCUSS THE STATUS OF TSTF TRAVELERS TAC NO. M40002

On October 13, 2005, a public meeting was held between the U.S. Nuclear Regulatory Commission (NRC), and representatives of the Technical Specification Task Force (TSTF). The TSTF is a joint owners group activity composed and is composed of representatives from The B&W Owners Group (BWOOG), the Boiling Water Reactor Owner's Group (BWROG), the Westinghouse Owners Group (WOG), the Combustion Engineering Owner's Group, now owned by Westinghouse (WOG/CEOG), and Excel Services Corporation. The list of attendees is Enclosure 1. The meeting was at NRC Headquarters, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. The purpose of the meeting was to discuss the status of changes to the standard technical specifications called TSTF travelers or simply "TSTFs." The agenda is listed in Enclosure 2 with meeting details listed in Enclosure 3.

#### MEETING RESULTS AND CONCLUSIONS

The overall theme of the meeting was process improvements. The NRC and the TSTF Group discussed process improvements for most aspects of the TSTF Process, including:

- Electronic vs Paper Submittals
- Fee Exemptions and Exemption Processing
- Level of Review
- Involvement of Probabilistic Risk Review
- Changes to Risk Requirements
- Processes for Multiple TSTF Adoptions
- Use of CLIIPs
- Improvements in Web Pages for Information Exchange

Please direct any inquiries to David Roth at 301-415-2749, or e-mail [der@nrc.gov](mailto:der@nrc.gov).

Sincerely,

*/RA/*

David E. Roth, Reactor Systems Engineer  
Technical Specifications Section  
Reactor Operations Branch  
Division of Inspection Program Management  
Office of Nuclear Reactor Regulation

Enclosures: 1. List of attendees  
2. Agenda  
3. Meeting Details  
4. Action Items  
5. NRC's Handout on Fees  
6. TSTF's Active Travelers Status Report dated October 12, 2005

cc w/encl: See next page

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ADAMS ACCESSION NUMBER: ML052990487

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LIST OF ATTENDEES  
OCTOBER 13, 2005

NAME	ORGANIZATION
David Roth	NRC/NRR/DIPM/IROB/TSS
Wes Sparkman	TSTF/WOG
Brian Woods	TSTF/WOG-CE
Michael Crowthers	TSTF/BWROG
Brian Mann	TSTF/EXCEL
Donald Hoffman	TSTF/Excel
Paul Infanger	TSTF/B&WOG/CR3
Donnie Harrison	NRC/NRR/DSSA/SPSB
Cliff Doult	NRC/NRR/DSSA/SPSB
Lynn Mrwoca	NRC/NRR/DSSA/SPSB
Bob Tjader	NRC/NRR/DIPM/IROB/TSS
Pete Hearn	NRC/NRR/DIPM/IROB/TSS
Bill Reckley	NRC/NRR/DLPM
Eric Thomas	NRC/NRR/DIPM/IROB/TSS
Carl Schulten	NRC/NRR/DIPM/IROB/TSS
Tom Boyce	NRC/NRR/DIPM/IROB/TSS
Craig Harbuck	NRC/NRR/DIPM/IROB/TSS

AGENDA  
TSTF/NRC MEETING  
OCTOBER 13, 2005

- I. Administrative Issues
  - A. Introductions
  - B. Agenda Review
  - C. Review of open items from the June 23, 2005 meeting
  - D. Other Administrative Issues
    - 1. NRC reorganization and TS Section personnel additions
  - E. Public Participation Invited
  
- II. Process Issues
  - A. Fees
    - 1. Overview on NRC Fee Policy
      - Renu Suri, CFO/DFM/FPCAT
      - Tammy Croote, CFO/DFM/FPCAT
    - 2. NRC CFO letters of August 15, 2005 and September 19, 2005
    - 3. NRC suggested submittal of fee exempt Travelers
    - 4. Need for guidance on what is and is not fee exempt
  - B. RISK requirements and TSTF approval
    - Michael Tschiltz, Branch Chief, Probabilistic Safety Assessment Branch
    - Cliff Doust, NRR/ADPT/DSSA/SPSB/SPSB-A
    - Donald Harrison, NRR/ADPT/DSSA/SPSB/SPSB-A
    - 1. TSTF 409 Risk Requirements
  - C. Traveler Process Issues
    - 1. TSTF working with LATF on:
      - a. Travelers as precedent
      - b. Multiple Traveler adoption
      - c. "T" to "A" process
      - d. Consistency in NRC review of ISTS conversion
      - e. Update of NRC guidance and NRC reviewer compliance
    - 2. TS Section Changes to NRC Website
  - D. NUREG-Related Issues
    - 1. Status of NRC review of Revision 3.1 of the ISTS NUREGs
    - 2. NRC endorsement of the Writer's Guide revision
    - 3. Status of NRC suggestion to use on-line commenting on Travelers

- E. Submissions to NRC:
  - 1. Use official address to assure timely entry into ADAMS
  - 2. Status of electronic submittals?

