

Radiation Center



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U.S. Nuclear Regulatory Commission
Washington, DC 20555

Reference: Oregon State University TRIGA Reactor (OSTR),
Docket No. 50-243, License No. R-106.

Subject: Request for a Change in OSTR Technical Specification 6.7.a.5
and 6.7.c.4.

Gentlemen:

Oregon State University would like to request two changes to the current wording in the OSTR Technical Specifications. Both changes deal with statements which appear in the reporting requirements section of the Technical Specifications, and both changes are intended to clarify the existing wording.

The first proposed change deals with wording in Section 6.7.a.5, which currently reads, "failure of a required reactor or experiment safety system component which could render the system incapable of performing its intended safety function." In contrast to the present wording, we request that the wording of this specification be amended to read, "failure of a required reactor or experiment safety system component which could render the system incapable of performing its intended safety function **unless the failure is discovered during maintenance tests or periods of reactor shutdown.**"

The proposed new wording of this statement will make this reporting requirement essentially consistent with the wording of a corresponding requirement found in section 6.6.2(1)c(iii) of nuclear standard ANSI/ANS-15.1 entitled, "The Development of Technical Specifications for Research Reactors." Furthermore, the change will clarify what we believe to be the real intent of the reporting requirement, and will concurrently eliminate unnecessary reports associated with the detection of failures which are discovered during routine tests designed to detect such situations prior to the time any safety implications could be involved. As a result, there will be no reduction in the level of reactor safety or in the safety of the general public, and we submit that the new wording does not introduce a less conservative reporting policy considering the actual intent of the requirement.

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The second proposed change involves wording found in section 6.7.c.4 of the OSTR Technical Specifications. Specifically, this section now requires a written report within 30 days for: "Any observed inadequacies in the implementation of administrative or procedural controls." In contrast to the present wording of this statement, we would like to request that this specification be amended to read, "Any observed inadequacy in the implementation of administrative or procedural controls **such that the inadequacy causes or could have caused the existence or development of an unsafe condition with regard to reactor operations.**"

Like the first requested change, the second proposed change is designed to clarify what appears to be the original intent of this reporting requirement. As currently written, any deviation from an administrative control or procedure could possibly be interpreted as requiring a 30-day written report, whether or not the deviation had any safety significance. On the other hand, it seems to us that the intent of this specification is to ensure that safety-related deviations are reported. This is confirmed by an equivalent reporting requirement in nuclear standard ANSI/ANS-15.1, section 6.6.2(1)c.(vi.), which contains wording basically identical to the wording we have requested. Additionally, we see no way that the proposed change to section 6.7.c.4 could reasonably be interpreted as introducing a less conservative reporting policy, and certainly it does not in any way reduce the level of reactor safety or the safety of the general public. In support of this position, we would like to mention that the NRC regulations in Title 10, and sections 6.7.a, 6.7.b, and 6.7.c.1 and c.2 of the OSTR Technical Specifications already establish rigid reporting requirements for essentially all major events involving the operation of the reactor. Secondly, the OSTR staff will always be required to make judgements with respect to what events are reportable, but in most other cases we have the benefit of definitive reporting criteria. Several times we literally interpreted the wording of section 6.7.c.4 and reported minor observed inadequacies with no reactor or public safety implications, only to be told that such events were not the types of occurrences we needed to report. Therefore, without the incorporation of reasonable criteria into this specification it will continue to be extremely hard to interpret, and, from our perspective, it will not provide the intended reporting guidance nor the intended response.

We also have another concern relating to our proposed changes. In particular, we are apprehensive about the fact that the proposed new wording of both reporting requirements includes the word "could." In our role as a licensee trying to fully comply with our Technical Specifications, the word "could" can be a source of confusion when trying to evaluate whether or not an event is reportable. Conversely, we feel that use of the word "could" is manageable assuming it is acceptable to consider mainly the specific circumstances associated with the particular event being evaluated when determining whether or not a given event "could" have rendered a particular system incapable of performing its intended safety function or "could" have caused the existence or development of an unsafe condition with regard to reactor operations. In the absence of any specific guidance to the contrary, we plan to use the above philosophy in our evaluation of situations where the word "could" is involved.

