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September 17, 1980

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Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Docketing and Service Branch

Dear Sir:

Attached are comments submitted on behalf of Pacific Gas and Electric Company in response to the advance notice of proposed rulemaking regarding technical specifications published in the Federal Register on July 8, 1980 (45 F.R. 45916). They are in the form of responses to the questions propounded in the notice of rulemaking which are repeated for convenience of reference.

Very truly yours,

Philip A. Crane

Attachment

Acknowledged by card. 9/22/80



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ATTACHMENT A

- A) 1. Would it be appropriate to establish a fixed standard for deciding which items derived from the safety analysis report must be incorporated into the technical specifications?
2. If so, what should the standard be based on?
3. Would a standard incorporating the concept of "immediate importance to safety" be appropriate?

Yes. The standard should be based on the concept of immediate importance to safety. Specifically, the standard should be based on the preservation of the assumptions of the safety analysis portions of the safety analysis report. The operating conditions to which technical specifications apply should be limited to those conditions of immediate importance to safety for which equipment must be operable or for which parametric limits exist due to assumptions of the safety analysis. In general, the criteria set forth in ANS 58.4, "Criteria for Technical Specifications for Nuclear Power Stations", section 4.3 are acceptable with particular emphasis on subsections 7, 8 and 12.

- B) 4. Would it be appropriate to modify 50.36 to require technical specifications to focus more directly on reactor operations?

Yes. It should be recognized that other portions of 10CFR50 (e.g., 50.46, Appendices G, H, and J) require the inclusion of non-operational items in the technical specifications and would also need modification to incorporate this concept. It is recommended that all regulatory requirements pertaining to technical specification control be incorporated into one regulation.

- C) 5. Are surveillance requirements as currently defined in 50.36 appropriate subjects for technical specifications?
6. Should the current scope of surveillance requirements be reduced?
7. If so, would it be appropriate to change the scope to include only those requirements related to assuring that safety limits and limiting conditions for operation are being met and not to include other requirements?

No, the existing practice of including most applicable surveillance requirements in the technical specifications is not consistent with the concept of immediate importance to safety nor is it consistent with requiring technical specifications to focus more directly on reactor operation. Surveillance requirements that relate directly to preservation of assumptions of the safety analysis may be appropriate for inclusion in the technical specifications provided that surveillance is restricted to simple checks of necessary equipment and parametric limits. Surveillance requirements which go beyond the concept of simple checks (e.g., detailed periodic pump and valve testing, flux mapping, etc.) are appropriate candidates for inclusion in a separate document or an overall surveillance program.

- D) 8. Would it be appropriate to define a new category of requirements separate from technical specifications that would have a different level of importance to safety?
9. What types of requirements currently included in technical specifications would be appropriately included in the new category?
10. Should the new category of requirements be physically attached to the license or included in a separate document; for example, the FSAR?

Yes. Removal of items from the current technical specifications could be accomplished in the following manner:

- a. The "Design Basis" section should be omitted since the same information is presently included in the Final Safety Analysis Report (FSAR).
- b. The "Administrative Controls" section should be included in the FSAR in those sections which already pertain to administration or be incorporated into administrative or quality assurance procedures.
- c. Items of a lesser importance to safety than as identified in A) above which now appear in the technical specifications as limiting conditions for operation or surveillance requirements should be placed in a new document that could exist as either a chapter in the FSAR to be treated similarly to other sections of the FSAR (it should be recognized that this may require modifications in Regulatory Guide 1.70), as a separate document for which new review and change procedures would have to be developed or as an appendix to the license but with more expedient review and change procedures than currently exist. A possible solution is to develop a document similar to the Off-Site Dose Calculation Manual which will cover all surveillance activities. The approval mechanism for this type of document is already established. Examples of items that fall into this category are:

Ventilation
Fire Protection and Fire Barriers
Flood Protection
Scrubbers
Boration Systems
Refueling Specifications
Inservice Inspection and Testing Programs
Radioactive Waste Treatment Systems
Radiological Effluent Specifications
Monitoring Instrumentation
Turbine Overspeed Protection
Sealed Source Contamination

11. How should the enforceability of the requirements that are moved into the new category be maintained?

Enforceability of these requirements is not deemed to be different from the enforceability of existing technical specification or FSAR requirements. Because the items are of a lesser importance to safety modification of existing reporting requirements and remedial action times are appropriate.

- F) 12. Would it be appropriate to allow licensees to make certain changes in the requirements in the new category without prior NRC approval?
13. If so, what conditions should be established to assure that such changes would not adversely effect safety?

Yes. It would be appropriate for licensees to make changes to this new document without prior NRC approval. A review process as set forth in 10CFR50.59 would be appropriate and would assure such changes would not adversely affect safety.

- G) 14. What specific changes to the regulations should be included in response to the preceding questions?

Specific changes to the regulations in response to the preceding questions are:

- a. 50.36(b): Revise this paragraph as shown below.

"Each license authorizing operation of a production or utilization facility of a type described in 50.21 or 50.22 will include technical specifications. Technical specifications for nuclear reactors will be those limitations and conditions imposed upon facility operation that are necessary to provide reasonable assurance that an anticipated operational occurrence will not give rise to an immediate threat to the health and safety of the public. The Technical Specifications will be derived from the analyses and evaluation included in the safety analysis report and amendments thereto, submitted pursuant to 50.34."

- b. 50.36(c)(3), "Surveillance requirements": Revise to read as shown below.

"Surveillance requirements are requirements relating to periodic checks and tests to assure that facility operation will be within the safety limits, and that the limiting conditions for operation will be met."

- c. Delete 10CFR50.36 paragraphs (c)(4) and (5).

- H) 15. What advantages and disadvantages could be expected from the system of requirements derived from the answers to the preceding questions for:

- a) License applicants?
b) Operating licensees?
c) The NRC?
d) The public?

Advantages

- a. Technical specifications will be more relevant to actual operation.

- b. Negotiations between the NRC and the licensee will be minimized.
- c. Reporting requirements will be reduced by focusing more attention on those items of immediate importance to safety.
- d. The number of change requests for technical specifications directed to the NRC will be greatly reduced thereby permitting more effective use of staff personnel on matters of more importance to safety.
- e. Plant availability will be enhanced by allowing implementation of changes and by applying remedial actions which are consistent with the particular items important to safety.
- f. If properly implemented technical specification content will become more defined and less susceptible to constant change and varied interpretation.

We believe that implementation of the proposed changes in technical specification content and format described in response to the NRC questions as set forth above can best be accomplished in the near term by simply segregating those existing technical specification items which have immediate importance to safety based upon SAR assumptions from those existing technical specification items of lesser safety significance. This simple split of existing technical specifications would identify the items to be contained in the proposed technical specification format while the remaining items would be retained in the FSAR or other appropriate document. This proposed method of dividing existing technical specifications will minimize the review impact on applicants, licensees and the NRC and will preserve the existing safety posture of licensed facilities. In the longer term, we recommend that industry and the NRC cooperate in the development of criteria for technical specifications and the other documents in which specifications of a lesser importance to safety would be set forth.

It is recommended that the revision to 10CFR50.36 that implements this program address applicability of the regulation to Construction Permit, NTOL and operating plants in a fashion similar to that of the existing regulation.

ATTACHMENT A

- A) 1. Would it be appropriate to establish a fixed standard for deciding which items derived from the safety analysis report must be incorporated into the technical specifications?
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