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August 27, 2003
AEP:NRC:3403
10 CFR 50.90

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Mail Stop O-P1-17
Washington, DC 20555-0001

SUBJECT: Donald C. Cook Nuclear Plant Units 1 and 2
Docket Nos. 50-315 and 50-316
LICENSE AMENDMENT REQUEST TO REVISE
TECHNICAL SPECIFICATION 4.0.3: MISSED
SURVEILLANCE TIME ALLOWANCE

Dear Sir or Madam:

Pursuant to 10 CFR 50.90, Indiana Michigan Power Company (I&M), the licensee for Donald C. Cook Nuclear Plant (CNP) Units 1 and 2, proposes to amend Appendix A, Technical Specifications (TS), of Facility Operating Licenses DPR-58 and DPR-74. I&M proposes to amend Unit 1 and Unit 2 TS 4.0.3. TS 4.0.3 describes the relationship between meeting the surveillance requirement and operability. The proposed change will modify TS 4.0.3 to allow a missed surveillance to be completed within 24 hours or up to the limit of the specified interval, whichever is greater. Additionally, a statement that a risk evaluation shall be performed for any surveillance delayed greater than 24 hours and that the risk impact shall be managed is being added to the TS. In conjunction with the TS changes, Bases changes are being made that further clarify the provisions of the TS.

The changes to the TS and its Bases are consistent with industry/Technical Specification Task Force TSTF-358, Revision 6, which was approved by the Nuclear Regulatory Commission (NRC) on October 3, 2001 and incorporated the NRC's comments on TSTF-358, Revision 5. TSTF-358, Revision 5, was approved with comment by the NRC as a part of the Consolidated Line Item Improvement Process (CLIIP) in a Federal Register Notice dated September 28, 2001. Although the time period for submitting a license amendment using the CLIIP process has expired, I&M has reviewed the draft safety evaluation provided in a June 14, 2001 Federal Register Notice, and has determined that it is applicable to the license amendment proposed in the attachments to this letter.

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The September 28, 2001, Federal Register Notice states that, in conjunction with the proposed changes to TS 4.0.3 and the associated Bases, the administrative TS should be modified to include a Bases control program consistent with that described in applicable Standard Technical Specifications. I&M intends to incorporate such a Bases control program into the CNP administrative TS as a part of a separate license amendment request (AEP:NRC:3304, dated August 27, 2003). I&M understands that the changes to TS 4.0.3 and the associated Bases proposed by this letter will not be approved until an amendment incorporating the Bases control program into the CNP administrative TS is approved.

Additionally, I&M proposes format changes to the affected TS pages that improve appearance but do not affect any requirement.

Enclosure 1 provides an affirmation pertaining to this letter. Enclosure 2 provides a description of the proposed amendment, a safety analysis, and an environmental assessment. Attachments 1a and 1b provide TS pages marked to show the proposed changes for Unit 1 and Unit 2 respectively. Attachments 2a and 2b provide TS pages with the proposed changes incorporated for Unit 1 and Unit 2 respectively.

I&M requests NRC review and approval in accordance with normal NRC review schedules for this type of request. I&M requests a 45-day implementation period following approval.

I&M's submittal dated August 27, 2003 (AEP:NRC:3304) contains changes to the same TS pages that are included in this request. I&M will coordinate changes to the pages with the NRC Project Manager to ensure proper TS page control when the associated license amendment requests are approved.

Copies of this letter and its attachments are being transmitted to the Michigan Public Service Commission and Michigan Department of Environmental Quality, in accordance with the requirements of 10 CFR 50.91.

This letter contains no new commitments. Should you have any questions, please contact Mr. Brian A. McIntyre, Manager of Regulatory Affairs, at (269) 697-5806.

Sincerely,



R. P. Powers
Executive Vice President

RV/rdw

Enclosures:

1. Affirmation
2. Application for Amendment, License Amendment Request to Revise Technical Specification 4.0.3

Attachments:

- 1a. Unit 1 Technical Specifications Pages Marked To Show Proposed Changes
 - 1b. Unit 2 Technical Specifications Pages Marked To Show Proposed Changes
 - 2a. Unit 1 Proposed Technical Specifications Pages
 - 2b. Unit 2 Proposed Technical Specifications Pages
-
- c: J. L. Caldwell, NRC Region III
K. D. Curry, Ft. Wayne AEP, w/o enclosures/attachments
J. T. King, MPSC, w/o enclosures/attachments
MDEQ - WHMD/HWRPS
NRC Resident Inspector
M. A. Shuaibi, NRC Washington, DC

bc: D. C. Baker
G. E. Carlson
M. J. Finissi
D. W. Jenkins, w/o enclosures/attachments
J. A. Kobyra, w/o enclosures/attachments
D. A. Moul
B. A. McIntyre, w/o enclosures/attachments
J. E. Newmiller
D. J. Poupard
R. P. Powers, w/o enclosures/attachments
M. K. Scarpello, w/o enclosures/attachments
T. K. Woods, w/o enclosures/attachments
J. A. Zwolinski, w/o enclosures/attachments

Enclosure 1 to AEP:NRC:3403

AFFIRMATION

I, R. P. Powers, being duly sworn, state that I am Executive Vice President of American Electric Power Service Corporation and Vice President of Indiana Michigan Power Company (I&M), that I am authorized to sign and file this request with the Nuclear Regulatory Commission on behalf of I&M, and that the statements made and the matters set forth herein pertaining to I&M are true and correct to the best of my knowledge, information, and belief.

