

*Nuclear Safety Council's Instruction IS-32, of 16 November 2011, on Plant Technical Specifications of nuclear power plants.*

Article 2.a) of the Law 15/1980, of 22 April, creating the Nuclear Safety Council, confers on this Public Entity the faculty to “prepare and approve instructions, circulars and guides of a technical nature relating to nuclear and radioactive facilities and nuclear safety- and radiological protection-related activities” related to the safe operation, i.e. without undue risks for people or the environment, of nuclear and radioactive facilities. This Article has been strengthened by the Law 33/2007, of 7 November, reforming the Law 15/1980, by including therein the promotion of the participation of stakeholders and the public in the process of preparing these instructions.

Plant Technical Specifications (PTSs) – also known as Technical Specifications (TSs) on occasion – are the set of minimum requirements guaranteeing the safe operation of a nuclear power plant. Article 20.c) of the Royal Decree 1838/1999, of 3 December, approving the Regulation Governing Nuclear and Radioactive Facilities, requires that the application for an operating licence be accompanied by the PTSs, among other documents. The Operating Licence (OL) itself states, in its Section 3.1, the regime of modifications and exemptions applicable to PTSs, whose content is regulated in this Nuclear Safety Council Instruction.

To date, and in the absence of its own technical regulations in this field, the Nuclear Safety Council (CSN) has been applying the regulations of the USA, the country of origin of the technology of most Spanish nuclear power plants, and has assessed and verified compliance with these regulations in all phases of the operation thereof.

The purpose of this CSN Instruction (IS) is to set the general criteria with which a nuclear power plant's PTSs must be defined and reviewed during its exploitation. The regulations from the countries of origin of the technology of Spanish nuclear power plants and of the International Atomic Energy Agency (IAEA), as well as the experience gained throughout the years by the CSN in relation to this subject, have been taken into account while preparing it.

Additionally, the work carried out by the Western European Nuclear Regulators' Association (WENRA) to harmonise the regulations of the different countries that comprise it has also been taken into consideration. As a result of this effort, a set of common requirements – known as “reference levels”, which must be reflected in national regulations, has been established. It has been deemed necessary to develop a Nuclear Safety Council Instruction that takes these requirements into consideration so as to give consistency to the process of regulatory development that has been undertaken by the CSN as part of this harmonisation process.

In particular, Chapter H (Operational Limits and Conditions) of WENRA's document on reference levels establishes the minimum set of requirements applicable to PTSs. A regulatory framework applicable to Spanish nuclear power plants and consistent with the European regulatory framework regarding this matter has been defined with this Instruction.

By virtue of the all the above, and in accordance with the legal authorisation envisaged in Section a) of Article 2 of the Law 15/1980, of 22 April, creating the Nuclear Safety Council, prior consultation of the affected sectors and after the appropriate technical reports, this Council, in its meeting of the 16<sup>th</sup> of November of 2011, has agreed the following:

*First. Purpose and Scope of application.*

The purpose of this Instruction is to set the general criteria that must be met by the Plant Technical Specifications of Spanish nuclear power plants throughout their operating life and in any operational condition.

This Instruction shall be applicable to the holders of the operating licences of Spanish nuclear power plants.

*Second. Definitions.*

The definitions of the terms and concepts contained in the present Instruction match those contained in the following Regulations:

Law 25/1964, of 29 April, on Nuclear Energy.

Law 15/1980, of 22 April, creating the Nuclear Safety Council.

Royal Decree 1838/1999, of 3 December, approving the Regulation Governing Nuclear and Radioactive Facilities.

In addition, the following definitions apply within the context of this Instruction:

Accident: A deviation from the state of normal operation that is more serious than an anticipated operational occurrence. It includes design-basis accidents (and those accidents which are more serious than an anticipated operational occurrence and are covered by the design-basis accidents) and accidents outside the design basis (severe accidents among them).

Accident analysis: The set of analyses intended to prove that the operation of a nuclear facility during normal conditions, transients and accidents is in accordance with the required safety levels.

