

August 24, 2000

MEMORANDUM TO: John A. Zwolinski, Director
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

FROM: Suzanne C. Black, Deputy Director
Division of Licensing Project Management /RA/
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF MEETING HELD ON JUNE 28, 2000, BETWEEN NRC
STAFF AND INDUSTRY LICENSING ACTION TASK FORCE

Members of the staff of the U.S. Nuclear Regulatory Commission (NRC) hosted a meeting with representatives of the Nuclear Energy Institute (NEI) and licensees comprising the Licensing Action Task Force (LATF) on June 28, 2000, at NRC Headquarters in Rockville, Maryland. This meeting was open to the public. A list of attendees is provided as Attachment 1. An agenda of the meeting provided by the LATF is included as Attachment 2. Attachment 3 is a draft copy of the NEI white paper regarding a proposed standardized change process for technical specification (TS) Bases and technical requirements documents.

Topics discussed included the status of revising Office of Nuclear Reactor Regulation (NRR) office letters, the proposed effort to standardize licensee submittals and NRC safety evaluations, NEI's white paper on TS bases/technical documents changes, the status of the consolidated line item improvement process (CLIP), and a brief status of other issues. A summary of the discussions is provided below:

1. NRR OFFICE LETTERS:

A. Discussion Summary

The industry expressed interest in discussing the status of revisions of the following NRR Office Letters (OLs): OL 803, "License Amendment Review Procedures," (accession number ML993550418), OL 807, "Control of Licensing Bases for Operating Reactors," (ML003693397), OL 900, "Managing Commitments Made by Licensees to the NRC," (ML003692416), OL 1201, "Control of Task Interface Agreements," (9908120129), and a proposed OL addressing relief requests (although not known at the time of the LATF meeting, this guidance will be promulgated as OL 808). (NOTE: NRR will re-issue all OLs in late 2000, most with minor changes. The NRC requested industry LATF representatives to forward comments, if desired, on any OLs. All OLs will be available on NRC's Agencywide Documents Access and Management System - (ADAMS)).

DISTRIBUTION: See attached list

DOCUMENT NAME: ML003737755

OFFICE	PDIV-1/PM	PDI-2/LA	DLPM/DD		
NAME	LBurkhart <i>LB</i>	TClark <i>TC</i>	SBlack <i>SB</i>		
DATE	8/12/00	8/12/00	8/12/00		

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Industry representatives have forwarded comments via letter dated November 1, 1999, (ML993420095) regarding revision 2 of OL 1201. The industry reiterated that they would encourage more involvement of licensees and increased communications with licensees during the resolution of task interface agreements (TIAs) especially if the TIA deals with policy issues.

A TIA involving Monticello (regarding reportability issues) was discussed because the industry stated it was an example of a TIA that had generic implications and promulgated NRC policy. The industry offered that perhaps a TIA may not be the appropriate vehicle to deal with such an issue (especially in this case where 10 CFR 50.72, 50.73, and NUREG 1022 are in the process of being revised). Concern was also expressed at the timing of public release of TIA responses especially if the resolution of the TIA might result in an adverse action. The industry stressed that they would like more input prior to the final resolution.

With respect to this specific TIA, industry representatives had become aware of the Monticello reportability issue during discussions between the NRR staff and the licensee during the NRR review of the TIA. The staff notes that the TIA response involving Monticello has not been issued and is still under review by the NRR staff including the Events Assessment, Generic Communications, & Non-Power Reactors Branch. Industry views will be considered prior to responding to this TIA.

NRC representatives stated that there is increased sensitivity to the generic nature of TIAs and the impacts that the resolution will have on the licensees. Increased communications with the licensee is stressed in the latest revision of the OL. The NRC requested recommendations for ways to judge the generic nature of TIAs. The industry recommended contacting NEI to discuss the issues and the industry suggested that the respective licensee could also judge the generic nature of the issue. In this specific case, NEI could refer the NRC to an already-established industry working group on reportability issues.

A new OL which will provide guidance for the processing of relief requests is planned to be issued shortly. The new OL will also include guidance on submitting relief requests. The information contained in the OL will reflect information that was discussed at several licensing workshops that were conducted over the past year.

The industry asked if the OL would include topics such as the use of precedent relief requests and the definition of words used in the regulations such as "impractical." The NRC stated that examples of approved relief requests will be included in the OL and that this revision will not address ambiguities in words contained in the regulations regarding relief requests. Attempting to remove ambiguity may be addressed in the next revision.

