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Nuclear L.L.C.

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U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Hope Creek Generating Station
Facility Operating License No. NPF-57
NRC Docket No. 50-354

Subject: **RESPONSE TO RAI - REQUEST FOR CHANGE TO TECHNICAL SPECIFICATIONS REGARDING MODE CHANGE LIMITATIONS USING THE CONSOLIDATED LINE ITEM IMPROVEMENT PROCESS (CLIP), TSTF-359**

Reference (1) Letter from PSEG to NRC: "Request for Change to Technical Specifications Regarding Mode Change Limitations Using the Consolidated Line Items Improvement Process (CLIP)," dated January 5, 2009

In Reference 1, PSEG Nuclear LLC (PSEG) submitted a license amendment request for the facility operating license listed above. The request would modify Technical Specification (TS) requirements for mode change limitations in TS 3.0.4 and 4.0.4, using the Consolidated Line Item Improvement Process (CLIP) described in NRC approved industry Technical Specification Task Force (TSTF) change TSTF-359, Revision 9.

The NRC provided PSEG a Request for Additional Information (RAI) on the license amendment request. The response to the RAI is provided in Attachment 1 to this submittal.

No regulatory commitments are contained in this submittal.

If you have any questions or require additional information, please do not hesitate to contact Mr. Jeff Keenan at (856) 339-5429.

AOD
NRR

JUN 09 2009

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 6/9/09
(Date)

Sincerely,



George P. Barnes
Site Vice President
Hope Creek Generating Station

Attachments (1)

S. Collins, Regional Administrator - NRC Region I
R. Ennis, Project Manager - USNRC
NRC Senior Resident Inspector - Hope Creek
P. Mulligan, Manager IV, NJBNE
Commitment Coordinator – Hope Creek
PSEG Commitment Coordinator - Corporate

REQUEST FOR ADDITIONAL INFORMATION
REGARDING PROPOSED LICENSE AMENDMENT
MODE CHANGE LIMITATIONS
HOPE CREEK GENERATING STATION
DOCKET NO. 50-354

By application dated January 5, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML090130384), PSEG Nuclear LLC (PSEG or the licensee) submitted a license amendment request for the Hope Creek Generating Station (HCGS). The proposed amendment would modify Technical Specifications (TS) requirements for mode change limitations in accordance with Revision 9 of Nuclear Regulatory Commission (NRC)-approved TS Task Force (TSTF) change TSTF-359, "Increase Flexibility in Mode Restraints."

In a *Federal Register* notice dated April 4, 2003 (68 FR 16579), the NRC staff issued a notice of availability of a model application for proposed license amendments adopting TSTF-359 using the consolidated line item improvement process (CLIIP). The notice also included a model safety evaluation (SE). In its application dated January 5, 2009, the licensee affirmed the applicability of the model SE.

The NRC staff has reviewed the information the licensee provided that supports the proposed amendment and would like to discuss the following issues to clarify the submittal.

QUESTION 1

- 1) Licensees interested in increasing flexibility in mode restraints by implementing Revision 9 of TSTF-359 must, as applicable, delete pre-existing limiting condition for operation (LCO) 3.0.4 exceptions in the current TSs. Deletion of pre-existing LCO 3.0.4 exceptions that contain plant-specific non-standard LCO 3.0.4 exceptions may result in TS requirements that are different from those justified by the CLIIP model SE (i.e., CLIIP SE is based on TSTF-359 changes to the Standard Technical Specifications (STS)).

HCGS LCO 3.6.3 provides the operability requirements for primary containment isolation valves (PCIVs). ACTION a.4 in LCO 3.6.3, which contains a plant-specific non-standard LCO 3.0.4 exception, would be deleted by the proposed amendment. ACTION a.4 states:

The provisions of Specification 3.0.4 are not applicable provided that within 4 hours the affected penetration is isolated in accordance with ACTION a.2, or a.3, above, and provided that the associated system, if applicable, is declared inoperable and the appropriate ACTION statements for that system are performed.

Provide further justification for the proposed deletion of ACTION a.4 in LCO 3.6.3. Specifically, demonstrate that the proposed amendment:

- a. Establishes a set of requirements that are equivalent to the current LCO 3.0.4 exception specified in ACTION a.4 of LCO 3.6.3; or
- b. Establishes a set of requirements that are equivalent to STS (NUREG-1433) LCO 3.6.1.3, Primary Containment Isolation Valves, ACTIONS Note 3, which states "Enter applicable Conditions and Required Actions for systems made inoperable by PCIVs;" or
- c. Establishes a set of requirements that ensures appropriate remedial actions are taken, if necessary, if the affected system(s) are rendered inoperable by an inoperable PCIV.

RESPONSE TO QUESTION 1

The proposed change to TS 3.6.3, as written, establishes a set of requirements that are equivalent to the current LCO 3.0.4 exception specified in ACTION a.4 of TS 3.6.3.

The effect of the "non-standard" 3.0.4 exception in HCGS TS 3.6.3 Action a.4 is identical to that of the "standard" exception. Consequently, deleting the "non-standard" exception in TS 3.6.3 is no different than deleting the "standard" exceptions elsewhere in TS. If the 3.0.4.b allowance is used for TS 3.6.3, compliance with Action a.2 or a.3 is still required (these Actions are not changed by the proposed amendment). This would also require meeting the Action requirements for any TS systems that are declared inoperable as a result of actions taken to comply with Action a.2 or a.3.