Anticipated operational occurrence (also known as anticipated operational transient): An operational condition that deviates from normal operation and may occur one or more times during the life of the nuclear power plant. The criteria used to design the plant prevent these occurrences from causing significant damage to items important to safety or giving rise to postulated-accident conditions.

Design-basis accidents: The set of accident conditions against which a nuclear power plant has been designed. In these conditions, the criteria used during the design phase help to keep the deterioration of nuclear materials and the release of radioactive materials within authorised dose limits. They are also known as “postulated accidents”.

Duty shift: The team of people which perform, within the time interval corresponding to one shift, the necessary functions for the operation of a plant and has the makeup defined in the facility's Operating Organisation Manual.

Independent review: The review of a job or document done by people without direct involvement in its performance; there are two types:

- Of the process, in which case it consists in the performance of audits to determine the degree of compliance with the requirements of the management system in order to evaluate the effectiveness of said system and to identify opportunities for improvement.
- Of the results of the process: in this case, a technical review of the result of a certain task or activity is carried out.

Item relevant to safety: An item that is not part of a safety item but:

1. Whose operation is taken into account to mitigate anticipated operational occurrences or accidents, or is used in emergency operating procedures.
2. Whose failure might prevent safety items from performing their safety function.
3. Whose failure might cause the actuation of a safety item.

Licensing bases: The set of mandatory requirements, regulatory commitments and exemptions derived from both the regulations that were in force at the time of licensing and those which have been incorporated subsequently. Licensing bases are included in each plant's official operating documents – in the conditions, associated with the approval thereof and the Operating Licence – and in the commitments entered into by the facility's licensee to ensure compliance with the design bases of the safety systems (including any modifications that have been carried out).

Measurement uncertainty: A parameter, associated with the result of a measurement, which characterises the dispersion of the values that could be reasonably attributed to the mesurand.

1. The parameter may be e.g. a standard deviation (or a multiple thereof) or the half-range of an interval with a given confidence level.
2. In general, the measurement uncertainty has several components. Some of them may be determined from the statistical distribution of the results of series of measurements and may be characterised by experimental standard deviations. Other components that may also be characterised by means of standard deviations are evaluated by assuming probability distributions based on previous experience or other available information.
3. It is understood that the result of a measurement is a better estimate of the value of the mesurand and that all the components of the uncertainty, including those from systematic effects, such as those associated with corrections and reference patterns, contribute to the dispersion.

Modes, states or conditions of operation of a nuclear reactor: The different operational situations which the reactor of a nuclear power plant might be in.

Normal operation: All operation modes in which the plant can routinely find itself, from a refuelling outage – in any of its phases – to full-power operation, are included in this concept.

**Operable/Operability:** A system, subsystem, train, component or device is OPERABLE or has OPERABILITY when it is capable of performing the specified safety function(s) and all instruments, controls, power supply, cooling and sealing water, lubrication and auxiliary equipment required by the system, subsystem, train, component or device to perform said function(s) are also capable of performing the required support function(s).

In order for a system, subsystem, train, component or device to be OPERABLE, it is necessary, in any case, that the applicable Limiting Conditions for Operation (LCOs) and Surveillance Requirements (SRs) be fulfilled.

**Operational limits and conditions:** The set of specifications approved and imposed by the Ministry of Industry, Tourism and Trade which grant the licence to operate the nuclear power plant in safe conditions.

**Operations shift:** The group of workers who make up the Operations team during the time interval corresponding to one shift and which includes licensed staff and auxiliary personnel whose duties may be performed inside or outside the Control Room, according to the provisions of the facility's Operating Organisation Manual.

