

December 4, 1990

MEMORANDUM FOR: Edward L. Jordan, Director  
 Office for Analysis and Evaluation of  
 Operational Data

FROM: Frank J. Miraglia, Jr., Deputy Director  
 Office of Nuclear Reactor Regulation

SUBJECT: CRGR BRIEFING ON THE NEW STANDARD TECHNICAL SPECIFICATIONS (STS)

NRR is scheduled to brief CRGR on the new Standard Technical Specifications on December 12, 1990. It is anticipated that a final draft of the new STS will be issued to the owners groups for comment in the very near future. It is not necessary to have reviewed the new STS prior to the briefing since this briefing is intended only to introduce the new STS to CRGR. It is anticipated that future meetings will be scheduled at which the major issues can be discussed in detail, if desired.

In order to provide some background information for the first briefing, we are providing the following documents to CRGR members and staff:

1. Commission (interim) Policy Statement on Technical Specification Improvements for Nuclear Power Reactors, February 6, 1987.
2. Letters to the owners group chairmen providing lists of requirements which may be relocated from the STS, May 9, 1988.
3. SECY-88-304 Staff Actions to Reduce Testing at Power, October 26, 1988.
4. SECY-90-366 Report on the Status of the Technical Specifications Improvement Program, October 29, 1990.

The contact for this effort is Mr. Richard Lobel (x21185). This effort is sponsored by Charles E. Rossi, Director, Division of Operational Events Assessment.

We look forward to introducing CRGR to the large amount of work which has been done by the staff and the industry to improve the technical specifications.

Original signed by  
 Frank J. Miraglia, Jr., Deputy Director  
 Office of Nuclear Reactor Regulation

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## NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Commission Policy Statement on  
Technical Specification Improvements  
for Nuclear Power Reactors

AGENCY: Nuclear Regulatory Commission.

ACTION: Interim Policy Statement.

SUMMARY: This statement presents the policy of the Nuclear Regulatory Commission (NRC) with respect to the scope and purpose of Technical Specifications for nuclear power plants as required by 10 CFR 50.36. It establishes a specific set of objective criteria for determining which regulatory requirements and operating restrictions should be included in Technical Specifications. It encourages licensees to implement a voluntary program to update their Technical Specifications to be consistent with revised vendor-specific Standard Technical Specifications (STS) to be developed by the industry based on these criteria and subject to NRC Staff approval. The Policy Statement also identifies mechanisms to be used by the NRC and industry to control changes to those items removed from Technical Specifications. The Policy Statement is expected to produce an improvement in the safety of nuclear power plants through the development of more operator-oriented Technical Specifications, improved Technical Specification Bases, reduced action statement-induced plant transients, and more efficient use of NRC and industry resources.

DATE: This Interim Policy Statement is effective upon issuance. However, the public is invited to submit comments by March 23, 1987. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before this date. On the basis of the submitted comments, the Commission will determine whether to modify the Policy Statement before issuing it as final.

FOR FURTHER INFORMATION CONTACT: David C. Fischer, Technical Specifications Coordination Branch, Division of Human Factors Technology, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, telephone (301) 492-7924.

SUPPLEMENTARY INFORMATION:

1. BACKGROUND

Section 182a. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2232), mandates the inclusion of Technical Specifications in licenses for the operation of production and utilization facilities. The Act requires that Technical Specifications include information of the amount, kind, and source of special nuclear material, the place of use, and the specific characteristics of the facility. That section also indicates that Technical Specifications should contain such information as the Commission may by rule deem necessary to enable it to find that the utilization of special nuclear material will be in accord with the common defense and will provide adequate protection of public health and safety. Finally, that section requires Technical Specifications to be made a part of any license issued.

Section 50.36, "Technical Specifications," which implements Section 182a. of the Atomic Energy Act, was promulgated by the Commission on December 17, 1966 (33 FR 18610). This rule delineates requirements for determining the contents of Technical Specifications. Technical Specifications set forth the specific characteristics of the facility and the conditions for its operation that are required to provide adequate protection to the health and safety of the public. Specifically, 10 CFR 50.36 requires that:

"Each license authorizing operation of a production or utilization facility of a type described in §50.21 or §50.22 will include Technical Specifications. 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. The Commission may include such additional Technical Specifications as the Commission finds appropriate."

