



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 9, 2019

Mr. G. T. Powell
President and CEO
STP Nuclear Operating Company
P.O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENT
NOS. 218 AND 204 TO REVISE TECHNICAL SPECIFICATIONS TO ADOPT
TSTF-529, "CLARIFY USE AND APPLICATION RULES"
(EPID L-2019-LLA-0101)

Dear Mr. Powell:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 218 to Renewed Facility Operating License No. NPF-76 and Amendment No. 204 to Renewed Facility Operating License No. NPF-80 for the South Texas Project, Units 1 and 2, respectively. The amendments consist of changes to the technical specifications (TSs) in response to your application dated May 1, 2019.

The amendment modifies TSs in Section 3.0 and Section 4.0 regarding limiting conditions for operation and surveillance requirements usage. These changes are consistent with NRC-approved Technical Specifications Task Force (TSTF) Traveler TSTF-529, "Clarify Use and Application Rules."

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in cursive script, reading "Dennis J. Galvin", is positioned above the typed name.

Dennis J. Galvin, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

Enclosures:

1. Amendment No. 218 to NPF-76
2. Amendment No. 204 to NPF-80
3. Safety Evaluation

cc: Listserv



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-498

SOUTH TEXAS PROJECT, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 218
Renewed License No. NPF-76

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by STP Nuclear Operating Company (STPNOC)*, acting on behalf of itself and for NRG South Texas LP, the City Public Service Board of San Antonio (CPS), and the City of Austin, Texas (COA) (the licensees), dated May 1, 2019, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

*STPNOC is authorized to act for NRG South Texas LP, the City Public Service Board of San Antonio, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. NPF-76 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 218, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the renewed license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Jennifer L Dixon-Herrity, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Renewed Facility
Operating License No. NPF-76 and
Technical Specifications

Date of Issuance: December 9, 2019



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-499

SOUTH TEXAS PROJECT, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 204
Renewed License No. NPF-80

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by STP Nuclear Operating Company (STPNOC)*, acting on behalf of itself and for NRG South Texas LP, the City Public Service Board of San Antonio (CPS), and the City of Austin, Texas (COA) (the licensees), dated May 1, 2019, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

*STPNOC is authorized to act for NRG South Texas LP, the City Public Service Board of San Antonio, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. NPF-80 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 204 and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the renewed license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Jennifer L Dixon-Herrity, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Renewed Facility
Operating License No. NPF-80 and
Technical Specifications

Date of Issuance: December 9, 2019

ATTACHMENT TO LICENSE AMENDMENT NOS. 218 AND 204 TO
RENEWED FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80

SOUTH TEXAS PROJECT, UNITS 1 AND 2

DOCKET NOS. 50-498 AND 50-499

Replace the following pages of the Renewed Facility Operating License Nos. NPF-76 and NPF-80, and Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Renewed Facility Operating License No. NPF-76

REMOVE

- 4 -

INSERT

- 4 -

Renewed Facility Operating License No. NPF-80

REMOVE

- 4 -

INSERT

- 4 -

Technical Specifications

REMOVE

3/4 0-1

3/4 0-3

INSERT

3/4 0-1

3/4 0-3

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 218, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the renewed license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Not Used

(4) Initial Startup Test Program (Section 14, SER)*

Any changes to the Initial Test Program described in Section 14 of the Final Safety Analysis Report made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(5) Safety Parameter Display System (Section 18, SSER No. 4)*

Before startup after the first refueling outage, HL&P[**] shall perform the necessary activities, provide acceptable responses, and implement all proposed corrective actions related to issues as described in Section 18.2 of SER Supplement 4.

(6) Supplementary Containment Purge Isolation (Section 11.5, SSER No. 4)*

HL&P shall provide, prior to startup from the first refueling outage, control room indication of the normal and supplemental containment purge sample line isolation valve position.