- F. Public Participation Invited

### III. Travelers and Technical Issues

- A. CLIP activity
  - 1. CLIP on License Condition Violation Reporting
  - 2. Preparing CLIPs for Previously Approved Travelers
    - a. TSTF-360
  - 3. TSTF-454, Rev. 1, "Extend PCIV Completion Times"
- B. Technical Issues
  - 1. NRC Justification Requirements and Expectations for Risk-Informed Travelers.
  - 2. Issuance of NRC RIS 2005-20: Revision To Guidance Formerly Contained In NRC Generic Letter 91-18.
- C. Traveler Review Status
- D. Public Participation Invited

### IV. Next Meeting

## MEETING DETAILS

The meeting generally discussed the topics in the attached agenda (Enclosure 2). Action items are listed in Enclosure 4.

Following introductions, fee issues were discussed with NRC personnel from the Office of the Chief Financial Officer. A handout on fees (Enclosure 5) was presented by the NRC to the TSTF group. Regarding fee waivers, the NRC estimated that fee waivers would be processed in about a month. The attendees discussed the contents previous letters dated January 10, 2003, July 5, 2005, August 15, 2005, September 19, 2005, regarding fee exemption requests and denials. The letter dated January 10, 2003 (ML030100090) stated that the NRC did not previously assess Part 170 fees for its review of industry documents that were submitted as part of the joint industry/NRC effort to revise the STS and which were used by the NRC to make generic regulatory improvements, but these regulatory purposes were achieved, so future TSTFs would be billable. The representatives from the TSTF group stated that they disagreed and that the STS were continuing to be enhanced and the regulatory process improved.

The rate of adoption of TSTFs was discussed relative to fee waivers, and it was noted that for smaller owner's groups a low absolute number does not mean a low percentage of adoption.

The TSTF Group requested the NRC to reconsider the 2003 fee letter.

It was noted that risk-informed submittals were current exempt from fees, and there was some discussion on looking at the underlying topical reports to see if they were fee-exempt and to see if the same exemption should be used for a TSTF.

The NRC observed that some of the TSTFs for which fee-exemptions had been denied were going to be incorporated into the next planned update of the Standard Technical Specifications.

Next, the NRC personnel from the Probabilistic Safety Assessment Branch discussed NRC's policies and requirements on risk for some TSTFs. In particular, TSTFs being reviewed that discussed containment integrity were likely to need changes to large early release frequencies (LERF) addressed for a licensee to adopt the TSTF. Examples of such TSTFs were TSTF 409 -"Spray System Completion Time Extension" and TSTF 454 "Extend PCIV Completion Times." Because of the complexities associated with a PRA, the NRC could not accept a generic PRA approval, but stated that plants would have to show how their PRAs met certain criteria during the adoption of the TSTFs.

The NRC stated that the TSTFs 409 and 454 would be processed through the Consolidated Line Item Improvement Process (CLIIP), but cautioned that the PRA issues would probably still have to be reviewed by the appropriate technical staff.

The NRC may need to change model SE and application for TSTF 454 to show compliance with the topical reports used.

The attendees discussed what level of detail would be needed for CLIIPs and it was suggested that probably the same level as a risk-informed submittal. It was noted there will be a learning curve.

Next, TSTF 373, "Increase CIV Completion Time in Accordance With CE-NPSD-1168" was discussed, and the TSTF group was to evaluate 373 and consider a revision to clarify the requirements in TSTF 454 and 446.

The NRC noted that it was taking a phased-approach to PRA quality, and that as the licensees and the agency becomes more sophisticated, the expectations for risk evaluations will increase.

Next, the use of the Electronic Information Exchange (EIE) was discussed, and the TSTF group stated that it would evaluate using EIE.

