

50-277/278



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

July 25, 1995

Mr. George A. Hunger, Jr.  
Director-Licensing, MC 62A-1  
PECO Energy Company  
Nuclear Group Headquarters  
Correspondence Control Desk  
P.O. Box No. 195  
Wayne, PA 19087-0195

**SUBJECT: TECHNICAL SPECIFICATION ADMINISTRATIVE REQUIREMENTS REGARDING THE  
NUCLEAR REVIEW BOARD, INDEPENDENT SAFETY ENGINEERING GROUP AND AUDIT  
FREQUENCIES, PEACH BOTTOM ATOMIC POWER STATION, UNIT NOS. 2 AND 3  
(TAC NOS. M90902 AND M90903)**

Dear Mr. Hunger:

The Commission has issued the enclosed Amendments Nos. 208 and 212 to Facility Operating License Nos. DPR-44 and DPR-56 for the Peach Bottom Atomic Power Station, Unit Nos. 2 and 3. These amendments consist of changes to the Technical Specifications (TS) in response to your application dated November 14, 1994 as supplemented by letter dated April 10, 1995.

These amendments relocate Nuclear Review Board (NRB) review requirements, Independent Safety Engineering Group (ISEG) requirements, and certain review and audit requirements from the TS.

You are requested to inform the staff when you have implemented the provisions of these amendments. The requirement affects nine or fewer respondents and, therefore, is not subject to the Office of Management and Budget review under P.L. 96-511.

In a separate letter dated November 14, 1994, and as part of the April 10, 1995 letter, PECO Energy Company also requested changes to the Peach Bottom Quality Assurance Program Description (QAPD) that are complementary to the TS changes. The QAPD changes are with respect to certain audit frequencies, NRB review requirements, and the ISEG functions.

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A copy of the Safety Evaluation is also enclosed. The safety evaluation addresses the changes to the TS as well as the changes to the QAPD. The approved TS changes and QAPD revisions should be implemented concurrently. Notice of Issuance will be included in the Commission's Bi-Weekly Federal Register Notice.

Sincerely,

/s/

Joseph W. Shea, Project Manager  
Project Directorate I-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-277/50-278

- Enclosures: 1. Amendment No. 208 to DPR-44
- 2. Amendment No. 212 to DPR-56
- 3. Safety Evaluation

cc w/encls: See next page

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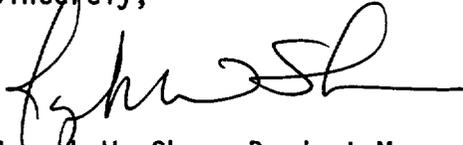
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G. A. Hunger, Jr.

- 2 -

A copy of the Safety Evaluation is also enclosed. The safety evaluation addresses the changes to the TS as well as the changes to the QAPD. The approved TS changes and QAPD revisions should be implemented concurrently. Notice of Issuance will be included in the Commission's Bi-Weekly Federal Register Notice.

Sincerely,



Joseph W. Shea, Project Manager  
Project Directorate I-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-277/50-278

Enclosures: 1. Amendment No. 208 to DPR-44  
2. Amendment No. 212 to DPR-56  
3. Safety Evaluation

cc w/encls: See next page

Mr. George A. Hunger, Jr.  
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Peach Bottom Atomic Power Station,  
Units 2 and 3

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

PECO ENERGY COMPANY

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

DELMARVA POWER AND LIGHT COMPANY

ATLANTIC CITY ELECTRIC COMPANY

DOCKET NO. 50-277

PEACH BOTTOM ATOMIC POWER STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 208  
License No. DPR-44

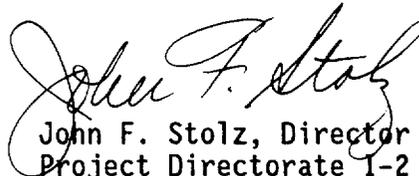
1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by PECO Energy Company, et al. (the licensee) dated November 14, 1994, as supplemented by letter dated April 10, 1995, complies with the standards and requirements of the Atomic Energy Act of 1954, 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 or 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-44 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 208 , are hereby incorporated in the license. PECO shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



John F. Stolz, Director  
Project Directorate 1-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Attachment:  
Changes to the Technical  
Specifications

Date of Issuance: July 25, 1995

ATTACHMENT TO LICENSE AMENDMENT NO. 208

FACILITY OPERATING LICENSE NO. DPR-44

DOCKET NO. 50-277

Replace the following pages of the Appendix A Technical Specifications with the enclosed pages. The revised areas are indicated by marginal lines.