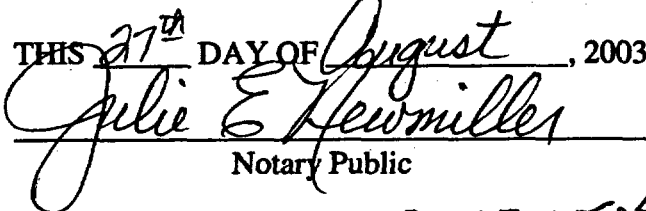
American Electric Power Service Corporation



R. P. Powers
Executive Vice President

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 27th DAY OF August, 2003


Notary Public

My Commission Expires 8-22-2004
782703

JULIE E. NEWMILLER
Notary Public, Berrien County, MI
My Commission Expires Aug 22, 2004



ENCLOSURE 2 TO AEP:NRC:3403

Application for Amendment License Amendment Request to Revise Technical Specification 4.0.3

1.0 DESCRIPTION

Pursuant to 10 CFR 50.90, Indiana Michigan Power Company (I&M), the licensee for Donald C. Cook Nuclear Plant (CNP) Units 1 and 2, proposes to amend Appendix A, Technical Specifications (TS), of Facility Operating Licenses DPR-58 and DPR-74. I&M proposes to amend Unit 1 and Unit 2 TS 4.0.3. TS 4.0.3 describes the relationship between meeting the surveillance requirement and operability.

2.0 PROPOSED CHANGE

I&M proposes the modification of Unit 1 and Unit 2 TS 4.0.3 to allow a missed surveillance to be completed within 24 hours or up to the limit of the specified interval, whichever is greater. Additionally, a statement that a risk evaluation shall be performed for any surveillance delayed greater than 24 hours and that the risk impact shall be managed is being added to the TS. In conjunction with the TS changes, Bases changes that further clarify the provisions of the TS are proposed. Additionally, I&M proposes format changes to the affected TS pages that improve appearance but do not affect any requirements.

3.0 BACKGROUND

The current Specification 4.0.3 requires that, if it is found that a surveillance test was not performed within its specified frequency, the associated Limiting Condition for Operation (LCO) be declared not met unless the missed surveillance test is completed successfully within 24 hours or within the limit of the specified frequency, whichever is less, from the time it was discovered that the test was not performed. The requirements in Specification 4.0.3 are based on Nuclear Regulatory Commission (NRC) Generic Letter 87-09, "Sections 3.0 and 4.0 of the Standard Technical Specifications (STS) of the Applicability of LCO and Surveillance Requirements."

Generic Letter 87-09 was published to address three specific issues with the application of TS. One of those issues was missed surveillances. The Generic Letter states, "The second problem involves unnecessary shutdowns caused by Specification 4.0.3 when surveillance intervals are inadvertently exceeded. The solution is to clarify the applicability of the Action Requirements, to specify a specific acceptable time limit for completing a missed surveillance in certain circumstances, and to clarify when a missed surveillance constitutes a violation of the Operability Requirements of a LCO. It is overly conservative to assume that systems or components are inoperable when a surveillance has not been performed because the vast majority of surveillances do in fact demonstrate that systems or components are OPERABLE. When a surveillance is missed, it is primarily a question of operability that has not been verified by the performance of a Surveillance Requirement, the TS should include a time limit that allows a delay of required actions to permit the performance of the missed surveillance based on

consideration of plant conditions, adequate planning, availability of personnel, the time required to perform the surveillance, and, of course, the safety significance of the delay in completing the surveillance. The staff has concluded that 24 hours is an acceptable time limit for completing a missed surveillance when the allowable outage times of the Action Requirements are less than this limit, or when time is needed to obtain a temporary waiver [enforcement discretion] of the Surveillance Requirement.”

The proposed change would extend the delay time for declaring the LCO not met and entering the required actions by allowing more time to perform the missed surveillance test. This will be achieved by modifying Specification 4.0.3 to allow a delay period from 24 hours up to the surveillance frequency, whichever is greater, to perform a missed surveillance prior to having to declare the LCO not met. The change will add a sentence to Specification 4.0.3 that states “A risk evaluation shall be performed for any surveillance delayed greater than 24 hours, and the risk impact shall be managed.”

The objective of the proposed change is to minimize the impact on plant risk resulting from the performance of a missed surveillance test by allowing flexibility in considering the plant conditions and other plant activities without compromising plant safety. In addition, implementation of the proposed change would reduce the need for I&M to apply for regulatory relief to delay the performance of missed surveillances.

The revision to the Maintenance Rule to establish the requirement in 10 CFR 50.65(a)(4) to assess and manage the increase in risk that may result from maintenance activities provides a framework to allow a more risk-informed approach to addressing missed surveillances. This approach is consistent with the NRC’s policy to increase the use of probabilistic risk assessment (PRA) in all regulatory matters to the extent supported by the state-of-the-art in PRA methods and data and continues to support the objectives outlined in Generic Letter 87-09.

4.0 TECHNICAL ANALYSIS

The proposed change modifies Specification 4.0.3 to allow a delay period from 24 hours up to the surveillance frequency, whichever is greater, to perform a missed surveillance prior to having to declare the LCO not met. The change will add a sentence to Specification that states, “A risk evaluation shall be performed for any surveillance delayed greater than 24 hours, and the risk impact shall be managed.”

