



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555-0001

March 8, 1999

50-269/270/287
50-369/370
50-413/464

Mr. M. S. Tuckman
Executive Vice President
Nuclear Generation
Duke Energy Corporation
526 South Church Street
P.O. Box 1006
Charlotte, NC 28201-1006

SUBJECT: PROCESS FOR REVISING NRC-APPROVED TOPICAL REPORTS
(TAC NOS. MA1662, MA1663, MA1664, MA1670, M1671, MA1702
AND MA1703)

Dear Mr. Tuckman:

By letter dated April 14, 1998, you proposed a process for revising NRC-approved topical reports that describe the methodologies for core reload design and licensing basis thermal-hydraulic transient analysis. Your proposed process is intended to determine when topical report revisions are to be submitted for NRC review, and when the revisions can be implemented without NRC review.

We do not support a process different from what has been in use for years to revise NRC-approved topical reports. The process in use calls for a proposed topical report or proposed revision of an approved topical report be submitted for NRC review. Upon NRC approval by issuance of a safety evaluation, the topical report or revision thereof is republished by the owner as the -A (i.e., approved) version. Thus, the topical report, in both its preapproval and approved form is permanently archived in the official document control system, and available to the public in its entirety or redacted form. This protocol is important since the NRC-approved topical report can then become an integral part of the licensing basis of a nuclear plant without further NRC review. Thus, the staff's principal objection to a new process, whereby the owner of an NRC-approved topical report can make certain changes, is that the NRC will no longer have possession, or even knowledge, of what the current version is. Furthermore, the NRC can no longer represent to the public that it is knowledgeable and has approved the current version.

Our response to your specific questions in Q and A format is presented below:

Q1. When is submittal of a topical report revision for NRC review and approval necessary?

A1. See second paragraph above.

Q2. How should topical report revisions that do not meet the above criteria for NRC review and approval be managed?

A2. There is only one process to revise an NRC-approved topical report, as stated in the second paragraph above. Use of Title 10 of the Code of Federal Regulations Section 50.59 by the owner of such report to make revisions is not appropriate since the regulation clearly applies to a "holder of a license authorizing operation of a production or utilization facility."

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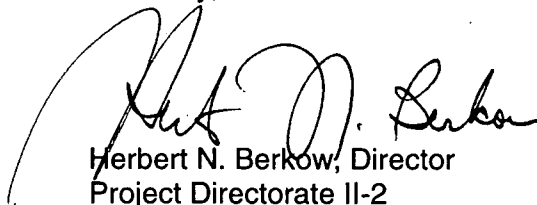
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- Q3. How detailed must the list of COLR [Core Operating Limits Report]-related topical reports in the technical specifications be?
- A3. We agree with you that listing the report number, title, revision number, and date in the technical specifications (TSs) is sufficient. We further agree that only the proprietary-approved version needs to be referenced.
- Q4. When is the technical specification list of COLR-related topical reports required to be updated?
- A4. The wording of the TSs is legally binding. The fact that there is an approved later version of a topical report does not obviate this fact, i.e., the version of a topical report specified by the TSs is still in force. We expect that a licensee can work with the NRC project manager such that an amendment request can be submitted to revise the TSs in anticipation of the upcoming approval of a later version of a topical report. Thus, the TSs can be amended concurrently with the issuance of a staff safety evaluation approving the new version of a topical report.

This completes our response to your April 14, 1998, inquiry. Please feel free to contact Peter S. Tam, Frank Rinaldi, or David E. LaBarge, the project managers assigned to the Duke plants if you have any questions, or need clarification.

Sincerely,



Herbert N. Berkow, Director
Project Directorate II-2
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-413, 50-414, 50-369, 50-370,
50-269, 50-270, and 50-287

cc: See next page

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Original signed by
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