October 20, 2005

Mr. Biff Bradley
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. Michael P. Gallagher
Director, Licensing & Regulatory Affairs
Exelon Nuclear
200 Exelon Way
Kennett Square, PA 19348

Dear Mr. Bradley and Mr. Gallagher:

The Nuclear Regulatory Commission (NRC) staff is conducting its review of Risk Management Technical Specifications (RMTS) Initiative 5b, Surveillance Frequency Control Program, which includes the Limerick license amendment request (LAR) of June 11, 2004, and the Nuclear Energy Institute (NEI) proposed process methodology document NEI 04-10. Enclosed are the final set of staff comments and requests for additional information (RAIs) (see Enclosure) resulting from its review of the initial submittals.

We are prepared to meet with you to further discuss these comments and RAIs. Please contact me at (301) 415-1187 or e-mail trt@nrc.gov if you have any questions or need further information on these proposed changes.

Sincerely,

/RA/
T. R. Tjader, Senior Reactor Engineer
Technical Specifications Section
Reactor Operations Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

Enclosure: As stated

cc: See attached page

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NAME	TRTjader	THBoyce		
DATE	10/20/2005	10/20/2005		

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Mr. Bradley and Mr. Gallagher

cc via e-mail:
Mr. Michael Gallagher
Exelon

Mr. Tony Pietrangelo
Nuclear Energy Institute

Mr. Biff Bradley
Nuclear Energy Institute

Mr. Alan Hackerott, Chairman
Omaha Public Power District

Mr. Jim Kenny
Pennsylvania Power & Light Company

Mr. James Andrachek
Westinghouse Electric Company

Mr. Ray Schneider
Westinghouse Electric Company

Mr. Frank Rahn
EPRI

Mr. Wayne Harrison
STP

Mr. Gabe Salamon
PSEG Nuclear

Mr. Brian Woods
CEOG

Mr. Rick Hill
General Electric Nuclear Energy

Mr. Michael S. Kitlan, Jr.
Duke Energy Corporation

Mr. Donald Hoffman
EXCEL Services Corporation

Mr. J. E. Rhoads
Energy Northwest

Mr. John Gaertner
EPRI

Mr. Gary Chung
SCE-SONGS

Mr. Glen Stewart
Exelon

Mr. Phil Tarpinian
Exelon

Mr. David Helher
Exelon

Mr. Gene Kelly
Exelon

Mr. Michael Crouthers
BWROG

Paul Infanger
BWOG

Mr. Wes Sparkman
WOG

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AJHowe (AJH1)
TWAlexion (TWA)
MAStutzkie (MAS7)
DHJaffe (DHJ)
LAMrowca (LXM4)
JAVail (JAV)
TLTate (TLT)
NLSalgado (NLS)
JGKramer (JGK)

REQUEST FOR ADDITIONAL INFORMATION

1. The licensee in their application Section 4.2, Key Safety Principles, indicates that Regulatory Guide 1.174 identifies five key safety principles (a) to be met for all risk-informed applications and (b) to be explicitly addressed in risk-informed plant program change applications. The first of the five key safety principles (required to be explicitly addressed) states: "The proposed change meets the current regulations unless it is explicitly related to a requested exemption or rule change."

   10 CFR 50.36(c)(3) states: "Surveillance requirements. Surveillance requirements are requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met."

   The licensee in their application indicates that surveillance test intervals (STIs) for surveillance requirements (SRs) are being relocated to a licensee-controlled program. SRs will remain as part of the technical specifications (TS). Thus, the proposed relocation of STIs to a licensee-controlled program meets the first of the five key safety principles.

   In addition to the provisions of 10 CFR 50.36(c)(3) defined above, SRs (including STIs) are required to meet 10 CFR 50.36(b). 10 CFR 50.36(b) states: "...The technical specifications will be derived from the analyses and evaluation included in the safety analysis report...." Analyses and evaluation in safety analysis reports relating to electrical systems includes compliance with the requirements of Criterion 17 of 10 CFR Part 50, Appendix A (GDC 17). GDC 17 in part states: "...The onsite electric power supplies, including the batteries, and the onsite electric distribution system, shall have sufficient independence, redundancy, and testability to perform their safety functions assuming a single failure..." Specifically, GDC 17 requires sufficient testability. Describe how the proposed change meets the sufficient testability requirement of GDC 17.

