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Robert Szalay
Vice President

July 30, 1982

Mr. Darrell G. Eisenhut
Director, Division of Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Darrell:

In response to your request for comments on the proposed "Staff Guidance of NUREG-0737 Technical Specifications" and its accompanying generic letters to PWR and BWR plant licensees, the following general comments are offered for your consideration. Specific comments follow in the enclosures.

It is our understanding that many of the licensee responses to NUREG-0737 requirements relating to technical specifications have already been reviewed and approved by the NRC on individual dockets. Clarification should be included in the draft generic letters that approved technical specifications addressing these topics need not be reconsidered. Otherwise, unnecessary duplication of effort and added uncertainty could result.

Two important points made in the NRC's proposed rule "Technical Specifications for Nuclear Power Plants" (Federal Register, March 30, 1982) should likewise be observed in your proposed guidance:

- "The relative importance of these requirements...may have been diminished by the increase in the total volume of technical specification requirements";
- "The increased volume and detail of technical specifications and the resultant increase in the number of proposed change requests that must be processed have increased the paperwork burden for both licensees and the NRC staff."

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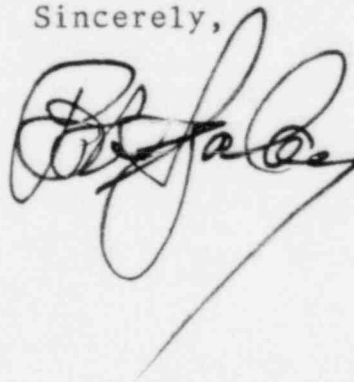
As an example related to these points, it is not clear why licensee compliance to a Commission Policy Statement (e.g., limiting overtime) should be made part of the technical specifications. A licensee commitment to implement a specific program need not be in the technical specifications to be enforceable.

As suggested in the enclosed letter of April 6, 1982 to the Office of Management and Budget, there should be a reconsideration of the necessity for having changes to specific programs and plans submitted to the NRC within 30 to 60 days. This is particularly relevant to the example of requiring the licensee to notify promptly the NRC of failures of safety/relief valves and failure of the pressurizer PORVs or safety valves. If there is a significant occurrence, reporting requirements are already in place to inform the NRC through the LER system.

Finally, to avoid further unnecessary iterations between NRC Staff and licensees, we recommend that the publication of the staff guidance on NUREG-0737 technical specifications await and be connected with the disposition of the issues relating to the proposed rule on technical specifications.

We appreciate the opportunity to comment on the proposed guidance.

Sincerely,

A handwritten signature in black ink, appearing to be "D. G. Eisenhut", written in a cursive style. The signature is positioned below the word "Sincerely," and above a diagonal line that extends from the bottom right of the signature area towards the bottom right of the page.

RAS:eu
Enclosures

Boiling Water Reactors (Enclosure 1)

Comments on Staff Guidance of NUREG-0737 Technical Specifications

STA Training (E.A.1.1.3)

There is no justification for the detail required. This level of detail should be included in the administrative procedures for the plant, not the technical specifications. Additionally, this is considered a temporary program until the upgrading requirements of the present shift complement is determined. Therefore, it should not be in the technical specifications.

Limit Overtime (I.A.1.3)

The Policy Statement of February 8, 1982 should be included in the administrative procedures for the plant, not the technical specifications. The volume and detail of the technical specifications would otherwise be unnecessarily increased.

Dedicated Hydrogen Penetrations (II.E.4.1)

No Comments

Containment Pressure Setpoints (II.E.4.2.5)

No Comments

Containment Purge Valves (II.E.4.2.6)

Since the valves are qualified to close against the differential pressure as a result of an event, it is not necessary to impose the requirement that they be locked closed except for safety related activities. It is another component requiring key control which may in fact increase the time to respond to an event or the personnel needed to respond. As long as the valves are qualified to close during design basis events, the technical specification should not be required.

Certain containment designs provide a continuous purge of the containment atmosphere for personnel access during normal plant operation and after shutdown to reduce airborne radioactivity levels below the limits specified in 10 CFR 20, Appendix B, Table I. Placing the containment purge valves in a lock-closed position may require frequent operator action to purge the containment for unlimited personnel access. This requirement does not appear to comply with the ALARA concept; a continuous purge helps keep radiation levels inside containment as low as reasonable achievable.

Radiation Signal on Purge Valves (II.E.4.2.7)

No Comments

Reporting SV and RV Failures and Challenges (II.K.3.3)

There are in place requirements to report certain events promptly with written follow up as an LER. To single out a specific component to be reported promptly is just adding another item that the plant has to take care of or be in violation of the technical specification. This may appear to be a minor addition to the specifications, but recognizing the present requirements, it represents additional burden to an already limiting situation. This type of information should be included in the annual report.

