



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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FROM: 
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SUBJECT: LICENSE AMENDMENT CORRECTIONS OF TECHNICAL SPECIFICATIONS

The purpose of this memorandum is to provide guidance for determining what action is necessary to correct a typographical error associated with power reactor technical specifications (TSs). Nuclear power reactor TSs are part of the license for a 10 CFR Part 50 facility, and, as such, a change to the TSs is a license amendment that must meet the requirements of the Atomic Energy Act of 1954, as amended (AEA). Usually, a change to a power reactor TS is made as follows: the licensee requests the change and the NRC staff issues the requested change after noticing the application for public comment (the Biweekly Notice) and finding that the requested change complies with the requirements of the AEA and the Commission's regulations.

In general, correction of a typographical error discovered in the TSs must be treated the same as any request to amend the license.¹ Thus, typographical errors discovered in the TSs for which the origin of the error is unknown must be corrected through the normal processing of a license amendment request to change the TSs. An exception to this general rule is the case in which the staff or licensee can demonstrate that the error was introduced inadvertently

¹ That the Commission believes the correction of a TS typographical error requires a license amendment is evidenced by the statement of considerations accompanying the amendment of the regulations to implement Section 12a of Pub. L. 97-415 regarding the determination of no significant hazards (the "Biweekly Notice" amendment). Included in the examples of license amendments not likely to involve significant hazards considerations listed by the Commission was "a purely administrative change to technical specifications; for example, a change to achieve consistency throughout the technical specifications, *correction of an error*, or a change in nomenclature." 51 Fed. Reg. 7744, 7751 (1986) (emphasis added).

in a particular license amendment, and that the erroneous change was not addressed in the notice to the public nor reviewed by the staff.² Under these limited circumstances, the change that introduced the typographical error was not a proper amendment to the license because it was neither addressed in the notice nor reviewed, and correction of the typographical error is not a "change" to the TS. Accordingly, the typographical error may be corrected by a letter to the licensee from the NRC staff, instead of an amendment to the license. The limitation on tracing the introduction of a typographical error to a specific license amendment application is necessary to establish that the change introduced by the error was in fact improperly made. The following discussion contains some examples to illustrate TS errors that fall within this limited exception.

Occasionally, a licensee introduces a typographical error on the TS change page submitted with a license amendment application in a section that is not the subject of the change request. If the NRC staff does not discover the error, which is possible in that the section with the error is not being reviewed for change, the amendment will be issued with the error on the revised TS page. Such errors, upon discovery either by the NRC staff or the licensee, may be corrected by a letter to the licensee, provided the error can be traced to a specific license amendment application. The NRC staff may correct the typographical error by issuing a letter that explains the cause of the error and forwards a corrected TS change page. Example:

1. The TS change page submitted by the licensee in connection with a change to the number of pumps required to be operable contains a typographical error that changes the temperature value (in a section of the TS page not identified as being changed) from "+/- 5°" to "+ 5°" and introduction of the error can be traced to a specific license amendment application.

² Typographical errors discovered either by the licensee or the NRC staff in a license amendment application *before* the amendment is issued can be corrected by modifying the TS change license amendment application. A written^{*} request from the licensee to modify the amendment application, supported by appropriate notation in the NRC staff's safety evaluation (SE), is appropriate. Examples:

- Licensee submits a TS change license amendment application in which the TS change pages contain misspellings in the items to be changed.
- Licensee submits a TS change license amendment application to change the allowed outage time (AOT) for a piece of equipment from two hours to four hours. The entire package is consistent with this requested AOT change from two hours to four hours except for the TS change page which lists the new AOT as three hours.

A license amendment is not needed in either of the above examples because the amendment has not been issued yet.

Correction by letter for this example is proper because the erroneous change ("± 5" to "+ 5") was not requested, noticed, or evaluated. Thus, the change introduced by the typographical error was not properly made. It must be emphasized that tracing the introduction of the typographical error to a specific license amendment application is absolutely necessary to establish that the change introduced by the error was in fact improperly made.

In some instances, the NRC staff may inadvertently introduce an error when it issues a license amendment to change the TSs. This could occur when two or more license amendments are issued out of the sequence in which the license amendment applications were received (See Example 2). In such cases, in which it is clear from the licensee's amendment application and the NRC staff's SE that the matter changed in error was not requested by the licensee, noticed to the public, or evaluated by the staff, the NRC staff may correct the typographical error by issuing a letter that explains the cause of the error and forwards a corrected TS change page. Again for the reason discussed in the previous example, introduction of the error must be traceable to a specific license amendment application. Example:

2. In May, the licensee submits a TS change license amendment application dealing with temperature limits for a particular system. In June, the licensee submits a second TS change license amendment application dealing with pressure limits for the same system. The NRC staff completes its evaluation of the pressure change in July and issues the TS change page with the revised pressure limits. The NRC staff subsequently completes its evaluation of the temperature change in August and issues a TS change page that contains the revised temperature limits, but reflects the old pressure limits even though a change to the pressure limits was not in the request nor discussed in the SE associated with the amendment issued in August.

Tracing the introduction of an error to a specific TS change license amendment application may not be possible if some time has passed before the error is discovered. In such cases it is necessary to correct the error through the usual license amendment application process. Example:

3. The licensee submits a TS change license amendment application to change the AOT for a piece of equipment from two hours to four hours. Either the licensee or the NRC staff discovers an incorrect temperature limit on the TS change page submitted with the amendment application in an area not addressed in the requested change.

In Example 3, if the typographical error cannot be traced to a specific license amendment, the license amendment application must be modified and the amended application must be appropriately noticed.

The source of errors introduced during conversion to the Improved Standard Technical Specifications (ISTSS) may be particularly difficult to trace because of the change in format of the TSs that occurs as part of the ISTS

conversion. Typically, the notice for public comment that is published for an ISTS conversion lists any exceptions to the ISTSs for the plant undergoing conversion. Additionally, in the SE evaluating a conversion, the staff discusses exceptions to the ISTS. These documents may be helpful in determining the appropriate process for correcting errors discovered after the conversion. Making a correction through the license amendment application process is always proper and, in many cases, may be preferable to avoid confusion even when the source of an error can be identified.

Correction of typographical errors associated with TS change license amendments and letters to licensees from the NRC staff correcting typographical errors will be routed to the Office of the General Counsel for concurrence. Questions regarding the guidance in this memorandum should be directed to Steven D. Bloom, PDIV-2, 415-1313.

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