The proposed change will not allow equipment known to be inoperable to be considered operable until the missed surveillance is performed. If it is known that the missed surveillance could not be met, Specification 4.0.1 would require that the LCO be declared not met and the appropriate condition(s) entered. Additionally, the bases for Specification 4.0.3 state that the use of the delay period established by Specification 4.0.3 is a flexibility that is not intended to be used as an operational convenience to extend surveillance intervals, but only for the performance of missed surveillances.

The modification includes changes to the Bases for Specification 4.0.3 that provide details on how to implement the new requirements. The Bases changes provide guidance for surveillance frequencies that are not based on time intervals, but are based on specified unit conditions, operating situations, or requirements of regulations. In addition, the Bases changes state that it is expected that the missed surveillance test will be performed at the first reasonable opportunity, taking into account appropriate considerations, such as the impact on plant risk and accident analysis assumptions, consideration of unit conditions, planning, availability of personnel, and the time required to perform the surveillance. The Bases changes also state that the risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, "Assessing and Managing Risks Before Maintenance Activities at Nuclear Power Plants," and that the missed surveillance should be treated as an emergent condition as discussed in Regulatory Guide 1.182. The Bases changes also state that the degree of depth and rigor of the evaluation should be commensurate with the importance of the component and that missed surveillances for important components should be analyzed quantitatively. The Bases changes also state that, if the results of the risk evaluation determine that the risk increase is significant, the evaluation should be used to determine the safest course of action. Finally, the Bases state that all missed surveillances will be placed in the Corrective Action Program.

5.0 EFFECT ON RISK INFORMED ANALYSIS

Plant specific PRAs consider the time between surveillances as the longest period that a particular component may be inoperable without detection. This time period may be used in determining the component basic event failure probabilities for standby components. To evaluate the potential impact of a missed surveillance on plant risk, the component failure probability can be increased proportionally to the time interval from the last test to the next expected test of the component. This new component failure probability can then be factored into the PRA model and the impact on core damage frequency (CDF) and/or large early release frequency (LERF) can be determined.

It is expected that missed surveillances on only a few standby components could result in a significant impact on plant risk as measured by CDF and LERF. In one example, doubling component failure probabilities, assuming the surveillance test interval doubled, results in only a few plant components providing a significant impact on risk. The vast majority of the components have little or no impact on risk. Those components that have a significant impact are located outside containment and can be easily tested within a short time if a surveillance is missed, such as, auxiliary feedwater pumps, high pressure safety injection pumps, and emergency diesel generators.

Additionally, the number of missed surveillances is a very small fraction of the total number of surveillances performed at a nuclear power plant in a year. When this is combined with the very

rare occurrence of the missed surveillance determining that the equipment being testing is inoperable, the increase in risk to the plant is very small.

For those surveillances that are potentially risk-significant, the requirement to perform a risk evaluation if it is extended beyond 24 hours will ensure the risk remains acceptable. Even though the historical data and typical PSA results show an overall small risk increase for this change, the risk evaluation requirements will ensure that the risk increase for a given surveillance extension is also acceptable.

Performance of some surveillances require the associated component to be made temporarily inoperable (due to required system configuration, etc.) while other surveillances require specific plant configurations. Having equipment not available or having to manipulate the plant configuration carries with it a finite risk. This may include equipment down time, misconfiguration, equipment wear, radiation exposure, burden on plant personnel, and the potential for plant transients. Additionally, if the plant is required to shut down in order to complete the surveillance, the transition from full power to shutdown provides a risk increase. Overall, due to the avoidance of unnecessary shutdowns, the low number of potentially risk-significant surveillances, and the requirements for a risk evaluation if a surveillance is extended, the change is considered a risk reduction to risk neutral.

6.0 REGULATORY SAFETY ANALYSES

6.1 No Significant Hazards Considerations

I&M has evaluated whether or not a significant hazards consideration is involved with the proposed amendments by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of amendment," as discussed below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

No.

The proposed change relaxes the time allowed to perform a missed surveillance. The time between surveillances is not an initiator of any accident previously evaluated. Consequently, the probability of an accident previously evaluated is not significantly increased. The equipment being tested is still required to be operable and capable of performing the accident mitigation functions assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly affected. Any reduction in confidence that a standby system might fail to perform its safety function due to a missed surveillance is small and would not, in the absence of other unrelated failures, lead to an increase in

consequences beyond those estimated by existing analyses. The addition of a requirement to assess and manage the risk introduced by the missed surveillance will further minimize possible concerns. Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

No.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. A missed surveillance will not, in and of itself, introduce new failure modes or effects and any increased chance that a standby system might fail to perform its safety function due to a missed surveillance would not, in the absence of other unrelated failures, lead to an accident beyond those previously evaluated. The addition of a requirement to assess and manage the risk introduced by the missed surveillance will further minimize possible concerns. The format changes are intended to improve readability and appearance and do not alter any requirements. Thus, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

No.

