

January 19, 2001

MEMORANDUM TO: Robert A. Gramm, Section Chief  
Project Directorate 4  
Division of Licensing Project Management

FROM: Theodore R. Quay, Chief */RA/*  
Quality Assurance, Vendor Inspection, Maintenance  
and Allegations Branch  
Division of Inspection Program Management  
Office of Nuclear Reactor Regulation

SUBJECT: ENTERGY OPERATIONS INC - ARKANSAS NUCLEAR ONE - UNIT 1  
LICENSE AMENDMENT AND TECHNICAL SPECIFICATION CHANGE  
REQUEST DATED JANUARY 28, 2000 (TAC No. MA8082)

Plant Name: Arkansas Nuclear One, Unit 1  
Utility Name: Entergy Operations Inc.  
Docket No.(s): 50-313  
TAC No.(s): MA8082  
Licensing Status: DPR-51  
Review Branch: IQMB  
Review Status: Complete

The Quality Assurance, Vendor Inspection, Maintenance and Allegations Branch (IQMB) has completed its review of the Arkansas Nuclear One - Unit 1 (ANO-1) License Amendment and Technical Specification (TS) change request dated January 28, 2000. The amendment request is for the conversion of the current ANO-1 TS to be consistent with NUREG-1430, "Standard Technical Specifications - Babcock and Wilcox Plants," Revision 1, dated April 1995.

Based on the attached safety evaluation, we have concluded that the proposed ANO-1 improved technical specifications Section 5.4, "Procedures" (formerly part of Section 6.8, "Procedures and Programs") does not conform to the format and content specified in NUREG-1430, Revision 1, and to the requirements of §50.36(c)(5), and is therefore not acceptable.

Should you require additional information, please contact Greg Galletti, of my staff, at 415-1831.

Attachment: As stated

cc w/attachment: W. Reckley,  
S. Klementowicz,  
K. H. Gibson

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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT OF

FACILITY OPERATING LICENSE NOS. DPR-51

ENERGY OPERATIONS INC.

ARKANSAS NUCLEAR ONE - UNIT 1

DOCKET NOS. 50-313

1.0 INTRODUCTION

By letter dated January 28, 2000, Entergy Operations Inc.(the licensee) submitted a request for a license amendment to revise the administrative controls (Chapter 6) Section of the Arkansas Nuclear One - Unit 1 (ANO-1) current technical specifications (CTS), Appendix A to Facility Operating License Nos. DPR-51, to conform to NUREG-1430, "Standard Technical Specifications - Babcock and Wilcox Plants," Revision 1.

The proposed CTS amendment would revise the administrative controls section of the ANO-1 CTS, and other affected CTS sections, in order to convert the licensee's CTS to the improved technical specifications (ITS) to conform with the guidance in NUREG-1430, Revision 1. The proposed license amendment request was prepared considering the additional guidance provided in NEI 96-06, "Improved Standard Technical Specifications Conversion Guidance," dated August 1996, and NRC Administrative Letter 96-04, "Efficient Adoption of Improved Standard Technical Specifications," dated October 9, 1996.

This evaluation addresses the conformance of the proposed administrative controls section of the ANO-1 ITS Section 5.4, "Procedures" (formerly part of Section 6.8, "Procedures and Programs") to the format and content specified in NUREG-1430, Revision 1, and to the requirements of §50.36(c)(5).

2.0 BACKGROUND

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to include technical specifications (TS) as part of the license. The Commission's regulatory requirements related to the content of TS are set forth in 10 CFR 50.36. That regulation requires that the TS 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 TS.

Section 50.36 provides that, with respect to limiting conditions for operations (LCO), four criteria be used in determining whether particular safety functions are required to be included in the TS. While the 4 criteria specifically apply to LCO, in adopting the revision to the rule the Commission indicated that the intent of these criteria can be utilized to identify the optimum set of administrative controls in the TS (60 FR 36957). Addressing administrative controls,

10 CFR 50.36 states that they "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 TS 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 §50.36(c)(5) and which are not otherwise necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety, can be removed from administrative controls. Existing TS requirements, therefore, may be relocated to more appropriate documents (e.g. Security Plan, Quality Assurance (QA) Plan, and Emergency Plan) and controlled by the applicable regulatory requirement. Similarly, while the required content of TS administrative controls is specified in 10 CFR 50.36(c)(5), particular details of administrative controls may be relocated to licensee-controlled documents where §50.54, §50.59, or other regulations provide adequate regulatory control.

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 administrative controls. This acceptance criteria is based on meeting the relevant requirements of 10 CFR 50, § 50.40(b) as it relates to the licensee being technically qualified to engage in licensed activities, and of Appendix B to 10 CFR 50 as it relates to the review and audit functions required by the licensee's quality assurance program.

