



Treatment of Change Control for the Surveillance Frequency Control Program (SFCP)

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NRC Public Meeting



- 10 CFR 50.59 and the Surveillance Frequency Program (SFCP) are both processes for evaluating an activity.
- 50.59 process is to determine if an activity must be pre-approved by the NRC.
- The SFCP is an NRC-approved process to evaluate the activity of changing a SF.
- The SFCP would meet the 10 CFR 50.59(c)(4) "more specific criteria" guidance for the SR frequency change activity and would not require further 50.59 evaluation.

- NEI 96-07, Section 4.1.1 provides additional clarification

"To reduce duplication of effort, 10 CFR 50.59(c)(4) specifically excludes from the scope of 10 CFR 50.59 changes to the facility or procedures that are controlled by other more specific requirements and criteria established by regulation."

"Activities controlled and implemented under other regulations may require related information in the UFSAR to be updated. To the extent the UFSAR changes are directly related to the activity implemented via another regulation, applying 10 CFR 50.59 is not required."

"UFSAR changes should be identified to the NRC as part of the required UFSAR update, per 10 CFR 50.71(e)."

- A 10 CFR 50.59 Evaluation is not required to make UFSAR and procedure changes directly associated with NEI 04-10 SF changes
 - 10 CFR 50.59(c)(4) exempts changes from further 50.59 evaluation when other requirements and criteria are established by regulation for controlling the change
 - TS provide a regulatory-required specific criteria for controlling and changing TS surveillance frequencies
- Requiring re-evaluation of a SF change under 50.59
 - Duplicative, unnecessary, and inconsistent with 50.59(c)(4)
 - Effectively nullifies the efficiency and predictability achieved through NRC approval of NEI 04-10

- Industry codes and standards were the subject of considerable discussion during the NEI 04-10 and Limerick pilot License Amendment Request (LAR) approval process
- RAIs and Safety Evaluations clearly document NRC and industry alignment
- Industry revised NEI 04-10, Step 7 to provided clarity and direction with regard to SFs specified in codes and standards
 - Deviations to SF specified in code and standards committed to in the licensing basis are considered as part of the Step 7 evaluation

- The NRC's NEI 04-10, Rev. 1, Safety Evaluation concluded:

“The NRC staff finds this acceptable due to the rigorous review and documentation required to justify an STI [Surveillance Test Interval] change related to an industry code or standard.

Sufficient safety margins are maintained by the NEI 04-10 methodology and the key safety principle of RG 1.177/1.174 is satisfied.”

- NEI 04-10 is a comprehensive and robust evaluation of a TS SSC's surveillance frequency
 - Committed and current industry codes and standards are part of evaluation
- NEI 04-10 program does not impact the key elements of codes and standards that preserve safety margin
- NRC approval authorizes licensees to change SFs delineated in codes, standards, and RGs per the NEI 04-10 program

- Does a surveillance frequency contained in a “committed” industry code, standard, or NRC regulatory guide (RG) identified in the UFSAR constitute a “commitment” as referred to in NEI 04-10 steps 1-3?
- NEI 04-10 Requirement
 - Step 1: Check for Prohibitive Commitments
 - Step 2: Can Commitments be Changed?
 - *“Evaluating changes to the NRC commitments is a separate activity based on a method acceptable to the NRC for managing and changing regulatory commitments, e.g., NEI 99-04.”*
 - Step 3: Change the Commitments
 - *“... using a method acceptable to the NRC ... (e.g., NEI 99-04)”*

- LIC-100 Licensing Bases Hierarchy
 - Obligations (including technical specifications)
 - *“The major distinction between obligations and other parts of the licensing bases is that changes generally cannot be made without prior NRC approval.”*
 - Mandated Licensing Bases Documents (such as the UFSAR)
 - *“The change control mechanisms and reporting requirements are defined by regulations such as 10 CFR 50.59, 50.54, and 50.71.”*
 - Regulatory Commitments
 - *“Regulatory commitments are appropriate for matters that are of significant interest to the staff but do not warrant ... inclusion in updated final safety analysis reports (UFSARs) or programs subject to a formal regulatory change control mechanism.”*

- LIC-105
 - Insight is provided on the relationship between information in the FSAR and “regulatory commitments” in the discussion relative to license renewal commitments:
 - “Many of the commitments for license renewal are no longer commitments since they are subsequently incorporated into the plant’s UFSAR ...”

- No, the term “commitment” in NEI 04-10 is not referring to frequencies contained in a code, standard, or RG that is discussed in the FSAR.
- Regulatory commitments are, by definition, statements that are not subject to a regulatory change control process.
 - As a result, the process in NEI 99-04 was developed and endorsed by SECY-00-0045.

- Conclusion:
 - The NRC approved use of NEI 04-10 for establishing licensee control of TS surveillance frequencies in accordance with the surveillance frequency control program (SFCP).
 - If an industry code, standard, or RG identified in a licensee's FSAR is affected by the SFCP, then the licensee is required by 10 CFR 50.71(e) to make conforming changes to the FSAR to reflect the revised method of controlling the frequency.
 - The guidance in RG 1.181 (NEI 98-03) and RG 1.187 (NEI 96-07) are used to update the FSAR with these conforming changes.

- Licensees will continue to use SFCP per their plant TS and NEI 04-10, Rev. 1
 - Use change control process outlined in SFCP documents
- Recommended approach to resolving recent inspection issues
 - Inspection procedure updates
 - Communications with inspectors
- No need for changes to TSTF-425 or NEI 04-10