	<u>Remove</u>	<u>Insert</u>
Appendix A	245b	245b
	250	250
	251	251
	252	252
Appendix B	48	48

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PBAPS

Alternates

- 6.5.2.3 A current list of alternates shall be maintained in NRB records. Each alternate member will serve on a continuing basis. Alternates shall vote only in the absence of that member for whom they are the designated alternate.

Consultants

- 6.5.2.4 Consultants shall be utilized as determined by the NRB Chairman to provide expert advice to the NRB.

Meeting Frequency

- 6.5.2.5 The NRB shall meet at least once per calendar quarter.

Quorum

- 6.5.2.6 A quorum of the NRB shall consist of the Chairman or Vice Chairman or their designated alternates and four members or their alternates. No more than a minority of the quorum shall have line responsibility for operation of the facility.

- 6.5.2.7 DELETED.

PBAPS

6.5.2.8 DELETED

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PBAPS

Authority

6.5.2.9 The NRB shall report to and advise the Executive Vice President - Nuclear.

Records

6.5.2.10 Records of NRB activities shall be prepared, approved and distributed as indicated below:

- a. Minutes of each NRB meeting shall be prepared, approved and forwarded to the Executive Vice President - Nuclear within 10 working days following each meeting.
- b. Reports of reviews encompassed by Section 6.5.2.7.e, f, g, and h, above shall be prepared, approved and forwarded to the Executive Vice President - Nuclear, within 10 working days following completion of the review.

PBAPS

7.0 Administrative Controls

7.1 Organization, Review and Audit

7.1.1 Organization

- A. The Plant Manager is responsible for the operation of the facility and to assure that the facility operates within the limits set forth in the environmental technical specifications.
- B. In all matters pertaining to operation of the facility and to the environmental technical specifications, the Plant Manager shall report to, and consult with the Vice President-PBAPS.

7.1.2 Review and Audit

Committees for review and audit of plant operation are described in the Quality Assurance Program.



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

PECO ENERGY COMPANY

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

DELMARVA POWER AND LIGHT COMPANY

ATLANTIC CITY ELECTRIC COMPANY

DOCKET NO. 50-278

PEACH BOTTOM ATOMIC POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 212  
License No. DPR-56

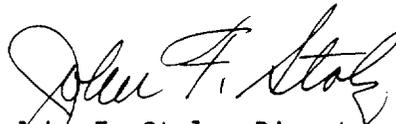
1. The Nuclear Regulatory Commission (the Commission) has found that:
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  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (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 or 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-56 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 212, are hereby incorporated in the license. PECO shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



John F. Stolz, Director  
Project Directorate 1-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Attachment:  
Changes to the Technical  
Specifications

Date of Issuance: July 25, 1995

ATTACHMENT TO LICENSE AMENDMENT NO. 212

FACILITY OPERATING LICENSE NO. DPR-56

DOCKET NO. 50-278

Replace the following pages of the Appendix A Technical Specifications with the enclosed pages. The revised areas are indicated by marginal lines.

	<u>Remove</u>	<u>Insert</u>
Appendix A	245b	245b
	250	250
	251	251
	252	252
Appendix B	48	48

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## PBAPS

Alternates

- 6.5.2.3 A current list of alternates shall be maintained in NRB records. Each alternate member will serve on a continuing basis. Alternates shall vote only in the absence of that member for whom they are the designated alternate.

Consultants

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Meeting Frequency

- 6.5.2.5 The NRB shall meet at least once per calendar quarter.