Technical Specifications cannot be changed by licensees without prior NRC approval. However, since 1969, there has been a trend towards including in Technical Specifications not only those requirements derived from the analyses and evaluation included in the safety analysis report but also essentially all other Commission requirements governing the operation of nuclear power reactors. This extensive use of Technical Specifications is due in part to a lack of well defined criteria (in either the body of the rule or in some other regulatory document) for what should be included in Technical Specifications. This has contributed to the volume of Technical Specifications and to the several fold increase, since 1969, in the number of license amendment applications to effect changes to the Technical Specifications. It has diverted both staff and licensee attention from the more important requirements in these documents to the extent that it has resulted in an adverse but unquantifiable impact on safety.

On March 30, 1982, the NRC published in the Federal Register (47 FR 13369) a proposed amendment to its regulations, 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities." The proposed amendment would have revised §50.36, "Technical Specifications," to establish a new system of specifications divided into two general categories. Only those specifications contained in the first general category as Technical Specifications would have become part of the operating license and require prior NRC approval for any changes. Those specifications contained in the second general category would have become supplemental specifications and would not require prior NRC approval for most changes. The NRC review of the first general category of specifications would have been the same as

currently performed for Technical Specifications changes, which are amendments to the operating license. For the second category, supplemental specifications, the licensee would have been allowed to make changes within specified conditions without prior NRC approval. The NRC would have reviewed these changes when they were made and would have done so in a manner similar to that currently used for reviewing design changes, tests, and experiments performed under the provisions of 10 CFR 50.59.

Because of difficulties with defining the criteria for dividing the Technical Specifications into the two categories of the proposed rule and other higher priority licensing work, the rule change was deferred.

In the past several years the nuclear industry and the NRC Staff have been studying the question of whether improvement to the current system of establishing Technical Specification requirements for nuclear power plants is needed. The two most recent studies of this issue were performed by an NRC task group known as the Technical Specifications Improvement Project (TSIP) and a Subcommittee of the Atomic Industrial Forum's (AIF) Committee on Reactor Licensing and Safety.<sup>1</sup> The overall conclusion of these studies was that many improvements in the scope and content of Technical Specifications are needed, and that a joint NRC and Industry program should be initiated to implement these improvements. Both of these groups made specific recommendations which are summarized as follows:

- 1) The NRC should adopt the criteria for defining the scope of Technical Specifications proposed in the AIF and TSIP reports. Those criteria should then be used by the NRC and each of the nuclear steam supply

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<sup>1</sup>SECY-86-10, "Recommendations for Improving Technical Specification," dated January 13, 1986, contains both "Recommendations for Improving Technical Specifications," NRC Technical Specifications Improvement Project, September 30, 1985, and "Technical Specifications Improvements," AIF Subcommittee on Technical Specifications Improvements, October 1, 1985.

system vendor owners groups to completely rewrite and streamline the existing Standard Technical Specifications (STS). This process would result in many requirements being transferred from control by Technical Specification requirements to control by other mechanisms [e.g., the Final Safety Analysis Report (FSAR), Operating Procedures, Quality Assurance (QA) Plan] which would not require a license amendment or prior NRC approval when changes are needed. The new STS should include greater emphasis on human factors principles in order to add clarity and understanding to the text of the STS. The new STS should also provide improvements to the Bases Section of Technical Specifications which provides the purpose for each requirement in the specification.

- 2) A parallel program of short-term improvements in both the scope and substance of the existing Technical Specifications should be initiated in addition to developing a new STS as identified in (1) above.

## II. DISCUSSION

The Commission recognizes the advantages of improved Technical Specifications. Clarification of the scope and purpose of Technical Specifications will provide useful guidance to both the NRC and industry and should serve as an important incentive for industry participation in a voluntary program to improve Technical Specifications. It will result in Technical Specifications that focus licensee's and the plant operator's attention on those plant conditions most important to safety and should also result in more efficient use of agency and industry resources.

The Policy Statement identifies three objective criteria for defining the scope of Technical Specifications. These criteria are intended to be consistent with the scope of Technical Specifications as stated in the Statement of Consideration accompanying the current rule.

The Statement of Consideration discusses the scope of Technical Specifications as including the following:

"In the revised system, emphasis is placed on two general classes of technical matters: (1) those related to prevention of accidents, and (2) those related to mitigation of the consequences of accidents. By systematic analysis and evaluation of a particular facility, each applicant is required to identify at the construction permit stage, those items that are directly related to maintaining the integrity of the physical barriers designed to contain radioactivity. Such items are expected to be the subjects of Technical Specifications in the operating license."

