

June 29, 2000

Mr. John B. Cotton
Vice President - TMI Unit 1
AmerGen Energy Company, LLC
P.O. Box 480
Middletown, PA 17057

SUBJECT: TMI-1 - AMENDMENT RE: RELOCATION OF CONTROL BUILDING
ISOLATION DAMPER COMPONENT TAG NUMBERS (TAC NO. MA8857)

Dear Mr. Cotton:

The Commission has issued the enclosed Amendment No. 223 to Facility Operating License No. DPR-50 for the Three Mile Island Nuclear Station, Unit 1, (TMI-1) in response to your application dated May 4, 2000, as supplemented by letter dated May 9, 2000.

The amendment revises Technical Specification (TS) 4.12.1.3, for the control building automatic isolation and recirculation dampers to remove the individual damper component tag numbers. The surveillance requirements of this TS do not change. The associated Bases is also changed to reflect the applicable section of the Updated Final Safety Analysis Report.

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/

Timothy G. Colburn, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-289

Enclosures: 1. Amendment No. 223 to DPR-50
2. Safety Evaluation

cc w/encls: See next page

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AMERGEN ENERGY COMPANY,LLC

DOCKET NO. 50-289

THREE MILE ISLAND NUCLEAR STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 223
License No. DPR-50

1. The Nuclear Regulatory Commission (the Commission or NRC) has found that:
 - A. The application for amendment by AmerGen Energy Company, LLC (the licensee), dated May 4, 2000, as supplemented May 9, 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.

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. DPR-50 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 223 , are hereby incorporated in the license. AmerGen Energy Company, LLC, shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Marsha Gamberoni, Acting Chief, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: June 29, 2000

ATTACHMENT TO LICENSE AMENDMENT NO. 223

FACILITY OPERATING LICENSE NO. DPR-50

DOCKET NO. 50-289

Replace the following pages of the 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.

Remove

4-55
4-55a

Insert

4-55
4-55a

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 223 TO FACILITY OPERATING LICENSE NO. DPR-50

AMERGEN ENERGY COMPANY, LLC

THREE MILE ISLAND NUCLEAR STATION, UNIT 1

DOCKET NO. 50-289

1.0 INTRODUCTION

By letter dated May 4, 2000, as supplemented by letter dated May 9, 2000, AmerGen Energy Company, LLC, (the licensee), submitted a request for changes to the Three Mile Island Nuclear Station, Unit 1 (TMI-1), technical specifications (TSs). The requested changes would revise Technical Specification (TS) 4.12.1.3, for the control building automatic isolation and recirculation dampers to remove the individual damper component tag numbers. The surveillance requirements of this TS do not change. The associated Bases is also changed to reflect the applicable section of the Updated Final Safety Analysis Report.

2.0 BACKGROUND

Section 182a of the Atomic Energy Act (the Act) requires applicants for nuclear power plant operating licenses to include TSs as part of the license. In Section 50.36 of Title 10 of the *Code of Federal Regulations* (10 CFR 50.36), the U.S. Nuclear Regulatory Commission (NRC) established the regulatory requirements related to the content of the TSs. That regulation requires that the TSs 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 the TSs.

The NRC developed criteria, as described in the "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors" (58 FR 39132), to determine which of the design conditions and associated surveillances should be located in the TSs as limiting conditions for operation. Four criteria were subsequently incorporated into the regulations by an amendment to 10 CFR 50.36 (60 FR 36953):

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;
4. a structure, system, or component which operating experience or probabilistic safety assessment has shown to be significant to public health and safety.

The Commission's Final Policy Statement and documentation related to the revision of 10 CFR 50.36 acknowledged that implementation of these criteria may cause some requirements presently in the TSs to be moved to documents and programs controlled by licensees. The staff has determined that license amendment requests to relocate TSs should state which licensee-controlled document, such as the Updated Final Safety Analysis Report (UFSAR), will receive the relocated specifications. In the amendment request, the licensee should describe the program it will use to control changes to relocated provisions (for example, 10 CFR 50.59). Control of the relocated provisions in accordance with the applicable regulation will ensure that NRC review and approval will be requested for changes exceeding the stated regulatory threshold (for example, an unreviewed safety question).

3.0 EVALUATION

The licensee has proposed the effective relocation of the control building automatic isolation and recirculation damper component tag numbers from the TSs to the UFSAR. The dampers required for control building isolation and recirculation are specified in UFSAR Sections 7.4.5 and 9.8.1. This information resides in these sections and has been there since before the licensee submitted its application. The licensee has revised TS 4.12.1.3 to indicate that the required dampers shall be demonstrated as operable and has revised the associated Bases to indicate that the required dampers are specified in the UFSAR sections noted above. Additionally, the dampers are identified in the licensee's surveillance procedure 1303-5.5 (current revision 28) "Control Room Emergency Filtering System Operational Test," which is covered under TS 6.8.1. Changes to the UFSAR are governed by the requirements of 10 CFR 50.59. The applicability of the four TS criteria in 10 CFR 50.36 is evaluated below.

10 CFR 50.36, Criterion 1 installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary.

Criterion 1 does not apply to this TS because control building automatic isolation and recirculation dampers are not instrumentation.

10 CFR 50.36, Criterion 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.

The operability of the control building automatic isolation and recirculation dampers are assumed initial conditions of a design basis accident or transient analysis. However, the proposed change would merely remove the level of detail from the TSs that includes the