The TSTF group discussed its work with the Licensing Action Task Force (LATF). The goal was to encourage consistency and clarify and streamline processes for how to adopt bulk TSTFs or multiple TSTFs. The TSTF group stated that it was also suggesting changes to LIC-101 License Amendment Review Procedures on these topics.

The NRC Technical Specification Section identified a contact (ET) for LIC-101 changes and suggested bringing the topic up at the LATF meeting scheduled for November 7 through 9, 2005.

The NRC agreed to re-discuss the bulk TSTF adoption after the LATF meeting.

The TSTF Group mentioned that it had a new white paper on a process for T-Travelers. They also requested more guidance on how to proceed with T-Travelers, and how to convert them to approved A travelers. TSTF-471-T was mentioned as a specific example of a T-Traveler which the TSTF group would like to CLIP.

Next, the NRC and the TSTF Group discussed how to improve the web pages maintained by the NRC and by Excel Services. Items included expanded on-line commenting for TSTFs. Excel planned on upgrading its website January 2006. It was agreed that David Roth (NRC) and Brian Mann (Excel) would continue discussions on website improvements outside of the meeting.

The TSTF Group requested that the NRC endorse the Writer's Guide for Plant-Specific Improved Technical Specifications, TSTF-GG-05-01. The NRC agreed to endorse the Writers Guide by placing it on the NRC web-site.

The attendees then discussed the status of CLIPs. The TSTF group planned on providing the NRC with a top-10 list of items for CLIPs, and the NRC reported that it was working on getting CLIPs for TSTF 360 and for TSTF 454. The TSTF was to work with Robert Clark (NRC) and Matt McConnell (NRC) to outline requirements for the NRC to approve TSTF 360.

The meeting next involved RIS 2005-10 "Revision to Guidance Formerly Contained in NRC Generic Letter 91-18, "Information to Licensees regarding Two NRC Inspection Manual Sections on Resolution of Degraded and Nonconforming Conditions and on Operability." The TSTF group stated that the RIS was seen as more restrictive and contrasting to previous NRC positions because of a new definition of specified safety function which incorporated current licensing basis and beyond design basis issues.

Next, RIS 2005-05 "NRC Regulatory Issue Summary 2005-05: Regulatory Issues Regarding Criticality Analyses for Spent Fuel Pools and Independent Spent Fuel Storage Installations" was discussed. A concern was that the RIS suggested that sites request new TS to address spent fuel concerns, and the TSTF group did not believe that the requirement was appropriate for Tech Specs or required by 10 CFR 50.36. As a collateral issue, the TSTF group noted that the Tech Specification Section was not required by a formal process to be involved with a RIS. The Tech Specification Section suggested that the TSTF group bring the issue up at the LATF meeting in November.

The TSTF group reported that a subcommittee was reviewing a GE Part 21 issue involving Safety Limits and MCPR.

The TSTF group reported that it hoped to have a TSTF Traveler on setpoints submitted by early December.

The TSTF group discussed TSTF 448 Control Room Habitability. The group was concerned that the TSTF was being delayed while more restrictive amendments were being issued, in part because of testing requirements associated with TSTF 448. The NRC agreed to look into 448's status.

The TSTF Group and the NRC then discussed the status of the 32 open TSTFs in terms of tracking, who has the action, when actions are expected to be done, and other administrative topics. The TSTF's Active Travelers Status Report dated October 12, 2005 (Enclosure 4) was used to facilitate the discussion; the NRC's internal tracking document was not distributed to the TSTF.

Last, the TSTF Group and the NRC tentatively agreed on February 23, 2006 for the next TSTF-Status Meeting.

The meeting was open to the public, but no members of the public attended so Public Meeting Feedback forms were not received.

