

August 1, 2001

Mr. James R. Morris
Site Vice President
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: RELOCATION OF INSERVICE TESTING REQUIREMENTS TO A
LICENSEE-CONTROLLED PROGRAM (TAC NO. MB1866)

Dear Mr. Morris:

The Commission has issued the enclosed Amendment No. 122 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 your application dated May 2, 2001, as supplemented June 22 and July 27, 2001.

The amendment (1) relocates requirements of the American Society of Mechanical Engineers (ASME) *Boiler and Pressure Vessel Code* (the Code), Section XI, Inservice Testing (IST) Program currently contained in TS Surveillance Requirement (TSSR) 4.15.B to TS Administrative Control Section 6.8, "Programs and Manuals," (2) makes conforming changes to several SRs to reflect the change in reference from TSSR 4.15.B to the licensee-controlled IST Program, (3) rewords TSSRs 4.5.A.3 and 4.5.D.1 to be consistent with NUREG-1433, (4) incorporates TS Task Force (TSTF) initiative TSTF-279 into TS Administrative Control Section 6.8, and (5) revises TSSRs 4.6.H.1, 4.6.H.3, and Table 4.6.1 to change the inspection and functional testing interval extensions reference from plus-or-minus 25 percent to plus 25 percent.

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,

/RA/

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. 122 to DPR-22
2. Safety Evaluation

cc w/encls: See next page

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ACCESSION NO. ML011550457

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Monticello Nuclear Generating Plant

cc:

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NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-263

MONTICELLO NUCLEAR GENERATING PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 122

License No. DPR-22

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Nuclear Management Company, LLC (the licensee), dated May 2, 2001, as supplemented June 22 and July 27, 2001, 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. 122, 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

/RA by Darl S. Hood for/

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: August 1, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 122

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
vii	vii
25b	25b
93	93
101	101
102	102
103	103
104	104
105	105
111	111
112	112
113	113
114	114
127	127
129	129
131	131
132a	132a
155	155
170	170
229e	229e
229f	-
229ff	-
229g	-
-	256
-	257
-	258

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 122 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 2, 2001, as supplemented June 22 and July 27, 2001, the Nuclear Management Company, LLC (the licensee), requested changes to the Technical Specifications (TSs) for Monticello Nuclear Generating Plant. The proposed amendment would (1) relocate requirements of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (the Code), Section XI, Inservice Testing (IST) Program currently contained in TS Surveillance Requirement (SR) 4.15.B to the TS Administrative Control Section 6.8, Programs and Manuals, (2) make conforming changes to several surveillance requirements to reflect the change in reference from TS SR 4.15.B to the licensee-controlled IST Program, (3) reword TS SRs 4.5.A.3 and 4.5.D.1 to be consistent with NUREG-1433, (4) incorporate TS Task Force (TSTF) initiative TSTF-279 into TS Administrative Control Section 6.8, and (5) revise TS SRs 4.6.H.1, 4.6.H.3, and Table 4.6.1 to change the inspection and functional testing interval extensions reference from plus-or-minus 25 percent to plus 25 percent.

The June 22, 2001, supplement provided clarifying information to the application and added a table defining IST testing frequencies to the proposed TS 6.8.G in order to be consistent with NUREG-1433. The July 27, 2001, supplement provided updated TS pages to reflect amendments issued subsequent to the application. 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

2.1 Relocation of IST Requirements to a Licensee-Controlled Program

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; (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 has provided guidance for the contents of TSs in its “Final Policy Statement on Technical Specifications Improvements for Nuclear Power Plants” (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 TSs 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.” The criteria set forth in the policy statement have been incorporated into 10 CFR 50.36 (60 FR 36953).

The NRC staff has compared the IST program requirements to the criteria of 10 CFR 50.36 and concluded that they do not meet the criteria for inclusion in the TSs. Further, the IST program does not depend on a TS citation to make it a requirement. The IST program is required by 10 CFR 50.55a to be performed in accordance with Section XI of the Code. Compliance with 10 CFR Part 50 is required by the Monticello Operating License. The Monticello IST program implements the applicable provisions of the Code. Changes to the Monticello IST program are controlled in accordance with the provisions of 10 CFR 50.55a. The Monticello IST requirements do not meet the 10 CFR 50.36 criteria, are redundant to other regulations, and thus can be relocated to a licensee-controlled document. The licensee states that no reduction in any previous commitments to 10 CFR 50.55a or the Code is proposed as a result of the relocation of IST requirements from the TSs to the licensee-controlled IST program. The proposed change is also generally consistent with Standard Technical Specifications (STS), NUREG-1433. Therefore, the proposed change is acceptable.

2.2 Other Proposed Changes

2.2.1 Table of Contents

The licensee proposes to revise the Table of Contents to reflect the deletion of IST requirements from TS 3.15 and TS 4.15. The proposed change to the Table of Contents is consistent with the proposed changes to the TSs and is acceptable.

2.2.2 TSs 4.6.H.1, 4.6.H.3, Table 4.6.1, and TS Bases Section 4.0

The licensee proposes to revise TS surveillance requirements for inspection and functional testing interval extensions of snubbers from plus-or-minus 25 percent to plus 25 percent. The change is consistent with the staff’s letter, “Monticello Nuclear Generating Plant - Technical Specification Interpretation of Surveillance Intervals Required to be Met for Monticello (TAC Nos. M98821 and MA4277),” from E. Adensam (NRC) to R. Anderson (Northern States Power Company), dated January 12, 1999, and is acceptable. The licensee also proposes to change TS Bases Section 4.0 to be consistent with the staff’s January 12, 1999, letter. The NRC staff has no objection to the proposed changes to the Bases.