* The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

**The original licensee authorized to possess, use and operate the facility was HL&P. Consequently, historical references to certain obligations of HL&P remain in the license conditions.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 204 and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the renewed license. STPNOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Not Used

(4) Initial Startup Test Program (Section 14. SR)*

Any changes to the Initial Test Program described in Section 14 of the Final Safety Analysis Report made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(5) License Transfer

Texas Genco, LP shall provide decommissioning funding assurance, to be held in decommissioning trusts for South Texas Project, Unit 2 (Unit 2) upon the direct transfer of the Unit 2 license to Texas Genco, LP, in an amount equal to or greater than the balance in the Unit 2 decommissioning trust immediately prior to the transfer. In addition, Texas Genco, LP shall ensure that all contractual arrangements referred to in the application for approval of the transfer of the Unit 2 license to Texas Genco, LP to obtain necessary decommissioning funds for Unit 2 through a non-bypassable charge are executed and will be maintained until the decommissioning trusts are fully funded, or shall ensure that other mechanisms that provide equivalent assurance of decommissioning funding in accordance with the Commission's regulations are maintained.

(6) License Transfer

The master decommissioning trust agreement for Unit 2, at the time the direct transfer of Unit 2 to Texas Genco, LP is effected and thereafter, is subject to the following:

* The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

3/4 LIMITING CONDITIONS FOR OPERATION AND SURVEILLANCE REQUIREMENTS

3/4.0 APPLICABILITY

LIMITING CONDITION FOR OPERATION

3.0.1 Compliance with the Limiting Conditions for Operation contained in the succeeding specifications is required during the OPERATIONAL MODES or other conditions specified therein; except that upon failure to meet the Limiting Conditions for Operation, the associated ACTION requirements shall be met.

3.0.2 Noncompliance with a specification shall exist when the requirements of the Limiting Condition for Operation and associated ACTION requirements are not met within the specified time intervals. If the Limiting Condition for Operation is restored prior to expiration of the specified time intervals, completion of the ACTION requirements is not required.

3.0.3 When a Limiting Condition for Operation is not met, except as provided in the associated ACTION requirements, within 1 hour action shall be initiated to place the unit in a MODE in which the specification does not apply by placing it, as applicable, in:

- a. At least HOT STANDBY within the next 6 hours,
- b. At least HOT SHUTDOWN within the following 6 hours, and
- c. At least COLD SHUTDOWN within the subsequent 24 hours.

Where corrective measures are completed that permit operation under the ACTION requirements, the action may be taken in accordance with the specified time limits as measured from the time of failure to meet the Limiting Condition for Operation. Exceptions to these requirements are stated in the individual specifications.

This specification is not applicable in MODE 5 or 6.

3.0.4 When a Limiting Condition of Operation is not met, entry into a MODE or other specified condition in the Applicability shall only be made:

- a. When the associated ACTIONS to be entered permit continued operation in the MODE or other specified condition in the Applicability for an unlimited period of time; or
- b. After performance of a risk assessment addressing inoperable systems and components, consideration of the results, determination of the acceptability of entering the MODE or other specified condition in the Applicability, and establishment of risk management actions, if appropriate (exceptions to this Specification are stated in the individual Specifications); or
- c. When an allowance is stated in the individual value, parameter, or other Specification.

This Specification shall not prevent changes in MODES or other specified conditions in the Applicability that are required to comply with ACTIONS or that are part of a shutdown of the unit.

APPLICABILITY

SURVEILLANCE REQUIREMENTS

4.0.1 Surveillance Requirements shall be met during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.

Failure to meet a Surveillance Requirement, whether such a failure is experienced during the performance of the Surveillance or between performances of the Surveillance, shall be failure to meet the Limiting Conditions for Operation. Failure to perform a Surveillance within the specified surveillance interval shall be failure to meet the Limiting Conditions for Operation except as provided in Specification 4.0.3. Surveillances do not have to be performed on inoperable equipment or variables outside specified limits.

4.0.2 Each Surveillance Requirement shall be performed within the specified surveillance interval with a maximum allowable extension not to exceed 25 percent of the specified surveillance interval.

4.0.3 If it is discovered that a Surveillance was not performed within its specified surveillance interval (including the allowed extension per Specification 4.0.2), 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. The delay period is only applicable when there is a reasonable expectation the surveillance will be met when performed. 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 Condition(s) must be entered. When the Surveillance is performed within the delay period and the Surveillance is not met, the Limiting Condition for Operation must immediately be declared not met and the applicable Condition(s) must be entered.

4.0.4 Entry into a MODE or other specified condition in the Applicability of an LCO shall only be made when the Surveillance Requirement(s) associated with the LCO have been met within their specified Frequency, except as provided by Specification 4.0.3. When an LCO is not met due to Surveillance Requirement(s) not having been met, entry into a MODE or other specified condition in the Applicability shall only be made in accordance with Specification 3.0.4. This provision shall not prevent entry into MODES or other specified conditions in the Applicability that are required to comply with ACTIONS or that are part of a shutdown of the unit.