**Reactor coolant pressure boundary:** The set of all the components that are subjected to the pressure of the reactor and belong to its cooling system or are connected to it. The pressure boundary includes:

1) In plants of American design:

- For systems with pipes that penetrate the containment building, up to the outermost containment isolation valve.
- For systems that do not penetrate the containment building, up to the second of two valves that are closed during the normal operation of the reactor.
- For BWRs, the reactor cooling system includes up to the outermost containment isolation valve of the feedwater and main steam systems.
- The relief and safety valves of the reactor cooling system.

2) For PWR plants of German design:

- The pipes that connect to the reactor cooling system, up to the first isolation valve.
- The relief and safety valves of the reactor cooling system.

**Item important to safety:** It comprises:

1. Those structures, systems and components whose malfunction or failure could lead to an undue exposure to radiation of site staff or members of the public;
2. Those structures, systems and components that prevent anticipated operational occurrences from leading to accident conditions;
3. Those items that are intended to mitigate the consequences of accidents caused by a malfunction or failure of structures, systems or components.

They are subdivided into “safety items” and “items relevant to safety”.

**Reliability:** A measure of the expectation that an SSC will perform its function when it is required at any point in time in the future (assuming the SSC is available).

**Safety limits:** Limits which are set in significant process variables and have been proven to be necessary in order to reasonably maintain the integrity of the physical barriers that protect against an uncontrolled offsite release of radioactivity.

**Safety function:** A function intended to prevent accidents or to mitigate their consequences, the result of which is the protection of workers, the public and the environment against undue risks caused by radiation.

**Safety item (or safety-related item):** An item whose operation is taken into consideration in the analyses of design-basis accidents for:

1. Leading the facility to a safe condition and keeping it in said condition in the long term.
2. Keeping the radiological consequences of anticipated operational occurrences and of design-basis accidents within their specified limits.

**(Limiting) safety system settings:** Values to which the automatic protection devices are set and which are related to variables that have safety-significant functions.

Severe accident: An accident outside the design basis where a significant degradation of the core takes place.

Shift: The group of workers that carry out their activity within the same period of time, with a previously established duration and order.

Site: A plot of land, delimited and owned by the licensee, where an authorised installation is located, the interior of which is subjected to a series of controls, limits and regulations.

Standby personnel: The group of workers that are posted in a – specified or not – place in anticipation of the needs of the service, with the makeup and functions required in the facility's Operating Organisation Manual.

Structures, systems and components (SSCs): A general term that encompasses all the items of a facility. Structures are passive elements: buildings, vessels, shielding, etc. A system comprises several components or structures assembled in such a way as to perform a specific function. A component is a specific item of a system. Cables, transistors, integrated circuits, motors, relays, solenoids, pipes, fittings, pumps, tanks and valves are examples of this.

Structures, systems or components subject to Plant Technical Specifications: Those explicitly included in said document and those structures, systems or components required to guarantee the operability thereof.

### Third. *Plant Technical Specifications (PTSs)*.

#### 1. Purpose of Plant Technical Specifications.

1.1 The licensee of a nuclear power plant shall develop PTSs based on the analyses and evaluations included in its Safety Analysis Report such that the safe operation of the plant is guaranteed by complying with them, in accordance with the design assumptions and objectives included in said Report.

1.2 PTSs shall set the operational conditions needed to prevent situations that might lead to accidents and to mitigate their consequences should they occur.

#### 2. Setting and reviewing Plant Technical Specifications.

2.1 PTSs shall be included in the application for an operating licence, their being part of the official documentation required for the granting of said licence, as established in the Royal Decree 1836/1999, of 3 December, approving the Regulation Governing Nuclear and Radioactive Facilities (hereinafter, the RINR).

2.2 The holder of the operating licence is responsible for applying the provisions of this Instruction and for informing the competent authorities of as many issues or modifications relating to PTSs that might affect the conditions of the facility's licence. All of it as established in the RINR.

2.3 Every PTS must be justified on the basis of the specific design of the plant, its safety analysis reports and the pre-operational tests that were conducted.

A written record, easily accessible whenever necessary, of the technical basis for each PTS, together with the reason for adopting it, must be kept.

