

Mr. A. Alan Blind
 Vice President, Nuclear Power
 Consolidated Edison Company
 of New York, Inc.
 Broadway and Bleakley Avenue
 Buchanan, NY 10511

June 25, 1999

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NO. 2 - ISSUANCE OF AMENDMENT AND BASES CHANGE RE: SURVEILLANCE INTERVAL EXTENSION (TAC NO. MA5156)

Dear Mr. Blind:

The Commission has issued the enclosed Amendment No. 202 to Facility Operating License No. DPR-26 for Indian Point Nuclear Generating Unit No. 2. The amendment consist of changes to Technical Specifications (TSs) in response to your application transmitted by letter dated March 30, 1999.

The amendment adds a new action statement to Section 4.0 of the TS. Section 4.0.2 addresses the problem of unnecessary shutdowns caused when the allowed surveillance intervals are inadvertently exceeded.

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

Sincerely,

ORIGINAL SIGNED BY:

Jefferey F. Harold, Project Manager, Section 1
 Project Directorate I
 Division of Licensing Project Management
 Office of Nuclear Reactor Regulation

Docket No. 50-247

Enclosures: 1. Amendment No. 202 to DPR-26
 2. Safety Evaluation

cc w/encs: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 25, 1999

Mr. A. Alan Blind
Vice President, Nuclear Power
Consolidated Edison Company
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Sincerely,

A handwritten signature in cursive script that reads "Jeffrey F. Harold".

Jefferey F. Harold, Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-247

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2. Safety Evaluation

cc w/encls: See next page

**Indian Point Nuclear Generating Station
Units 1/2**

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Buchanan, NY 10511**

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New York State Energy, Research,
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New York State Department of
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3 Empire State Plaza, 10th Floor
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

DOCKET NO. 50-247

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 202
License No. DPR-26

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Consolidated Edison Company of New York, Inc. (the licensee) dated March 30, 1999, 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-26 is hereby amended to read as follows:

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(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 202 , are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

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

FOR THE NUCLEAR REGULATORY COMMISSION



S. Singh Bajwa, Section 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 25, 1999

ATTACHMENT TO LICENSE AMENDMENT NO. 202

FACILITY OPERATING LICENSE NO. DPR-26

DOCKET NO. 50-247

Revise Appendix A as follows:

Remove Pages

-
-

Insert Pages

4.1-1a
4.1-1b

4.0.2 Inadvertent Surpassing Of Surveillance Intervals

Failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by Specification 4.0.1, shall constitute a noncompliance with the operability requirements for a Limiting Condition for Operation. The time limits of the action requirements are applicable at the time it is identified that a Surveillance Requirement has not been performed. The action requirements may be delayed up to 24 hours to permit the completion of the surveillance when the allowable outage time limits of the action requirements are less than 24 hours. Surveillance Requirements do not have to be performed on inoperable equipment.

Basis

Specification 4.0.2 establishes the failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by the provisions of Specification 4.0.1, as a condition that constitutes a failure to meet the operability requirements for a Limiting Condition for Operation. Under the provisions of this specification, systems and components are assumed to be operable when Surveillance Requirements have been satisfactorily performed within the specified time interval. However, nothing in this provision is to be construed as implying that systems or components are operable when they are found to be inoperable although still meeting the Surveillance Requirements. This specification also clarifies that the action requirements are applicable when Surveillance Requirements have not been completed within the allowed surveillance interval and the time limits of the action requirements apply from the point of time it is identified that a surveillance has not been performed and not at the time that the allowed surveillance interval was exceeded. Completion of the Surveillance Requirement within the allowable outage time limits of the action requirements restores compliance with the requirements of Specification 4.0.2. However, this does not negate the fact that the failure to have performed the surveillance within the allowed surveillance interval, defined by the provisions of Specification 4.0.1, was a violation of the operability requirements of a Limiting Condition for Operation that is subject to enforcement action. Further, the failure to perform a surveillance within the provisions of Specification 4.0.1 is a violation of a Technical Specification requirement and is, therefore, a reportable event under the requirements of 10 CFR 50.73(a)(2)(i)(B) because it is a condition prohibited by the plant's Technical Specifications.

