

Burritt, Arthur

From: Burritt, Arthur *RI*
Sent: Wednesday, April 28, 2010 4:19 PM
To: Clifford, James
Subject: RE: Salem AFW Piping Testing

I understand and agree, I will keep you posted.

-----Original Message-----

From: Clifford, James
Sent: Tuesday, April 27, 2010 4:06 PM
To: Burritt, Arthur
Subject: RE: Salem AFW Piping Testing

Art,

Thanks - I'll let the dialogue continue, although my concern was, and is, that we have no regulatory document that provides an approved (by CRGR) staff position on this issue. Until then, I certainly understand our view, but we are hard pressed to impose our view on the industry (I believe 50.109 applies?

Please keep me posted.

Jim

-----Original Message-----

From: Burritt, Arthur *RI*
Sent: Tuesday, April 27, 2010 1:09 PM
To: Ennis, Rick
Cc: Clifford, James
Subject: RE: Salem AFW Piping Testing

Please call me ASAP, I would like to set up an internal conference call.

-----Original Message-----

From: Ennis, Rick *RRR*
Sent: Tuesday, April 27, 2010 11:40 AM
To: Conte, Richard
Cc: Elliott, Robert; OHara, Timothy; Tsao, John; Lupold, Timothy; Manoly, Kamal; Burritt, Arthur; Cahill, Christopher; Schmidt, Wayne; Chernoff, Harold; Schulten, Carl; Cline, Leonard; Schroeder, Daniel; Balian, Harry; Honcharik, Michelle; Bowman, Eric; Miller, Barry
Subject: Salem AFW Piping Testing

Rich,

As follow-up to our discussion this morning regarding the Salem AFW piping pressure tests required by IWA-5244 and Salem surveillance requirement (SR) 4.0.5, I did some research on the NRC staff position related to whether the missed surveillance provisions of Salem SR 4.0.3 are applicable to surveillances which have never been performed (i.e., versus surveillances that were "missed").

The Pilgrim TIA dated 1/23/09 (ML083660174) states that "the NRC staff's position is that a missed SR is different than an SR that was never performed." Some of the key points in the TIA supporting this position are as follows:

- 1) Use of the word "frequency" [in SR 4.0.3] establishes an interval, a period of time, that includes an initial performance of the SR, and a specified time period to re-perform the SR thereafter, i.e., to repeat the surveillance.
- 2) SRs are performed at frequencies that are more often than the mean-time to failure of particular systems. Thus, most SRs confirm that SSCs are operable given an operable finding at the previous testing interval.

On 2/24/09 a public meeting was held between the NRC staff and the industry Technical Specification Task Force (TSTF). As discussed in the meeting summary dated 3/24/09 (ML090700535):

"The TSTF began a discussion of SR 3.0.3 [SR 3.0.3 for Standard Technical Specifications (STS) is same as SR 4.0.3 for Salem] and stated that a SR that has never been performed should be treated like a missed SR. The staff stated that a missed SR is not the same as a never performed SR, therefore SR 3.0.3 can not be applied to a never performed SR. The TSTF stated that it does not agree with a December 2008 TIA on the subject. The TSTF stated that a TIA from 1992 conflicts with the December 2008 TIA. The staff requested that the TSTF forward a copy of the 1992 TIA to NRC. The TSTF stated that licensees must state why they feel the system will pass a SR in order to ask for an SR 3.0.3 extension for a portion of a system that has never been tested. The staff agreed with the TSTF that a framework for treatment of "never performed SRs" could be developed. The staff stated its belief that this approach was the best way to resolve the differences in position between the staff and the industry on this topic."

By letter dated 5/1/09 (ML090230254), the NRC staff did not accept for review an industry proposal (TSTF-512) that would approve a change to the STS. The change proposed by the TSTF would have revised the STS to establish a new position interpreting surveillances that never were performed as equivalent to surveillances whose test intervals are inadvertently exceeded.

In subsequent discussions with the NRC staff, the TSTF indicated that TSTF-512 would be resubmitted to the NRC providing additional justification for its position. I talked to Carl Schulten in NRR's Tech Spec Branch and he confirmed that the TSTF has not submitted a revised proposal. In addition, Carl confirmed that the current NRC staff position is as stated in the Pilgrim TIA.

Bottom line, PSEG's use of SR 4.0.3 to justify a delay in performing a surveillance that has never been performed is contrary to our current interpretation on use of SR 4.0.3.

Please let me know if you have any questions.

thanks,

Rick
301-415-1420