

- 1) In Section 4.1 of the January 14, 2014 transmittal of TSTF-529, Revision 2, "Clarify Use and Application Rules" (ML14014A330), the Technical Specifications Task Force (TSTF) proposed the following change to Section 1.3 of the Standard Technical Specifications (STS). Specifically, this proposed change would revise the "Description" section of Section 1.3 by adding the bolded sentence below.

The Completion Time is the amount of time allowed for completing a Required Action. It is referenced to the time of discovery of a situation (e.g., inoperable equipment or variable not within limits) that requires entering an ACTIONS Condition unless otherwise specified, providing the unit is in a MODE or specified condition stated in the Applicability of the LCO.

Unless otherwise specified, the Completion Time begins when a senior licensed operator on the operating shift crew with responsibility for plant operations makes the declaration that an LCO is not met and an ACTIONS Condition is entered.

If situations are discovered that require entry into more than one Condition at a time within a single LCO (multiple Conditions), the Required Actions for each Condition must be performed within the associated Completion Time. When in multiple Conditions, separate Completion Times are tracked for each Condition starting from the time of discovery of the situation that required entry into the Condition.

In Section 4.2, the TSTF also proposes a change incorporating the same characterization of Completion Time in Section 1.3 by adding the following paragraph:

Unless otherwise specified, the Completion Time begins when a senior licensed operator on the operating shift crew with responsibility for plant operations makes the declaration that an LCO is not met and an ACTIONS Condition is entered. The "otherwise specified" exceptions are varied, such as a Required Action Note or Surveillance Requirement Note which provides an alternative time to perform specific tasks, such as testing, without starting the Completion Time. While utilizing the Note, should a Condition be applicable for any reason not addressed by the Note, the Completion Time begins. Should the time allowance in the Note be exceeded, the Completion Time begins at that point. The exceptions may also be incorporated into the Completion Time. For example, LCO 3.8.1, "AC Sources - Operating," Required Action B.2, requires declaring required feature(s) supported by an inoperable diesel generator, inoperable when the redundant required feature(s) are inoperable. The Completion Time states, "4 hours from discovery of Condition B concurrent with inoperability of redundant required feature(s)." In this case, the Completion Time does not begin until the conditions in the Completion Time are satisfied.

The Staff believes that when a potential degraded or nonconforming condition is identified, the licensee should take action without delay to confirm if a structure, system or component (SSC) is degraded or nonconforming. Licensees should not wait to complete extensive evaluations before entering the LCO. The time required should be limited to the time necessary to understand the known or expected extent of degradation or nonconforming condition. The Staff believes that adding the bolded sentences above to the STS without additional clarifying information may provide a misconception of discovery that relaxes the urgency placed

on the licensee to make the decision on operability and enter the required actions in a timely manner. Please insert a clarifying statement that emphasizes timeliness of notification to the Control Room and of decision making. This statement could be located in the bases section and could cite expectations provided by Inspector Manual Chapter (IMC 0326) concerning timing of operability determinations. These expectations include as stated in IMC 0326 the following [Section 04.06, "Timing of Operability Determinations"]:

Operability should be determined immediately upon discovery that an SSC subject to TS is in a degraded or nonconforming condition. While this determination may be based on limited information, the information should be sufficient to conclude that there is a reasonable expectation that the SSC is operable. If not able to conclude this, the licensee should declare the SSC inoperable. In any case, if the available information is incomplete, the licensee should promptly collect any additional information that is material to the determination (i.e., information that could result in a change to determination), and promptly make an operability determination based on the complete set of information. If, at any time, information is developed that negates a previous determination that there is a reasonable expectation that the SSC is operable, the licensee should declare the SSC inoperable.

- 2) In Section 4.5 of TSTF-529, Revision 2, the TSTF is proposing to add this statement to the bases:

In an interpretation dated December 20, 2012 (NRC Agencywide Document Access and Management System (ADAMS) Accession No, ML11145A085), the NRC concluded that the administrative controls in LCO 3.0.5 would apply in all cases to systems or components in Chapter 3 of the Technical Specifications, as long as the testing could not be conducted while complying with the Required Actions. This includes the realignment or repositioning of redundant or alternate equipment or trains previously manipulated to comply with ACTIONS, as well as equipment removed from service or declared inoperable to comply with ACTIONS.

