



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 31, 2001

Mr. D. N. Morey
Vice President - Farley Project
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2 RE: ISSUANCE OF
AMENDMENTS (TAC NOS. MB0263 AND MB0264)

Dear Mr. Morey:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 148 to Facility Operating License No. NPF-2 and Amendment No. 140 to Facility Operating License No. NPF-8 for the Joseph M. Farley Nuclear Plant, Units 1 and 2. The amendments consist of changes to the Technical Specifications in response to your application dated October 9, 2000, supplemented December 4, 2000.

The amendments revise Technical Specification 5.5.14, "Technical Specification (TS) Bases Control Program," to provide consistency with the changes in 10 CFR 50.59 which were published in the *Federal Register* on October 4, 2000.

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

Sincerely,

A handwritten signature in black ink, appearing to read "L. Mark Padovan".

L. Mark Padovan, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and 50-364

Enclosures:

1. Amendment No. 148 to NPF-2
2. Amendment No. 140 to NPF-8
3. Safety Evaluation

cc w/encl: See next page

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/RA/

L. Mark Padovan, Project Manager, Section 1
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OFFICIAL RECORD COPY

Joseph M. Farley Nuclear Plant

cc:

Mr. L. M. Stinson
General Manager -
Southern Nuclear Operating Company
Post Office Box 470
Ashford, Alabama 36312

Rebecca V. Badham
SAER Supervisor
Southern Nuclear Operating Company
P. O. Box 470
Ashford, Alabama 36312

Mr. Mark Ajluni, Licensing Manager
Southern Nuclear Operating Company
Post Office Box 1295
Birmingham, Alabama 35201-1295

Mr. M. Stanford Blanton
Balch and Bingham Law Firm
Post Office Box 306
1710 Sixth Avenue North
Birmingham, Alabama 35201

Mr. J. D. Woodard
Executive Vice President
Southern Nuclear Operating Company
Post Office Box 1295
Birmingham, Alabama 35201

State Health Officer
Alabama Department of Public Health
434 Monroe Street
Montgomery, Alabama 36130-1701

Chairman
Houston County Commission
Post Office Box 6406
Dothan, Alabama 36302

Resident Inspector
U.S. Nuclear Regulatory Commission
7388 N. State Highway 95
Columbia, Alabama 36319



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

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

ALABAMA POWER COMPANY

DOCKET NO. 50-348

JOSEPH M. FARLEY NUCLEAR PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 148
License No. NPF-2

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Southern Nuclear Operating Company, Inc. (Southern Nuclear), dated October 9, 2000, supplemented December 4, 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 license 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. NPF-2 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 148 , are hereby incorporated in the license. Southern Nuclear 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



Richard L. Emch, Jr., Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: January 31, 2001



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

ALABAMA POWER COMPANY

DOCKET NO. 50-364

JOSEPH M. FARLEY NUCLEAR PLANT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 140
License No. NPF-8

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Southern Nuclear Operating Company, Inc. (Southern Nuclear), dated October 9, 2000, supplemented December 4, 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 license 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. NPF-8 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 140 , are hereby incorporated in the license. Southern Nuclear 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



Richard L. Emch, Jr., Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: January 31, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 148

TO FACILITY OPERATING LICENSE NO. NPF-2

DOCKET NO. 50-348

ATTACHMENT TO LICENSE AMENDMENT NO. 140

TO FACILITY OPERATING LICENSE NO. NPF-8

DOCKET NO. 50-364

Replace the following page of the Appendix A Technical Specification with the attached revised page. The revised page is identified by amendment number and contains vertical lines indicating the areas of change.

Remove

Insert

5.5-22

5.5-22

5.5 Programs and Manuals

5.5.13 Diesel Fuel Oil Testing Program

A diesel fuel oil testing program to implement required testing of both new fuel oil and stored fuel oil shall be established. The program shall include sampling and testing requirements, and acceptance criteria, all in accordance with applicable ASTM Standards. The purpose of the program is to establish the following:

- a. Acceptability of new fuel oil for use prior to addition to the emergency diesel generator storage tanks by determining that the fuel oil has:
 1. an API gravity or an absolute specific gravity within limits,
 2. a flash point and kinematic viscosity within limits for ASTM 2D fuel oil, and
 3. a clear and bright appearance.
- b. Fuel oil stored in the emergency diesel generator storage tanks is within limits by verifying that a sample of diesel fuel oil from the storage tank, obtained in accordance with ASTM-D270-65, is within the acceptable limits specified in Table 1 of ASTM D975-74 when checked for viscosity, water, and sediment every 92 days.
- c. The provisions of SR 3.0.2 and SR 3.0.3 are applicable to the Diesel Fuel Oil Testing Program surveillance test frequencies.