33 FR 18610 (December 17, 1968). The first of these two general classes of technical matters to be included in Technical Specifications is captured by criterion (1) and to some extent criterion (2) in that they address systems and process variables that alert the operator to a situation when accident initiation is more likely. The second general class of technical matters is explicitly addressed and captured by criteria (2) and (3). By applying the three criteria contained in the Policy Statement a licensee should capture all of those specific characteristics of its facility and the conditions for its operation that are required to meet the principal operative standard in Section 182a. of the Atomic Energy Act, that is, that adequate protection is provided to the health and safety of the public.

The Commission recognizes that the three criteria carry with them a common theme of focusing on those requirements related to technical matters dealing with those features of a facility that are of controlling importance to safety. Since many of the requirements are of immediate concern to the health and safety of the public, the Policy Statement adopts, for the purpose of relocating requirements from Technical Specifications to other licensee-controlled documents, the subjective statement of the purpose of Technical Specifications expressed by an Atomic Safety and Licensing Appeal Board Portland General Electric Company (Trojan Nuclear Plant), ALAB-531, 9 NRC 263 (1979). There the Appeal Board interpreted Technical Specifications as being reserved for those conditions or limitations upon reactor operation necessary to obviate the possibility of an abnormal

situation or event giving rise to an immediate threat to the public health and safety. The Commission wishes to emphasize that this Policy Statement is intended to be consistent with the language of Section 182a. of the Atomic Energy Act, 10 CFR 50.36, and previous interpretations of the regulations. It merely clarifies the scope and purpose of Technical Specifications by identifying criteria which can be used to establish, more clearly, the framework for Technical Specifications (i.e., identify those requirements derived from the analyses and evaluation included in the safety analysis report and which are of immediate concern to the health and safety of the public). It identifies requirements which should be retained in Technical Specifications and also describes a mechanism whereby other "additional" requirements can be identified and controlled through mechanisms other than Technical Specifications.

The Commission invites public comment on this Policy Statement and particularly invites comment on the statement of the purpose of Technical Specifications which introduces the text of the Policy Statement and on whether it would be beneficial for licensees to be able to modify related portions of their LCOs (such as containment systems) without having to apply the terms and provisions of the Policy Statement to all LCOs.

### III. THE COMMISSION'S POLICY

The purpose of Technical Specifications is to impose those conditions or limitations upon reactor operation necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety by establishing those conditions of operation which cannot be changed without prior Commission approval and by identifying those features which are of controlling importance to safety.

Licensees are encouraged to implement a program to upgrade their Technical Specifications consistent with this purpose. The Commission will entertain requests based on the criteria below (as clarified by the supporting discussion) for individual license amendments that evaluate all of the Limiting Conditions for Operation (LCOs) for an individual plant to determine



which LCOs should be included in the Technical Specifications. The Commission does not intend that these criteria be used as the basis for relocation of individual LCOs. LCOs which fail to meet any one or more of the criteria below may be removed from the Technical Specifications and relocated to other licensee-controlled documents, such as the FSAR or licensee procedures. The criteria may be applied to either Standard or custom Technical Specifications. However, it is expected that each of the nuclear steam supply system vendor owners groups will undertake the development of revised STS based on this Policy Statement, and we encourage licensees to use the revised STS as the basis for their individual plant Technical Specifications. The NRC will give first priority in its Technical Specifications improvements efforts to the review and approval of the revised STS and the plant specific license amendment applications based on them. Approved short term Technical Specifications improvements will be included in the revised STS. The revised STS and individual license amendment requests that are submitted based on this Policy Statement should incorporate all terms and provisions of the Policy Statement.

The following criteria delineate those constraints on design and operation of nuclear power plants that are derived from the plant safety analysis report and belong in Technical Specifications in accord with 10 CFR 50.36 and the purpose of Technical Specifications stated above.

Criterion 1: Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary:

Discussion of Criterion 1: A basic concept in the adequate protection of the public health and safety is the prevention of accidents. Instrumentation is installed to detect significant abnormal degradation of the reactor coolant pressure boundary so as to allow operator actions to either correct the condition or to shut down the plant safely, thus reducing the likelihood of a loss-of-coolant accident.