The extended time allowed to perform a missed surveillance does not result in a significant reduction in the margin of safety. As supported by the historical data, the likely outcome of any surveillance is verification that the limiting condition for operation is met. Failure to perform a surveillance within the prescribed frequency does not cause equipment to become inoperable. The only effect of the additional time allowed to perform a missed surveillance on the margin of safety is the extension of the time until inoperable equipment is discovered to be inoperable by the missed surveillance. However, given the rare occurrence of inoperable equipment, and the rare occurrence of a missed surveillance, a missed surveillance on inoperable equipment would be very unlikely. This must be balanced against the real risk of manipulating the plant equipment or condition to perform the missed surveillance. In addition, parallel trains and alternate equipment are typically available to perform the safety function of the equipment not tested. Thus, there is confidence that the

equipment can perform its assumed safety function. The format changes are intended to improve readability and appearance and do not alter any requirements. Therefore, this change does not involve a significant reduction in a margin of safety.

Based upon the reasoning presented above, the requested change does not involve a significant hazards consideration.

6.2 Applicable Regulatory Requirements/Criteria

10 CFR 50.36 requires that each applicant for a license authorizing operation of a production or utilization facility shall include in his application proposed technical specifications.

10 CFR 50.65(a)(4) requires that, before performing maintenance activities (including but not limited to surveillance, post-maintenance testing, and corrective and preventive maintenance), the licensee assess and manage the increase in risk that may result from the proposed maintenance activities.

7.0 ENVIRONMENTAL CONSIDERATION

A review has determined that the proposed amendment would change a requirement with respect to installation or use of a facility component located within the restricted area, as defined in 10 CFR 20, or would change an inspection or surveillance requirement. However, the proposed amendment does not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluent that may be released offsite, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the proposed amendment.

Attachment 1a to AEP:NRC:3403

**UNIT 1 TECHNICAL SPECIFICATIONS PAGES
MARKED TO SHOW PROPOSED CHANGES**

REVISED PAGES

UNIT 1

3/4 0-2

B 3/4 0-4

B 3/4 0-4a

3/4 LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIREMENTS

3/4.0 APPLICABILITY

SURVEILLANCE REQUIREMENTS

- 4.0.1 Surveillance requirements shall be applicable during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.
- 4.0.2 Each Surveillance Requirement shall be performed within the specified time interval with a maximum allowable extension not to exceed 25% of the specified surveillance interval.
- 4.0.3 Performance of a Surveillance Requirement within the specified time interval shall constitute compliance with OPERABILITY requirements for a Limiting Condition for Operation and associated ACTION statements unless otherwise required by the specification.

If it is discovered that a surveillance was not performed within its specified surveillance interval, then compliance with the requirement to declare the Limiting Condition for Operation not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified surveillance interval, whichever is less greater. This delay period is permitted to allow performance of the surveillance. A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed.

If the surveillance is not performed within the delay period, the Limiting Condition for Operation must immediately be declared not met, and the applicable ACTION requirements must be met.

When the surveillance is performed within the delay period and the surveillance criteria are not met, the Limiting Condition for Operation must immediately be declared not met, and the applicable ACTION requirements must be met.

Surveillance requirements do not have to be performed on inoperable equipment.

- 4.04 Entry into an OPERATIONAL MODE or other specified applicability condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation have been performed within the stated surveillance interval or as otherwise specified.
- 4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:
- a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2 and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50, Section 50.55a.

3/4 BASES
3/4.0 APPLICABILITY

- 4.0.1 This specification provides that surveillance activities necessary to insure the Limiting Conditions for Operation are met and will be performed during the OPERATIONAL MODES or other conditions for which the Limiting Conditions for Operation are applicable. Provisions for additional surveillance activities to be performed without regard to the applicable OPERATIONAL MODES or other conditions are provided in the individual Surveillance Requirements.
- 4.0.2 This specification establishes the limit for which the specified time interval for Surveillance Requirements may be extended. It permits an allowable extension of the normal surveillance interval to facilitate surveillance scheduling and consideration of plant operating conditions that may not be suitable for conducting the surveillance, e.g., transient conditions or other ongoing surveillance or maintenance activities. It also provides flexibility to accommodate the length of a fuel cycle for surveillances that are performed at each refueling outage and are specified with an 18-month surveillance interval. It is not intended that this provision be used repeatedly as a convenience to extend surveillance intervals beyond that specified for surveillances that are not performed during refueling outages. The limitation of Specification 4.0.2 is based on engineering judgment and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the Surveillance Requirements. This provision is sufficient to ensure that the reliability ensured through surveillance activities is not significantly degraded beyond that obtained from the specified surveillance interval.
- 4.0.3 The provisions of this specification set forth the criteria for determination of compliance with the OPERABILITY requirements of the Limiting Conditions for Operation. Under this criteria, equipment, systems or components are assumed to be OPERABLE if the associated surveillance activities have been satisfactorily performed within the specified time interval. Nothing in this provision is to be construed as defining equipment, systems or components OPERABLE, when such items are found or known to be inoperable although still meeting the Surveillance Requirements.

Specification 4.0.3 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a surveillance has not been completed within the specified surveillance interval. A delay period of up to 24 hours or up to the limit of the specified surveillance interval, whichever is less~~greater~~, applies from the point in time that it is discovered that the surveillance has not been performed in accordance with Specification 4.0.2, and not at the time that the specified surveillance interval was not met.

