December 14, 2006

Technical Specifications Task Force (TSTF)
11921 Rockville Pike, Suite 100
Rockville, MD 20852

SUBJECT: TSTF TRAVELER 493, REVISION 1,493, REVISION 1, "CLARIFY APPLICATION OF SETPOINT METHODOLOGY FOR LSSS FUNCTIONS." DOCKET NO: PROJ0753, TAC MD3180 DOCKET NO: PROJ0753, TAC #MD3180

Dear Members of the TSTF:

By letter dated October 2, 2006 (ML0634701712), you requested the Nuclear Regulatory Commission (NRC) review TSTF-493, Revision 1, "Clarify Application of Setpoint Methodology for LSSS Functions" and make the approved traveler available under the Consolidated Line Item Improvement Process (CLIIP).

By letter dated December 12, 2006 (ML0634701712), the TSTF requested that NRC delay its review of TSTF-493 until February 16, 2007, to allow the TSTF the opportunity to submit a revision to the TSTF to address several issues raised by the NRC Staff during its acceptance review. The purpose of this letter is to grant your request. In doing so, the NRC will close TAC MD3180. A new TAC number will be opened when the TSTF submits the revision to TSTF-493, Revision 1.

Your October 2, 2006, letter requested a fee exemption for TSTF-493. Section 170.21 of Title 10 of the Code of Federal Regulations requires that TSTF Travelers be subject to fees based on the full cost of the review. Your request for a fee exemption was approved for TSTF-493, Revision 0. The content of TSTF-493, Revision 1 has changed the scope of the technical specifications previously addressed in revision 0; however, the purpose and subject matter are unchanged therefore TSTF-493, Revision 1, "Clarify Application of Setpoint Methodology for LSSS Functions." Docket No: PROJ0753, TAC MD3180 staff hours and the contractor cost, if applicable, are also waived per your request. Any future revisions to TSTF-493 will also be fee exempt.

To assist you in revising TSTF-493, Revision 1 the NRC Staff identified the following issues during its initial acceptance review of the October 2, 2006 submittal. These issues should be addressed in Revision 2 of TSTF-493:

1. The TSTF requests that the approved version of TSTF-493 be made available to licensees using the CLIIP process. CLIIP model SEs require a regulatory basis statement for each SL related LSSS TS change proposed to be made to the current Standard Technical Specifications (STS). TSTF-493, Revision 1 should be revised to document a regulatory basis for differentiating between STS instrument functions identified as limiting safety system settings (LSSSs) related to reactor core or reactor coolant pressure boundary safety limits (SLs) from functions not related to SLs.

2. The scope of SL LSSSs functions for pressurized water reactor designs includes emergency core cooling systems functions, whereas, SL LSSSs for boiling water reactor designs does not include emergency core cooling safety system functions. The reasons for the differences in the scope of content was not explained.

3. STS are published for each of the five reactor types. Instrumentation requirements for each reactor type contain instrument functions that are representative of the reactor type. In identifying the scope of instrument functions of a reactor type that are SL LSSSs, TSTF-493, Revision 1 includes only those that are common to all licensees with a particular reactor type. These instrument functions are a selected subset of functions which are representative of the reactor type.

   The NRC Staff is interested in efficient use of its resources and efficient processing of license amendment requests (LARs). Such efficiencies can be realized using a CLIIP TSTF traveler. However, applying a CLIIP to the approved version of TSTF-493 requires all possible LSSSs for a reactor type be identified. LARs made available under the CLIIP are efficient because the process utilizes a generic, stream-lined review by the NRC technical staff. Thus, when an CLIIP TSTF license application request is made, and the LAR is within the scope of both the approved TSTF and the model application, then the NRC project manager process the application relying on the previous approval of the technical content of the applications with minimal additional interactions with the technical branches involved with approving a CLIIP TSTF traveler. Otherwise, an application that deviates from a CLIIP TSTF traveler, is viewed as a non-CLIIP application, and the application is processed through the normal LAR review process, meaning the cognizant NRC technical branches provide SE input, as appropriate, for each TS change request.

