

June 27, 2000

Mr. Ted C. Feigenbaum
Executive Vice President and
Chief Nuclear Officer
North Atlantic Energy Service Corporation
c/o Mr. James M. Peschel
P.O. Box 300
Seabrook, NH 03874

SUBJECT: SEABROOK STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT RE:
DIESEL FUEL OIL SURVEILLANCE REQUIREMENTS (TAC NO. MA7710)

Dear Mr. Feigenbaum:

The Commission has issued the enclosed Amendment No. 73 to Facility Operating License No. NPF-86 for the Seabrook Station, Unit No 1, in response to your application dated November 30, 1999, and supplemented on April 28, 2000.

The amendment consists of changes to the Seabrook Technical Specifications (TS) by: (1) inclusion of a new Administrative Control Technical Specification (TS 6.7.6i) for establishing, implementing, and maintaining a Diesel Fuel Oil Testing Program for testing new and stored fuel oil; (2) relocation of current TS surveillance requirement (SR) 4.8.1.1.2d and SR 4.8.1.1.2e.1, containing surveillance requirements for fuel oil sampling and testing, to the Diesel Fuel Oil Testing Program in the Seabrook Station Technical Requirements (SSTR) Manual; (3) revision of SR 4.8.1.1.2d to reference the Diesel Fuel Oil Testing Program as a surveillance requirement; (4) inclusion of additional requirements to SR 4.8.1.2 for checking and removing accumulated water from the day and storage fuel oil tanks, verifying new and stored fuel oil properties and visually inspecting diesel generator exhaust leakage when the plant remains in Modes 5 and 6 of operation; (5) relocation to the Diesel Fuel Oil Testing Program SR 4.8.1.12h for cleaning diesel fuel storage tanks at a 10-year frequency; and (6) revision of TS Bases 3/4.8.1 to add a statement that the exceptions to certain Regulatory Guides are specified in the plant's UFSAR. The staff has reviewed the proposed changes to the TSs and evaluated the licensee's justifications for these changes. On the basis of this evaluation, the staff finds that the changes are acceptable.

T. Feigenbaum

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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,

/RA/

Robert M. Pulsifer, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-443

Enclosures: 1. Amendment No. 73 to NPF-86
2. Safety Evaluation

cc w/encls: See next page

T. Feigenbaum

- 2 -

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Sincerely,

/RA/

Robert M. Pulsifer, Project Manager, Section 2
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Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-443

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cc w/encls: See next page

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NORTH ATLANTIC ENERGY SERVICE CORPORATION, ET AL.*

DOCKET NO. 50-443

SEABROOK STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 73
License No. NPF-86

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by the North Atlantic Energy Service Corporation, et al., (the licensee), dated November 30, 1999, and supplemented on April 28, 2000, 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, 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.

*North Atlantic Energy Service Corporation (NAESCO) is authorized to act as agent for the: North Atlantic Energy Corporation, Canal Electric Company, The Connecticut Light and Power Company, Great Bay Power Corporation, Hudson Light & Power Department, Massachusetts Municipal Wholesale Electric Company, Little Bay Power Corporation, New England Power Company, New Hampshire Electric Cooperative, Inc., Taunton Municipal Light Plant, The United Illuminating Company, 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 Facility Operating License No. NPF-86 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 73, and the Environmental Protection Plan contained in Appendix B are incorporated into Facility License No. NPF-86. NAESCO shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance (including the relocation of requirements of the Diesel Fuel Oil Testing Program into the Seabrook Station Technical Requirements Manual, as described in the application dated November 30, 1999, as supplemented on April 28, 2000, and evaluated in the staff's safety evaluation dated June 27, 2000.)

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: June 27, 2000

ATTACHMENT TO LICENSE AMENDMENT NO. 73

FACILITY OPERATING LICENSE NO. NPF-86

DOCKET NO. 50-443

Replace the following pages of the Appendix A, Technical Specifications, with the attached revised pages as indicated. The revised pages are identified by amendment number and contain marginal lines indicating the area of change.