Quorum

- 6.5.2.6 A quorum of the NRB shall consist of the Chairman or Vice Chairman or their designated alternates and four members or their alternates. No more than a minority of the quorum shall have line responsibility for operation of the facility.

- 6.5.2.7 DELETED.

PBAPS

6.5.2.8 DELETED

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PBAPS

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7.1.2 Review and Audit

Committees for review and audit of plant operation are described in the Quality Assurance Program.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NOS. 208 AND 212 TO FACILITY OPERATING  
LICENSE NOS. DPR-44 and DPR-56

PECO ENERGY COMPANY  
PUBLIC SERVICE ELECTRIC AND GAS COMPANY  
DELMARVA POWER AND LIGHT COMPANY  
ATLANTIC CITY ELECTRIC COMPANY

PEACH BOTTOM ATOMIC POWER STATION, UNIT NOS. 2 AND 3

DOCKET NOS. 50-277 AND 50-278

1.0 INTRODUCTION

By letter dated November 14, 1994, as supplemented by letter dated April 10, 1995, the PECO Energy Company (the licensee, or PECO) submitted a request for changes to the Peach Bottom Atomic Power Station, Units 2 and 3 (PBAPS), Technical Specifications (TS). The changes would affect the Administrative Control Section of the TS in the following manner: (1) relocate Independent Safety Engineering Group (ISEG) requirements from TS to the PBAPS Quality Assurance Program Description (QAPD) and (2) relocate Nuclear Review Board (NRB) review and audit requirements from TS to the PBAPS QAPD. The April 10, 1995, letter provided clarifying information that did not change the initial proposed no significant hazards consideration determination and did not change the scope of the initial Federal Register notice.

In a separate letter, also dated November 14, 1994, PECO requested changes to the ISEG composition requirements which were to be relocated to the QAPD. The PBAPS QAPD is located in Appendix D of the PBAPS Updated Final Safety Analysis Report (UFSAR). However, changes to the content of the QAPD are specifically controlled by the requirements of 10 CFR 50.54(a). In accordance with 10 CFR 50.54(a)(3), PECO identified that the proposed changes represented a reduction in previously accepted QAPD commitments and that such commitment reductions must be submitted to the NRC for prior review and approval. Similarly, in the letter dated April 10, 1995, PECO proposed changes to the frequencies for certain audit requirements in the QAPD. This safety evaluation addresses the proposed changes to the TS as well as the proposed changes to the QAPD.

2.0 BACKGROUND ON RELOCATION OF TS REQUIREMENTS

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to include TS as part of the license.

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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.

The Commission has provided guidance for the contents of TS in its "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors" ("Final Policy Statement"), 58 FR 39132 (July 22, 1993), in which the Commission indicated that compliance with the Final Policy Statement satisfies Section 182a of the Act. In particular, the Commission indicated that certain items could be relocated from the TS to licensee-controlled documents, consistent with the standard enunciated in *Portland General Electric Co. (Trojan Nuclear Plant)*, ALAB-531, 9 NRC 263, 273 (1979). In that case, the Atomic Safety and Licensing Appeal Board indicated that "technical specifications are to be reserved for those matters as to which the imposition of rigid conditions or limitations upon reactor operation is deemed necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety."

Consistent with this approach, the Final Policy Statement identified four criteria to be used in determining whether a particular matter is required to be included in the TS, 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;
- (4) a structure, system, or component which operating experience or probabilistic safety assessment has shown to be significant to public health and safety.<sup>1</sup>

As a result, existing TS requirements which fall within or satisfy any of the criteria in the Final Policy Statement must be retained in the TS, while those

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<sup>1</sup> The Commission recently promulgated a proposed change to 10 CFR 50.36, pursuant to which the rule would be amended to codify and incorporate these criteria (59 FR 48180). The Commission's Final Policy Statement specified that only limiting conditions for Reactor Core Isolation Cooling, Isolation Condenser, Residual Heat Removal, Standby Liquid Control, and Recirculation Pump Trip meet the guidance for inclusion in the TS under Criterion 4 (58 FR at 39137). The Commission has solicited public comments on the scope of Criterion 4, in the pending rulemaking.

