

August 21, 2007

Mr. Adrian Heymer
Senior Director, New Plant Development
Nuclear Generating Division
Nuclear Energy Institute
1776 I Street , NW, Suite 400
Washington, D.C. 20006-3708

SUBJECT: RESPONSE TO INDUSTRY COMMENTS ON BRANCH TECHNICAL
POSITION 7-12, "GUIDANCE ON ESTABLISHING AND MAINTAINING
SETPOINTS"

Project Number: 689

Dear Mr. Heymer:

In your letter, dated July 5, 2007, you expressed industry's concern on the Branch Technical Position 7-12 (BTP), "Guidance on Establishing and Maintaining Setpoints," which staff issued in March 2007. The industry expressed the following concerns:

- The review guidance in BTP 7-12 goes beyond that necessary to evaluate limiting safety system settings (LSSS) and that the staff did not provide justification for applying the same requirement and the degree of rigor to non-safety systems.
- There are numerous acceptable methods for existing plants for establishing setpoints and surveillance procedures; however, the BTP is unnecessarily prescriptive in defining one acceptable setpoint methodology without acknowledging other acceptable methods.
- In comparison to the common understandings that have been established on setpoint methodologies in recent years, the scope and level of details of information requested to be submitted on the docket is beyond that necessary for compliance with 10 *Code of Federal Regulation* (CFR) 50.36.

This matter was discussed at a public meeting between the industry/U.S. Nuclear Regulatory Commission (NRC) held in Rockville Maryland on August 9, 2007. The staff heard industry's proposed guidance on establishing and maintaining instrument setpoints. The staff responses to the industry letter dated July 5 are as follows.

- The review guidance that the NRC issued in March 2007 is essentially the same that was previously issued under Revision 4, in June 1997. As the industry is aware, the Standard Review Plan (SRP) guidance is but one acceptable method to staff, as the guidance correctly points out, "the SRP is not a substitute for the NRC's regulations, and compliance with it is not required. However, an applicant is required to identify differences between the design features, analytical techniques, and procedural measures proposed for its facility and the SRP acceptance criteria and evaluate how the

proposed alternatives to the SRP acceptance criteria provide acceptable methods of compliance with the NRC regulations.” (see Section III, BTP 7-12).

- As pointed out during August 9, 2007 discussions, the staff agrees that there are numerous acceptable methods for establishing setpoints and surveillance procedures as discussed in Regulatory Guide (RG) 1.105, “Setpoints for Safety-Related Instrumentation.” The staff has approved plant requests on setpoint methods that were consistent with this guidance. In addition, the methodology for the design certification for AP1000 standard design was also approved using RG 1.105. The staff encourages applicants for design certifications and combined licenses to review relevant material and follow activities such as technical specification task force (TSTF) traveler TSTF-493 to facilitate the development and NRC review of setpoint-related topics.
- Of particular concern discussed at the August 9 meeting was criteria contained in BTP 7-12 on the topic of setpoint documentation. The NRC staff will review the wording and consider possible clarifications for a future update of the SRP. As explained at the meeting, the staff expects DC or COL applicants to provide the same level and organization of information provided in most operating plant FSARs and as described in RG 1.105. As described in RG 1.206 design specification documents, such as setpoint calculations and other more detailed information, should be available for audit

This letter does not address individual concerns identified in Appendix A to the July 5, 2007, letter as they follow the main concerns identified in the cover letter. The staff does not feel the need to revise the guidance as issued in March 2007, but will consider experience gained from near-term licensing reviews in developing subsequent revisions to the BTP.

Sincerely,

/RA/

William D. Reckley, Branch Chief
Rulemaking, Guidance and Advanced Reactor Branch
Division of New Reactor Licensing
Office of New Reactors

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Sincerely,

William D. Reckley, Branch Chief
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