This criterion is intended to ensure that Technical Specifications control those instruments specifically installed to detect excessive reactor coolant system leakage.

Criterion 2: A process variable that is an initial condition of a Design Basis Accident (DBA) or Transient Analyses that either assumes the failure of or presents a challenge to the integrity of a fission product barrier:

Discussion of Criterion 2: Another basic concept in the adequate protection of the public health and safety is that the plant shall be operated within the bounds of the initial conditions assumed in the existing Design Basis Accident and Transient Analyses. These analyses consist of postulated events, analyzed in the Final Safety Analysis Report (FSAR), for which a structure, system, or component must meet specified functional goals. These analyses are contained in Chapters 6 and 15 of the FSAR (or equivalent chapters) and are identified as Condition II, III, or IV events (ANSI N 18.2) (or equivalent) that either assume the failure of or present a challenge to the integrity of a fission product barrier.

As used in Criterion 2, process variables are only those parameters for which specific values or ranges of values have been chosen as reference bounds in the Design Basis Accident or Transient Analyses and which are monitored and controlled during power operation such that process values remain within the analysis bounds.

The purpose of this criterion is to capture those process variables that have initial values assumed in the Design Basis Accident and Transient Analyses, and which are monitored and controlled during power operation. So long as these variables are maintained within the established values, risk to the public safety is presumed to be acceptably low.

Criterion 3: A structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a Design Basis Accident or Transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier:

Discussion of Criterion 3: A third concept in the adequate protection of the public health and safety is that in the event that a postulated Design Basis Accident or Transient should occur, structures, systems, and components are available to function or to actuate in order to mitigate the consequence of the Design Basis Accident or Transient. Safety sequence analyses or their equivalent have been performed in recent years and provide a method of presenting the plant response to an accident. These can be used to define the primary success paths.

A safety sequence analysis is a systematic examination of the actions required to mitigate the consequences of events considered in the plant's Design Basis Accident and Transient Analyses, as presented in Chapters 6 and 15 of the plant's Final Safety Analysis Report (or equivalent chapters). Such a safety sequence analysis considers all applicable events, whether explicitly or implicitly presented. The primary success path of a safety sequence analysis consists of the combination and sequences of equipment needed to operate (including consideration of the single failure criteria), so that the plant response to Design Basis Accidents and Transients limits the consequences of these events to within the appropriate acceptance criteria.

It is the intent of this criterion to capture into Technical Specifications only those structures, systems, and components that are part of the primary success path of a safety sequence analysis. Also captured by this criterion are those support and actuation systems that are necessary for items in the primary success path to successfully function.

In addition to those structures, systems, and components captured by the above criteria, it is the Commission's policy that licensees retain in their Technical Specifications LCOs, action statements, and Surveillance Requirements for the following systems (as applicable) which operating experience and probabilistic risk assessment have generally shown to be important to public health and safety:

- Reactor Core Isolation Cooling (RCIC)/Isolation Condenser,
- Residual Heat Removal (RHR),
- Standby Liquid Control (SBLC), and
- Recirculation Pump Trip (RPT).

The Commission recognizes that features of plant design and operation not addressed in the safety analysis report's Design Basis Accidents or Transient Analyses can, in some cases, be significant contributors to the plant's overall core melt probability and risk. As stated in 10 CFR 50.36, the Commission may include such additional Technical Specifications as the Commission finds appropriate. Based on this, and consistent with the Commission's Safety Goal and Severe Accident Policy Statements, the Commission finds that risk evaluations are an appropriate tool for defining requirements that should be retained in Technical Specifications where including such requirements is consistent with the purpose of Technical Specifications as defined above.

The Commission expects that owners groups, in preparing their proposals to streamline the Standard Technical Specifications, will utilize the available literature on risk insights and Probabilistic Risk Assessments (PRAs). This material should be employed to strengthen the technical bases for those requirements that remain in Technical Specifications, when applicable, and to verify that none of the requirements to be relocated contain constraints of prime importance in limiting the likelihood or severity of the accident sequences that are commonly found to dominate risk. Similarly, the Staff will also employ risk insights and PRAs in evaluating the revised STS.

