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

December 21, 2000

Mr. Michael F. Hammer
Site General Manager
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 75
Monticello, MN 55362-9637

SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT - ISSUANCE OF AMENDMENT RE: REVISION TO TECHNICAL SPECIFICATION ADMINISTRATIVE CONTROLS AND OTHER MISCELLANEOUS CHANGES (TAC NO. MA8876)

Dear Mr. Hammer:

The Commission has issued the enclosed Amendment No. 115 to Facility Operating License No. DPR-22 for the Monticello Nuclear Generating Plant. The amendment consists of changes to the Technical Specifications (TSs) in response to the application dated May 4, 2000, as supplemented August 31, October 5, and November 16, 2000.

The amendment (1) adds new sections to the TSs addressing missed surveillance test requirements and establishing a TS Bases control program, (2) revises TS Chapter 6 to allow use of generic personnel titles in lieu of plant-specific titles, (3) allows an alternative when the radiation protection manager does not meet the qualifications of Regulatory Guide 1.8, (4) relocates sections of TS Chapter 6 pertaining to onsite and offsite review and special inspections to the Operational Quality Assurance Plan, and (5) corrects typographical errors.

A copy of our related safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

CFLyon

Carl F. Lyon, Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-263

Enclosures: 1. Amendment No. 115 to DPR-22
2. Safety Evaluation

cc w/encls: See next page

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Monticello Nuclear Generating Plant

cc:

J. E. Silberg, Esquire
Shaw, Pittman, Potts and Trowbridge
2300 N Street, N. W.
Washington, DC 20037

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
2807 W. County Road 75
Monticello, MN 55362

Site Licensing Manager
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 75
Monticello, MN 55362-9637

Robert Nelson, President
Minnesota Environmental Control
Citizens Association (MECCA)
1051 South McKnight Road
St. Paul, MN 55119

Commissioner
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, MN 55155-4194

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4351

Commissioner
Minnesota Department of Health
717 Delaware Street, S. E.
Minneapolis, MN 55440

Douglas M. Gruber, Auditor/Treasurer
Wright County Government Center
10 NW Second Street
Buffalo, MN 55313

Commissioner
Minnesota Department of Commerce
121 Seventh Place East
Suite 200
St. Paul, MN 55101-2145

Adonis A. Neblett
Assistant Attorney General
Office of the Attorney General
445 Minnesota Street
Suite 900
St. Paul, MN 55101-2127

Michael D. Wadley
Chief Nuclear Officer
Nuclear Management Company, LLC
700 First Street
Hudson, WI 54016

Nuclear Asset Manager
Xcel Energy, Inc.
414 Nicollet Mall
Minneapolis, MN 55401

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

NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-263

MONTICELLO NUCLEAR GENERATING PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 115
License No. DPR-22

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by the licensee dated May 4, 2000, as supplemented August 31, October 5, and November 16, 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-22 is hereby amended to read as follows:

Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 115 , 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 its date of issuance and shall be implemented within 45 days.

FOR THE NUCLEAR REGULATORY COMMISSION

Claudia M. Craig

Claudia M. Craig, Chief, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: December 21, 2000

ATTACHMENT TO LICENSE AMENDMENT NO. 115

FACILITY OPERATING LICENSE NO. DPR-22

DOCKET NO. 50-263

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	INSERT
iv	iv
25a	25a
25b	25b
232	232
233	233
235	235
236	236
237	-
238	-
239	-
240	-
241	-
242	-
243	243
244	244
244a	244a
246b	246b
249	249
251	251
-	253

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4.0 SURVEILLANCE REQUIREMENTS

A. The surveillance requirements of this section shall be met. Each surveillance requirement shall be performed at the specified times except as allowed in B and C below.

B. Specific time intervals between tests may be extended up to 25% of the surveillance interval to accommodate normal test schedules with the exception that, the intervals between tests scheduled for refueling shutdowns shall not exceed two years.

C. Whenever the plant condition is such that a system or component is not required to be operable the surveillance testing associated with that system or component may be discontinued. Discontinued surveillance tests shall be resumed less than one test interval before establishing plant conditions requiring operability of the associated system or component.

D. If it is discovered that a surveillance was not performed within the extended time interval allowed by 4.0.B, then the affected equipment shall be declared inoperable.

E. Compliance with 4.0.D may be delayed, from the time of discovery, up to 24 hours or up to the limit of the time interval, whichever is less. This delay period is permitted to allow performance of the surveillance.

Bases 4.0:

This specification provides that surveillance activities necessary to ensure the Limiting Conditions for Operations are met and will be performed during the periods when the Limiting Conditions for Operation are applicable.