This delay period provides adequate time to complete surveillances that have been missed. This delay period permits the completion of a surveillance before complying with ACTION requirements or other remedial measures that might preclude completion of the surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the surveillance, the safety significance of the delay in completing the required surveillance, and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the requirements. ~~When a surveillance with a surveillance interval based not on time intervals, but upon specified unit conditions or operational situations, is discovered not to have been performed when specified, Specification 4.0.3 allows the full delay period of 24 hours to perform the surveillance.~~

~~Specification 4.0.3 also provides a time limit for completion of surveillances that become applicable as a consequence of MODE changes imposed by ACTION requirements.~~

When a Surveillance with a Frequency based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., prior to entering MODE 1 after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not

3/4 BASES
3/4.0 APPLICABILITY

4.0.3 (Continued)

have been performed when specified, Specification 4.0.3 allows for the full delay period of up to the specified frequency to perform the Surveillance. However, since there is not a time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.

Specification 4.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of MODE changes imposed by Required Actions.

Failure to comply with specified surveillance intervals for surveillance requirements is expected to be an infrequent occurrence. Use of the delay period established by Specification 4.0.3 is a flexibility which is not intended to be used as an operational convenience to extend surveillance intervals. While up to 24 hours or the limit of the specified Frequency is provided to perform the missed Surveillance, it is expected that the missed Surveillance will be performed at the first reasonable opportunity. The determination of the first reasonable opportunity should include consideration of the impact on plant risk (from delaying the Surveillance as well as any plant configuration changes required or shutting the plant down to perform the Surveillance) and impact on any analysis assumptions, in addition to unit conditions, planning, availability of personnel, and the time required to perform the Surveillance. This risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, "Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants." This Regulatory Guide addresses consideration of temporary and aggregate risk impacts, determination of risk management action thresholds, and risk management action up to and including plant shutdown. The missed Surveillance should be treated as an emergent condition as discussed in the Regulatory Guide. The risk evaluation may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed Surveillances for important components should be analyzed quantitatively. If the results of the risk evaluation determine the risk increase is significant, this evaluation should be used to determine the safest course of action. All missed Surveillances will be placed in the licensee's Corrective Action Program.

If a surveillance is not completed within the allowed delay period, then the equipment is considered inoperable or the variable is considered outside the specified limits and the time limits of the ACTION requirements for the applicable Limiting Condition for Operation begin immediately upon expiration of the delay period. If a surveillance is failed within the delay period, then the equipment is inoperable or the variable is outside the specified limits, and the time limits of the ACTION requirements for the applicable Limiting Condition for Operation begin immediately upon the failure of the surveillance.

Completion of the surveillance within the delay period allowed by this Specification, or within the completion time of the ACTIONS, restores compliance with the Limiting Condition for Operation requirements.

- 4.0.4 This specification ensures that the surveillance activities associated with a Limiting Condition for Operation have been performed within the specified time interval prior to entry into an OPERATIONAL MODE or other applicable condition. The intent of this provision is to ensure that surveillance activities have been satisfactorily demonstrated on a current basis as required to meet the OPERABILITY requirements of the Limiting Condition for Operation.

Under the terms of this specification, for example, during initial plant startup or following extended plant outages, the applicable surveillance activities must be performed within the stated surveillance interval prior to placing or returning the system or equipment into OPERABLE status.

Attachment 1b to AEP:NRC:3403

**UNIT 2 TECHNICAL SPECIFICATIONS PAGES
MARKED TO SHOW PROPOSED CHANGES**

REVISED PAGES

UNIT 2

3/4 0-2

B 3/4 0-3a

3/4 LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIREMENTS
3/4.0 APPLICABILITY

SURVEILLANCE REQUIREMENTS

- 4.0.1 Surveillance Requirements shall be applicable during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.
- 4.0.2 Each Surveillance Requirement shall be performed within the specified time interval with a maximum allowable extension not to exceed 25% of the specified surveillance interval.
- 4.0.3 Performance of a Surveillance Requirement within the specified time interval shall constitute compliance with OPERABILITY requirements for a Limiting Condition for Operation and associated ACTION statements unless otherwise required by the specification.

If it is discovered that a surveillance was not performed within its specified surveillance interval, then compliance with the requirement to declare the Limiting Condition for Operation not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified surveillance interval, whichever is less~~greater~~. This delay period is permitted to allow performance of the surveillance. A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed.

If the surveillance is not performed within the delay period, the Limiting Condition for Operation must immediately be declared not met, and the applicable ACTION requirements must be met.

When the surveillance is performed within the delay period and the surveillance criteria are not met, the Limiting Condition for Operation must immediately be declared not met, and the applicable ACTION requirements must be met.

Surveillance requirements do not have to be performed on inoperable equipment.

- 4.0.4 Entry into an OPERATIONAL MODE or other specified applicability condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation have been performed within the stated surveillance interval or as otherwise specified.
- 4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:
- a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2 and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50, Section 50.55a.

activities. It also provides flexibility to accommodate the length of a fuel cycle for surveillances that are performed at each refueling outage and are specified with an 18-month surveillance interval. It is not intended that this provision be used repeatedly as a convenience to extend surveillance intervals beyond that specified for surveillances that are not performed during refueling outages. The limitation of Specification 4.0.2 is based on engineering judgment and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the Surveillance Requirements. This provision is sufficient to ensure that the reliability ensured through surveillance activities is not significantly degraded beyond that obtained from the specified surveillance interval.

- 4.0.3 The provisions of this specification set forth the criteria for determination of compliance with the OPERABILITY requirements of the Limiting Conditions for Operation. Under this criteria, equipment, systems or components are assumed to be OPERABLE if the associated surveillance activities have been satisfactorily performed within the specified time interval. Nothing in this provision is to be construed as defining equipment, systems or components OPERABLE, when such items are found or known to be inoperable although still meeting the Surveillance Requirements.

