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License Number NPF-3

Serial Number 2686

Docket Number 50-346

April 1, 2001

United States Nuclear Regulatory Commission
Document Control Desk
Washington, D. C. 20555-0001

Subject: License Amendment Application to Add New Technical Specification Administrative Controls Section 6.17, Technical Specifications (TS) Bases Control Program (License Amendment Request 01-0002)

Ladies and Gentlemen:

Enclosed is an application for an amendment to the Davis-Besse Nuclear Power Station (DBNPS), Unit Number 1, Operating License Number NPF-3, Appendix A, Technical Specifications. The proposed change would add new TS Administrative Controls Section 6.17, Technical Specification (TS) Bases Control Program, and make a related change to the TS Index. The proposed new TS Administrative Control would provide requirements for changing and updating the TS Bases. This proposed new TS is similar to the Specification 5.5.14 of NUREG-1430, "Standard Technical Specifications - Babcock and Wilcox Plants," Revision 1, April 1995.

FirstEnergy Nuclear Operating Company requests this amendment be approved by December 31, 2001, with implementation completed by the DBNPS within 120 days after approval.

Should you have any questions or require additional information, please contact Mr. David H. Lockwood, Manager - Regulatory Affairs, at (419) 321-8450.

Very truly yours,

MAR/s

Enclosures

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cc: J. E. Dyer, Regional Administrator, NRC Region III
S. P. Sands, NRC/NRR Project Manager
D. J. Shipley, Executive Director, Ohio Emergency Management Agency, State of Ohio
(NRC Liaison)
K. S. Zellers, NRC Region III, DB-1 Senior Resident Inspector
Utility Radiological Safety Board

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APPLICATION FOR AMENDMENT
TO
FACILITY OPERATING LICENSE NUMBER NPF-3
DAVIS-BESSE NUCLEAR POWER STATION
UNIT NUMBER 1

Attached are the requested changes to the Davis-Besse Nuclear Power Station, Unit Number 1, Facility Operating License Number NPF-3. Also included is the Safety Assessment and Significant Hazards Consideration.

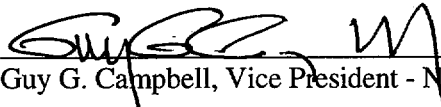
The proposed changes (submitted under cover letter Serial Number 2686) concern:

Appendix A, Technical Specifications:

TS 6.17, Technical Specifications (TS) Bases Control Program

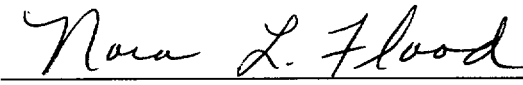
I, Guy G. Campbell, state that (1) I am Vice President - Nuclear of the FirstEnergy Nuclear Operating Company, (2) I am duly authorized to execute and file this certification on behalf of the Toledo Edison Company and The Cleveland Electric Illuminating Company, and (3) the statements set forth herein are true and correct to the best of my knowledge, information, and belief.

By:



Guy G. Campbell, Vice President - Nuclear

Affirmed and subscribed before me this 1st day of April, 2001.



Notary Public, State of Ohio - Nora L. Flood
My Commission expires September 4, 2002.

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The following is provided to support issuance of the requested changes to the Davis-Besse Nuclear Power Station (DBNPS), Unit Number 1, Operating License Number NPF-3, Appendix A, Technical Specification (TS) Administrative Controls Section 6.17, Technical Specification (TS) Bases Control Program, and TS Index.

A. Time Required to Implement: The License Amendment associated with this license amendment application is to be implemented within 120 days after NRC issuance.

B. Reason for Change (License Amendment Request Number 01-0002)

The proposed change would add new TS Administrative Controls Section 6.17, Technical Specification (TS) Bases Control Program, and make a related change to the TS Index. The proposed new TS Administrative Control would provide requirements for changing and updating the TS Bases. This proposed new TS is similar to the Specification 5.5.14 of NUREG-1430, "Standard Technical Specifications - Babcock and Wilcox Plants," Revision 1, April 1995.