A tolerance for performing surveillance activities beyond the nominal interval is provided to allow operational flexibility because of scheduling and performance considerations. The plant uses a fixed surveillance program that prevents repetitive addition of the allowable 25% extension. Each surveillance test is completed within plus or minus 25% of each scheduled fixed date. Scheduled dates are based on dividing each calendar year into four 13-week "surveillance" quarters consisting of 3 4-week "surveillance" months and one "catch-up" week. This method of scheduling permits certain tests always to be scheduled on certain days of the week.

The specification ensures that surveillance activities associated with a Limiting Condition for Operation have been performed within the specified time interval prior to entry into a plant condition for which the Limiting Condition for Operation is applicable. Under the terms of this specification, for example, during-initial plant startup or following extended plant outage, the surveillance activities must be performed within the stated surveillance interval prior to placing or returning the system or equipment to Operable status.

"Affected equipment" refers to the specific equipment on which a surveillance is being performed. If there is an LCO that corresponds to the specific equipment that has failed the surveillance, then that LCO shall be entered. If there is no corresponding LCO, then the effect of inoperability of the specific equipment that has failed the surveillance shall be evaluated (i.e., by applying the definition of operability) and actions taken as appropriate (e.g., to comply with the technical specifications).

6.0 ADMINISTRATIVE CONTROLS

6.1 Organization

A. The plant manager shall be responsible for overall unit safe operation and shall have control over those onsite activities necessary for the safe operation and maintenance of the plant. During periods when the plant manager is unavailable, this responsibility may be delegated to other qualified supervisory personnel.

The Shift Supervisor (or, a designated individual during periods of absence from the control room and shift supervisor's office) shall be responsible for the control room command function.

B. Offsite and Onsite Organizations

Onsite and offsite organizations shall be established for plant operation and corporate management, respectively. The onsite and offsite organizations shall include positions for activities affecting plant safety.

1. Lines of authority, responsibility and communication shall be established and defined for the highest management levels through intermediate levels to and including all operating organization positions. These relationships shall be documented and updated, as appropriate, in the form of organization charts, function descriptions of department responsibilities and relationships, and job descriptions for key personnel positions, or in equivalent forms of documentation. These requirements including the plant-specific titles of those personnel fulfilling the responsibilities of the positions delineated in these Technical Specifications are documented in corporate and plant procedures, or the Updated Safety Analysis Report or the Operational Quality Assurance Plan.

2. A corporate officer with direct responsibility for the plant shall have corporate responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining and providing technical support to the plant to ensure nuclear safety. This position has the responsibility for the Fire Protection Program.

3. The individuals who train the operating staff and those who carry out health physics and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their independence from operating pressures.

C. Plant Staff

1. Each on duty shift shall be composed of at least the minimum shift crew composition shown in Table 6.1.1.
2. At least one licensed operator shall be in the control room when fuel is in the reactor.
3. At least two licensed operators shall be present in the control room during cold startup, scheduled reactor shutdown, and during recovery from reactor trips.
4. An individual qualified in radiation protection procedures shall be onsite when fuel is in the reactor.
5. All alterations of the reactor core shall be directly supervised by a licensed Senior Reactor Operator or Senior Reactor Operator Limited to Fuel Handling who has no other concurrent responsibilities during this operation.
6. A fire brigade of at least five members shall be maintained onsite at all times.* The fire brigade shall not include the three members of the shift organization required for safe shutdown of the reactor from outside the control room.
7. The operations manager shall be formerly licensed as a Senior Reactor Operator or hold a current Senior Reactor Operator License. |
8. At least one member of plant management holding a current Senior Reactor Operator License shall be assigned to the plant operations group on a long term basis (approximately two years). This individual will not be assigned to a rotating shift.

D. Each member of the unit staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions, except for (1) the radiation protection manager or designated health physicist who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975, (2) the Shift Technical Advisor who shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in plant design, and response and analysis of the plant for transients and accidents, and (3) the operations manager who shall meet the requirement of ANSI N18.1-1971 except that NRC license requirements are as specified in Specification 6.1.C.7. The training program shall be under the direction of a designated member of Nuclear Management Company, LLC management. | |

* Fire Brigade composition may be less than the minimum requirements for a period of time not to exceed 2 hours in order to accommodate unexpected absence of Fire Brigade members provided immediate action is taken to restore the Fire Brigade to within the minimum requirements.

e. Shift Technical Advisor (STA) and Shift Emergency Coordinator (SEC) on-site rest time periods shall not be considered as hours worked when determining the total work time for which the above limitations apply.

2. Any deviation from the above guidelines shall be authorized by the plant manager or designee, or higher levels of management, in accordance with established procedures and with documentation of the basis for granting the deviation. During plant emergencies the Emergency Director shall have this authority. Controls shall be included in the procedures such that individual overtime shall be reviewed monthly to assure that excessive hours have not been assigned. Routine deviation from the above guidelines is not allowed.