Specification 4.0.3 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a surveillance has not been completed within the specified surveillance interval. A delay period of up to 24 hours or up to the limit of the specified surveillance interval, whichever is ~~less~~ greater, applies from the point in time that it is discovered that the surveillance has not been performed in accordance with Specification 4.0.2, and not at the time that the specified surveillance interval was not met.

This delay period provides adequate time to complete surveillances that have been missed. This delay period permits the completion of a surveillance before complying with ACTION requirements or other remedial measures that might preclude completion of the surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the surveillance, the safety significance of the delay in completing the required surveillance, and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the requirements. ~~When a surveillance with a surveillance interval based not on time intervals, but upon specified unit conditions or operational situations, is discovered not to have been performed when specified, Specification 4.0.3 allows the full delay period of 24 hours to perform the surveillance.~~

~~Specification 4.0.3 also provides a time limit for completion of surveillances that become applicable as a consequence of MODE changes imposed by ACTION requirements.~~

~~When a Surveillance with a Frequency based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., prior to entering MODE 1 after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed when specified, Specification 4.0.3 allows for the full delay period of up to the specified Frequency to perform the Surveillance. However, since there is not a time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.~~

~~Specification 4.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of MODE changes imposed by Required Actions.~~

Failure to comply with specified surveillance intervals for surveillance requirements is expected to be an infrequent occurrence. Use of the delay period established by Specification 4.0.3 is a flexibility which is not intended to be used as an operational convenience to extend surveillance intervals.

INSERT 1

INSERT 1

While up to 24 hours or the limit of the specified Frequency is provided to perform the missed Surveillance, it is expected that the missed Surveillance will be performed at the first reasonable opportunity. The determination of the first reasonable opportunity should include consideration of the impact on plant risk (from delaying the Surveillance as well as any plant configuration changes required or shutting the plant down to perform the Surveillance) and impact on any analysis assumptions, in addition to unit conditions, planning, availability of personnel, and the time required to perform the Surveillance. This risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, "Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants." This Regulatory Guide addresses consideration of temporary and aggregate risk impacts, determination of risk management action thresholds, and risk management action up to and including plant shutdown. The missed Surveillance should be treated as an emergent condition as discussed in the Regulatory Guide. The risk evaluation may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed Surveillances for important components should be analyzed quantitatively. If the results of the risk evaluation determine the risk increase is significant, this evaluation should be used to determine the safest course of action. All missed Surveillances will be placed in the licensee's Corrective Action Program.

Attachment 2a to AEP:NRC:3403

UNIT 1 PROPOSED TECHNICAL SPECIFICATIONS PAGES

REVISED PAGES

UNIT 1

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B 3/4 0-4a

3/4 LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIREMENTS

3/4.0 APPLICABILITY

SURVEILLANCE REQUIREMENTS

- 4.0.1 Surveillance requirements shall be applicable during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.
- 4.0.2 Each Surveillance Requirement shall be performed within the specified time interval with a maximum allowable extension not to exceed 25% of the specified surveillance interval.
- 4.0.3 Performance of a Surveillance Requirement within the specified time interval shall constitute compliance with OPERABILITY requirements for a Limiting Condition for Operation and associated ACTION statements unless otherwise required by the specification.

If it is discovered that a surveillance was not performed within its specified surveillance interval, then compliance with the requirement to declare the Limiting Condition for Operation not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified surveillance interval, whichever is greater. This delay period is permitted to allow performance of the surveillance. A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed.

If the surveillance is not performed within the delay period, the Limiting Condition for Operation must immediately be declared not met, and the applicable ACTION requirements must be met.

When the surveillance is performed within the delay period and the surveillance criteria are not met, the Limiting Condition for Operation must immediately be declared not met, and the applicable ACTION requirements must be met.

Surveillance requirements do not have to be performed on inoperable equipment.

- 4.04 Entry into an OPERATIONAL MODE or other specified applicability condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation have been performed within the stated surveillance interval or as otherwise specified.
- 4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:
 - a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2 and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50, Section 50.55a.

3/4 BASES
3/4.0 APPLICABILITY

- 4.0.1 This specification provides that surveillance activities necessary to insure the Limiting Conditions for Operation are met and will be performed during the OPERATIONAL MODES or other conditions for which the Limiting Conditions for Operation are applicable. Provisions for additional surveillance activities to be performed without regard to the applicable OPERATIONAL MODES or other conditions are provided in the individual Surveillance Requirements.
- 4.0.2 This specification establishes the limit for which the specified time interval for Surveillance Requirements may be extended. It permits an allowable extension of the normal surveillance interval to facilitate surveillance scheduling and consideration of plant operating conditions that may not be suitable for conducting the surveillance, e.g., transient conditions or other ongoing surveillance or maintenance activities. It also provides flexibility to accommodate the length of a fuel cycle for surveillances that are performed at each refueling outage and are specified with an 18-month surveillance interval. It is not intended that this provision be used repeatedly as a convenience to extend surveillance intervals beyond that specified for surveillances that are not performed during refueling outages. The limitation of Specification 4.0.2 is based on engineering judgment and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the Surveillance Requirements. This provision is sufficient to ensure that the reliability ensured through surveillance activities is not significantly degraded beyond that obtained from the specified surveillance interval.
- 4.0.3 The provisions of this specification set forth the criteria for determination of compliance with the OPERABILITY requirements of the Limiting Conditions for Operation. Under this criteria, equipment, systems or components are assumed to be OPERABLE if the associated surveillance activities have been satisfactorily performed within the specified time interval. Nothing in this provision is to be construed as defining equipment, systems or components OPERABLE, when such items are found or known to be inoperable although still meeting the Surveillance Requirements.