In some cases, plant-specific PRAs or risk surveys conducted, for example, pursuant to the Commission's Severe Accident Policy, may be available to licensees as they prepare license amendments to adopt the revised STS to their plant, or to streamline custom Technical Specifications under this Policy Statement. Where such PRAs or surveys are available, they should be used to strengthen the Bases and screen those Technical Specifications to be relocated, as suggested above. Where such plant-specific risk surveys are unavailable, licensees should utilize the available literature on risk insights and PRAs, as described above. However, licensees need not await the performance of plant-specific PRA studies before availing themselves of this policy. As in the case of the revised STS discussed above, the Staff will also utilize risk insights and PRAs in evaluating the plant-specific submissions. Further, as a part of the Commission's ongoing program of improving Technical Specifications, it will continue research in methods to make better use of risk and reliability considerations for defining future generic Technical Specification requirements.

Requirement(s) which would be relocated from Technical Specifications to another licensee-controlled document (e.g., the FSAR and 10 CFR 50.59, Operating Procedures, the QA Plan, or Fire Protection Plan) may be changed or deleted in conjunction with the filing of the revised STS or of individual license amendment request to implement this Policy Statement. The package containing the revised STS or the amendment request must contain a clear statement of the basis of the requirement(s) to be changed or deleted, a safety evaluation, and a statement that the change(s) has been reviewed by a multidisciplinary group of responsible, technical supervisory personnel, including onsite operations personnel.

When licensees submit amendment requests based on this Policy Statement, they should identify the location of, and controls for, the technical and administrative requirements of the removed Technical Specifications. The Staff will carefully review these submittals to ensure the accountability of each relocated requirement.

Appropriate surveillance requirements and action statements should be retained for each LCO which remains in the Technical Specifications. Each LCO, Action Statement, and Surveillance Requirement should have supporting Bases. The Bases should at a minimum address the following questions and cite references to appropriate licensing documentation (e.g., FSAR, Topical Report) to support the Bases.

1. What is the justification for the Technical Specification, i.e., which criterion requires it to be in the Technical Specifications?
2. What are the Bases for each Limiting Condition for Operation (LCO), i.e., why was it determined to be the lowest functional capability or performance level for the system/component in question necessary for safe operation of the facility and what are the reasons for the Applicable Operational Modes(s) for the LCO?
3. What are the Bases for each Action Statement, i.e., why should this remedial action be taken if the associated LCO cannot be met, how does this action relate to other Action Statements associated with the LCO, and what justifies continued operation of the system/component at the reduced state from the state specified in the LCO for the allowed time period?
4. What are the Bases for each Limiting Safety System Setting?
5. What are the Bases for each Surveillance Requirement and the surveillance interval specified, i.e., what specific functional requirement is the surveillance designed to verify, and why is this surveillance necessary at the specified frequency to assure that the system/component function is maintained, that facility operation will be within the safety limits, and that the LCO will be met?

NOTE: In answering these questions the Bases for each number (e.g., Trip Set point, Response Time, Allowed Outage Time, Surveillance Test Interval), state, condition, and definition (e.g., operability) should be clearly specified. As an example, a number might be based on engineering judgment, past experience, and/or PRA insights but this should be clearly stated.

The Commission recognizes that certain amendments to the regulations<sup>2</sup> may be necessary before the content of Technical Specifications can be limited entirely to the purpose defined above as embodied in the associated criteria (e.g., §50.36a on Radiological Environmental Technical Specifications would have to be amended before radiological effluent controls can be transferred from the Technical Specifications to other documents). The Staff will initiate in parallel with issuance of this Policy Statement the rule changes necessary to fully implement this Policy Statement.

To give added assurance that the conditions and limitations currently contained in Technical Specifications that will be removed are adequately controlled, the NRC will give increased attention to changes made pursuant to §50.59 and to the administrative control requirements of the Technical Specifications. The NRC is paying closer attention to FSAR updates, and will specifically look for changes which potentially violate §50.59. The Staff is encouraging industry to get the help of the Institute of Nuclear Power Operations (INPO) and the support of the Nuclear Utility Management Resource Committee (NUMARC), in sponsoring activities to encourage the highest quality for utility review of changes including those made pursuant to §50.59. The NRC will work with industry to develop a standard for the conduct of §50.59 reviews. This standard will then be afforded regulatory status (e.g., by a separate policy statement, regulatory guide, or generic letter). In the interim, utilities that choose to file an application to amend their Technical

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<sup>2</sup>Ibid, Enclosure 1, Table 3

Specifications in accordance with this Policy Statement must have in place administrative controls to ensure that changes made pursuant to §50.59 are made only after the bases for the requirement have been clearly established and after review by a multidisciplinary review group made up of responsible, technical supervisory personnel, including onsite operations personnel. In addition, if Technical Specification requirements are relocated to plant procedures, then the revised Technical Specifications must contain administrative controls to ensure that they are appropriately maintained and implemented. The Staff will issue guidance on the appropriate control mechanisms for requirements removed from Technical Specifications (e.g., FSAR amendment, procedures, or other licensee-controlled document) in time for use when the Policy Statement is issued in final form.

