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May 11, 2015

Mr. Robert B. Elliott
Chief, Technical Specifications Branch
Division of Safety Systems
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Submittal of NEI 15-03, Revision 0, *Licensee Actions to Address Nonconservative Technical Specifications*

Project Number: 689

Dear Mr. Elliot:

On behalf of the industry, the Nuclear Energy Institute¹ would like to submit NEI 15-03, Revision 0, *Licensee Actions to Address Nonconservative Technical Specifications* for U.S. Nuclear Regulatory Commission (NRC) review and concurrence. This guidance was developed by the industry to provide guidance that may be used by licensees to address an operating license technical specification that is determined to be insufficient to protect the assumptions or conclusions of the safety analysis or technical specification bases (i.e., a Nonconservative Technical Specification or NCTS). In 1998, the NRC issued Administrative Letter 98-10 (AL 98-10), "Dispositioning of Technical Specifications that are Insufficient to Assure Plant Safety." Since issuance of AL 98-10, industry operating and regulatory experience has indicated the need to provide additional guidance to licensees. This was the topic of a technical session at the 2014 NRC Regulatory Information Conference, during which it was suggested that the industry develop this guidance.

We believe that use of this document by Part 50 and Part 72 licensees will provide further guidance on actions to be taken upon identification of an NCTS to verify and maintain acceptable plant conditions, comply with license and regulatory requirements, and communicate the details of the condition

¹ The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

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appropriately. This guidance does not establish any new regulatory requirements, but suggests a process to ensure appropriate steps are taken when an NCTS is identified.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Montgomery", with a long, sweeping horizontal flourish extending to the right.

Bruce Montgomery

Attachment

c: Mr. Timothy J. McGinty NRR/DSS, NRC
Ms. A. Louise Lund, NRR/DORL, NRC
Mr. Michael T. Markley, NRR/DORL/LPL4-1, NRC
NRC Document Control Desk