TS requirements which do not fall within or satisfy these criteria may be relocated to other, licensee-controlled documents.

### 3.0 EVALUATION

#### 3.1 TS Changes

PECO requested changes to the Administrative Controls Section of the PBAPS TS. These TS changes relocate Independent Safety Engineering Group (ISEG) requirements from TS to the PBAPS Quality Assurance Program Description (QAPD) and (2) relocate Nuclear Review Board (NRB) review and audit requirements from TS to the PBAPS QAPD.

##### 3.1.1 Independent Safety Engineering Group TS Relocation

PECO proposed to delete TS Section 6.2.3, and to relocate independent technical review requirements to the PBAPS QAPD. In relocating the independent technical review functions to the QAPD, future changes to the relocated provisions will be subject to the requirements of 10 CFR 50.54(a)(3). The staff has determined that the requirements of 10 CFR 50.54 provide sufficient regulatory control over future changes to the ISEG requirements to assure continued protection of the public health and safety. The staff concludes that because the proposed relocation does not affect the public health and safety and because ISEG TS requirements do not meet the criteria of the Commission's Final Policy Statement, the proposed relocation of ISEG TS requirements to the QAPD is acceptable.

##### 3.1.2 NRB Review and Audit TS Relocation

PECO proposed to delete TS Sections 6.5.2.7 and 6.5.2.8 and to relocate NRB review and audit requirements to the QAPD. In relocating the NRB review and audit topics and frequencies to the QAPD, future changes to the relocated provisions will be subject to the requirements of 10 CFR 50.54(a)(3). The staff has determined that these requirements provide sufficient regulatory control over future changes to the NRB review and audit topics and frequencies to assure continued protection of the public health and safety. The staff concludes that because the proposed relocation does not affect the public health and safety and because NRB review and audit topics and frequency TS requirements do not meet the criteria of the Commission's Final Policy Statement, the proposed relocation of ISEG TS requirements to the QAPD is acceptable.

In the November 14, 1994 and April 10, 1995 letters, PECO proposed to revise TS Sections 6.5.2.9 and 6.5.2.10. PECO proposed that these sections be revised to delete reference to TS Sections 6.5.2.7 and 6.5.2.8 which were deleted as described above. The staff concludes that these changes are administrative and that they maintain the consistency of the revised TS and are therefore, acceptable.

In the November 14, 1994 letter, PECO proposed to revise Section 7.1.2 of Appendix B to the PBAPS Operating License. Appendix B contains the environmental TS for the facility. The proposed revision to Section 7.1.2 changes the reference for review and audit requirements from Section 6.5 of the TS to the QAPD, consistent with the relocations described above. The staff concludes that these changes are administrative and that they maintain the consistency of the revised TS and are therefore, acceptable.

### 3.2 QAPD Changes

#### 3.2.1 ISEG QAPD Changes

In the November 14, 1994 letter, PECO proposed to revise the QAPD to describe the restructuring of the ISEG function into an Independent Technical Review Program. The PBAPS QAPD references Section 13.8.6 of the UFSAR for a full description of the Independent Technical Review Program. In the description of the independent technical review functions in UFSAR Section 13.8.6, PECO eliminates the ISEG composition requirement while maintaining the independent technical review function by establishing an independent technical review program. PECO has revised the existing ISEG composition requirements (currently specified in TS 6.2.3 and described in UFSAR 13.8.6) to delete the requirement of at least five dedicated, full time engineers, and has integrated this function into the Nuclear Quality Division. In addition, this function is being retitled the Independent Technical Review Program. PECO will use several on-site personnel who are independent of the plant management chain to perform the Independent Technical Review Program functions. The Quality Division Manager will be responsible for ensuring that the Independent Technical Review Program performs the required functions.

PECO has revised the Nuclear Quality Assurance Organization Chart, Exhibit IV, to reflect the deletion of the ISEG as an organizational unit.