NEI is interested in reviewing and commenting on the OL regarding relief requests when it is issued.

The industry plans to forward comments on the latest revisions of OL 803 (revision 3), dated December 30, 1999, and OL 807, dated April 5, 2000. September 15, 2000, was established as a target date for forwarding recommendations regarding possible

changes to the subject OLs. This would support revisions which are tentatively scheduled for late 2000.

2. STANDARDIZATION OF LICENSING SUBMITTALS:

A. Discussion Summary

An industry task force is reviewing the information presented by the NRC at the February 17, 2000, LATF meeting. NEI has produced a draft licensing action request (LAR) format and the industry task force is scheduled to provide comments to NEI by August 1, 2000. NEI will provide comments regarding the proposed standardization issue at the next LATF meeting. NEI plans to submit a sample LAR format if consensus among industry can be achieved regarding the content of the standardized format.

NEI stated that some licensees have already submitted requests using the example standardization format that was distributed at the last LATF meeting.

3. NEI BASES WHITE PAPER:

A draft NEI whitepaper entitled "Standardized Change Process for Technical Specification Bases and 'Technical Requirements' Documents" was distributed and is included as Enclosure 3. The proposed process (which would cover changes to TS Bases and the Technical Requirements Manual) could be utilized by plants that have custom or standard TSs. This document has been reviewed by an industry task force. NEI will distribute to industry and will request comment from industry and the NRC by August 30, 2000. Based on receipt of comments, NEI proposes to issue a final white paper by September 30, 2000.

4. CONSOLIDATED LINE ITEM IMPROVEMENT PROCESS:

A. Discussion Summary

General discussions involved the issue of "piloting" the proposed process with a general consensus that post-accident sampling system (PASS) elimination would be a good test of the process due to its relative complexity. NEI commented that the owners groups should be consulted for comments on the issue.

Reportedly, the Westinghouse owners group and the Combustion Engineering owners group have or would forward technical specification task force (TSTF) travellers (for removal of PASS) to the NRC staff within the near future. The content of the travellers should be consistent.

The Technical Specification Branch recommended an already-approved TSTF issue to pilot the implementation phase of the new process. Specifically the TSTF regarding Bases control wording was mentioned. The interest in pursuing the change supported by this TSTF was not known. NEI would attempt to canvass industry interest.

5. ADDITIONAL ITEMS:

More and better communications of LATF activities was encouraged. NEI stated that there is information regarding LATF activities on the NEI web site.

Revision 2 of the improved standard TSs will be issued soon. The proposed schedule will have NRC "freezing" the changes that will be included in revision 2 by the end of July. Industry and NRC review would be scheduled to be completed before the fall outages. A NUREG would be issued by the end of the year.

The next LATF meeting is tentatively scheduled for September 12 or 13, 2000.

Attachments: As stated (3)

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Project No. 689

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LICENSING ACTION TASK FORCE MEETING

JUNE 28, 2000

LIST OF ATTENDEES

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Joe Rutberg	NRC/OGC
Suzanne Black	NRC/NRR/DLPM
Herb Berkow	NRC/NRR/DLPM
Bill Reckley	NRC/NRR/DLPM
Lenny Olshan	NRC/NRR/DLPM
Lawrence Burkhardt	NRC/NRR/DLPM
L. Raghavan	NRC/NRR/DLPM
Tracy Clark	NRC/NRR/DLPM
Jacob Zimmerman	NRC/NRR/DLPM
L. Mark Padovan	NRC/NRR/DLPM
Rick Croteau	NRC/NRR/DLPM
William Beckner	NRC/NRR/DRIP
Tilda Liu	NRC/NRR/DRIP
Mike Schoppman	NEI
Pete Kokolakis	NYPA
Al Passwater	AmerenUE
Pedro Salas	TVA
Steve Wideman	WCNOC/TSTF
A.K. Krainik	APS
Donald Ferrarro	Winston and Strawn
Don Woodlan	TXU Electric
John Osborne	BGE
Joe Kelly	FTI
Everett (Chip) Perkins	Entergy (W3)
Charles Brinkman	Westinghouse
Jim Kenny	PPL
Brian A. McIntyre	AEP
Nancy Chapman	SERCH/Bechtel
Ed Forrest	LIS