If the allowable outage time limits of the action requirements are less than 24 hours or a shutdown is required to comply with the action requirements, e.g., Specification 3.0.1, a 24-hour allowance is provided to permit delay in implementing the action requirements. This provides an adequate time limit to complete the surveillance before a shutdown is required to comply with action requirements or before other remedial measures would be required that may preclude completion of a surveillance. The basis for this allowance includes consideration for plant conditions, adequate planning, availability of personnel, the time required to perform the surveillance, and the safety significance of the delay in completing the required surveillance. This provision also provides a time limit for the completion of Surveillance Requirements that become applicable as a consequence of reactor operating condition changes imposed by action requirements. If a surveillance is not completed within the 24-hour allowance, the time limits of the action requirements are applicable at that time. When a surveillance is performed within the 24-hour allowance and the Surveillance Requirements are not met, the time limits of the action requirements are applicable at the time the surveillance is terminated.

Surveillance Requirements do not have to be performed on inoperable equipment because the action requirements define the remedial measures that apply. However, the Surveillance Requirements have to be met to demonstrate that inoperable equipment has been restored to operable status.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 202 TO FACILITY OPERATING LICENSE NO. DPR-26

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

DOCKET NO. 50-247

1.0 INTRODUCTION

By letter dated March 30, 1999, the Consolidated Edison Company submitted a request for changes to the Indian Point Nuclear Generating Unit No. 2 (IP2) Technical Specifications (TSs). The proposed change is to add a new TS 4.0.2 which was developed from the guidance provided in Generic Letter (GL) 87-09 for the pressurized-water reactor Standard Technical Specifications (STSs).

2.0 BACKGROUND

GL 87-09, "Sections 3.0 and 4.0 of the Standard Technical Specifications (STS) on the Applicability of Limiting Conditions for Operations and Surveillance Requirements," dated June 4, 1987, addressed the problem of unnecessary shutdowns caused when the allowed surveillance intervals are inadvertently exceeded. The solution was to clarify the applicability of the Action Requirements, to specify an acceptable time limit for completing a missed surveillance in certain circumstances, and to clarify when a missed surveillance constitutes a violation of the operability requirements of a limiting condition for operation. The guidance provided in GL 87-09 is that 24 hours is an acceptable time limit for completing a missed surveillance when the allowable outage times of the Action Requirements are less than this limit, or when time is needed to obtain a temporary waiver of the Surveillance Requirement.

3.0 EVALUATION

Pursuant to the guideline of GL 87-09, the licensee proposed to add a new TS 4.0.2, "Inadvertent Surpassing of Surveillance Interval" including its bases to the current IP2 plant-specific TS. The proposed TS 4.0.2 includes a time limit of 24 hours that allows a delay of required actions to permit the performance of the missed surveillance and is based on consideration of plant conditions, adequate planning, availability of personnel, the time to perform the surveillance, and the safety significance of the delay in completing the surveillance.

When a surveillance interval is inadvertently exceeded, it is overly conservative to assume that systems or components are inoperable, since a vast majority of surveillances do in fact demonstrate that systems or components are operable.

If a plant shutdown is required before a missed surveillance is completed, it is likely that it would

If a plant shutdown is required before a missed surveillance is completed, it is likely that it would be conducted while the plant is being shut down because completion of the missed surveillance would eliminate the shutdown requirement. Such an evolution is undesirable since it increases the risk to the plant and public safety for two reasons.

First, the plant would be in a transient state involving changing plant conditions that offer the potential for an upset that could lead to a demand for the system or component being tested. This would occur when the system or component is either out of service to allow performance of the surveillance test or there is a lower level of confidence in its operability because the normal surveillance interval was exceeded. If the surveillance did demonstrate that the system or component was inoperable, it usually would be preferable to restore it to operable status before making a major change in plant operating conditions. Second, a shutdown would increase the pressure on the plant staff to expeditiously complete the required surveillance so that the plant could return to power operation. This would further increase the probability for a plant upset when both the shutdown and surveillance activities place a demand on the plant operators.

Thus, the 24-hour time limit would balance the risks associated with an allowance for completing the surveillance within this 24-hour period against the risks associated with the potential for a plant upset and challenge to safety systems when the alternative is a shutdown to comply with the action requirements before the surveillance can be completed. Therefore, the proposed TS change is acceptable.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the type, 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 (64 FR 27317), and there has been no public comment on such finding. 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.

5.0 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.

Principal Contributor: A. T. Chu

Date: June 25, 1999

DATED: June 25, 1999

AMENDMENT NO. 202 TO FACILITY OPERATING LICENSE NO. DPR-26-INDIAN POINT
UNIT 2

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