C. Safety Assessment and Significant Hazards Consideration: See Attachment 1.

D. Environmental Evaluation: See Attachment 2.

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Attachment 1

**SAFETY ASSESSMENT AND SIGNIFICANT HAZARDS CONSIDERATION
FOR
LICENSE AMENDMENT REQUEST NUMBER 01-0002**

(6 Pages Follow)

**SAFETY ASSESSMENT AND SIGNIFICANT HAZARDS CONSIDERATION
FOR
LICENSE AMENDMENT REQUEST NUMBER 01-0002**

TITLE:

Proposed New Technical Specification Administrative Controls Section 6.17, "Technical Specifications (TS) Bases Control Program"

DESCRIPTION:

The purpose of this License Amendment Request is to change the Davis-Besse Nuclear Power Station (DBNPS) Operating License NPF-3, Appendix A, Technical Specifications, to adopt a new TS Section 6.17, "Technical Specifications (TS) Bases Control Program," and make a related change to the TS Index. The proposed new section would provide requirements for changing and updating the TS Bases. This proposed new section is similar to the Specification 5.5.14 of NUREG-1430, "Standard Technical Specifications - Babcock and Wilcox Plants," Revision 1, April 1995. Specifically, the proposed change would add a new TS 6.17 to read:

6.17 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 involve either of the following:
 1. A change in the TS incorporated in the license or
 2. A change to the USAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.
- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the USAR.
- d. Proposed changes that meet the criteria of 6.17b.1 and 6.17b.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).

Page XV of the TS Index would be changed to reflect the addition of new TS 6.17.

The proposed changes are shown on the attached marked-up Operating License pages.

SYSTEMS, COMPONENTS, AND ACTIVITIES AFFECTED:

The proposed changes affect the requirements for changing and updating the TS Bases.

FUNCTIONS OF THE AFFECTED SYSTEMS, COMPONENTS, AND ACTIVITIES:

In accordance with 10 CFR 50.36(a), the TS Bases provide the bases and reasons for Technical Specifications other than those covering administrative controls.

EFFECTS ON SAFETY:

The proposed change would adopt new TS Administrative Controls Section 6.17, which would define the minimum requirements that apply to the program which controls the TS Bases. The proposed new TS Section 6.17 is consistent with Specification 5.5.14 of NUREG-1430. The proposed change is similar to that approved by the NRC for the Waterford Steam Electric Station, Unit 3, in Operating License NPF-38, Amendment No. 161, dated May 9, 2000 (TAC No. MA6174).

A new TS Bases Control Program would be established in accordance with new TS Section 6.17, providing a formal means of processing changes to the TS Bases. The program would define the appropriate methods and review requirements to implement a TS Bases change. This program would be effective no later than the implementation of the new TS Section 6.17 following NRC approval. Proposed TS 6.17.a requiring appropriate administrative controls and reviews is appropriate since changes to TS Bases may involve quality/safety-related activities and programs. Appendix B to 10 CFR 50, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," Criterion V, "Instructions, Procedures, and Drawings," requires that activities affecting quality be prescribed by documented instructions, procedures, or drawings of a type appropriate to the circumstances. Appendix B to 10 CFR 50, Criterion VI, "Document Control," requires that measures be established to control the issuance of documents, such as instructions, procedures, and drawings, including changes thereto, which prescribe all activities affecting quality. The proposed TS 6.17.a provides requirements that the TS Bases Control Program include the appropriate administrative controls and reviews required by Criteria V and VI.

10 CFR 50.36(a) requires licensees to submit a summary statement of the bases or reasons for technical specifications, other than those covering administrative controls, in the application for an Operating License. 10 CFR 50.36(a) also states that the TS Bases are not considered part of the Technical Specifications. Since the TS Bases are not considered part of the TS, NRC approval of TS Bases changes is not required, provided the TS Bases change does not cause a change to the TS or require prior NRC approval in accordance with 10 CFR 50.59.

Presently, the DBNPS submits a letter to the NRC when only TS Bases pages are being changed (i.e., when there are no TS pages affected). The NRC, in turn, reissues the same revised TS Bases pages back to the DBNPS without a safety evaluation or approval. By adopting a TS Bases Control Program, the DBNPS would be able to issue TS Bases changes directly without NRC involvement, provided the TS Bases change does not cause a change to the TS or require prior NRC approval in accordance with 10 CFR 50.59. This would make the TS Bases change process more efficient and be consistent with the NRC guidance of NUREG-1430. Proposed TS 6.17.d

would require prior NRC approval of the TS Bases changes affecting the TS or Updated Safety Analysis Report (USAR) consistent with 10 CFR 50.59.

The TS Bases Control Program would also contain provisions pursuant to proposed TS 6.17.c to ensure that the TS Bases are maintained consistent with the DBNPS USAR. Changes to the TS Bases implemented without prior NRC approval under the TS Bases Control Program would be provided to the NRC on a frequency consistent with 10 CFR 50.71(e) requirements for USAR changes.