The NRC will, consistent with its mission, allocate resources as necessary to implement this Policy Statement.

#### IV. ENFORCEMENT POLICY

Any changes to a licensee's Technical Specifications to apply this Policy Statement's criteria will be made by the license amendment process prior to implementation. Continued compliance with Technical Specifications and with the commitments contained in other licensee-controlled documents is required by the Commission. Violations and deviations will, as in the past, be subject to the Enforcement Policy in 10 CFR Part 2, Appendix C, (1986).

If a licensee elects to apply these criteria, the requirements of the removed specifications will be relocated to the Final Safety Analysis Report (FSAR) or other licensee controlled documents. Licensees must operate their facilities in conformance with the descriptions of their facilities and procedures in their FSAR unless the change is reviewed and approved in accordance with §50.59. The Commission will take appropriate enforcement action to ensure that licensees comply with FSAR commitments and §50.59. Changes to the provisions of other documents (e.g., QA plan, plant procedures) are subject to the specific requirements for those documents.



Nothing in this Policy Statement shall limit the authority of the NRC to conduct inspections as deemed necessary and to take appropriate enforcement action when regulatory requirements or commitments are not met.

#### ADDITIONAL VIEWS OF COMMISSIONER ASSELSTINE

Commissioner Asselstine adds the following: I disapprove this interim policy statement. Although I support an effort to bring about improvements in plant Technical Specifications, I believe that this policy statement must be modified in four respects: First, any such policy should contain an explicit statement that the Commission will not entertain changes in testing and surveillance intervals and allowed outage times until licensee maintenance programs are strengthened. Second, I believe the 10 CFR 50.59 review process should be strengthened before licensees are given the flexibility afforded this interim policy. Third, this interim policy weakens the Commission's enforcement options for some important safety requirements now contained in the Technical Specifications. For example, plants licensed since January 1, 1979 (33 full power licenses thus far) are not covered by the requirements of the Commission's fire protection regulations (10 CFR Part 50, Appendix R). Instead, the Technical Specifications and license conditions have been used as the vehicle for establishing enforceable fire protection requirements for the plants licensed since 1978. It appears that this policy statement would allow removing the enforceable fire protection requirements from the Technical Specifications and placing them in a far less enforceable document -- the Final Safety Analysis Report. The February 7, 1986 memorandum from the Acting Director for Operations to the Commissioners (Subject: Test Application of TSIP Technical Specification Selection Criteria) indicates that fire detection instrumentation, fire suppression systems and fire barriers would no longer be covered by the Technical Specifications. As the NRC staff admits, "(T)he NRC's ability to fine a licensee or to seek escalated enforcement action against a licensee who fails to comply with some relocated Technical Specifications is somewhat diminished." This is unacceptable. At a minimum, the Commission should treat failures to meet safety provisions in the Final Safety Analysis Report and other such controlled documents in the same manner as failures to comply with Technical Specifications.

Finally, the February 7, 1986 memorandum indicates that AC and DC power sources would not be covered by Technical Specifications while the plant is in the decay heat removal mode. These power sources are not deemed vital because events in this mode of operation are not "design basis accidents." I find this argument troubling. The significance of the decay heat removal function is described in, for example, the NRC's Office of Analysis and Evaluation of Operational Data report "Decay Heat Removal Problems at U.S. Pressurized Water Reactors" AEOD/C503, December, 1985. I fail to see the wisdom of not addressing power sources in the Technical Specifications while the plant is in the decay heat removal mode. Therefore, I must question the adequacy of the selection criteria for what is and is not to remain in the Technical Specifications.

I would appreciate receiving comments on the above.

Dated at Washington, D.C., this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

For the Nuclear Regulatory Commission

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Samuel J. Chilk,  
Secretary of the Commission.