TABLE 6.1.1
MINIMUM SHIFT CREW COMPOSITION (Note 1)

CATEGORY	APPLICABLE PLANT CONDITIONS	
	SHUTDOWN OR REFUELING MODE AND <212°F	STARTUP OR RUN MODE (Note 4) OR ≥212°F
No. Licensed Senior Operators (LSO)	1 (Note 2)	2 (Note 3, 5)
Total No. Licensed Operators (LSO & LO)	2	4
Total No. Licensed and Unlicensed Operators	3	6

Notes:

1. Shift crew composition may be one less than the minimum requirements for a period of time not to exceed two hours in order to accommodate an unexpected absence of one duty shift crew member provided immediate action is taken to restore the shift crew composition to within the minimum requirements specified.
2. Does not include the licensed Senior Reactor Operator, or Senior Reactor Operator Limited to Fuel Handling, supervising alterations of the reactor core.
3. One LSO shall be in the control room or the shift supervisor's office at all times when the reactor is in the Startup or Run Mode or reactor coolant temperature is greater than or equal to 212°F. At least 50% of the time, an LSO shall actually be in the control room proper when the reactor is in the Startup or Run Mode or reactor coolant temperature is greater than or equal to 212°F.
4. Except for momentary switching to Startup Mode for testing.
5. One LSO position shall be filled by an individual who meets the qualifications of a Shift Technical Advisor as defined in Section 6.1.D(2). If a qualified individual to staff the combined LSO/STA position is not available, a dedicated Shift Technical Advisor shall be on duty, in addition to two licensed senior operators.

6.2 (Deleted)

6.3 (Deleted)

6.4 Action to be Taken if a Safety Limit is Exceeded

If a Safety Limit is exceeded, the reactor shall be shut down immediately. An immediate report shall be made to the Commission and to the corporate officer with direct responsibility for the plant or his designated alternate in his absence. A complete analysis of the circumstances leading up to and resulting from the situation, together with recommendations by the Operations Committee, shall also by prepared. This report shall be submitted to the Commission, to the corporate officer with direct responsibility for the plant and the Chairman of the Safety Audit Committee within 14 days of the occurrence.

Reactor operation shall not be resumed until authorized by the U.S. Nuclear Regulatory Commission.

6.5 Plant Operating Procedures

Detailed written procedures, including the applicable check-off lists and instructions, covering areas listed below shall be prepared and followed. These procedures and changes thereto, except as specified in 6.5.G shall be reviewed by the Operations Committee and approved by a member of plant management designated by the plant manager.

A. Plant Operations

1. Integrated and system procedures for normal startup, operation and shutdown of the reactor and all systems and components involving nuclear safety of the facility.

2. Fuel handling operations.

3. Actions to be taken to correct specific and foreseen potential or actual malfunction of systems or components including responses to alarms, primary system leaks and abnormal reactivity changes and including follow-up actions required after plant protective system actions have initiated.

4. Surveillance and testing requirements that could have an effect on nuclear safety.

5. Implementing procedures of the emergency plan, including procedures for coping with emergency conditions involving potential or actual releases of radioactivity.

6. Implementing procedures of the fire protection program.

7. Implementing procedures for the Process Control Program and Offsite Dose Calculation Manual including quality control measures.

Drills on the procedures specified in A.3 above shall be conducted as a part of the retraining program. Drills on the procedures specified in A.5 above shall be conducted at least semi-annually, including a check of communications with offsite support groups.

B. Radiological

1.a. A Radiation Protection Program, consistent with the requirements of 10 CFR 20, shall be developed and followed. The Radiation Protection Program shall consist of the following:

(1) A Radiation Protection Plan, which shall be a complete definition of radiation protection policy and program

(2) Procedures which implement the requirements of the Radiation Protection Plan

The Radiation Protection Plan and implementing procedures, with the exception of those non-safety related procedures governing work activities exclusively applicable to or performed by health physics personnel, shall be reviewed by the Operations Committee and approved by a member of plant management designated by the plant manager. Health physics procedures not reviewed by the Operations Committee shall be reviewed and approved by the radiation protection manager.

b. In lieu of the "control device" or "alarm signal" required by paragraph 20.203(c)(2) of 10 CFR 20, each high radiation area in which the intensity of radiation is greater than 100 mrem/hr but less than 1000 mrem/hr shall be barricaded and conspicuously posted as a high radiation area and entrance thereto shall be controlled by requiring issuance of a Radiation Work Permit.[1] Any individual or group of individuals permitted to enter such areas shall be provided with or accompanied by one or more of the following:

(1) A radiation monitoring device that continuously indicates the radiation dose rate in the area.