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 testing of ASME Code Class 1, 2, and 3 pumps and valves, and inservice inspection of ASME Code Class 1, 2, and 3 components shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(f) and Section 50.55a(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(f)(6)(i) or Section 50.55a(g)(6)(i), or where the component has been found to qualify for exemption from special treatment;



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 218 AND 204 TO

RENEWED FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80

STP NUCLEAR OPERATING COMPANY, ET AL.

SOUTH TEXAS PROJECT, UNITS 1 AND 2

DOCKET NOS. 50-498 AND 50-499

1.0 INTRODUCTION

By letter dated May 1, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19126A309), STP Nuclear Operating Company (STPNOC, the licensee) submitted a license amendment request (LAR) to the U.S. Nuclear Regulatory Commission (NRC, the Commission) for the South Texas Project (STP), Units 1 and 2.

The proposed amendments would modify the STP Technical Specifications (TSs) in Section 3.0 and Section 4.0 regarding limiting conditions for operation (LCOs) and surveillance requirements (SRs) usage. These changes are consistent with Technical Specifications Task Force (TSTF) Traveler TSTF-529, "Clarify Use and Application Rules," Revision 4 (ADAMS Accession No. ML16062A271), which was approved by the NRC by letter dated April 21, 2016 (ADAMS Package Accession No. ML16060A441). Traveler TSTF-529 presents acceptable changes to NUREG-1431, "Standard Technical Specifications Westinghouse Plants" (ADAMS Accession No. ML12100A222). The amendment revises Section 3.0, "Limiting Conditions for Operation," and Section 4.0, "Surveillance Requirements" of the STP, Units 1 and 2, TSs to clarify the TS usage rules, as described below:

- LCO 3.0.4.b is revised to clarify that LCO 3.0.4.a, LCO 3.0.4.b, and LCO 3.0.4.c are independent options.
- SR 4.0.3 is revised to allow application of SR 4.0.3 when an SR has not been previously performed and to clarify the application of SR 4.0.

2.0 REGULATORY EVALUATION

2.1 Description of Subject TS Sections

LCOs specify minimum requirements for ensuring safe operation of the unit. The TSs state conditions that typically describe the ways in which the requirements of the LCO can fail to be met and provide remedial actions when the conditions are not met. Specified with each stated condition are the required action(s) and associate completion time(s) for performing the actions.

LCO 3.0.1 through LCO 3.0.9 establish the general requirements applicable to all specifications and apply at all times, unless otherwise stated. Similarly, SR 3.0.1 through SR 3.0.4 establish the general requirements for surveillances that are applicable to all specifications and apply at all times, unless otherwise stated.

2.2 STP TS Variations from TSTF-529

The licensee is proposing the following variations from the TS changes described in TSTF-529 Revision 4:

- Section 1.3, revision to clarify "discovery," will not be incorporated, and
- Section 1.3, revision to discuss exceptions to starting the Completion Time at condition entry, will not be incorporated.

The STP TS Section 1.0 does not contain a definition for Completion Time or a related term.

These variations do not affect the applicability of TSTF-529.

The STP TSs utilize different numbering and titles than the standard technical specifications (STTs) on which TSTF-529 was based. Specifically, SR 3.0.3 in TSTF-529 is numbered as SR 4.0.3 in the STP TSs. This difference is administrative and does not affect the applicability of TSTF-529 to the STP TSs.

2.3 Description of STP TS Changes

STP LCO 3.0.4 currently states:

When a Limiting Condition of Operation is not met, entry into a MODE or other specified condition in the Applicability shall only be made:

- a. When the associated ACTIONS to be entered permit continued operation in the MODE or other specified condition in the Applicability for an unlimited period of time; or
- b. After performance of a risk assessment addressing inoperable systems and components, consideration of the results, determination of the acceptability of entering the MODE or other specified condition in the Applicability, and establishment of risk management actions, if appropriate; exceptions to this Specification are stated in the individual Specifications, or
- c. When an allowance is stated in the individual value, parameter, or other Specification.