2.4 PTSs defining the requirements applicable to the structures, systems and components deemed to fall within the scope thereof shall be established such that they guarantee that the functions anticipated in the plant's Safety Analysis Report for each of the operational situations and during each of the transients and accidents considered in its design bases are fulfilled.

2.5 PTSs must be kept up to date when faced with any physical or documentary plant modification and in the light of experience. Likewise, it must be guaranteed that PTSs are revised to adapt to industry-recognised standards.

2.6 The process for making proposals for final modifications of or temporary exemptions from PTSs shall be defined. Such proposals must be properly justified and their impact shall be analysed by means of a safety analysis and reviewed according to the provisions of the quality system. The process shall include the submission of the proposals for modification to the competent authorities for them to be evaluated and, where appropriate, approved, including as much evidence is necessary or required about said proposal.

2.7 The holder of the operating license may use the plant's probabilistic safety assessments as additional support for its proposals for modification of or exemption from PTSs.

#### 3. Using Plant Technical Specifications.

3.1 The operation of a plant shall take place at all times by complying with PTSs, with the exception of that envisaged in Section 10.3 (b) of this Article of this Instruction.

3.2 All staff with direct or indirect responsibility in the application of PTSs must know them and be aware of their significance for safety according to their level of responsibility. In particular, control room operators must know in depth the PTSs, their associated technical bases and their significance for the safety of the facility, in addition to their being subjected to plans for being retrained in their use and application that provide for the evolution of PTSs, in accordance with that stated in Nuclear Safety Council Instruction IS-11, of 21 February 2007, on the Licenses of operations personnel in nuclear power plants.

3.3 PTSs must be available in a fast and easy manner to control room operators.

#### 4. Scope and contents of Plant Technical Specifications.

4.1 PTSs must cover all plant operational situations, including startups, power operation, shutdowns and refuelling outages, in any of their phases, and test and maintenance situations, as well as any intermediate condition between those states, such as that of the fuel having been unloaded from the core; the availability of support systems typical of each of these conditions has to be taken into consideration.

4.2 All safety-related and/or risk-significant structures, systems, components and specific aspects of the plant must be included in the scope of the PTSs, in accordance with one or several of the following criteria:

Criterion 1: Instrumentation for detecting and indicating inside the control room an abnormal and significant degradation of the reactor coolant pressure boundary.

Criterion 2: A process variable, design characteristic or operating restriction that constitutes an initial condition in the analysis of the plant's design-basis accidents or in the analysis of transients that involve the failure or a challenge to the integrity of some of the barriers against the release of fission products.

Criterion 3: A structure, system or component that is a part of the main path to success and operates or acts to mitigate a design-basis accident of the plant or a transient that involves the failure or a challenge to the integrity of one of the barriers against the release of fission products.

Criterion 4: A structure, system or component which has been proven to be important to safety in the plant's probabilistic safety assessments or as a result of the plant's operating experience.

4.3 The CSN may require the inclusion of additional Plant Technical Specifications. Likewise, it may require the modification of the licensee's proposals as a result of the review carried out as part of the approval process. All of this shall take place in accordance with the procedures established in the RINR.

4.4 Individual specifications shall be established for all structures, systems or components that fall within the scope of the PTSs with a structure that clearly includes and identifies the applicable categories or sections from among the following:

- The safety limits of the process variables that guarantee the integrity of the barriers.
- The limiting safety system settings.
- The Limiting Conditions for Operation (LCOs) of structures, systems or components that define the minimum functional capacity required for the safe operation in the applicable operation modes, including operation parameter limits and the minimum number of operable equipment.
- The actions that are applicable in the event of a deviation from that required in each LCO.
- The Surveillance Requirements (SRs) defined by the tests, calibrations and inspections applicable to structures, systems or components such that, by complying therewith within the specific frequency of performance, operation inside the established LCOs is guaranteed.
- Characteristics of the design or aspects of the facility not included in the preceding categories and whose modification may significantly affect safety (materials, geometrical arrangement, rating, etc.).
- Administrative limits and controls related to the organisation and management, procedures, records, reviews, audits and reports needed to guarantee the safe operation of the facility and the monitoring capacity of both the operator and the CSN.