(2) A radiation monitoring device that continuously integrates the radiation dose rate in the area and alarms when a preset integrated dose is received. Entry into such areas with this monitoring device may be made after the dose rates in the area have been determined and personnel have been made knowledgeable of them.

(3) An individual qualified in radiation protection procedures with a radiation dose rate monitoring device. This individual is responsible for providing positive radiation protection control over the activities within the area and shall perform periodic radiation surveillance at the frequency specified in the radiation protection procedures or the applicable Radiation Work Permit.

c. The above procedure shall also apply to each high radiation area in which the intensity of radiation is greater than 1000 mrem/hr. In addition doors shall be locked or attended, to prevent unauthorized entry into these areas and the keys or key devices for locked doors shall be maintained under the administrative control of the plant manager.

1. Health Physics personnel or personnel escorted by Health Physics personnel shall be exempt from the Radiation Work Permit issuance requirement during the performance of their assigned radiation protection duties, provided they comply with approved radiation protection procedures for entry into high radiation areas. This footnote applies only to high radiation areas of 1000 mrem/hr or less.

E. Offsite Dose Calculation Manual (ODCM)

The ODCM shall be approved by the Commission prior to initial implementation. Changes to the ODCM shall satisfy the following requirements:

1. Shall be submitted to the Commission with the Semi-Annual Radioactive Effluent release report for the period in which the change(s) were made effective. This submittal shall contain:

   a. sufficiently detailed information to totally support the rationale for the change without benefit of additional or supplemental information. Information submitted should consist of a package of those pages of the ODCM to be changed with each page numbered and provided with a revision date, together with appropriate analyses or evaluations justifying the change(s).

   b. a determination that the change will not reduce the accuracy or reliability of dose calculations or setpoint determinations; and

   c. documentation of the fact that the change has been reviewed and found acceptable by the Operations Committee.

2. Shall become effective upon review and acceptance by the Operations Committee.

F. Security

Procedures shall be developed to implement the requirements of the Security Plan and the Security Contingency Plan. These implementing procedures, with the exception of those non-safety related procedures governing work activities exclusively applicable to or performed by security personnel, shall be reviewed by the Operations Committee and approved by a member of plant management designated by the plant manager. Security procedures not reviewed by the Operations Committee shall be reviewed and approved by the security manager.

G. Temporary Changes to Procedures

Temporary changes to those procedures which are required to be reviewed by the Operations Committee described in A, B, C, D, E and F above, which do not change the intent of the original procedures may be made with the concurrence of two members of the unit management staff, at least one of whom holds a Senior Operator License. Such changes should be documented, reviewed by the Operations Committee and approved by a member of plant management designated by the plant manager within one month. Temporary changes to health physics and security procedures not reviewed by the Operations Committee shall be reviewed by the radiation protection manager for health physics procedures and the security manager for security procedures.

2. Occupational Exposure Report.(1) An annual report of occupational exposure covering the previous calendar year shall be submitted prior to March 1 of each year.

   The report should tabulate on an annual basis the number of station, utility and other personnel (including contractors) receiving exposures greater than 100 mrem/yr and their associated man-rem exposure according to work and job functions, e.g., reactor operations and surveillance, inservice inspection, routine maintenance, special maintenance (describe maintenance), waste processing, and refueling. The dose assignment to various duty functions may be estimates based on pocket dosimeter, TLD, or film badge measurements. Small exposures totaling less than 20% of the individual total dose need not be accounted for. In the aggregate, at least 80% of the total whole body dose received from external sources shall be assigned to specific major work functions.

3. Monthly Operating Report. A monthly report of operating statistics and shutdown experience covering the previous month shall be submitted by the 15th of the following month.

4. Semiannual Radioactive Effluent Release Report. Routine radioactive effluent release reports covering the operation of the unit during the previous six months of operation shall be submitted within 60 days after January 1st and July 1st of each year.

   The radioactive effluent release reports shall include a summary of the quantities of radioactive liquid and gaseous effluents as outlined in Appendix B of Regulatory Guide 1.21, Revision 1, June, 1974, with data summarized on a quarterly basis.

   The report to be submitted 60 days after January 1st of each year shall include an assessment of the radiation doses from radioactive effluents released from the plant during the previous calendar year. This same report shall also include an assessment of the radiation doses from radioactive liquid and gaseous effluents to individuals due to their activities inside the site boundary (Figures 3.8.1 and 3.8.2) during the report period. All assumptions used in making these assessments (i.e., specific activity, exposure time and location) shall be included in these reports. The assessment of radiation doses shall be performed in accordance with the Offsite Dose Calculation Manual (ODCM) or standard NRC computer codes.

1/ This report supplements the requirements of 10 CFR 20, Section 20.407. If 10 CFR 20, Section 20.407 is revised to include such information, this Specification is unnecessary.