2. A note included as part of Section 1 of Attachment 1 to the application states:

   > NOTE: various TS surveillance requirements, including in some cases their associated STIs, were established based on commitments to Regulatory Guides, or based on implementation of NRC-approved Licensing Topical Reports. Within the licensee-controlled program, the surveillance requirements themselves will not be changed and will continue to be performed in accordance with the applicable Regulatory Guide or Topical Report, as appropriate; however, associated STIs may be modified in accordance with the licensee-controlled program.

For cases where the associated STIs were established based on commitments documented in the plant's safety analysis, clarify the extent these STIs can be changed by the licensee-controlled program without prior NRC approval.

Enclosure

3. The 5b process conveys that the licensing commitment for testing will be changed to demonstrate the condition of equipment and thus the future operability of electrical equipment. Currently protective devices such as fuses or breakers are tested to demonstrate that they do not trip safety equipment when the safety equipment is functionally tested. Describe how each electrical circuit component such as fuses, breakers, and cables will be tested to demonstrate their condition so that future operability will be assured. Describe how the current licensing basis for testing of electrical equipment will be changed to assure future operability of electrical equipment.

The following questions refer to specific Unit 1 technical specification but should also be taken as applicable to the corresponding Unit 2 technical specification.

4. Regulatory Guide (RG) 1.118, "Periodic Testing of Electric Power and Protection Systems," Rev. 3, endorses, with comments, IEEE 338-1987, "Criteria for the Periodic Surveillance Testing of Nuclear Power Generating Station Safety Systems." IEEE 338-1987, Section 6.5, Test Intervals, requires that changes to test intervals shall conform to the requirements of Subpart 6.5.1. This subpart requires that test intervals consider manufacturer's recommendations, historical experience, equipment qualification failure data in addition to plant and system operational goals. Please confirm your conformance to IEEE-338-1987 and RG 1.118 for your proposed Surveillance Frequency Control Program.

5. Regulatory Guide 1.9, " Selection, Design, Qualification and Testing of Emergency Diesel Generator Units Used As Onsite Electric Power Systems for Nuclear Power Plants," Rev. 3, supersedes Regulatory Guide 1.108, "Periodic Testing of Diesel Generator Units Used As Onsite Electric Power Systems for Nuclear Power Plants," Rev. 3 of RG 1.9 endorses, with comments, IEEE 387-1984, "IEEE Standard Criteria for Diesel-Generator Units Applied as Standby Power Supplies for Nuclear Power Generating Stations". (IEEE 387-1984 has since been superseded by IEEE 387-1995.) Please confirm your conformance to IEEE 387-1984 and RG 1.9 or identify and explain any exceptions taken. Note, the NRC has not endorsed IEEE 387-1995.

6. Surveillance 4..8.1.1.2.e list the diesel generator refueling outage surveillance tests performed during a refueling outage. Please confirm that the intervals for these tests will not change in the future if they are moved from the technical specifications.

7. Surveillance 4.8.1.1.2.e.8, 24 hour Endurance Run. Please confirm that this load test is performed at a power factor (pf) of $\leq$ 0.9. If not, please indicate the load pf during this test and justify how the surveillance test demonstrates the capability of the DG to carry the post accident loading without overheating.

8. Table 4.8.1.1.2-1, Diesel Generator Test Schedule, provides the test frequency for accelerated testing of the diesel generators based upon the number of failures in the last 20 valid tests. Generic Letter 94-01, Removal of Accelerated Testing and Special Reporting Requirements for Emergency Diesel Generators, recommended addressing diesel generator reliability through 10 CFR 50.65, (the maintenance rule.) Please confirm that the LGS diesel generator reliability is covered by the an appropriate programmatic application of the maintenance rule. (10 CFR 50.65)

9. Please explain how the licensee-controlled program will meet the reporting requirements of 10 CFR 50.72.