

TSTF

TECHNICAL SPECIFICATIONS TASK FORCE
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SUBJECT: Technical Specification Task Force (TSTF) Response to the February 4, 2008 Federal Register Notice, "Notice of Opportunity to Comment on Model Safety Evaluation on Technical Specification Improvement to Revise Containment Isolation Valve Completion Times (TSTF-498, Revision 1) Using the Consolidated Line Item Improvement Process"

Enclosed for NRC consideration are comments prepared by the Technical Specification Task Force (TSTF) on the subject February 4, 2008 Federal Register Notice on TSTF-498, Revision 1, "Risk-Informed Containment Isolation Valve Completion Times (BAW-2461)."

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

Bert Yates

Bert Yates (PWROG/W)

John Messina

John Messina (BWROG)

David Bice

David Bice (PWROG/CE)

Reene' Gambrell

Reene' Gambrell (PWROG/B&W)

Enclosure

cc: Gerald Waig, Technical Specifications Branch, NRC
Matthew Hamm, Technical Specifications Branch, NRC

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Template = ADM-013*

11921 Rockville Pike, Suite 100, Rockville, MD. 20852
Phone: 301-984-4400, Fax: 301-984-7600
Email: tstf@excelservices.com
Administered by EXCEL Services Corporation

E-RIDS = ADM-03



Call = T. Kobetz (TJK1)

Technical Specification Task Force (TSTF) Response to the February 4, 2008 Federal Register Notice for Comment on TSTF-498, Revision 1, "Risk-Informed Containment Isolation Valve Completion Times (BAW-2461)"

Comment on the Proposed Safety Evaluation

1. Section 2.0, "Regulatory Evaluation," second paragraph, of the proposed Safety Evaluation states, "Therefore, the NRC staff must be able to conclude that there is reasonable assurance that the safety functions affected by the proposed TS CT changes will be performed in accordance with the design basis accidents (DBAs) identified in Chapter 15 of the licensee's final safety analysis report (FSAR)."

The TSTF disagrees with the technical accuracy of this statement. The Technical Specification Limiting Conditions for Operation (LCOs) are based on providing "reasonable assurance that the safety functions ... will be performed in accordance with the design basis accidents (DBAs) identified in Chapter 15 of the licensee's final safety analysis report (FSAR)." When an LCO is not met, the Required Actions are required to be followed within the specified Completion Times. By definition, when an LCO is not met, the safety functions cannot be performed as identified in Chapter 15 of the FSAR. We recommend that the sentence be deleted. This sentence is unnecessary as it only expands on a previous statement that there must be reasonable protection of public health and safety during the proposed Completion Times.

Comments on the Model Application

1. Section 3.2, "Verification and Commitments," first paragraph, of the model application states, "[LICENSEE] verifies the applicability of TSTF-498, Revision 1, to [PLANT], and commits to adopting the requirements specified in BAW-2461-A which includes the following Limitations and Conditions specified in Section 4.1, Staff Findings and Conditions and Limitations, of the NRC's Safety Evaluation for BAW-2461 (ML072330227)." The section then repeats the eleven conditions in the NRC's Safety Evaluation for BAW-2461.

This approach is inconsistent with previous CLIP model applications and other license amendments that are based on the technical justification provided in a Topical Report. Licensees do not typically repeat, verbatim, conditions on NRC approval of a Topical Report in a license amendment request. Furthermore, the proposed text adds no value as it states the conditions without addressing how the conditions are satisfied by the license amendment request.

The TSTF recommends that the quoted sentence, above, be revised to delete the word "following" in the phrase "the following Limitations and Conditions," and that the listing of the eleven conditions be removed from the model application.

We recommend that the discussion of the eleven conditions in the model Safety Evaluation be expanded to include a discussion of how each Limitation and Condition is addressed.

- For those Limitations and Conditions that require verification of the applicability of information in the Topical Report and the Safety Evaluation (i.e., Conditions 1, 2, 3, 4, 5, 7, 9, 10, 11), the revised sentence provides the necessary affirmative statement.

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- For those Limitations and Conditions addressed by the Technical Specification provisions in TSTF-498 (i.e., Condition 4, bullets 1 and 3, Condition 6), the model Safety Evaluation should discuss how the Condition is satisfied by the proposed Technical Specification requirements.
- For those Limitations and Conditions that state that the licensee must discuss a topic in their submittal (i.e., Conditions 5, 8), either an affirmative statement should be added to the model application confirming that the Limitation and Condition is met or guidance should be provided on what information must be included. Note that Limitation and Condition 5 is addressed below by a proposed commitment.

Particular attention should be paid to ensuring that the model application, when used as the basis for a plant-specific license amendment request, can be processed by the NRC under the CLIIP.

2. Section 4, "Environmental Evaluation," of the model application states that the NRC staff's environmental evaluation is applicable and is submitted as an attachment to the application. Submitting a copy of the NRC staff's environmental evaluation as an attachment to the license amendment request is inconsistent with previous CLIIP items and serves no purpose since the amendment request has already stated that the environmental evaluation is applicable.

The TSTF recommends that Section 4 be revised to be consistent with earlier CLIIP model applications, similar to, "[LICENSEE] has reviewed the environmental evaluation included in the safety evaluation (SE) published on [DATE] ([] FR []) as part of the CLIIP Notice of Availability. [LICENSEE] has concluded that the staff's findings presented in that evaluation are applicable to [PLANT, NO.] and the evaluation is hereby incorporated by reference for this application."

3. Attachment 4, "List of Regulatory Commitments," contains an example table with no commitments listed. This is inconsistent with other CLIIP model applications, which list any needed commitments. By not specifying whether any commitments are needed or what those commitments might be, the NRC is making it unlikely that any application submitted following the model application can be processed by the NRC under the CLIIP.

The TSTF identified the following commitments that are appropriate to include in the model application. This is consistent with previous CLIIP model applications for risk informed Completion Times and with the proposed Safety Evaluation.

Regulatory Commitment	Due Date / Event
[LICENSEE] commits to implement Bases consistent with the Bases provided in TSTF-498 under the Technical Specification Bases Control Program.	Concurrent with the implementation of a license amendment based on TSTF-498.

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Regulatory Commitment	Due Date / Event
[LICENSEE] commits to implementing a methodology for assessing the effect on large early release frequency (LERF) and incremental conditional large early release probability (ICLERP) when utilizing the extended CIV CTs in the program for managing risk in accordance with 10 CFR 50.65(a)(4).	Concurrent with the implementation of a license amendment based on TSTF-498.
[LICENSEE] commits to the guidance of NUMARC 93-01, Revision 2, Section 11, which provides guidance and details on the assessment and management of risk during maintenance.	Ongoing commitment