The licensee proposed to clarify LCO 3.0.4.b. by placing the statement regarding exceptions in parenthesis, removing the semicolon after the word "appropriate," and replacing the ending comma with a semicolon. The proposed STP LCO 3.0.4 would state the following:

When a Limiting Condition of Operation is not met, entry into a MODE or other specified condition in the Applicability shall only be made:

- a. When the associated ACTIONS to be entered permit continued operation in the MODE or other specified condition in the Applicability for an unlimited period of time; or
- b. After performance of a risk assessment addressing inoperable systems and components, consideration of the results, determination of the acceptability of entering the MODE or other specified condition in the Applicability, and establishment of risk management actions, if appropriate (exceptions to this Specification are stated in the individual Specifications); or
- c. When an allowance is stated in the individual value, parameter, or other Specification.

STP SR 4.0.3 currently states the following:

If it is discovered that a Surveillance was not performed within its specified surveillance interval (including the allowed extension per Specification 4.0.2), 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 Condition(s) must be entered. When the Surveillance is performed within the delay period and the Surveillance is not met, the Limiting Condition for Operation must immediately be declared not met and the applicable Condition(s) must be entered.

The licensee proposed to change STP SR 4.0.3 to state the following (the additional sentence is underlined):

If it is discovered that a Surveillance was not performed within its specified surveillance interval (including the allowed extension per Specification 4.0.2), 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. The delay period is only applicable when there is a reasonable expectation the surveillance will be met when performed. 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 Condition(s) must be entered. When the Surveillance is performed within the delay period and the Surveillance is not met, the Limiting Condition for Operation must immediately be declared not met and the applicable Condition(s) must be entered.

2.4 Regulatory Requirements, Licensing Information, Guidance Documents

Per Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36(b), each license authorizing operation of a utilization facility will include TSs. The TSs will be derived from the analyses and evaluations included in the safety analysis report, and amendments thereto, submitted pursuant to 10 CFR 50.34 (describing the technical information to be included in applications for an operating license). Pursuant to 10 CFR 50.36(c), TSs are required to include items in the following five specific categories related to station operation: (1) safety limits, limiting safety system settings, and limiting control settings; (2) LCOs; (3) SRs; (4) design features; and (5) administrative controls. The Commission may include such additional TSs as the Commission finds appropriate.

Paragraph 50.36(c)(2) of 10 CFR establishes the requirements for LCOs and states, in part:

Limiting conditions for operation are the lowest functional capability or performance levels of equipment required for the safe operation of the facility. When a limiting condition for operation of a nuclear reactor is not met, the licensee shall shut down the reactor or follow any remedial action permitted by the technical specifications until the condition can be met.

Paragraph 50.36(c)(3) of 10 CFR establishes the requirements for SRs and states:

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 NRC staff's guidance for review of the TSs is in NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR [Light-Water Reactor] Edition," Chapter 16, "Technical Specifications," Revision 3, dated March 2010 (ADAMS Accession No. ML100351425). As described therein, as part of the regulatory standardization effort, the staff has prepared STSs (NUREG-1430 to NUREG-1434) for each of the LWR nuclear steam supply systems and associated balance-of-plant equipment systems. Accordingly, the staff's review includes consideration of whether the proposed TSs are consistent with the applicable referenced TSs (i.e., the current STSs), as modified by NRC-approved TSTF Travelers such as TSTF-529, Revision 4. Special attention is given to TS provisions that depart from the referenced TSs and NRC-approved TSTF travelers, to determine whether proposed differences are justified by uniqueness in plant design or other considerations so that 10 CFR 50.36 is met.

3.0 TECHNICAL EVALUATION

3.1 Proposed Changes to STP LCO 3.0.4

The current STP LCO 3.0.4 contains three options, (LCO 3.0.4.a, b, and c). LCO 3.0.4.a ends with a semicolon followed by the word "or" and LCO 3.0.4.b ends with a comma followed by the word "or."

LCO 3.0.4.b, states, in part, "After performance of a risk assessment ... stated in the individual Specifications, or," could lead to operator misinterpretation. Operators could misapply this statement by believing the "or" applies to the phrase regarding exceptions and that LCO 3.0.4.a, b, and c apply concurrently.

The licensee proposed to clarify LCO 3.0.4.b by placing the statement regarding exceptions in parenthesis, removing the semicolon after the word "appropriate," and replacing the ending comma with a semicolon. The proposed STP LCO 3.0.4 would state the following: "After performance of a risk assessment ... if appropriate (exceptions to this specification are stated in the individual specifications); or".