The staff finds the revised Independent Technical Review Program provisions meet the appropriate acceptance criteria of Section 13.4 of NUREG 0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," and are therefore acceptable. The staff notes that, as part of the QAPD, the Independent Technical Review Program will be under the control of the provisions of 10 CFR 50.54(a)(3).

The staff notes that the original implementation of an ISEG at Peach Bottom was a commitment that went beyond those requirements imposed on operating reactors via NUREG-0737.

#### 3.2.2 Review and Audit QAPD Changes

In the April 10, 1995 letter, PECO proposed to change the term audit to assessment in Section 17.2.18.1 of the PBAPS QAPD. In addition, PECO proposed to revise the QAPD to change the audit frequency for certain plant activities. Specifically, PECO proposed to increase the audit/assessment frequency to 24

months for: (1) conformance of unit operation to provisions contained within the TS and applicable License Conditions, (2) performance, training, and qualifications of the operating staff, (3) results of actions taken to correct deficiencies occurring in unit equipment, structures, systems, or a method of operation that affect nuclear safety, and (4) performance of activities required by the Quality Assurance Program regarding the radiological environmental monitoring program, to meet the criteria of Regulatory Guide 4.15, December 1977.

PECO states, in part, that these changes in frequency will result in an increase in QA program effectiveness and that for such assessment activities to be effective, they should be performed with a frequency commensurate with their safety significance, and with due consideration of performance data. PECO further states that the reduced frequency can be substantiated by the fact that on-going surveillances are performed during the interval between assessments and that these surveillances are conducted to provide progressive assessments of functional performance.

The staff agrees that specification of a maximum 24-month interval for the specified audits is acceptable because it will allow the licensee to perform audit scheduling according to safety significance and in response to performance data trends while ensuring that the audits are performed within a specified interval. In addition, the staff notes that, as part of the QAPD, the audit/assessment frequencies will be controlled under the provisions of 10 CFR 50.54(a)(3).

In the April 10, 1995 letter, the licensee proposed to revise the QAPD to include the relocated wording of existing TS 6.5.2.7. The licensee did not propose any reduction in the NRB review requirements as part of the relocation. The staff finds this proposed change acceptable.

#### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Pennsylvania State official was notified of the proposed issuance of the amendments. The State official had the following comment:

PECO Energy had proposed via TSCR 94-11, 12, and 13, and a letter dated November 14, 1994, to eliminate the requirements for composition of the Independent Safety Engineering Group (ISEG) from the Peach Bottom Technical Specifications (TS). These requirements were incorporated in the TS as a follow-up to the implementation of the Agreement dated June 20, 1989, between the Commonwealth of Pennsylvania and Philadelphia Electric Co. The concerns for independent safety review were significant and precipitated in stipulation of the requirements for formation and composition of ISEG.

Since the submittal of the TSCR and [SIC] letter to NRC dated November 14, 1994 by PECO Energy, the Nuclear Safety Section of the Commonwealth had in-depth deliberations [deliberations] with the Nuclear Group senior managers of PECO Energy. Nuclear Safety Section staff has been assured that the Independent Technical Review Program would continue

by a self-directed work team called ISEG with direct sponsorship from Director, Nuclear Quality Assurance (NQA) and reporting through PBAPS Quality Division manager in lieu of the ISEG manager. This understanding will be stipulated in the Nuclear Quality Assurance Program Description (NQAPD). There were further assurances that ISEG staff representation to the staff meetings of Director NQA would continue.

In view of the above and as bulk of the routine technical review and root cause analysis work load is currently done by the Experience Assessment Group, Nuclear Safety Section staff perceived no reduction in safety or loss in independent technical reviews by issuance of the License Amendment concerning ISEG by NRC.

The staff discussed the above insert with the State official and noted the State official's conclusion that no perceived reduction in safety was expected to result from issuance of this amendment.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The 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 Contributors: F. Allenspach  
L. Campbell  
J. Shea

Date: July 25, 1995