#### 5. Safety limits and limiting safety system settings.

5.1 Safety limits must be set by using a globally conservative methodology that takes the uncertainties of the safety analyses and the associated instrumentation into account.

5.2 Should a safety limit be exceeded, the licensee must proceed to shutdown the reactor, notify the CSN of the situation and perform an analysis that includes the causes which lead to the limits being exceeded and the corrective actions adopted to prevent this from happening again and restore the parameters to their authorised values. Operation may be resumed only after the CSN has favourably appraised the situation. The licensee must keep the records of the analyses performed.

5.3 Limiting safety system settings must be selected such that the automatic protecting action warns of an abnormal situation and initiates the shutdown of the reactor and/or the actuation of system in order to either correct the situation before the safety limit is exceeded or mitigate the consequences of the postulated occurrence.

5.4 Appropriate alarms shall be set so as to allow the operations personnel to carry out actions that may prevent the limiting safety system settings from being reached.

5.5 The existence of appropriate margins among the normal operation values and limiting safety system settings shall be ensured so as to prevent the frequent, unwanted actuation of said systems. These margins shall take the delays in equipment actuation and in manual control actions into consideration. To this end, the design may anticipate the setting of intermediate alarm points and operational limits.

5.6 The specified values of the limiting safety system settings and the associated admissible values must be set according to globally conservative methodologies that incorporate the uncertainties and errors in the measurement, adjustment and handling processes involved in the setting and verification thereof.

## 6. Limiting Conditions for Operation and associated actions.

6.1 The operability requirements of a LCO must contain, for the different operation modes, the applicable operational limits and the number of systems or components that must be operable.

6.2 It must be possible to determine the limits specified in the LCOs for operation parameters with the means and in the manner established in the corresponding test procedures and by taking the associated uncertainties into account.

6.3 The actions associated with LCOs must specify the corrective measures that must be undertaken, should deviations from the normal situation defined in said LCOs take place, to either restore compliance therewith within the allowed outage time or take the plant within the specified time to a safe state or an operation mode where the LCO does not apply, unless an alternative course of action is explicitly stated.

6.4 In the event the requirements of a LCO are not met, the application of corrective actions to restore them must be attempted in the shortest possible time without unnecessarily using up the periods of time provided for in said actions.

6.5 It shall not be necessary to fulfil the provisions of the action if compliance with the LCO is restored within the specified outage time.

6.6 Before declaring operable a structure, system or component affected by inoperability, the cause thereof must be analysed and understood and resolved, as far as is reasonably practicable.

6.7 Except in those cases specifically accepted by the CSN within the programmes covered by the Nuclear Safety Council Instruction IS-15, of 31 October 2007, on the Requirements for monitoring the effectiveness of maintenance at nuclear power plants, the deliberate entry into the actions associated with a LCO so as to put a SSC out of service for convenience's sake is not allowed.

## 7. Requirements generally applicable to PTSs.

7.1 A time limit for adopting measures without delay and taking the plant to a stable and safe condition must be specified in those cases where a safety limit or compliance with that specified in a LCO and its associated action cannot be guaranteed or if the plant behaves in an unexpected manner that might affect the safety thereof.

7.2 After an unplanned outage, the unit shall not be put back into service until said action has been shown to be safe. To this end, the cause of the outage must be analysed and understood and resolved, as far as is reasonably practicable.

7.3 Entry into an operation mode may only take place if the LCOs applicable to said mode are fulfilled, unless the corresponding actions allow continuous operation without requiring the

reactor to be shut down. Those mode changes needed to comply with the required actions or to shut the reactor down shall be allowed. The exceptions to this criterion must be explicitly included in each individual specification.

7.4 The provisions of the action must not be used as an alternative to restoring the operability of the structures, systems or components required in the applicable LCOs.