C. Environmental Reports

1. Annual Radiation Environmental Monitoring Report

a. Annual Radiation Environmental Monitoring Reports covering the operation of the program during the previous calendar year shall be submitted prior to May 1 of each year.

b. The Annual Radiation Environmental Monitoring Reports shall include summaries, interpretations, and an analysis of trends of the results of the radiological environmental surveillance activities for the report period, including a comparison with preoperational studies, operational controls (as appropriate), and previous environmental surveillance reports and an assessment of the observed impacts of the plant operation on the environment. The reports shall also include the results of land use census required by Specification 4.16.B.1. If harmful effects or evidence of irreversible damage are detected by the monitoring, the report shall provide an analysis of the problem and a planned course of action to alleviate the problem.

c. The Annual Radiation Environmental Monitoring Reports shall include summarized and tabulated results in the format of Regulatory Guide 4.8, December 1975 of all radiological environmental samples taken during the report period. In the event that some results are not available for inclusion with the report, the report shall be submitted noting and explaining the reasons for the missing results. The missing data shall be submitted as soon as possible in a supplementary report.

d. The reports shall also include the following: a summary description of the radiological environmental monitoring program; a map of all sampling locations keyed to a table giving distances and directions from the plant site; and the results of licensee participation in the Interlaboratory Comparison Program, required by Specification 4.16.C.1.

6.8 PROGRAMS

A. Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

1. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.

2. Changes to Bases may be made without prior NRC approval provided the changes do not involve either of the following:

   a. a change in the TS incorporated in the license; or

   b. a change to the USAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.

3. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the USAR.

4. Proposed changes to the Bases that involve changes as described in a. or b. of Specification 6.8.A.2 above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 115 TO FACILITY OPERATING LICENSE NO. DPR-22

NUCLEAR MANAGEMENT COMPANY, LLC

MONTICELLO NUCLEAR GENERATING PLANT

DOCKET NO. 50-263

1.0 INTRODUCTION

By application dated May 4, 2000, as supplemented August 31, October 5, and November 16, 2000, the licensee requested changes to the Technical Specifications (TSs) for Monticello Nuclear Generating Plant. The proposed amendment would (1) add new sections to the TSs addressing missed surveillance test requirements and establishing a TS Bases control program, (2) revise TS Chapter 6 to allow use of generic titles for personnel in lieu of plant-specific titles, (3) allow an alternative when the radiation protection manager does not meet the qualifications of Regulatory Guide (RG) 1.8, (4) relocate sections of TS Chapter 6 pertaining to onsite and offsite review and special inspections to the Operational Quality Assurance Plan (OQAP), and (5) correct typographical errors.

The August 31, 2000, supplement provided updated TS pages to reflect incorporation of Amendment No. 110, which was issued subsequent to the May 4, 2000, application. In addition, a minor change in the proposed TS wording was proposed for consistency with the current TSs. The October 5, 2000, supplement provided clarifying information to the May 4, 2000, application. The November 16, 2000, supplement proposed a minor wording change to be consistent with the latest revision of Standard TSs (STS), NUREG-1433. The supplements were within the scope of the original *Federal Register* notice and did not change the staff's initial proposed no significant hazards considerations determination.

2.0 EVALUATION OF RELOCATION OF TS ADMINISTRATIVE CONTROLS

2.1 Background

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to state TSs to be included as part of the license. The Commission's regulatory requirements related to the content of TSs are set forth in Title 10, *Code of Federal Regulations* (CFR), Section 50.36. The regulation at 10 CFR 50.36 requires that the TSs include items in the following five specific categories: (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation (LCOs); (3) surveillance requirements (SRs); (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 Commission amended 10 CFR 50.36 (60 FR 36593, July 19, 1995) and codified four criteria to be used in determining whether a particular matter is required to be included in an LCO, 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; or (4) a structure, system, or component which operating experience or probabilistic safety assessment has shown to be significant to public health and safety. LCOs and related requirements that fall within or satisfy any of the criteria in the regulation must be retained in the TSs, while those requirements that do not fall within or satisfy these criteria may be relocated to licensee-controlled documents. While the criteria specifically apply to LCOs, in adopting the revision to the rule, the Commission noted that the staff had used the intent of these criteria to identify the optimum set of administrative controls in the TSs (60 FR 36957).

The regulation at 10 CFR 50.36 states that administrative controls "are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure safe operation of the facility in a safe manner." The specific content of the administrative controls section of the TSs is, therefore, that information that the Commission deems essential for the safe operation of the facility that is not already adequately covered by other regulations. Accordingly, the staff has determined that requirements that are not specifically required under 10 CFR 50.36(c)(5), and that are not otherwise necessary for operation of the facility in a safe manner, can be removed from the administrative controls section of TSs.