Specification 4.0.3 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a surveillance has not been completed within the specified surveillance interval. A delay period of up to 24 hours or up to the limit of the specified surveillance interval, whichever is greater, applies from the point in time that it is discovered that the surveillance has not been performed in accordance with Specification 4.0.2, and not at the time that the specified surveillance interval was not met.

This delay period provides adequate time to complete surveillances that have been missed. This delay period permits the completion of a surveillance before complying with ACTION requirements or other remedial measures that might preclude completion of the surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the surveillance, the safety significance of the delay in completing the required surveillance, and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the requirements.

When a Surveillance with a Frequency based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., prior to entering MODE 1 after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed when specified, Specification 4.0.3 allows for the full delay period of up to the specified Frequency to perform the Surveillance. However, since there is not a time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.

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3/4.0 APPLICABILITY

4.0.3 (Continued)

Specification 4.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of MODE changes imposed by Required Actions.

Failure to comply with specified surveillance intervals for surveillance requirements is expected to be an infrequent occurrence. Use of the delay period established by Specification 4.0.3 is a flexibility which is not intended to be used as an operational convenience to extend surveillance intervals. While up to 24 hours or the limit of the specified Frequency is provided to perform the missed Surveillance, it is expected that the missed Surveillance will be performed at the first reasonable opportunity. The determination of the first reasonable opportunity should include consideration of the impact on plant risk (from delaying the Surveillance as well as any plant configuration changes required or shutting the plant down to perform the Surveillance) and impact on any analysis assumptions, in addition to unit conditions, planning, availability of personnel, and the time required to perform the Surveillance. This risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, "Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants." This Regulatory Guide addresses consideration of temporary and aggregate risk impacts, determination of risk management action thresholds, and risk management action up to and including plant shutdown. The missed Surveillance should be treated as an emergent condition as discussed in the Regulatory Guide. The risk evaluation may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed Surveillances for important components should be analyzed quantitatively. If the results of the risk evaluation determine the risk increase is significant, this evaluation should be used to determine the safest course of action. All missed Surveillances will be placed in the licensee's Corrective Action Program.

If a surveillance is not completed within the allowed delay period, then the equipment is considered inoperable or the variable is considered outside the specified limits and the time limits of the ACTION requirements for the applicable Limiting Condition for Operation begin immediately upon expiration of the delay period. If a surveillance is failed within the delay period, then the equipment is inoperable or the variable is outside the specified limits, and the time limits of the ACTION requirements for the applicable Limiting Condition for Operation begin immediately upon the failure of the surveillance.

Completion of the surveillance within the delay period allowed by this Specification, or within the completion time of the ACTIONS, restores compliance with the Limiting Condition for Operation requirements.

- 4.0.4** This specification ensures that the surveillance activities associated with a Limiting Condition for Operation have been performed within the specified time interval prior to entry into an OPERATIONAL MODE or other applicable condition. The intent of this provision is to ensure that surveillance activities have been satisfactorily demonstrated on a current basis as required to meet the OPERABILITY requirements of the Limiting Condition for Operation.

Under the terms of this specification, for example, during initial plant startup or following extended plant outages, the applicable surveillance activities must be performed within the stated surveillance interval prior to placing or returning the system or equipment into OPERABLE status.

Attachment 2b to AEP:NRC:3403

UNIT 2 PROPOSED TECHNICAL SPECIFICATIONS PAGES

REVISED PAGES

UNIT 2

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B 3/4 0-4

3/4 LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIREMENTS
3/4.0 APPLICABILITY

SURVEILLANCE REQUIREMENTS

- 4.0.1 Surveillance Requirements shall be applicable during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.
- 4.0.2 Each Surveillance Requirement shall be performed within the specified time interval with a maximum allowable extension not to exceed 25% of the specified surveillance interval.
- 4.0.3 Performance of a Surveillance Requirement within the specified time interval shall constitute compliance with OPERABILITY requirements for a Limiting Condition for Operation and associated ACTION statements unless otherwise required by the specification.

If it is discovered that a surveillance was not performed within its specified surveillance interval, then compliance with the requirement to declare the Limiting Condition for Operation not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified surveillance interval, whichever is greater. This delay period is permitted to allow performance of the surveillance. A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed.

If the surveillance is not performed within the delay period, the Limiting Condition for Operation must immediately be declared not met, and the applicable ACTION requirements must be met.

When the surveillance is performed within the delay period and the surveillance criteria are not met, the Limiting Condition for Operation must immediately be declared not met, and the applicable ACTION requirements must be met.

Surveillance requirements do not have to be performed on inoperable equipment.

- 4.0.4 Entry into an OPERATIONAL MODE or other specified applicability condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation have been performed within the stated surveillance interval or as otherwise specified.
- 4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:
 - a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2 and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50, Section 50.55a.

activities. It also provides flexibility to accommodate the length of a fuel cycle for surveillances that are performed at each refueling outage and are specified with an 18-month surveillance interval. It is not intended that this provision be used repeatedly as a convenience to extend surveillance intervals beyond that specified for surveillances that are not performed during refueling outages. The limitation of Specification 4.0.2 is based on engineering judgment and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the Surveillance Requirements. This provision is sufficient to ensure that the reliability ensured through surveillance activities is not significantly degraded beyond that obtained from the specified surveillance interval.