2.2.3 TSs 4.4.A.1, 4.5.A.1, 4.5.A.2, 4.6.E.1.a, and 4.7.D.1.c

The licensee proposes to replace the reference to TS 4.15.B with a reference to the IST Program. The change is consistent with the relocation of ASME Code requirements for IST from the TSs to a licensee-controlled program and is acceptable.

2.2.4 TSs 3.15 and 4.15

The licensee proposes to delete the title, specification, applicability, objective, and specification for IST. The change is consistent with the relocation of ASME Code requirements for IST from the TSs to a licensee-controlled program and is acceptable.

2.2.5 TSs 4.5.A.4, 4.5.B, 4.5.C.2, and 4.5.D.2

The licensee proposes to relocate valve operability testing requirements from the TSs to the licensee-controlled IST program. Changes to these requirements will be controlled by 10 CFR 50.55a. These changes are consistent with the relocation of ASME Code requirements for IST from the TSs to a licensee-controlled program, are consistent with NUREG-1433, and are acceptable.

2.2.6 TS 4.5.C.1

The licensee proposes to relocate the surveillance requirement for the residual heat removal service water (RHRSW) pumps from the TSs to the licensee-controlled IST program. The licensee states that the RHRSW system is not an emergency core cooling system directly required to meet the criteria of 10 CFR Part 50, Appendix K; therefore, the surveillance requirement may be relocated to the IST program, and as part of the IST program be relocated from the TSs to licensee control. The change is also consistent with NUREG-1433. Therefore, the change is acceptable.

2.2.7 TS 6.8.G

The licensee proposes to add TS 6.8.G to the Administrative Controls for the IST program. The proposed change is consistent with the relocation of ASME Code requirements for IST from the TSs to a licensee-controlled program. Proposed TS 6.8.G is consistent with NUREG-1433, with the following exceptions:

Reference to testing “applicable supports” in addition to ASME Code Class 1, 2, and 3 pumps and valves has not been included in the proposed TS 6.8.G in accordance with NRC-approved TSTF STS Change Traveler TSTF-279. “Applicable supports” are inspected under the Inservice Inspection Program, not tested under the IST program.

The table defining testing frequencies (STS 5.5.7.a) is included in the proposed TS 6.8.G in order to be consistent with NUREG-1433. In addition to the defined frequencies in the STS, the licensee proposes to add a definition for "biquarterly," as "at least once per 46 days." The creation of the additional inservice testing frequency will establish a defined frequency for increased ASME Code testing requirements (e.g., IWP-3230(a) requires doubling of a quarterly test). The staff has previously approved the definition for other licensees (e.g., Duane Arnold Energy Center Amendment No. 223, dated May 22, 1998); therefore, the proposed change is acceptable. The licensee states that they will revise the IST program to conform with the proposed frequencies.

SRs 4.0.B, 4.0.D, and 4.0.E are referenced in proposed TS 6.8.G since they are the equivalent of STS 3.0.2 and 3.0.3.

The licensee states that the proposed changes do not affect plant design, method of operation, or the scope or intent of the pump and valve IST program. Therefore, the changes are acceptable.

2.2.8 TSs 4.5.A.3 and 4.5.D.1

The licensee proposes to rewrite the surveillance requirements for the high pressure core injection (HPCI) and reactor core isolation cooling (RCIC) systems for clarification and to be more consistent with the wording of NUREG-1433. In addition, the licensee proposes to add a note to each surveillance requirement stating that it is, "Not required to be performed until 12 hours after reactor steam pressure and flow are adequate to perform the test."

The flow tests for the HPCI and RCIC systems are performed at two different pressure ranges such that system capability to provide rated flow is tested at both the higher and lower operating ranges of the systems. Additionally, adequate steam flow must be passing through the main turbine or turbine bypass valves to continue to control reactor pressure when the HPCI or RCIC system diverts steam flow. Reactor pressure must be greater than 950 psig to perform proposed TS 4.5.A.3(a) for HPCI and TS 4.5.D.1(a) for RCIC and less than 165 psig to perform proposed TS 4.5.A.3(b) for HPCI and TS 4.5.D.1(b) for RCIC. Adequate steam flow is represented by total steam flow of at least 10^6 lb/hr. Therefore, sufficient time is allowed after adequate pressure and flow are achieved to perform these tests. Reactor startup is allowed prior to performing the low pressure surveillance test because the reactor pressure is low and the time allowed to satisfactorily perform the test is short. The reactor pressure is allowed to be increased to normal operating pressure since it is assumed that the low pressure test has been satisfactorily completed and there is no indication or reason to believe that the tested system is inoperable. Therefore, the added notes to the surveillance requirements are acceptable. The proposed wording of the surveillance requirements is consistent with the current surveillance requirements and NUREG-1433, and the operability requirements of TS 3.5.A and TS 3.5.D are not changed by the proposal. The licensee states that there is no impact on other requirements, safety analyses, or calculations in the current licensing basis due to the change. Therefore, the proposed change is acceptable.

The licensee proposes to revise TS Bases Section 3.5/4.5 to reflect the proposed changes. The NRC staff has no objection to the proposed changes to the Bases.

3.0 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.

4.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. This amendment also relates to changes in recordkeeping, reporting, or administrative procedures or requirements. The NRC 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 (66 *FR* 29360). 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.

5.0 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 Contributor: F. Lyon

Date: August 1, 2001