### 3.0 EVALUATION

The licensee proposed to revise CTS 6.8, "Procedures and Programs," to conform to Section 5.4, "Procedures" of NUREG-1430, Revision 1. The revised section, ITS 5.4, "Procedures," would only include procedural requirements for activities addressed in NUREG-1430, Revision 1, and all other program-related specifications currently in CTS 6.8, "Procedures and Programs," would be relocated to Section 5.5, "Programs and Manuals," of the proposed ITS.

The changes requested by the licensee for CTS Section 6.8, with respect to developing and maintaining written procedures are generally more restrictive than the current specifications. The following more restrictive changes have been proposed:

1. Revise and update CTS section 6.8.1(a) [new section 5.4.1(a)] to reference Regulatory Guide 1.33, Revision 2, February 1978. This revision will also incorporate CTS Section 6.8.1(b),(c),and (g) allowing for specific removal of those references. This update is consistent with the current reference in the ANO-2 CTS, Section 13.4 of the SRP, and with the revised Standard Technical Specifications.
2. Add new section 5.4.1(b) specifically requiring the development of Emergency Operating Procedures in accordance with NUREG-0737, and NUREG-0737, Supplement 1, as stated in Section 7.1 of Generic Letter 82-33. This update is consistent with the current reference in the CTS requirements and with the revised Standard Technical Specifications.
3. Add new section 5.4.1(c) specifically requiring the development of procedures to support

the programs identified in proposed ITS Section 5.5, "Programs and Manuals." Two additional programs have been incorporated into proposed Section 5.5, the Technical Specification Bases Control Program and the Safety Function Determination Program.

4. The remaining programs are based on the requirements in the CTS and with the revised Standard Technical Specifications. CTS Section 6.8.1(h), "Offsite Dose Calculation Manual," will be incorporated into this new section.

The applicant has also requested that the specific reference to Section 5.4.1(c), "Quality assurance for effluent and environmental monitoring," of NUREG-1430 not be adopted. The applicant's submittal specifically addresses this issue. The requirements for effluent and environmental monitoring are prescribed in 10 CFR Part 50 and Appendix I to Part 50. The applicant has requested that the specific requirements for procedural control for these activities be incorporated into the Quality Assurance Program Manual (QAPM). These monitoring activities are currently addressed in the ANO-1 Environmental Report which states, in part, that the "analytical methods used in the radiological monitoring program are described in approved procedures as required by the Quality Assurance program for operations. Additionally, procedure implementation and records are subject to periodic audit by the Quality Assurance Organization." The periodic audit of the Radiological Environmental Monitoring Program (REMP) is controlled through the current QAPM Section 18.3.2.f. Changes to the (REMP) implementation procedures are controlled through the applicant's programs for implementing the requirements of 10 CFR Part 50.54.

The proposed change is not acceptable. The licensee has not provided adequate justification to delete Section 5.4.1(c). This specification is contained in NUREG-1430 because the Commission, in its review of the Technical Specifications in accordance with 10 CFR 50.36, has determined that the need to maintain a quality assurance program for radiological effluent and environmental monitoring programs should be included in the Technical Specifications. This ensures that any changes to the quality assurance program for effluent and environmental monitoring are approved by the Commission prior to implementation.

The applicant has, therefore, not demonstrated that there are sufficient regulatory and administrative controls in place to provide adequate assurance that the effluent and environmental monitoring reference 5.4.1(c) in the B&W STS may be removed from the ITS.

#### 4.0 CONCLUSION

The staff concludes that: (1) the proposed ITS Section 5.4, "Procedures," conforms to the format and content of NUREG-1430, Revision 1, with the exception of the removal of Section 5.4.1(c); and (2) the additional program requirements currently in CTS 6.8, could be relocated to Section 5.5, "Programs and Manuals," of the proposed ITS.

Based on this evaluation, the applicant's request for revision to CTS Section 6.8, "Procedures and Programs," is therefore, not acceptable.

#### 5.0 REFERENCES

NEI 96-06, "Improved Standard Technical Specifications Conversion Guidance," dated August

1996.

NRC Administrative Letter 96-04, "Efficient Adoption of Improved Standard Technical Specifications," dated October 9, 1996.

NRC Regulatory Guide 1.33, "Quality Assurance Program Requirements," Revision 2, dated February 1978.

NUREG-1430, "Standard Technical Specifications - Babcock and Wilcox Plants," Revision 1, dated April 1995.

NUREG-0800, the "Standard Review Plan," Section 13.4, "Operational Review."

NUREG-0737, Supplement 1, "Clarification of TMI Action Plan Requirements,, Section 7, "Upgrade emergency Operating Procedures," dated December 17, 1982