RCIC Restart (II.K.3.13)

There are requirements presently in the technical specifications to perform functional logic systems checks. This would include these changes and, thus, they need not be broken out as separate line items.

Isolation HPCI and RCIC Modification (III.K.3.15)

Of what use is the minimum and maximum expected response time in performing the surveillance on the system? This should be clarified.

Interlock on Recirculation Pump Loops (II.K.3.19)

No Comment

Common Reference Level (II.K.3.27)

No Comments

Manual Depressurization (II.K.3.45)

N/A

Boiling Water Reactors (Enclosure 2)

Comments on Staff Guidance of
NUREG-0737 Technical Specifications

Containment Systems (3/4.6.3) - Primary Containment
Isolation Valves

Comment: Action 9.2.3, Page 13 - During post-accident reactor coolant sampling, the sample line could remain "unisolated" up to four hours. The technical specifications should reflect this deviation as acceptable.

Action 6.1.2 - During reactor coolant sampling, if the excess flow check valves (EFCVs) were to close there is a capability to reopen them. The technical specifications should address this capability.

Pressurized Water Reactors (Enclosure 1)

Comments on Staff Guidance of
NUREG-0737 Technical Specifications

STA Training (I.A.1.1.3)

Same comment as given for BWRs

Limit Overtime (I.A.1.3)

Same comment as given for BWRs

Short Term Aux. Feedwater Systems Evaluation (II.E.1.1)

No Comments

Safety Grade AFW System Initiation and Flow Indication
(II.E.1.2)

No Comments

Dedicated Hydrogen Penetrations (II.E.4.1)

No Comments

Containment Pressure Setpoint (II.E.4.2.5)

No Comments

Containment Purge Valves (II.E.4.2.6)

Same comment as given for BWRs. If the purge valves are qualified to close during design basis events, why should these additional administrative and system availability restrictions be placed on the plant?

Radiation Signal on Purge Valves (II.E.4.2.7)

No Comments

Upgrade B&W AFW System (II.K.2.8)

No Comments

B&W Safety - Grade Anticipatory Reactor Trip (II.K.2.10)

No Comments

B&W Thermal - Mechanical Report (II.K.2.13)

No Comments

Reporting SV and RV Failures and Challenges (II.K.3.3)

Same comments as given for BWRs

Anticipatory Trip on Turbine Trip (II.K.3.12)

No Comments

Pressurized Water Reactors (Enclosure 2)

Table 3.3-3 needs clarification on the 1/1/1 logic for containment radiation monitors (page 7)

Table 2.2-1, Page 14 - this specification is vendor specific. It is not clear all PWRs have these trips. Needs clarification.

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Robert Szalay
Vice President

April 6, 1982

Jefferson B. Hill, Esquire
Office of Management and Budget
New Executive Office Building, Room 3228
Washington, D.C. 20503

Dear Mr. Hill:

We have reviewed the January 26, 1982 letter from Bill Dircks, NRC Executive Director for Operations, to Christopher DeMuth, OMB Administrator for Information and Regulatory Affairs, which discusses the NRC's plans for identifying and implementing improvements in controlling the paperwork burden imposed on NRC licensees. Since our membership has an active interest in this subject, we have developed the following comments for your consideration. These include input from the Subcommittee on Backfit Requirements of the AIF Committee on Reactor Licensing and Safety.

On the positive side, the appointment of the Deputy Director for Regional Operations and Generic Requirements and the formation of the Committee to Review Generic Requirements (CRGR) are significant steps forward. By formally requiring the review of generic requirements, and centralizing the review under one office, the NRC staff now has a systematic way to evaluate the spectrum of proposed requirements, taking into consideration the costs, manpower requirements, and additional paperwork burden of such proposals. The charter for the CRGR was presented to the NRC Commissioners on February 2, 1982, and is currently under review. This important and necessary management process, which requires the proponent of change to codify the basis of the proposed generic requirement, should be given your strong support and encouragement.

In particular, it is our understanding that Regulatory Analysis Procedures to be used by the NRC staff in this process will include a specific section requiring the proponent of a generic

regulatory requirement to justify added paperwork burden, including an estimate of the burden on the licensee or applicant and cost to the federal government. This is germane to your charter, since it would require that the added paperwork requirement be formally documented and reviewed.