2.2 Evaluation

The following discussions detail the staff's conclusions regarding the removal or relocation of selected administrative controls from the Monticello TSs. The changes were reviewed in accordance with the guidance provided in, or planned for, the STS, NUREG-1433. In addition, these changes were reviewed in accordance with the guidance provided in Administrative Letter 95-06.

License amendment requests should describe the relocation of each selected requirement to a particular licensee-controlled document or program (e.g., the final safety analysis report or the quality assurance (QA) plan). The description should also address the submittal of the revised documents to the NRC in accordance with the applicable regulation (e.g., 10 CFR 50.71(e)). In the amendment request, the licensee should clearly describe the program it will use to control changes to relocated requirements (e.g., 10 CFR 50.59 or 50.54(q)). Control of the relocated requirements in accordance with the applicable regulation ensures that NRC review and approval will be proposed for changes exceeding the stated regulatory threshold (e.g., an unreviewed safety question or a decrease in effectiveness). Reporting requirements may be relocated or removed from the TSs if the reporting requirements are encompassed by 10 CFR 50.72, 10 CFR 50.73, or other regulations, and are not required to be in TSs pursuant to 10 CFR 50.36.

2.3 Review and Audit

The licensee proposes that the review and audit functions associated with the Safety Audit Committee (SAC) and the Operations Committee (OC) specified in existing TS 6.2 be relocated from the TSs to the OQAP, such that future changes could be made pursuant to 10 CFR 50.54(a). Section 13.4, "Operational Review," of NUREG-0800, the "Standard Review Plan" (SRP), provides the acceptance criteria used by the staff to evaluate TS provisions related to the plant staff review of operational activities performed by licensee organizational units fulfilling the review and audit function. These acceptance criteria are based on meeting the relevant requirements of 10 CFR 50.40(b) as it relates to the licensee being technically qualified to engage in licensed activities, and of Appendix B to 10 CFR Part 50 as it relates to the review and audit functions required by the licensee's QA program. TS provisions associated with the review and audit function satisfy the criteria in both 10 CFR 50.36(c)(5) and Appendix B to 10 CFR Part 50. The Monticello TSs, however, contain administrative details that do not satisfy the TS inclusion criteria of 10 CFR 50.36(c)(2)(ii) and can be relocated to the licensee's QA program description, consistent with NRC Administrative Letter 95-06. Additionally, the following considerations support relocating these items from the TSs:

1. The licensee has proposed that the Monticello SAC membership, qualifications, meeting frequency, quorum, responsibilities, audit, authority, records, and procedures provisions be relocated to Section 21.0, "Safety Audit Committee (SAC)," of Revision 22 to the OQAP. Subsequent changes associated with SAC requirements will be controlled effectively under 10 CFR 50.54(a).

2. The licensee has proposed that the Monticello OC membership, meeting frequency, quorum, responsibilities, authority, records, and procedures provisions be relocated to Section 22.0, "Operations Committee (OC)," of Revision 22 to the OQAP. Subsequent changes associated with OC requirements will be controlled effectively under 10 CFR 50.54(a).

This approach is consistent with NRC Administrative Letter 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995, which provides guidance for relocating TS administrative requirements. This approach would also result in an equivalent level of regulatory authority while providing for an acceptable change control process under the provisions of 10 CFR 50.54(a)(3). On this basis, the staff has concluded that the review and audit functions identified above are not required to be included in the TSs to protect public health and safety and may be relocated to the OQAP.

2.4 Special Inspections and Audits

The licensee proposes to relocate the provisions in existing TS 6.3, "Special Inspections and Audits," to Appendix C, Section 14, "Audits (Monticello and Prairie Island)," of Revision 22 to the OQAP. TS 6.3 requires an annual inspection and audit by qualified personnel and a triennial inspection and audit performed by a qualified fire protection consultant. The licensee will incorporate a 2-year limit on performance-based audit schedules in accordance with American National Standards Institute (ANSI) N-18.7, which is committed to in the licensee's

OQAP, and retains the existing frequency for audits of the fire protection program on a fixed basis in accordance with Generic Letter (GL) 88-12, "Removal of Fire Protection Requirements from Technical Specifications." The relocation provides adequate controls in accordance with 10 CFR 50.54(a) and is acceptable.

2.5 Summary - Relocation of TS Administrative Controls

The staff has evaluated the relocation of some TS administrative controls to the OQAP. Based on this evaluation, the staff has concluded that (1) the proposed relocation of QA-related administrative control provisions (Section 6.2, "Review and Audit," and Section 6.3, "Special Inspections and Audits") from the TSs to the OQAP satisfies Administrative Letter 95-06 provisions and 10 CFR 50.36 requirements and, once relocated to the OQAP and controlled pursuant to 10 CFR 50.54(a), constitute the bases for the licensee's continued compliance with the requirements of Appendix B to 10 CFR Part 50; and (2) Revision 22 to the OQAP, dated November 30, 1999, continues to comply with the criteria of Appendix B to 10 CFR Part 50 in accordance with NUREG-0800 (SRP Sections 13.4 and 17.2).