The NRC staff finds that the change is editorial since it does not change the requirements currently in the TSs. The NRC staff finds the proposed change acceptable since it removes potential for misapplication of LCO 3.0.4 allowances, and therefore, provides a clear and objective application of the STP's TS Required Actions.

3.2 Proposed Changes to STP SR 4.0.3

The NRC has typically interpreted STP SR 4.0.3, as inapplicable to SRs that had never been previously performed. This is because the allowance provided by STP SR 4.0.3 is based on the fact that the SR was satisfactorily met in the past and the most probable result of performing the SR is the verification of conformance with the requirements. Therefore, there is reasonable expectation the SR will be met when performed.

However, the NRC staff recognizes that there are instances in which an SR may not have been performed in the past, but there is still a reasonable expectation the SR will be met when performed. For example, an SR requires testing of a relay contact. A licensee may find the relay contact has never been tested as required in accordance with a particular SR. That licensee, however, may find there is a reasonable expectation the SR will be met when performed because the subject relay contact has been tested by another SR or because historical operation of the subject relay contact has been successful.

The delay period allowed by STP SR 4.0.3 offers adequate time to complete SRs that have been missed. In addition, this delay period permits the completion of an SR before complying with required actions or other remedial measures that might preclude completion of the SR. The NRC staff finds the application of the delay period provided by STP SR 4.0.3 acceptable for use on SRs that have been never been performed so as long as licensees can provide an adequate determination of reasonable expectation the SR will be met when performed.

The licensee's proposed changes to STP SR 4.0.3, states the following (the new sentence reflecting the inclusion of SRs that have never been performed is underlined):

If it is discovered that a Surveillance was not performed within its specified surveillance interval (including the allowed extension per Specification 4.0.2), 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. The delay period is only applicable when there is a reasonable expectation the surveillance will be met when performed. 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 Condition(s) must be entered. When the Surveillance is performed within the delay period and the Surveillance is not met, the Limiting Condition for Operation must immediately be declared not met and the applicable Condition(s) must be entered.

When making a determination of whether a reasonable expectation exists that the SR will be met when performed, licensees should consider many factors. These factors include, but are not limited to, things such as the period of time since the SR was last performed; whether the SR, or a portion thereof, has ever been performed; and many other indications, tests, or activities that might support the expectation that the SR will be met when performed. 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 an SR will be met when performed should increase based on the length of time since the last performance of the SR. If the SR has been performed recently, a review of the SR history and equipment performance may be sufficient to support a reasonable expectation that the SR will be met when performed. For SRs 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 capable of performing its specified safety function(s). The evaluation should be documented in sufficient detail to allow a knowledgeable individual to understand the basis for the determination.

The proposed change, which expands the scope of STP's SR 4.0.3 to SRs that have never been performed, is acceptable because it requires there to be an adequate determination of a reasonable expectation the SR will be met when performed. In addition, the proposed change augments plant safety since it could prevent unnecessary shutdowns by providing adequate time to complete SRs that have never been performed but are likely to achieve satisfactory results.

3.3 Technical Evaluation Conclusion

As described in Section 2.4 of this SE, the regulations contained in 10 CFR 50.36 require that TSs include items in specified categories, including LCOs and SRs. The proposed changes modify the LCOs, conditions, required actions, completion times, and SRs applicable to their usage and application. The TSs continue to specify the LCOs and specify the remedial measures to be taken if one of these requirements is not satisfied. The TSs continue to specify

the appropriate SRs to ensure the necessary quality of affected structures, systems and components are maintained. Therefore, the NRC staff finds that the proposed changes to the STP LCOs and SRs meet 10 CFR 50.36(c)(2) and 10 CFR 50.36(c)(3), respectively.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Texas State official was notified of the proposed issuance of the amendments on November 15, 2019. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change requirements with respect to installation or use of facility components located within the restricted area as defined in 10 CFR Part 20 and change SRs. The NRC staff has determined that the amendments involve no significant increase in the amounts and no significant change in the types of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, published in *Federal Register* on June 18, 2019 (84 FR 28347), and there has been no public comment on such finding. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: T. Tjader

Date: December 9, 2019

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENT
NOS. 218 AND 204 TO REVISE TECHNICAL SPECIFICATIONS TO ADOPT
TSTF-529, "CLARIFY USE AND APPLICATION RULES"
(EPID L-2019-LLA-0101) DATED DECEMBER 9, 2019

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