



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 26, 2016

EA-2016-181

Mr. Peter P. Sena, III
President
PSEG Nuclear LLC - N09
P.O. Box 236
Hancocks Bridge, NJ 08038

SUBJECT: SALEM NUCLEAR GENERATING STATION, UNIT NOS. 1 AND 2 –
REQUEST FOR AN EXTENSION TO ENFORCEMENT GUIDANCE
MEMORANDUM 12-001 (CAC NOS. MF8173 AND MF8174)

Dear Mr. Sena:

By letter dated July 27, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16209A013), as supplemented by letter dated August 18, 2016 (ADAMS Accession No. ML16231A044), PSEG Nuclear LLC (PSEG, the licensee) requested an extension of the enforcement discretion authorized in the U.S. Nuclear Regulatory Commission's (NRC's) Enforcement Guidance Memorandum (EGM) 12-001, "Dispositioning Noncompliance with Administrative Controls Technical Specifications Programmatic Requirements that Extend Test Frequencies and Allow Performance of Missed Tests," dated February 24, 2012 (ADAMS Accession No. ML11258A243), for the Salem Nuclear Generating Station, Unit Nos. 1 and 2 (Salem). In EGM 12-001, the NRC stated that it will exercise enforcement discretion to allow application of surveillance requirements (SRs) applicability provisions to technical specification (TS) administrative controls programs as written into plant-specific TS programs with the exceptions described in the February 24, 2012, letter. EGM 12-001 states that the NRC will consider extending the 4-month submittal period on a case-by-case basis, with adequate justification from the licensee.

EGM 12-001 provides guidance on how to disposition licensee noncompliance with Section 5.0, "Administrative Controls," TS 5.5., "Program and Manuals," testing requirements that make available SR 3.0.2 or SR 3.0.3, or both. In EGM 12-001, the NRC staff determined that enforcement discretion is appropriate for this issue, because the restructuring of TS chapters during the development of improved standard technical specifications resulted in unintended consequences when Section 3.0, "Surveillance Requirement Applicability," provisions were made applicable to Section 5.0 TSs.

In EGM 12-001, the NRC stated that in order to continue to receive enforcement desecration, affected licensees shall submit a license amendment request (LAR) that is accepted by the NRC staff for review within 4 months after the issuance of the notice of availability (NOA) applicable to a licensee's reactor type. The NOA for Technical Specifications Task Force (TSTF) Traveler TSTF-545, "TS Inservice Testing Program Removal & Clarify SR Usage Rule Application to Section 5.5 Testing" (ADAMS Accession No. ML15181A045), which addresses a reactor type applicable to Salem, was issued on March 28, 2016.

In its request for extension, PSEG stated that due to the level of activity associated with returning Salem, Unit No. 1, to service from extended outage, it is requesting an extension as provided for in EGM 12-001. The level of activity included replacement of reactor baffle to former bolts. In a letter dated July 5, 2016 (ADAMS Accession No. ML16187A330), the licensee informed the NRC of an unanalyzed condition due to degraded reactor baffle to former bolts and its planned corrective actions.

The NRC staff has reviewed the information provided in PSEG's letters dated July 27, 2016, and August 18, 2016, and has determined that PSEG has provided sufficient justification. The staff agrees that PSEG was involved in various safety-significant tasks that required extra attention. Some of these tasks included completion of required baffle to former bolt replacements, TS-required surveillance testing, and post-maintenance testing to assure operability of systems required for Salem, Unit No. 1, to return to service. Accordingly, provided that PSEG submits a LAR consistent with the model in TSTF-545 no later than September 28, 2016, PSEG will continue to remain eligible for enforcement discretion in accordance with EGM 12-001 at Salem until the NRC staff takes final action on the LAR.

If you have any questions regarding this matter, please contact the project manager, Ms. Carleen Parker, at (301) 415-1603 or Carleen.Parker@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'DB' followed by 'for'.

Douglas A. Broaddus, Chief
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-272 and 50-311

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Sincerely,

/RA/ Justin C. Poole for

Douglas A. Broaddus, Chief
 Plant Licensing Branch I-2
 Division of Operating Reactor Licensing
 Office of Nuclear Reactor Regulation

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ADAMS Accession No.: ML16235A471

**by e-mail*

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DATE	08/25/16	08/26/16	08/26/16

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