Remove

xiv
3/4 8-4
3/4 8-5
3/4 8-9
3/4 8-11
B 3/4 8-1
6-14C

Insert

xiv
3/4 8-4
3/4 8-5
3/4 8-9
3/4 8-11
B 3/4 8-1
6-14C

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 73 TO FACILITY OPERATING LICENSE NO. NPF-86

NORTH ATLANTIC ENERGY SERVICE CORPORATION

SEABROOK STATION, UNIT NO. 1

DOCKET NO. 50-443

1.0 INTRODUCTION

By letter dated November 30, 1999, and supplemented on April 28, 2000, North Atlantic Energy Service Corporation (NAESCO, the licensee) submitted a request for an amendment to the Seabrook Station Technical Specifications (TSs) for emergency diesel generator fuel oil surveillance requirements. The amendment consists of: (1) inclusion of a new Administrative Control Technical Specification (TS 6.7.6i) for establishing, implementing, and maintaining a Diesel Fuel Oil Testing Program for testing new and stored fuel oil with specific details of the program to be included in the Seabrook Station Technical Requirements (SSTR) Manual; (2) relocation of current TS Surveillance Requirement (SR) 4.8.1.1.2d and SR 4.8.1.1.2e.1, containing surveillance requirements for fuel oil sampling and testing, to the Diesel Fuel Oil Testing Program in the SSTR manual; (3) revision of SR 4.8.1.1.2d to include a reference to the Diesel Fuel Oil Testing Program as a surveillance requirement; (4) inclusion of an additional surveillance requirement to SR 4.8.1.2, requiring the plant operating in Modes 5 and 6 to check and remove accumulated water from the day and the storage fuel oil tanks, verify new and stored fuel oil properties and visually inspect the diesel generator exhaust for leakage; (5) relocation of SR 4.8.1.12h, for cleaning diesel fuel storage tanks at a 10-year frequency, to the SSTR manual for the Diesel Fuel Oil Testing Program; and (6) revision of TS Bases 3/4.8.1 by including a statement that the exceptions to Regulatory Guides 1.9, "Selection of Diesel Generator Set Capacity for Standby Power Supplies," 1.108, "Periodic Testing of Diesel Generator Units Used as Onsite Electric Power Systems at Nuclear Plants," and 1.137, "Fuel-Oil Systems for Standby Diesel Generators" are specified in the plant's Updated Final Safety Analysis Report (UFSAR).

2.0 BACKGROUND

NAESCO stated that the relocating of these TSs to the Diesel Fuel Oil Testing Program in the licensee-controlled SSTR manual will provide NAESCO the flexibility to maintain the capability to conduct fuel oil sampling and analysis using methodologies consistent with the appropriate standards. The relocation of these TSs to the SSTR Manual allows these requirements to be controlled by the 10 CFR 50.54(a) and 10 CFR 50.59 change process rather than the TS amendment process.

Section 182a of the Atomic Energy Act requires applicants for nuclear power plant operating licenses to state the TSs to be included as part of the license. The Commission's regulatory requirements related to the content of the TSs are set forth in 10 CFR 50.36. That regulation requires the TSs to include items in five specific categories, including (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TSs.

The four criteria defined in 10 CFR 50.36 to be used in determining whether a particular limiting condition for operation (LCO) is required to be included in the TSs are as follows:

1. Installed instrumentation that is used to detect, and indicate in the control room a significant abnormal degradation of the reactor coolant pressure boundary;
2. A process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier;
3. A structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design basis accident or transient that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier; and
4. A structure, system, or component which operating experience or probabilistic safety assessment has shown to be significant to public health and safety.

As a result, existing LCO requirements which fall within or satisfy any of the criteria in 10 CFR 50.36 must be retained in the TSs, while those LCO requirements that do not fall within or satisfy these criteria may be relocated to other licensee-controlled documents. The licensee has requested changes to surveillance requirements, and the four criteria do not literally apply to such requirements; however, similar considerations may be applied to the level of detail necessary to be included in surveillance TS.

3.0 EVALUATION

The amendment requested by the licensee will restructure the plant's TSs for the diesel fuel oil testing program and move prescriptive details of the program to the licensee-controlled SSTR Manual. This change will still retain the original intent of the TSs, but will permit the licensee to upgrade the ASTM fuel oil testing standard to newer versions without amending the plant's TSs. In order to achieve this modification, the licensee proposes to add new Administrative Control TS 6.7.6i, which will establish, implement, and maintain a new Diesel Fuel Oil Testing Program, and which will, in turn, contain details of the tests, including references to the ASTM standards. The licensee proposes to include details of this program in the SSTR Manual. This modification will not make the plant's TSs conform exactly to the format of NUREG-1431, "Standard Technical Specifications - Westinghouse Plants" (STS), Revision 1, April 1995, because in the STS details of diesel fuel oil testing are included in the TS Bases and their modifications are, therefore, subjected to the TS Bases Control Program, specified in STS 5.5.14. However, any changes to the Diesel Fuel Oil Testing Program in the SSTR Manual, which the licensee may decide to make pursuant to 10 CFR 50.59, will need to conform to similar requirements. These requirements are very similar to those in STS 5.5.14 in many ways, and include the requirement

for NRC approval for any changes meeting one of the criteria in 10 CFR 50.59(c)(2). The relocation of the TSs for diesel fuel oil testing to the licensee-controlled documents will, therefore, meet the intent of the Administrative Controls in the STS for Westinghouse plants. Accordingly, the staff finds this modification of the plant's TSs to be acceptable.