4. TSTF-493, Revision 1, Page 2. Proposed Note 2 does not specify that the note will include the location of the LSSS values by referencing the plant-specific document, by name. Rather, Note 2 allows the location to be in any document controlled by 50.59. In this regard, such a note would not prohibit moving the location of the LSSS among documents subject to 50.59. Note 2 does not establish technical specification LSSSs that are consistent with 1 CFR 50.36(c)(2)(ii).

5. TSTF-493, Revision 1, page 3 contains the following statement:

   > "The requirement for the LSSS to be in the Technical Specifications is met by specifying that the Allowable Value in the Specifications is the least conservative value of the as-found setpoint that a channel can have during testing along with requiring that the [LTSP] and the methodologies for determining the as-found and as-left tolerances must be located in a document controlled under 10 CFR 50.59, such as the UFSAR."

   10 CFR 50.36(c)(2)(ii) requires that technical specifications contain LSSS related to protecting SLs. The requirement for the LSSS to be in the technical specifications can only be met by specifying the LSSS in the TS or alternatively, naming the plant-specific document that will contain the LSSS in the TS. TSTF-493, Revision 1 technical

specifications should specify the name of the document controlled under 10 CFR 50.59 which will contain the LSSS. Refer to item 4 above.

6. TSTF-493, Revision 1, Page 3 contains the following statement:

> "The TS will specify that the [LTSP] and the methodologies for determining the as-found and as-left tolerances must be in a document controlled under 10 CFR 50.59. The Bases use the bracketed phrase, "[a document controlled under 10 CFR 50.59]" and the licensee will insert the name of the plant-specific document that contains the information. Placing the name of the document directly in the TS was considered but was not adopted because (1) placing the name of the document in the TS would confuse whether the document was incorporated by reference and controlled under 10 CFR 50.90, (2) would prevent licensees from exercising appropriate control of the document's title and location of the information under 10 CFR 50.59, (3) is consistent with the ITS format and content rules, and (4) prevents the need to expend unnecessary licensee and NRC resources to revise the TS should the document name change."

For reasons discussed above in item 4, this guidance cannot be given as an acceptable basis for establishing LSSSs in technical specifications as required by 10 CFR 50.36(c)(2)(ii).

7. TSTF-493, Revision 1, Page 3, paragraph 3, 1st sentence makes the statement:

> "....the determination of the functionality of the instrument must be performed prior to returning the channel to service when the channel is found conservative with respect to the Allowable Value but outside the predefined tolerance (as-found tolerance)."

The NRC staff inspection guidance for operability determinations, "Operability Determination and Functionality Assessments for Resolution of Degraded or Nonconforming Conditions Adverse to Quality or Safety" (Attachment to RIS 2005-20), specifically reserves the term "functionality" assessment for structures, systems and components not in technical specifications. TSTF-493, Revision 1 and Bases changes to the NUREGs -1430 thru 1434 should be made to be consistent with terminology as applied in the NRC RIS 2005-20 guidance.

8. TSTF-493, Revision 1, Page 5, item 5, states that the AV protects the AL. This position is not an accurate statement for describing how the AV is used in assessing instrument operability within the context of setpoint methodologies. The AV is the upper limit of an instrument setting, beyond which the instrument is inoperable. The AV alone may not in all instances verify that the AL and SL are still protected at the time of surveillance since an instrument may be in a degraded condition and still meet the AV.

9. TSTF-493, Revision 1, Page B 3.3.1-13 of NUREGs 1430 thru 1434 discuss that limiting trip setpoint (LTSP) in accordance with the AV ensure that the SL are not violated

during anticipated operational occurrences (AOOs) or design basis accidents (DBA). This statement should be corrected. The LTSP in combination with the As-Found and the As-Left Values protect the SL to ensure that the SL are not violated during AOOs or DBA. The AV is the upper limit (for settings that trip on increasing values) of an instrument setting, beyond which the instrument is inoperable.