The Staff believes that adding the above licensee-specific reference to the STS Bases is not appropriate. However, the above paragraph could be replaced with the following statement of the staff's position:

The administrative controls in LCO 3.0.5 would apply in all cases to systems or components in Chapter 3 of the Technical Specifications, as long as the testing could not be conducted while complying with the Required Actions. This includes the realignment or repositioning of redundant or alternate equipment or trains previously manipulated to comply with ACTIONS, as well as equipment removed from service or declared inoperable to comply with ACTIONS.

Please remove the reference to the plant-specific information currently described in the proposed revision in Section 4.5 and replace with the paragraph above or similar language, which could be proposed to be added to the STS Bases for further clarification.

- 3) In Section 4.12 of TSTF-529, Revision 2, the TSTF proposes to add the following paragraph in Section SR 3.0.3 of the STS Bases:

SR 3.0.3 is only applicable if there is a reasonable expectation the associated equipment is OPERABLE or that variables are within limits, and it is expected that the Surveillance will be met when performed. Many factors should be considered, such as the period of time since the Surveillance was last performed, or whether the Surveillance, or a portion thereof, has ever been performed, and any other indications, tests, or activities that might support the expectation that the Surveillance will be met when performed. An example of the use of SR 3.0.3 would be a relay contact that was not tested as required in accordance with a particular SR, but previous successful performances of the SR included the relay contact; the adjacent, physically connected relay contacts were tested during the SR performance; the subject relay contact has been tested by another SR; or historical operation of the subject relay contact has been successful. It is not sufficient to infer the behavior of the associated equipment from the performance of similar equipment. The rigor of determining whether there is a reasonable expectation a Surveillance will be met when performed should increase based on the length of time since the last performance of the Surveillance. If the Surveillance has been performed recently, a review of the Surveillance history and equipment performance may be sufficient to support a reasonable expectation that the Surveillance will be met when performed. For Surveillances that have not been performed for a long period or that have never been performed, a rigorous evaluation based on objective evidence should provide a high degree of confidence that the equipment is OPERABLE. The evaluation should be documented in sufficient detail to allow a knowledgeable individual to understand the basis for the determination.

The Staff agrees with the proposed STS Bases structure described above. However, it is the Staff's position that STS SR 3.0.3 as currently written does not apply to surveillances that have never been performed or prior reasonable assurance of operability has not been established. In order to apply STS SR 3.0.3 to surveillances that have never been performed, STS SR 3.0.3 needs to be revised to explicitly address surveillances which have never been performed. The Staff is open to accept a change to STS SR 3.0.3 to include surveillances that have never been performed as long as there is sufficient objective evidence the surveillance requirements are met. Examples of sufficient objective evidence could include the SSC in question as having had successful actuations in the past or operated as expected in other types of testing.

In addition to the proposed modification to STS Bases SR 3.0.3 stated above, please propose a modification to STS SR 3.0.3 to include never performed surveillances as applicable to the surveillance requirement applicability. The following write-up would be acceptable to the Staff as a proposed modification to STS SR 3.0.3:

If it is discovered that a Surveillance was not performed within its specified Frequency, then compliance with the requirement to declare the LCO not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified Frequency, 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.

This delay period may also be applied (1) to surveillances that have not been performed over a long period of time (i.e., longer than one surveillance interval) and (2) to surveillances that have never been performed. The delay period is

only applicable in these two cases, provided there is a reasonable expectation, based on objective evidence, the surveillance will be met when performed.

If the Surveillance is not performed within the delay period, the LCO must immediately be declared not met, and the applicable Condition(s) must be entered.

When the Surveillance is performed within the delay period and the Surveillance is not met, the LCO must immediately be declared not met, and the applicable Condition(s) must be entered.

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