NRC/NEI Meeting
Licensing Action Task Force
June 28, 2000

AGENDA

- NRR Office Letters
- LAR/SER Format
- NEI Bases/TRM White Paper
- Consolidated Line Item Improvement Process (CLIIP)
- Additional Items (time permitting)

NEI WHITE PAPER

Standardized Change Process for Technical Specification Bases and "Technical Requirements" Documents

1.0 INTRODUCTION

This White Paper provides commercial operating reactor licensees with standardized guidance for revising the "technical specification bases" (Bases¹) and the "technical requirements manual" (TRM²). It can be applied to the various Technical Specification Bases formats ranging from "custom Technical Specifications" that retain the originally licensed format to "improved Standard Technical Specifications" that have been reformatted using the latest approved NUREG in the 1430-1434³ series. It can also be applied to the various TRM formats that have evolved since the promulgation of Technical Specification screening criteria in 10 CFR 50.36.⁴ The objective of this White Paper is to increase efficiency and reduce costs associated with revising the Bases and TRM documents by devising a single change-control process that can be used by all licensees, regardless of their Technical Specification vintage or TRM format.

Bases and TRM changes do not require prior NRC review and approval because neither the Bases nor the TRM is considered part of the plant's Operating License. Each licensee through use of site-specific screening, evaluation, and management review procedures manages the Bases/TRM change process.

¹ The scope of the "technical specifications" and the "technical specification bases" for a commercial reactor is defined in 10 CFR 50.36. The "technical specifications," which are appended to each plant's Operating License, establish the safety limits and equipment functional performance requirements necessary to detect and prevent (or mitigate) the effects of hypothetical design-basis accidents (or transients) on physical fission-product barriers (i.e., the fuel cladding, reactor coolant system piping, and containment structure). The "technical specification bases" are summary statements of the reasons for such technical specifications, but are not considered part of the Operating License.

² The term "technical requirements manual" (TRM) is used as a general term throughout this White Paper. The acronym TRM is used herein to refer to the set of documents, regardless of title, where selected technical specification requirements may be relocated when it is determined they do not meet the criteria of 10 CFR 50.36 for inclusion in the technical specifications. For example, a licensee may choose to relocate a TS requirement to the FSAR, the QA plan, a document specifically titled Technical Requirements Manual, or some other licensee-controlled document.

³ U.S. Nuclear Regulatory Commission, NUREG-1430, Rev. 1, *Standard Technical Specifications, Babcock and Wilcox Plants* April 1995. There are corresponding NUREGs for plants designed by Westinghouse (NUREG-1431), Combustion Engineering (NUREG-1432), and General Electric (NUREG-1433 and NUREG-1434).

⁴ U.S. Code of Federal Regulations (CFR), Title 10, Part 50.36, *Technical specifications*.

2.0 BACKGROUND

In the early 1980s, a NRC task group known as the Technical Specifications Improvement Project (TSIP) and an industry subcommittee of the Atomic Industrial Forum (AIF) began studying whether the system of establishing technical specification requirements for nuclear power plants needed improvement. The overall conclusion of the TSIP/AIF studies was that improvements in the scope and content of technical specifications were needed and that each NSSS owners group should rewrite and streamline the then-existing "standard technical specifications" (STS). The objective was to identify criteria that would permit the transfer of certain requirements from control by technical specifications to control by other mechanisms that would not require a license amendment or prior NRC staff approval when changes were needed (e.g., updated FSAR, plant procedures, QA program, or other licensee-controlled document).

In response to TSIP and AIF recommendations, the NRC published an interim Policy Statement⁵ in 1987 containing proposed criteria for refining the scope of technical specification "limiting conditions for operation" (LCOs). Subsequently, the NRC issued Revision 0 of improved vendor-specific STS in 1992 and a final Policy Statement⁶ in 1993. The criteria in the final Policy Statement were incorporated in 10 CFR 50.36 by rulemaking in 1995.⁷ By applying the criteria in 50.36, a licensee can capture the conditions for operation of its facility that are required to meet the principal operative standard in Section 182a of the Atomic Energy Act, that is, provide adequate protection of the health and safety of the public.

3.0 DEFINITIONS

3.1 *Technical Specification Bases*

Each operating reactor licensee is required to comply with NRC rules, regulations, orders, and a plant-specific operating license. The operating license includes technical specifications and other license conditions.