- 4.0.3 The provisions of this specification set forth the criteria for determination of compliance with the OPERABILITY requirements of the Limiting Conditions for Operation. Under this criteria, equipment, systems or components are assumed to be OPERABLE if the associated surveillance activities have been satisfactorily performed within the specified time interval. Nothing in this provision is to be construed as defining equipment, systems or components OPERABLE, when such items are found or known to be inoperable although still meeting the Surveillance Requirements.

Specification 4.0.3 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a surveillance has not been completed within the specified surveillance interval. A delay period of up to 24 hours or up to the limit of the specified surveillance interval, whichever is greater, applies from the point in time that it is discovered that the surveillance has not been performed in accordance with Specification 4.0.2, and not at the time that the specified surveillance interval was not met.

This delay period provides adequate time to complete surveillances that have been missed. This delay period permits the completion of a surveillance before complying with ACTION requirements or other remedial measures that might preclude completion of the surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the surveillance, the safety significance of the delay in completing the required surveillance, and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the requirements.

When a Surveillance with a Frequency based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., prior to entering MODE 1 after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed when specified, Specification 4.0.3 allows for the full delay period of up to the specified Frequency to perform the Surveillance. However, since there is not a time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.

Specification 4.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of MODE changes imposed by Required Actions.

Failure to comply with specified surveillance intervals for surveillance requirements is expected to be an infrequent occurrence. Use of the delay period established by Specification 4.0.3 is a flexibility which is not intended to be used as an operational convenience to extend surveillance intervals. While up to 24 hours or the limit of the specified Frequency is provided to perform the missed Surveillance, it is expected that the missed Surveillance will be performed at the first reasonable opportunity. The determination of the first reasonable opportunity should include consideration of the impact on plant risk (from delaying the Surveillance as well as any plant configuration changes required or shutting the plant down to perform the Surveillance) and impact on any analysis assumptions, in addition to unit conditions, planning, availability of personnel, and the time required to perform the Surveillance. This risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, "Assessing and Managing Risk Before Maintenance Activities at Nuclear Power

3/4 BASES
3/4.0 APPLICABILITY

Plants." This Regulatory Guide addresses consideration of temporary and aggregate risk impacts, determination of risk management action thresholds, and risk management action up to and including plant shutdown. The missed Surveillance should be treated as an emergent condition as discussed in the Regulatory Guide. The risk evaluation may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed Surveillances for important components should be analyzed quantitatively. If the results of the risk evaluation determine the risk increase is significant, this evaluation should be used to determine the safest course of action. All missed Surveillances will be placed in the licensee's Corrective Action Program.

If a surveillance is not completed within the allowed delay period, then the equipment is considered inoperable or the variable is considered outside the specified limits and the time limits of the ACTION requirements for the applicable Limiting Condition for Operation begin immediately upon expiration of the delay period. If a surveillance is failed within the delay period, then the equipment is inoperable or the variable is outside the specified limits, and the time limits of the ACTION requirements for the applicable Limiting Condition for Operation begin immediately upon the failure of the surveillance.

Completion of the surveillance within the delay period allowed by this Specification, or within the completion time of the ACTIONS, restores compliance with the Limiting Condition for Operation requirements.

- 4.0.4** This specification ensures that the surveillance activities associated with a Limiting Condition for Operation have been performed within the specified time interval prior to entry into an OPERATIONAL MODE or other applicable condition. The intent of this provision is to ensure that surveillance activities have been satisfactorily demonstrated on a current basis as required to meet the OPERABILITY requirements of the Limiting Condition for Operation.

Under the terms of this specification, for example, during initial plant startup or following extended plant outages, the applicable surveillance activities must be performed within the stated surveillance interval prior to placing or returning the system or equipment into OPERABLE status.

- 4.0.5** This specification ensures that inservice inspection of ASME Code Class 1, 2 and 3 components and inservice testing of ASME Code Class 1, 2 and 3 pumps and valves will be performed in accordance with a periodically updated version of Section XI of the ASME Boiler and Pressure Vessel Code and Addenda as required by 10 CFR 50.55a. Relief from any of the above requirements has been provided in writing by the Commission and is not a part of these technical specifications.

This specification includes a clarification of the frequencies for performing the inservice inspection and testing activities required by Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda. This clarification is provided to ensure consistency in surveillance intervals throughout these technical specifications and to remove any ambiguities relative to the frequencies for performing and the required inservice inspection and testing activities.

Under the terms of this specification, the more restrictive requirements of the Technical Specifications take precedence over the ASME Boiler and Pressure Vessel Code and applicable Addenda. For example, the requirements of Specification 4.0.4 to perform surveillance activities prior to entry into an OPERATIONAL MODE or other specified applicability condition takes precedence over the ASME Boiler and Pressure Vessel Code provision which allows pumps to be tested up to one week after return to normal operation. And, for example, the Technical Specification definition of OPERABLE does not grant a grace period before a device that is not capable of performing its specified function is declared inoperable and takes precedence over the ASME Boiler and Pressure Vessel Code provision which allows a valve to be incapable of performing its specified function for up to 24 hours before being declared inoperable.