5.5.14 Technical Specifications (TS) Bases Control Program

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

- a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.
- b. Licensees may make changes to Bases without prior NRC approval provided the changes do not require either of the following:
 1. a change in the TS incorporated in the license; or
 2. a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.

(continued)



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 148 TO FACILITY OPERATING LICENSE NO. NPF-2
AND AMENDMENT NO. 140 TO FACILITY OPERATING LICENSE NO. NPF-8
SOUTHERN NUCLEAR OPERATING COMPANY, INC., ET AL.
JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2
DOCKET NOS. 50-348 AND 50-364

1.0 INTRODUCTION

By letter dated October 9, 2000, as supplemented December 4, 2000, the Southern Nuclear Operating Company, Inc. (SNC) et al., submitted a request for changes to the Joseph M. Farley Nuclear Plant, Units 1 and 2, Technical Specifications (TS). The requested changes would revise TS 5.5.14, "Technical Specifications (TS) Bases Control Program," to provide consistency with the changes in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.59, which were published in the Federal Register on October 4, 2000. The December 4, 2000, letter provided clarifying information that did not change the scope of the October 9, 2000, application nor the initial proposed no significant hazards consideration determination.

2.0 BACKGROUND

10 CFR 50.59 establishes the conditions under which licensees may make changes to the facility or procedures and conduct tests or experiments without prior Nuclear Regulatory Commission (NRC) approval.

In 1999, the NRC revised the regulation (64 Fed. Reg. 53582 (October 4, 1999)) controlling changes, tests and experiments performed by nuclear plant licensees. The changes were prompted by the need to resolve differences in interpretation of the rule's requirements by the industry and the NRC. The rule changes had the following two principle objectives, both aimed at restoring much-needed regulatory stability to this extensively used regulation:

Establish clear definitions to promote common understanding of the rule's requirements.

Clarify the criteria for determining when changes, tests and experiments require prior NRC approval.

The changes approved by the Commission in 1999 made 10 CFR 50.59 more focused and efficient as follows:

Providing greater flexibility to licensees, primarily by allowing changes that have minimal safety impact to be made without prior NRC approval.

Clarifying the threshold for "screening out" changes that do not require full evaluation under 10 CFR 50.59, primarily by adoption of key definitions.

Proposed changes, tests and experiments that satisfy the definitions and one or more of the criteria in the rule must be reviewed and approved by the NRC before implementation.

The Bases Control Program required by TS 5.5.14 allows the licensee to make changes to the Bases without NRC approval provided the changes do not involve a change to the updated final safety analysis report (FSAR) or Bases that involves an "unreviewed safety question" as defined in 10 CFR 50.59. With the revisions to 10 CFR 50.59, the definition of "unreviewed safety question" was eliminated. Therefore, the TS should be revised consistent with the revision to 10 CFR 50.59.

3.0 EVALUATION

Technical Specification 5.5.14, "Technical Specifications (TS) Bases Control Program," requires a program for processing changes to the Bases of the Technical Specifications.

TS 5.5.14.b currently states: "Licensees may make changes to the Bases without prior NRC approval provided the changes do not involve either of the following:

1. a change in the TS incorporated in the license; or
2. a change to the updated FSAR or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59."

TS 5.5.14.b is revised to state: "Licensees may make changes to the Bases without prior NRC approval provided the changes do not require either of the following:

1. a change in the TS incorporated in the license; or
2. a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59."

The Commission's Final Rule, dated October 4, 1999, on the revision of 10 CFR 50.59 affects the wording of the "Technical Specification Bases Control Program." In that revision, the Commission removed the term "unreviewed safety question." The amendment merely removes this phrase from the TS, while retaining the citation of 10 CFR 50.59. The revised 10 CFR 50.59 continues to provide appropriate and adequate control of changes to TS Bases.

The staff has reviewed the licensee's submittals which cited the Commission's final rule dated October 4, 1999, revising 10 CFR 50.59. The staff's review finds that the proposed amendment request appropriately incorporates TSTF-364, Revision 0 which was approved by the staff in a letter dated June 16, 2000, to Mr. James Davis, Director Operations Department - Nuclear Energy Institute. Therefore, the staff concludes that this amendment request is acceptable.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

These amendments relate to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(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 these amendments.

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 amendments 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: January 31, 2001