Although each licensee is required by 10 CFR 50.36 to include a Bases section in the Technical Specifications, 10 CFR 50.36 also specifically states that Bases are not considered part of the Technical Specifications.

⁵ U.S. Nuclear Regulatory Commission, *Interim Policy Statement on Technical Specification Improvements for Nuclear Power Reactors*, 52 FR 3788, February 6, 1987.

⁶ U.S. Nuclear Regulatory Commission, *Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors*, 58 FR 39132, July 22, 1993.

⁷ Nuclear Regulatory Commission, Final rule, *Technical Specifications*, 60 FR 36953, July 19, 1995.

The reasons for certain technical specifications (safety limits, limiting conditions for operation, and surveillance requirements) are contained in each plant's Bases document. Prior NRC staff approval in accordance with 10 CFR 50.90⁸ is required before a licensee can change the Technical Specification, but is not required before a licensee can change the Bases.⁹

3.2 *Technical Requirements Manual*

The TRM is a licensee-controlled document to which certain information may be relocated if it does not meet the criteria of 10 CFR 50.36 to remain in Technical Specifications. The scope of the TRM may include other requirements, surveillances, and operator actions. Some licensees, especially those with improved STS, relocate information to a TRM, although the information may be relocated to other licensee-controlled documents as well (such as administrative procedures, the FSAR, the QA program, etc.). Typically, there is a specific document entitled the Technical Requirements Manual. The TRM may or may not be incorporated by reference in, and considered a part of, the Updated Final Safety Analysis Report (UFSAR). Whereas the UFSAR is updated after the applicable change to the plant has been implemented, the TRM is considered a compliance document and is usually revised to be effective concurrent with implementation of the change to the plant.

The TRM may contain actions that require declaring Technical Specification systems inoperable or that require a plant shutdown. These requirements augment, but do not supersede, Technical Specification requirements. Although the TRM may contain similar definitions and usage requirements as those found in the Technical Specifications, the TRM is not actually part of the Technical Specifications. Thus, a TRM deviation does not necessarily represent a Technical Specification operability concern. Deviations from the TRM are subject to the corrective action program.

4.0 **BASES/TRM CHANGE PROCESS**

Plant's that have converted their Technical Specifications to the improved STS format are required to maintain a "Technical Specifications (TS) Bases Control Program" in accordance with Section 5 of the improved STS. The attributes of such a program are listed below. A Bases/TRM change process that satisfies these

⁸ U.S. Code of Federal Regulations, Title 10, Part 50.90, *Application for amendment of license or construction permit*.

⁹ In general, when a Bases change is associated with a TS change, it is not made until NRC approves the TS change. Some licensees submit corresponding Bases changes along with proposed TS changes, and some do not.

attributes would be acceptable for use by all commercial operating reactor licensees, whether they have Technical Specifications based on the improved STS, older versions of the STS, or custom Technical Specifications.

This White Paper does not differentiate between a stand-alone Bases/TRM change and a Bases/TRM change made to conform to a proposed Technical Specification change. Even though a licensee may include Bases/TRM change pages for information as part of each proposed Technical Specification change, the process for preparing, reviewing, and incorporating Bases/TRM changes is under the licensee's control. Prior NRC approval is necessary for proposed changes to the Technical Specifications, but not for Bases/TRM changes.

A licensee's Bases/TRM change process should satisfy the following attributes:

- Perform a 10 CFR 50.59¹⁰ "screening" of the proposed change, if applicable.¹¹ Perform a 50.59 "evaluation" if the screening determined an evaluation was required.
- For TRM additions that result from Technical Specification relocations (i.e., additions made pursuant to a proposed license amendment), the NRC Safety Evaluation Report (SER) issued with the amended license satisfies the 50.59 review requirement.
- Perform technical reviews of the proposed change required by site-specific review procedures
- Obtain appropriate management approval of the proposed change.
- Distribute the approved change in accordance with plant document distribution requirements.
- Submit a copy of the change to NRC for information as required by the plant's licensing bases. Submittal frequency should be, as a minimum, consistent with FSAR updates submitted in accordance with 10 CFR 50.71(e).

¹⁰ Code of Federal Regulations, Title 10, Part 50.59, *Changes, tests and experiments*.

¹¹ NEI 96-07, *Guidelines for 10 CFR 50.59 Evaluations*.

DISTRIBUTION FOR MEETING SUMMARY FOR LATF MEETING ON JUNE 28, 2000

DATED: August 24, 2000

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