In conclusion, the existing TS requirements relating to administrative controls that have been deleted or relocated are not required to be in the TSs under 10 CFR 50.36 or Section 182a of the Atomic Energy Act and are governed by other regulations such as 10 CFR Sections 50.4, 50.47, 50.48, 50.54, 50.72, 50.73, and 73.55; Appendices A, B, and E to 10 CFR Part 50; and 10 CFR Parts 20 and 55. Thus, the relocated provisions do not meet the intent of the four criteria described in the Commission's Final Policy Statement and included in 10 CFR 50.36(c)(2). In addition, the staff finds that sufficient regulatory controls exist under 10 CFR 50.59, 10 CFR 50.54 paragraphs (a), (k), (l), (m), (p), (q), and (t), and 10 CFR 73.55 to control future changes to the relocated provisions.

Accordingly, the staff has concluded that these requirements may be relocated from the TSs to the above specified documents. The staff concludes that the administrative controls requirements remaining in the TSs satisfy the license content specified in 10 CFR 50.36(c)(5).

3.0 EVALUATION OF REMAINING PROPOSED TS CHANGES

3.1 TS Bases Control Program

The licensee proposes to add TS Section 6.8.A, "Technical Specifications (TS) Bases Control Program." The regulations at 10 CFR 50.36 state that "A summary statement of the bases or reasons for such specifications . . . shall also be included in the application [for proposed TS], but shall not become part of the technical specifications." The TS Bases Control Program reduces unnecessary regulatory burden by allowing the licensee to make a change to the Bases without prior NRC approval, provided the change does not involve either (1) a change in the TSs incorporated in the license or (2) a change to the updated safety analysis report or Bases that requires NRC approval pursuant to 10 CFR 50.59.

The proposed addition, as updated to be consistent with NRC-approved Industry/TS Task Force (TSTF) STS Change Traveler TSTF-364, Revision 0, is generally consistent with License Amendment Nos. 141 and 132 approved for the licensee's Prairie Island Nuclear Generating Plant, Units 1 and 2, respectively, on December 7, 1998, and with the STS (NUREG-1433, Revision 2). Therefore, the proposed addition is acceptable.

3.2 Typographical Errors

The licensee proposes to change "by" to "be" in TS 6.5.E.1 and "totalling" to "totaling" in TS 6.7.A.2. The corrections are editorial and are acceptable.

3.3 Surveillance Requirements

The licensee proposes to add TS Sections 4.0.D and 4.0.E to clearly specify the actions required if a surveillance test is missed. The proposed addition to section 4.0 reads as follows:

D. If it is discovered that a surveillance was not performed within the extended time interval allowed by 4.0.B, then the affected equipment shall be declared inoperable.

E. Compliance with 4.0.D may be delayed, from the time of discovery, up to 24 hours or up to the limit of the time interval, whichever is less. This delay period is permitted to allow performance of the surveillance.

The current Monticello TSs are Custom TSs (CTS). Unlike STS, the Monticello CTS have several instances where SRs do not have associated LCOs. "Affected equipment" refers directly to equipment on which an SR is being performed. If a piece of equipment fails an SR and there is no corresponding LCO, an operability determination is performed using GL 91-18. An LCO may or may not be entered, depending on the result of the operability determination.

For example, an SR without a corresponding LCO is the emergency diesel generator (EDG) air starting system. Currently, Monticello TS SR 4.9.B.3.b states that:

> During the monthly generator test, the diesel starting air compressor shall be checked for operation and their ability to recharge air receivers.

The "affected equipment" in this SR is the air compressor. Even if the air compressor fails the SR and is declared inoperable, the EDG remains operable as long as air pressure remains available in the receiver tanks. However, since there is no associated LCO for the air compressors, the question arises whether the EDG should also be declared inoperable. In this example, the emergency diesel should not be declared inoperable because it is still capable of starting.

To ensure clarification of this point, the licensee proposes to add the following paragraph to the TS Bases for section 4.0:

> "Affected equipment" refers to the specific equipment on which a surveillance is being performed. If there is an LCO that corresponds to the specific equipment that has failed the surveillance, then that LCO shall be entered. If there is no corresponding LCO, then the effect of inoperability of the specific equipment that has failed the surveillance shall be evaluated (i.e., by applying the definition of operability) and actions taken as appropriate (e.g., to comply with the technical specifications).