The NRC staff approved removal of a similar "non-standard" LCO 3.0.4 exception in TS 3.6.3 Action a.4 in Limerick Generating Station Amendments 169 and 132 (ADAMS ML040540817).

QUESTION 2

2) Section 3.1.1, "Temporary Risk Increases," of the model SE for the CLIP states, in part, that:

A major element that limits the risk of the proposed mode change flexibility is the exclusion of certain systems and associated LCOs for the mode change allowance. Technical specifications allow operation in Mode 1 (power operation) with specified levels of inoperability for specified times. This provides a benchmark of currently acceptable risk against which to measure any incremental risk inherent in the proposed LCO 3.0.4(b). However, the risk management process evaluated in Section 3.1.3 is adequate if higher risk systems/components are excluded from the scope of LCO 3.0.4(b).

The SE identified the following systems and components, applicable to BWR/4 plants, as higher-risk systems and components, when the plant is entering a new mode (excluding entering Mode 4).

- High Pressure Coolant Injection System
- Reactor Core Isolation Cooling System
- Diesel Generators (including other Emergency/Shutdown AC Power Supplies)
- Hardened Wetwell Vent System

Provide a plant-specific evaluation of the risk-importance of the Hardened Wetwell Vent System and the Emergency/Shutdown AC Power Supplies to show that they are not higher risk systems which should be excluded from the scope of LCO 3.0.4(b) to meet the SE findings contained in Section 3.1.3, "Risk Assessment and Risk Management of Mode Changes."

RESPONSE TO QUESTION 2

The EDGs in Modes 1, 2 and 3 are excluded from the scope of LCO 3.0.4.b in accordance with TSTF-359 as documented in LAR H08-06 (there are no other Emergency/Shutdown AC Power Supplies).

TS Actions do not apply to the Hardened Torus (Wetwell) Vent; this is acknowledged in the NRC response to Comment #9 in the Notice of Availability of the CLIIP (Federal Register Notice 68 FR 16579). The requirements of 10 CFR 50.65(a)(4) and guidance of NUMARC 93-01 would provide the appropriate considerations for determining the acceptability of, and risk management actions necessary to support the use of LCO 3.0.4.b with the Hardened Torus Vent System out of service.

QUESTION 3

- 3) Please address the following comment provided by the New Jersey (NJ) Bureau of Nuclear Engineering (BNE):

The proposed changes to the Bases pages (Attachment 4) state on the third page that "The LCO 3.0.4.b risk assessments do not have to be documented." The position of the NJ BNE is that documentation of these risk assessments is necessary in order to provide a method for verifying that these risk assessments address all risk concerns, are performed and reviewed correctly, are approved by the proper level of management, and will become a permanent record. Without documentation, any future inquiries as to a specific operational condition change that required a risk assessment would be severely hampered. Therefore, we suggest that the above quoted sentence be deleted from the proposed Bases pages.

RESPONSE TO QUESTION 3

The TSTF-359 proposed Bases correctly state that there is no regulatory requirement for documentation of each individual use of the risk assessment and risk management actions for use of LCO 3.0.4.b.

A licensee adopting this CLIP change is required to commit in the Bases to the Technical Specifications to follow Regulatory Guide 1.182. Regulatory Guide 1.182, "Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants," endorses NUMARC 93-01 Section 11. NUMARC 93-01, Section 11 requires that the risk assessment process be proceduralized. Section 11.3.9 states that the normal work control process suffices as a record that the assessment was performed and that it is not necessary to document the basis of each assessment. Normal PSEG practice is to document 3.0.4.b risk assessments, but adoption of the CLIP does not create a new regulatory requirement for documentation of risk assessments performed to comply with the requirements of 10 CFR 50.65(a)(4).

However, PSEG will remove the quoted sentence from the HCGS Bases (under the TS Bases Program, TS 6.15).

QUESTION 4

- 4) Section 3.1.1, "Temporary Risk Increases," of the model SE for the CLIP states, in part, that:

If a licensee identifies a higher-risk system for only some of the modes of applicability, the TS for that system would be modified by a note that reads, for example, "LCO 3.0.4(b) is not applicable when entering MODE 1 from MODE 2." Systems identified as higher risk for Modes 4 and 5 for BWRs, are also excluded from transitioning up to the mode of higher risk In addition, mode transitions for Modes 4 and 5 for BWRs, will be addressed by administrative controls.

The SE identified the Residual Heat Removal System for BWR/4 plants, as a higher-risk systems, when the plant is entering Mode 4. Address the use of administrative controls when entering Mode 4 for this system.

RESPONSE TO QUESTION 4

Entry into Mode 4 from Mode 5 is controlled by the Shutdown Safety Management Program (SSMP). The SSMP (PSEG Procedure OU-AA-103) is designed to meet the applicable requirements of 10CFR50.65(a)(4) and NUMARC 93-01, "Industry Guidance for monitoring the Effectiveness of Maintenance at Nuclear Power Plants". This is consistent with the TSTF analysis that expansion of the applicability of LCO 3.0.4 and SR 3.0.4 to the refueling and shutdown MODES and other specified conditions is considered acceptable, without explicit analysis and identification of higher risk systems,

because the risk in these MODES and other specified conditions are adequately assessed and managed by 10CFR50.65 (a)(4) and NUMARC 93-01.