## 8. Surveillance programme.

8.1 A surveillance programme suitable for verifying compliance with PTSs shall be established. The purpose of this programme shall be to ensure that the reliability, availability and operability of the structures, systems or components are kept within their scope, the fulfilment of the corresponding design basis being guaranteed. The programme shall include activities such as monitoring, inspection, checking, calibration and testing.

The resources suitable for identifying corrective measures according to the results of the test programme shall be established, which shall allow to detect ageing, corrosion or any other form of deterioration that is indicative of deviations from the objectives set in the design, even when they are within acceptable limits.

8.2 The results of the surveillances included in this programme must be officially evaluated, documented and recorded. Every surveillance requirement must be associated with one or several surveillance procedures where clear acceptance criteria are set for the different specific parameters to be verified, such that operability may be determined in accordance with compliance therewith.

This must not be interpreted as meaning that the satisfactory performance of a SR is enough to ascertain the operability of the SSC that is the object of the test should there be signs that cast doubt on it.

8.3 The frequency of every activity of the surveillance programme must be specified. The frequency of the different surveillance requirements shall be justified by means of reliability analyses based on the experience of prior results. The information on the risk from the plant's probabilistic safety assessments may be used as additional information, in particular in those cases where the specification corresponds to a risk-significant system according to Criterion 4 of Section 4.2 of Article 3 of this Instruction. In the absence of other data, the frequency of the surveillances may be based on the manufacturer's recommendations.

8.4 The specific values of the parameters to be verified during the performance of a test associated with a surveillance requirement must conservatively incorporate all uncertainties associated with the test process and the biases that are a result of the method for performing it. In addition, the licensee must keep the appropriate documents that justify the values taken as the test's acceptance criteria.

8.5 The test methodology shall allow to determine the operability of the SSC that is the object of surveillance. In addition, the settings of the components at the end of the test must guarantee that the safety limits are not exceeded within the time interval between two consecutive surveillances.

8.6 The performance of a surveillance should not entail the inoperability of the affected SSC itself or of any other related SSC. However, in those cases where the design does not allow to prevent the inoperability of these SSCs, this state must be declared; this condition must be maintained until the test is successfully completed, unless the PTS explicitly says otherwise.

8.7 The tests associated with surveillance requirements shall be conducted within the specified time interval; unless otherwise indicated in the facility's licensing bases, said period of time may not be extended beyond 25% of the time interval. This extension is allowed so as to facilitate the scheduling and performance of the surveillances under suitable conditions, the deliberate and unnecessary extension of the specified time interval not being acceptable in any case.

8.8 The failure to perform a surveillance requirement or exceeding the time interval specified for its performance shall be deemed a failure to comply with the operability requirements of the LCO, which shall entail the inoperability of the affected SSC.

8.9 When a Limiting Condition for Operation (LCO) is not fulfilled owing to a surveillance not having been performed within its specified time interval, the SSC's declaration of inoperability may be delayed from the moment it is detected that the surveillance has not been carried out to the minimum value of time from among 24 hours and the periodicity of said surveillance. The purpose of this additional delay is to allow to perform the surveillance, which shall begin as soon as possible – always within the aforementioned period of time; this delay may only be applied

when there is reasonable hope of there being a positive outcome of the performance of the surveillance.

#### 9. Shift personnel:

9.1 PTSs shall set the minimum number of the staff of the duty shift and the shift's standby personnel which is deemed necessary in normal operation, according to the duties assigned in the facility's Operating Organisation Manual. In addition, PTSs shall identify the restrictions associated with the physical location where the jobs are to take place, in those cases when this is applicable. This includes licensed operations personnel, auxiliary operators and staff from other departments who are designated in the Operating Organisation Manual. These personnel shall have the proper qualification and competence to mobilise the minimum staff required to tackle any emergency from the beginning – according to the provisions of the facility's Onsite Emergency Plan, compliance with the PTSs being guaranteed.