The above modification entails several changes that are added to the other modifications proposed by the licensee and included in the requested amendment. The licensee proposes to relocate surveillance requirements for diesel fuel oil sampling and testing from SR 4.8.1.1.2d, and for determination of particulate contamination of diesel fuel oil from SR 4.8.1.1.2e.1 to the Diesel Fuel Oil Testing Program in the SSTR Manual. It also proposes to reference this program in SR 4.8.1.1.2d as a surveillance requirement. This modification is, therefore, consistent with the STS. These surveillance requirements are not required to be in the TS under any of the four criteria of 10 CFR 50.36, and will be controlled under 10 CFR 50.59. Therefore, the staff finds this change to be acceptable.

The licensee proposes to reference TS 4.8.1.1.2.b, c, d, and e. in the surveillance requirement section of SR 4.8.1.2. This will extend to the plant's operational Modes 5 and 6, the need for removal of accumulated water from the day tank, verification of the properties of new and stored fuel oils, and visual inspection of the diesel generator exhaust leakage. The proposed change will provide added assurance that the fuel oil quality requirements are met and the exhaust leakage is controlled any time a diesel generator may be required to operate. In addition, the proposed change is consistent with the requirements of the STS. The staff, therefore, finds it to be acceptable.

The licensee proposes to relocate the SR 4.8.1.1.2h surveillance requirement for cleaning both diesel fuel oil storage tanks once every 10 years to the Diesel Fuel Oil Testing Program in the SSTR Manual. The relocation of this requirement to the licensee-controlled document was approved by the NRC for the STS by Traveler TSTF-002, Rev. 1. This surveillance requirement is not required to be in the TS under any of the four criteria of 10 CFR 50.36, and will be controlled under 10 CFR 50.59. Therefore, the staff finds the relocation to be acceptable.

The surveillance requirements for demonstrating operability of the diesel generator are, with few exceptions, in accordance with a number of regulatory guides which are listed in TS Bases 3/4.8.1. For consistency purposes, the licensee proposes to include a statement that these exceptions are listed in the plant's UFSAR. The staff considers this additional information improves the quality of the plant's bases, and does not object to the update of the bases section.

The licensee proposes to modify the requirement of SR 4.8.1.1.2d.2 in the Diesel Fuel Oil Testing Program by increasing the time required for verification of fuel oil quality, after a sample of a new fuel oil is taken, from 30 days to 31 days. This is a relatively insignificant change and a 1-day difference in sampling time will not affect test results in any way. The staff finds this change to be acceptable.

TS index page xiv was changed to reflect the above accepted changes. TS 6.8.1, Sections titled "Routine Reports" and "Startup Reports" has been changed from page 6-14A to 6-14D. Also, an editorial change was made to TS 6.8.1, Section titled "Annual Radiological Environmental Operating Report" page number on index page xiv from 6-15 to 6-16. This change was accepted in amendment 66, dated December 15, 1999; however, the index page

was not changed to reflect that change. The changes to index page xiv are editorial in nature and now reflect the appropriate page numbers. Therefore, the changes are acceptable.

The staff has evaluated the licensee's proposed modifications to the TS for surveillance requirements for diesel generator fuel oil used in the emergency diesel generator. The licensee proposed to include a new Administrative Control Specification which establishes, implements, and maintains a Diesel Fuel Oil Testing Program which will be located in the licensee-controlled document SSTR and will include details of the surveillance requirements. In addition, the licensee proposed several other modifications to the diesel fuel oil surveillance procedures aimed at improving their quality. Based on its evaluation, as set forth above, the staff concludes that the licensee proposed modifications will simplify the existing plant's TS without relaxing any of the current surveillance requirements. The staff finds, therefore, the proposed TS changes to be acceptable.

The staff also concludes that the prescriptive details are not required to be in the TS under 10 CFR 50.36, and are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. Accordingly, they may be relocated from the TSs to the licensee-controlled SSTR Manual.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New Hampshire and Massachusetts State officials were notified of the proposed issuance of the amendment. The State officials had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to surveillance requirements. The NRC staff has determined that the amendment involves 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 amendment involves no significant hazards consideration, and there has been no public comment on such finding (65 FR 31358). Accordingly, the amendment meets 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 amendment.

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) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

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Date: June 27, 2000

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