

TSTF Technical Specifications Task Force
A Joint Owners Group Activity

2014 Regulatory Information Conference
Non-conservative Technical Specifications. What Actions are Needed?
March 12, 2014

Identification, Reporting, and Corrective Actions for a Non-Conservative TS

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Need for Action

- AL 98-10
 - Provides staff expectations, not requirements
 - Inconsistently interpreted & applied
 - Promotes Regulatory uncertainty
 - Has not resolved concerns for which it was issued

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What is a Non-Conservative TS (NCTS)?

- 10 CFR 50.36(c)(2):
 - "The technical specifications will be derived from the analyses and evaluation included in the safety analysis report."
- AL 98-10:
 - "...specific values or required actions in TS may not assure safety."
- Therefore, a NCTS is a specific value or required action in TS which is inconsistent with the UFSAR safety analysis.

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What is **NOT** a Non-Conservative TS?

- TS consistent with analysis in the UFSAR and the NRC's basis for approval of the TS
- When challenged on a TS which meets criteria above, a path exists separate from AL 98-10...
- 10 CFR 50.54(f):
 - "...Except for information sought to verify licensee compliance with the current licensing basis for that facility, the NRC must prepare the reason or reasons for each information request prior to issuance to ensure that the burden to be imposed on respondents is justified in view of the potential safety significance of the issue to be addressed in the requested information."

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Causes of a Non-Conservative TS

- Most NCTS fall into one of three categories:
 - A change or discovered error in the analysis described in the UFSAR that makes a TS inadequate to protect safety (e.g. discovery that the DG fuel consumption calcs are inaccurate and too little fuel oil is required by the TS); or
 - A discovered error in the TS that makes it inconsistent with the analysis described in the UFSAR (e.g., discovery that the MSSV Required Actions are inadequate to protect plant safety); or
 - NRC actions (findings, RIS, etc.) that alter the application of the TS and makes it inconsistent with the analysis described in the UFSAR (e.g., CDBI findings regarding the DG voltage and frequency tolerance SR acceptance criteria).

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Identification & Immediate Disposition

- Part 9900 Technical Guidance:
 - "The discovery of an improper or inadequate TS value or required action is considered a degraded or nonconforming condition."
- Criterion XVI of 10 CFR Part 50, Appendix B
 - "Promptly identify and correct the conditions and take action to prevent recurrence."

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Compensatory Actions

- Immediately implement compensatory actions to assure safety
- Compensatory actions:
 - may differ from the final proposed solution
 - may not be supported by a detailed, final analysis
- Generic issues may warrant industry development of generic solution
- Licensee obligated to resolve issue in a time frame commensurate with safety significance

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Reportability

- Depends on cause of the NCTS
 - Error in the UFSAR
 - Evaluate against 50.72/73. TS themselves not reportable if consistent with the analysis and followed
 - Error in the TS
 - Evaluate against 50.72/73. TS not reportable if consistent with the analysis and followed. May be a 50.9 issue if the original LAR was inaccurate.
 - NRC action
 - Typically the source of a finding and LER

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Future Actions

- The TSTF has agreed to draft industry guidance on addressing NCTS, working with the Owners Groups Licensing Subcommittees, NEI, the NRUG, and the regional RUGs.
- Will submit the industry guidance for NRC endorsement. Will supersede AL 98-10.

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