9.2 The facility's licensee shall establish administrative controls to limit the working hours of operations shift personnel, guaranteeing that the duration that has been set for the shift is not routinely exceeded in order to finish other tasks.

9.3 When it is considered necessary to immediately deviate from that established in the PTSs on safety grounds – it having been previously ascertained that there is not other alternative consistent with the PTSs that provides an adequate protection level, it falls to the shift manager, or to the supervisor who is replacing the former inside the control room at that time, to adopt the decision, unless an emergency condition has been declared and the decision is made in accordance with the plant's Onsite Emergency Plan. In any case, the personnel responsible for this decision shall act according to the provisions of the RINR and of the Nuclear Safety Council Instruction IS-10, of 25 July 2006, on the Notification of events at nuclear facilities.

#### 10. Failing to comply with a Plant Technical Specification.

10.1 A failure to comply with a PTS shall take place when the requirements of the LCO and the associated action are not met within the specified time intervals.

10.2 In the event of failing to comply with a PTS, the licensee shall immediately apply corrective actions to re-establish compliance therewith.

10.3 The provisions with regard to non-compliances with PTSs shall not apply in the following situations:

a) Those non-compliances specifically accepted by the CSN in the programmes covered by the Nuclear Safety Council Instruction IS-15, of 31 October 2007, on the Requirements for monitoring the effectiveness of maintenance at nuclear power plants, or as part of that envisaged in other Nuclear Safety Council Instructions that might be applicable.

b) When an emergency condition of the plant's Onsite Emergency Plan has been declared in which the decision to deviate from that envisaged in the PTSs has been deliberately and reasonably taken to protect the health and safety of the public.

#### 11. Notifications and records.

11.1 The holder of the operating license must notify the CSN of any failure to comply with the PTSs and also of those cases when the reactor must be shut down or placed in a safe condition, following the provisions of the PTSs themselves. For these events, the licensee shall issue the corresponding reports and, where appropriate, its revisions, in order to implement the appropriate corrective actions. All of this shall take place in accordance with the provisions of the Nuclear Safety Council Instruction IS-10, on the Notification of events at nuclear facilities, which is applicable for notification and registration purposes.

#### Fourth. *Exemptions.*

Nuclear power plant licensees subject to the present Instruction may request to be temporarily exempted, in part or in whole, from observing any of its requirements by properly justifying the reasons for their request and indicating the alternative manner in which the established criteria shall be observed.

#### Fifth. *Infractions and sanctions.*



The present Nuclear Safety Council Instruction is binding in accordance with that established in Article 2.a) of Law 15/1980, of 22 April, creating the Nuclear Safety Council, such that the failure to comply with it shall be punished in accordance with the provisions of Chapter XIV (Articles 85 to 93) of the Law 25/1964, of 29 April, on Nuclear Energy.

First Transitory Provision.

Nuclear power plant licensees shall submit, within 2 years from the date this Instruction is published in the "Official State Gazette", a plan to comply with the provisions of Sections 6.2 and 8.4 of Article 3 of this Instruction on the inclusion of measurement uncertainties.

Second Transitory Provision.

The requests for modification of current PTSs so as to include the risk-significant structures, systems and components required by criterion 4 of Section 4.2 of Article 3 of this Instruction must be submitted for approval within nine months from the publication of this Instruction in the "Official State Gazette".

Third Transitory Provision.

In the event current PTSs do not comply in some aspect with that established in this Instruction, the licensee shall send the CSN, within six months from the date this Instruction is published in the "Official State Gazette", the existing deviations together with a schedule for submitting the corresponding, appropriate requests for modification.

Sole Repealing Provision.

Any rule of equal or lower level that opposes this Instruction is repealed.

Sole Final Provision. *Entry into force.*

This Instruction shall come into force six months after it is published in the "Official State Gazette".

In Madrid, on the 16th of November of 2011.–Carmen Martínez Ten, the President of the Nuclear Safety Council