In summary, the proposed change would adopt a new TS Administrative Control Section 6.17, which would establish the minimum requirements that apply to the program controlling the TS Bases. The TS Index would also be revised to add the new section. These proposed changes are administrative in nature and will have no adverse effect on nuclear safety.

SIGNIFICANT HAZARDS CONSIDERATION:

The Nuclear Regulatory Commission has provided standards in 10 CFR 50.92(c) for determining whether a significant hazard exists due to a proposed amendment to an Operating License for a facility. A proposed amendment involves no significant hazards consideration if operation of the facility in accordance with the proposed changes would: (1) Not involve a significant increase in the probability or consequences of an accident previously evaluated; (2) Not create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Not involve a significant reduction in a margin of safety. The Davis-Besse Nuclear Power Station has reviewed the proposed changes and determined that a significant hazards consideration does not exist because operation of the Davis-Besse Nuclear Power Station, Unit No. 1, in accordance with these changes would:

- 1a. Not involve a significant increase in the probability of an accident previously evaluated because no such accidents are affected by the proposed changes. The amendment application proposes to add a new Technical Specification (TS) Administrative Controls Section 6.17, "Technical Specifications (TS) Bases Control Program," and to make a related change to the TS Index. The proposed changes do not involve a change to any structure, system, or component or to the assumptions of any accident analyses.
- 1b. Not involve a significant increase in the consequences of an accident previously evaluated because no equipment, accident conditions, or assumptions are affected which could lead to a significant increase in radiological consequences.
2. Not create the possibility of a new or different kind of accident from any accident previously evaluated because no new or different accident initiators are introduced by these proposed changes.
3. Not involve a significant reduction in a margin of safety because there are no new or significant changes to the initial conditions contributing to accident severity or consequences. Consequently, there are no significant reductions in a margin of safety.

CONCLUSION:

On the basis of the above, the DBNPS has determined that the License Amendment Request does not involve a significant hazards consideration. As this License Amendment Request concerns a proposed change to the Technical Specifications that must be reviewed by the Nuclear Regulatory

Commission, this License Amendment Request does not constitute an unreviewed safety question.

ATTACHMENTS:

Attached are the proposed marked-up changes to the Operating License.

REFERENCES:

1. DBNPS Operating License NPF-3, Appendix A, Technical Specifications, through Amendment 244.
2. Code of Federal Regulations, Title 10, Part 50.
3. NUREG-1430, "Standard Technical Specifications - Babcock and Wilcox Plants," Revision 1, April 1995.
4. Waterford Steam Electric Station, Unit 3, Operating License NPF-38, Amendment No. 161, dated May 9, 2000 (TAC No. MA6174).

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ADMINISTRATIVE CONTROLS

6.17 Technical Specifications (TS) Bases Control Program

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- c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the USAR.
- d. Proposed changes that meet the criteria of 6.17b.1 and 6.17b.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).

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Environmental Evaluation

The FirstEnergy Nuclear Operating Company (FENOC) has determined that the proposed amendment involves only changes to recordkeeping, reporting, and administrative procedures or requirements. Accordingly, the proposed change meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(10). Therefore, pursuant to 10 CFR 51.22(b), an environmental assessment of the proposed change is not required.

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**PROPOSED TECHNICAL SPECIFICATION CHANGES
REVISION BAR FORMAT**

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ADMINISTRATIVE CONTROLS

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- d. Proposed changes that meet the criteria of 6.17b.1 and 6.17b.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).

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COMMITMENT LIST

THE FOLLOWING LIST IDENTIFIES THOSE ACTIONS COMMITTED TO BY THE DAVIS-BESSE NUCLEAR POWER STATION (DBNPS) IN THIS DOCUMENT. ANY OTHER ACTIONS DISCUSSED IN THE SUBMITTAL REPRESENT INTENDED OR PLANNED ACTIONS BY THE DBNPS. THEY ARE DESCRIBED ONLY FOR INFORMATION AND ARE NOT REGULATORY COMMITMENTS. PLEASE NOTIFY THE MANAGER – REGULATORY AFFAIRS (419-321-8450) AT THE DBNPS OF ANY QUESTIONS REGARDING THIS DOCUMENT OR ANY ASSOCIATED REGULATORY COMMITMENTS.

COMMITMENTS

The Technical Specification Bases Control Program shall be effective.

DUE DATE

No later than the implementation of the new TS Section 6.17 following NRC approval.