10. TSTF-493, Revision 1 does not develop criteria to ensure that non-SL related LSSS functions will meet the 50.36 requirement to be operable and to "function as required" between channel adjustments. The staff has accepted that the criteria for these functions may be in a document other than TS. However, criteria for non-SL LSSS should be discussed in the TS bases to ensure the basis for operability for these functions can be discerned from the criteria used for SL-related LSSS. This is a completeness issue for development of TSTF-493, Revision 1. The NRC Staff recommends that non-SL bases discussion should be similar to discussion on notes added to the SL related function.

Carl Schulten (301-415-1192; Email: css1@nrc.gov) is the Technical Specifications Branch project lead. Please contact Mr. Schulten if you have any questions regarding this letter. Ross Telson should be contacted at (301) 415-2256 or rdt@nrc.gov if you need further information in connection with the TSTF traveler review process or other ongoing TSTF traveler reviews.

Sincerely,

/RA/

Timothy J. Kobetz, Chief
Technical Specifications Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc: P. Infanger, PWROG/B&W (paul.infanger@pgnmail.com)
B. Woods, PWROG/CE (woodsbl@songs.sce.com)
W. Sparkman, PWROG/W (wasparkm@southernco.com)
M. Crowthers, BWROG (mhcrowthers@pplweb.com)
D. Hoffman, EXCEL (donaldh@excelservices.com)
B. Mann, EXCEL (brianm@excelservices.com)

during anticipated operational occurrences (AOOs) or design basis accidents (DBA). This statement should be corrected. The LTSP in combination with the As-Found and the As-Left Values protect the SL to ensure that the SL are not violated during AOOs or DBA. The AV is the upper limit (for settings that trip on increasing values) of an instrument setting, beyond which the instrument is inoperable.

10. TSTF-493, Revision 1 does not develop criteria to ensure that non-SL related LSSS functions will meet the 50.36 requirement to be operable and to "function as required" between channel adjustments. The staff has accepted that the criteria for these functions may be in a document other than TS. However, criteria for non-SL LSSS should be discussed in the TS bases to ensure the basis for operability for these functions can be discerned from the criteria used for SL-related LSSS. This is a completeness issue for development of TSTF-493, Revision 1. The NRC Staff recommends that non-SL bases discussion should be similar to discussion on notes added to the SL related function.

Carl Schulten (301-415-1192; Email: css1@nrc.gov is the Technical Specifications Branch project lead. Please contact Mr. Schulten if you have any questions regarding this letter. Ross Telson should be contacted at (301) 415-2256 or rdt@nrc.gov if you need further information in connection with the TSTF traveler review process or other ongoing TSTF traveler reviews.

Sincerely,
/RA/

Timothy J. Kobetz, Chief
Technical Specifications Branch
Division of Inspection and Regional Support
Office of Nuclear Reactor Regulation

Enclosure:
As stated
cc: P. Infanger, PWROG/B&W (paul.infanger@pgnmail.com)
B. Woods, PWROG/CE (woodsbl@songs.sce.com)
W. Sparkman, PWROG/W (wasparkm@southernco.com)
M. Crowthers, BWROG (mhcrowthers@pplweb.com)
D. Hoffman, EXCEL (donaldh@excelservices.com)
B. Mann, EXCEL (brianm@excelservices.com)

DISTRIBUTION:
ITSB r/f ITSB Staff
RidsNrrAdro RidsNrrDirsItsb

ADAMS ACCESSION NO: ML063450324

OFFICE	ITSB:DIRS	ITSB:DIRS	BC:ITSB:DIRS
NAME	CSchulten	RDTelson	TJKobetz
DATE	12/14/06	12/14/06	12/14/06

OFFICIAL RECORD COPY