## ACTION ITEMS

The TSTF Group identified the following items as Action Items:

1. TSTF via Excel to commence using Electronic Submittals via EIE.
2. TSTF Group to ensure that Topical Reports which affect Tech Specs are sent to the Technical Specification Section.
3. TSTF Group to consider a letter addressing NRC policy of no generic fee exemptions.
4. TSTF Group to evaluate if TSTF 373 requires a revision to clarify the requirements of TSTF 454 and TSTF 446 after publication of TSTF 454 and TSTF 446.
5. Excel will provide the Technical Specification Section (Eric Thomas) with copies of information provided to the LATF for process improvement.
6. Excel and NRC (Roth) to review Excel website information with regard to SEs in order to develop model SE.
7. TSTF to provide additional information and suggestions on NRC's website by end of 2005.
8. Excel to conduct revision of website by end of Jan 2005.
9. TSTF to resend STS Rev. 3.1 with TSTF 439 a.s.a.p.
10. Excel to review use of online commenting to travelers as it applies to Setpoint Methodology TSTF by end of Jan 2006.
11. Excel to update system for all travelers by January 2006 for its next website upgrade.
12. TSTF to add CLIP on license condition violation reporting to the CLIP list.
13. TSTF to consider providing a CLIP for TSTF 360 that outlines NRC requirements.
14. TSTF to identify by 12/05 the TSTFs from 1-399 that would be appropriate for CLIP.
15. TSTF to discuss with LATF how NRC assures Tech Spec Branch is involved with reviews of generic correspondence related to Tech Specs (related to RIS 2005-05).

The NRC Agreed to the following:

1. Modify model applications and SEs to show compliance requirements for the SE approval of the Topical Report or relevant aspects of TSTFs (starting with TSTF 454). (Roth)
2. Provide the industry with the opportunity to review changes to model SEs. Procedure being developed by ITSB by end of 2005. (ALL)
3. Provide recommendations for improvements to Excel's website by October 31, 2005. (ROTH)
4. Consider endorsement of Writer's Guide by putting it on NRC web page by Feb 2006. (Roth)
5. Review TSTF 409 and TSTF 454 for CLIP incorporation by Feb 2006. (ROTH/HARBUCK)
6. Assign contact for LIC-101 changes incorporating new ITSB processes by Feb 2006. (THOMAS)
7. Work with Excel on NRC web page improvements by Feb 2006. (ROTH)
8. Work to outline TSTF 360 issues by end of Jan 2006. (CLARK)
9. Complete review of TSTF 448 Rev 2 by Oct 2006. (HARBUCK)

## NRC'S HANDOUT ON FEES

### OVERVIEW OF THE NRC FEE WAIVER PROCESS

#### INSTANCES WHERE THE FEE WAIVER MAY BE GRANTED

§ 10 CFR 170.11 states:

(A) No application fees, license fees, renewal fees, inspection fees, or special project fees shall be required for:

- 7 instances, cited as paragraphs (1) to (12). (Some paragraph #s are reserved for future)
- Paragraph (1), "A special project that is a request/report submitted to the NRC..", is invoked most often by NRC and the licensees to determine if a fee waiver request should be granted.

(b)(1) The Commission may, upon application by an interested person, or upon its own initiative, grant such exemptions from the requirements of this part as it determines are authorized by law and are otherwise in the public interest.

(2) Applications for exemption under this paragraph may include activities such as, but not limited to, the use of licensed materials for educational or noncommercial public displays or scientific collections.

To receive a fee exemption, a requestor has to demonstrate that the document submitted for NRC review is specifically for the purpose of supporting NRC's generic regulatory improvements. Fees will not be waived for reviews that primarily benefit the organization submitting the request/report.

In addition, under § 10 CFR 170.11(a)(1)(iii)(A)(3), The fee exemption is requested in writing to the Chief Financial Officer in accordance with 10 CFR 170.5, and the Chief Financial Officer grants this request in writing.

#### INSTANCES WHERE THE FEE WAIVER IS NOT GRANTED

§ 10 CFR 170.11(a)(1)(iii) states:

(C) Fees will not be waived for reports/requests that are not submitted specifically for the purpose of supporting the NRC's generic regulatory improvements or efforts, because the primary beneficiary of the NRC's review and approval of such documents is the requesting organization. In this case, the waiver provision does not apply even though the NRC may realize some benefits from its review and approval of the document.

(D) An example of the type of document that does not meet the fee waiver criteria is a topical report submitted for the purpose of obtaining NRC approval so that the report can be used by the industry in the future to address licensing or safety issues.

## OVERVIEW OF THE FEE WAIVER PROCESS

### RECENT EXAMPLES

In the past, NRC granted fee exemptions for proposals to revise standard technical specifications (now known as travelers). Those proposals were used by the NRC to make generic regulatory improvements. Those regulatory improvements are complete for the most part, and any new proposed traveler(s) is subject to fees unless the NRC determines the fee exemption criteria at 10 CFR 170.11 are met.