

TSTF

TECHNICAL SPECIFICATIONS TASK FORCE  
A JOINT OWNERS GROUP ACTIVITY

September 17, 2007

TSTF-07-28  
PROJ0753

Chief, Rulemaking, Directives, and Editing Branch  
Division of Administrative Services  
Office of Administration  
Mail Stop: T-6 D59  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

8/16/07  
72FR 46103  
(1)

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2007 SEP 19 PM 4:00

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SUBJECT: Technical Specification Task Force (TSTF) Response to the August 16, 2007 Federal Register Notice, "Notice of Opportunity to Comment on Model Safety Evaluation on Technical Specification Improvement to Revise Control Rod Notch Surveillance Frequency, Clarify SRM Insert Control Rod Action, and Clarify Frequency Example"

Enclosed for NRC consideration are comments prepared by the Technical Specification Task Force (TSTF) on the subject August 16, 2007 Federal Register Notice on TSTF-475, Revision 1, "Control Rod Notch Testing Frequency and SRM Insert Control Rod Action."

Should you have any questions, please do not hesitate to contact us.

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Enclosure

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*SOUSI Review Complete*

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*Template = ADM-013*



*F-REDS = ADM-03  
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**Technical Specification Task Force (TSTF) Response to the August 16, 2007 Federal Register Notice, "Notice of Opportunity To Comment on Model Safety Evaluation on Technical Specification Improvement To Revise Control Rod Notch Surveillance Frequency, Clarify SRM Insert Control Rod Action, and Clarify Frequency Example"**

1. TSTF-475 contains three changes: The revision to SR 3.1.3.2 which is applicable to NUREG-1433 and NUREG-1434 (the Improved Standard Technical Specifications, or ISTS, for BWR/4 and BWR/6 plants), the change to Specification 3.3.1.2, Required Action E.2 which is applicable to NUREG-1434 (the ISTS for BWR/6 plants), and the change to Example 1.4-3 which is applicable to NUREG-1430 through -1434 (the ISTS for all plant types). The applicability of the third change to all plant types is clearly indicated on the Traveler cover page and in the justification (last paragraph of Section 2.0, "Proposed Change.") However, the Notice for Comment, model Safety Evaluation, model application, and No Significant Hazards Considerations Determination (NSHC) incorrectly state that TSTF-475 is only applicable to BWR plants.

The Notice, the model application, model Safety Evaluation, and NSHC should be revised to state that the change to Example 1.4-3 is applicable to all plant types. The model Safety Evaluation, model application, and NSHC should be revised to bracket (e.g., indicate as optional) the BWR/4 and BWR/6 specific changes so that the documents are applicable to a BWR/6 plant adopting all three changes, a BWR/4 plant adopting the SR 3.1.3.2 and Example 1.4-3 changes, or a pressurized water reactor (PWR) plant adopting only the Example 1.4-3 change.

2. In Section 3.0, "Technical Evaluation," of the Notice, reference is made three times to the "BWROG TSTF" or "BWROG TSTF-475." The Technical Specifications Task Force (TSTF) is sponsored by the Boiling Water Reactor Owners Group and the Pressurized Water Reactor Owners Group. The proper designation is either "TSTF" or "Owners Group TSTF."
3. In Section 3.0, "Technical Evaluation," the model Safety Evaluation states, "Therefore, the NRC staff finds the change acceptable with the commitment to implement GE water quality for the CRD system recommendations." In the model application, a regulatory commitment is included which states, "[LICENSEE] will establish the water quality controls as recommended by SIL No. 148, Water Quality Control for the Control Rod System," September 15, 1975." This commitment should be removed.

The TSTF's justification for TSTF-475 made no mention of and did not rely on water quality controls. The TSTF's July 3, 2006 response to the NRC's March 21, 2003 Request for Additional Information (RAI) did not credit water chemistry controls. As stated in the justification and the Staff's model Safety Evaluation, 30 years of operating experience at BWRs without a control rod drive failure detected by the weekly notch testing is sufficient to demonstrate the acceptability of the change.

The reference is technically incorrect. Supplement 1 to SIL No. 148 was issued in June 2004 and updates the SIL to bring it into alignment with current Electric Power Research Institute (EPRI) BWR water chemistry requirements, which were in conflict with the 1975 version of SIL.

The NRC's Technical Evaluation in the draft Safety Evaluation did not reference SIL No. 148 (either the 1975 version or the current version).

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It is not appropriate for the NRC to require commitments to documents that were not relied on in the licensee's application, were not reviewed by the NRC, and were not discussed in the NRC's technical evaluation. Therefore, the reference to water chemistry controls in the model Safety Evaluation and the commitment in the model application should be removed.

4. Model Application: Attachment 5, "Proposed Technical Specification Bases," should be marked as optional. There are no Bases changes associated with the PWR-applicable changes to Section 1.4. Furthermore, the Bases changes associated with TSTF-475 simply reflect the changes made to the specifications. It should be left to the licensee whether to submit Bases changes with the amendment request. The third paragraph omits Attachment 5, which is shown in the list of attachments below the signature. Attachment 3, "Proposed Technical Specification Pages," should also be marked as optional as not all licensee's submit retyped Technical Specification pages as attachments to their amendment requests.
5. Model Application: The Model Application states, "I declare under penalty of perjury under the laws of the United States of America that I am authorized by [LICENSEE] to make this request and that the foregoing is true and correct." This statement is not consistent with the recommended statement given in RIS 2001-18, "Requirements for Oath or Affirmation." RIS 2001-18 recommends the statement, "I declare [or certify, verify, state] under penalty of perjury that the foregoing is true and correct." Note that RIS 2001-18 states that this statement must be used verbatim. We recommend that the Model Application be revised to be consistent with RIS 2001-18.
6. Attachment 4: The regulatory commitment states "[LICENSEE] will establish the Technical Specification Bases for [TS B 3.1.3, TS B 3.1.4, and TS B 3.3.1.2] as adopted with the applicable license amendment." This statement is incorrect as the Bases changes included for information with the license amendment request are not "adopted" with the license amendment. Bases changes are made under licensee control under the Technical Specification Bases Control Program. We recommend revising the commitment to state "[LICENSEE] will implement Technical Specification Bases for TS [3.1.3, 3.1.4, and 3.3.1.2] consistent with those shown in TSTF-475, Revision 1, 'Control Rod Notch Testing Frequency and SRM Insert Control Rod Action'." The commitment should also be marked as optional consistent with Comments 1 and 4, as the PWR-applicable change to Section 1.4 has no associated Bases changes.
7. Model NSHC: To be consistent with 10 CFR 50.91(a), the title of Criterion 2 should be revised to add the word "Accident" before "Previously Evaluated." Specifically, it should state, "The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident from any Accident Previously Evaluated."