Notwithstanding the above process, the following additional points should be considered to further control the paperwork burden:

Remove Duplication of Regulatory Requirements

It is not clear that the general area of "duplication of regulatory requirements" will be included in the periodic and systematic review of existing requirements as discussed in Enclosure 2 of the January 26, 1982 letter. The enclosure states that, "The review is designed to evaluate all existing regulations for need, benefit cost, content, quality, clarity and structure." The evaluation of duplicative requirements does not appear to be addressed.

Many duplicative requirements now exist. For example, the provisions of 10 CFR 50.72 regarding immediate reporting requirements, are redundant to those of 10 CFR 50-Appendix E, and the licensee's Appendix A technical specifications. This duplicative reporting should be addressed by the NRC.

Simplifying Technical Specification Requirements

As required by regulations, technical specifications address topics such as safety limits, limiting safety system settings and limiting control settings. Over the last several years, these technical specification requirements have been greatly expanded to include, for example, detailed organizational information, radiological effluent requirements, and TMI Lessons Learned items.

There is presently a backlog of licensee requests for amendments to their technical specifications, some of which will reduce the paperwork burden. The NRC's 1980 Annual Report stated that, "Approximately 1,900 reactor licensing actions (amendments of operating licenses) were reviewed and processed. In fiscal year 1981, some 2,500 are expected to be completed." By early 1984, there will potentially be over one hundred nuclear plants with operating licenses which will just further exacerbate a chronic paperwork problem.

Since this amendment process represents a significant paperwork burden on both the licensee and the NRC staff, it should be streamlined and unnecessary burdens should be removed. The NRC has recently placed a proposed rule in the Federal Register (Tuesday, March 30, 1982, Pages 13369 through 13376), with the intent of reducing the volume of technical specifications. We support this general goal and will be developing detailed comments on this proposed rule. To supplement this positive NRC initiative, we believe a projected schedule for simplifying both the Appendix A (Safety) and Appendix B (Environmental) technical specifications, similar to the tentative schedule of milestones in Enclosure 3 of Bill Dircks' letter, would also be useful.

Additionally, the current technical specifications include detailed organizational charts. Organizational detail is also required in other documents including the FSAR, which will be updated annually, and the Fire Protection, Security and Quality Assurance Plans.

It is more appropriate that organizational information be maintained in one document, such as the FSAR, and not be required in the detail presently specified in several separate documents. Rather than duplicating this requirement in several areas, reference could be made to the FSAR description which must be updated annually by 10 CFR 50.71(e). This would not only reduce unnecessary duplication, but it would remove administrative details from the technical specifications.

Reconsideration of Reporting Specific Program Changes

There should be a reconsideration of the necessity for having changes to specific programs and plans submitted to the NRC within 30 to 60 days. As written in 10 CFR 50.59, the licensee may make changes to the facility without prior NRC approval but is required to address specific questions, document the determination in a safety evaluation which provides the bases for the determination and annually, or at such shorter intervals as may be specified in the license, and submit to the NRC a report containing a brief description of the changes and a summary of the safety evaluation of each. We recommend that similar language be developed to allow changes to the Emergency Plan (presently have to report the change within 30 days), the Security Plan (report

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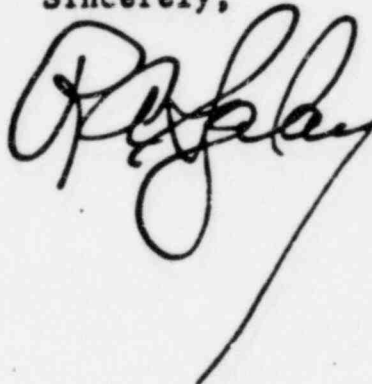
within two months of the change), and the Quality Assurance Plan (proposed to report within 30 days of the changes) such that these changes can be documented exclusively in the annual report. The present requirements are confusing and lead to additional unnecessary paperwork requirements.

Role of Regional Offices in Reducing Paperwork

There should be some discussion regarding the future role of the NRC Regional Offices in addressing further reduction in the paperwork burden. The position of Regional Administrator was established with a directive that Regional offices address licensing as well as inspection and enforcement functions. This should allow an integrated look at reporting requirements. As an example, on-site inspection through the Resident Inspection Program should include the observation of trends plotted by the plant operator relating to the number of formal reports and amount of data sent to the NRC. The results could be used to consolidate reporting requirements and thus reduce overall paperwork.

In summary, the programs outlined in Mr. Dircks' letter of January 26, 1982, represent positive steps forward toward controlling and reducing, where possible, the regulatory requirements and associated paperwork imposed on the nuclear industry. Further support and encouragement is needed, however, to sharpen and maintain these management controls. I hope our comments are helpful to you in reviewing the process. If we can be of further assistance, please do not hesitate to call me, or Tom Tipton, our Manager of Nuclear Regulation.

Sincerely,



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