The proposed wording for sections 4.0.D and 4.0.E is similar to that found in the STS and clarifies the operability determination. Therefore, the proposed wording is acceptable. The

clarification of "affected equipment" in the TS Bases is reasonable to prevent unnecessary entry into LCOs or plant transients that could result from equipment failure that is not required for the operability of the system, structure, or component that is related to the LCO. The staff has no objection to the proposed change to the TS Bases.

3.4 Title Changes

The licensee proposes to use generic personnel titles in the TS administrative controls instead of plant-specific titles. Using generic titles would remove an unnecessary licensee burden when titles are changed but substantive duties are not affected. The following table defines the proposed title changes:

SPECIFIC TITLE	GENERIC TITLE
Plant Manager	plant manager
President, NSP Nuclear Generation	corporate officer with direct responsibility for the plant
General Superintendent Operations	operations manager
Superintendent, Security	security manager
General Superintendent Radiation Services	radiation protection manager

In addition, the licensee proposes to add the phrase, "including the plant-specific titles of those personnel fulfilling the responsibilities of the positions delineated in these Technical Specifications," to the last sentence of TS 6.1.B.1 so that it reads, "These requirements including the plant-specific titles of those personnel fulfilling the responsibilities of the positions delineated in these Technical Specifications are documented in corporate and plant procedures, or the Updated Safety Analysis Report or the Operational Quality Assurance Plan." These changes to generic titles do not substantively alter the responsibilities of the positions previously identified and are consistent with the licensee's current organization and the STS. Therefore, the changes are acceptable.

3.5 Environmental Monitoring Origin

The licensee proposes to change TS 6.7.C.1.d to read, ". . .directions from the plant site;" instead of ". . .directions from the reactor;" The actual release points are the plant stack and the reactor building vent, not the reactor. "Plant site" is a more generic phrase that encompasses both. The data is unaffected by this difference and the Environmental Monitoring Report provides specific data on the release points. The change is acceptable.

3.6 Table of Contents

The licensee proposes to update the table of contents to reflect the relocation of TS Sections 6.2 and 6.3 and the addition of Section 6.8. The changes are consistent with the TS revisions evaluated in this safety evaluation and are acceptable.

3.7 Alternate to the Radiation Protection Manager

Presently, Section 6.1.D of the Monticello TSs requires that the radiation protection manager (RPM) meet the qualifications of RG 1.8, September 1975. The licensee proposes to modify Section 6.1.D of the TSs to allow appointment of a designated health physicist (who meets the qualification criteria of RG 1.8) to share some of the radiation protection duties of the RPM when the appointed RPM does not meet the qualifications of RG 1.8. This change would allow the licensee to hire a person into the RPM position who does not fully meet the qualification criteria of RG 1.8, as long as there is a designated health physicist who meets the qualification criteria of RG 1.8 and who reports directly to the RPM.

The licensee provided a list of duties/responsibilities that will be assigned to the designated health physicist to assist the RPM in performing his/her job until that time at which the RPM has fully met the qualification criteria of RG 1.8. The licensee stated that the designated health physicist will work in conjunction with the RPM and will supplement his/her expertise in the health physics area. The RPM will perform the managerial duties of the RPM while the designated health physicist will perform the technical duties of the RPM that impact the effectiveness of the Radiation Protection Program. These duties are as follows:

- approve Radiation Protection Procedures, including temporary changes
- approve periodic reviews of Radiation Protection Procedures
- approve Radiation Protection Group Procedure 1.14 (which deals with the licensee's self-assessment program and NRC Performance Indicator submittals)
- approve radiation work permits requiring RPM approval
- remain aware of Chemistry and Radiation Protection Group (CRPG) duties by attending RPM staffing meetings
- be involved with outage planning by attending site and CRPG staff meetings
- be involved with CRPG budget creation and revision

Input from the designated health physicist will be an integral part of the RPM decision-making process and the designated health physicist will have free access to the plant manager. The licensee will include the above sharing-of-responsibility guidance in a station procedure to ensure that it is formalized.

The staff has reviewed the licensee's proposed changes and finds them to be consistent with the guidance provided in RG 1.8. Since the designated health physicist will be actively involved in the day-to-day operation and oversight of the plant radiation protection program, the staff finds the licensee's proposed changes to Section 6.1.D of the TSs to be acceptable.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes surveillance requirements. The 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* 34749). The amendment also changes recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and (c)10. 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 for the above items.

Pursuant to 10 CFR 51.21, 51.32, and 51.35, an environmental assessment and finding of no significant impact has been prepared and published in the *Federal Register* on July 13, 2000 (65 *FR* 43384), on those items relating to allowing use of generic titles in lieu of plant-specific titles, updating the table of contents to reflect the changes due to the amendment, and typographical corrections. Accordingly, based on the environmental assessment, the Commission has determined that the issuance of the amendment will not have a significant effect on the quality of the human environment.

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.

Principal Contributors: F. Lyon
C. Hinson

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