Entergy

**Entergy Nuclear Generation Co.**
Pilgrim Nuclear Power Station
600 Rocky Hill Road
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**Mike Bellamy**
Site Vice President

10 CFR 50.90

May 31, 2001
ENGC Ltr. 2.01.061

US Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555

Docket No. 50-293
License No. DPR-35

Proposed License Amendment
Change to the Technical Specifications (TS) Bases Control Program, 5.5.6.b.

Entergy Nuclear Generation Company (ENGC) hereby proposes to amend Pilgrim Operating License No. DPR-35 in accordance with 10 CFR50.90. The proposed amendment modifies the Technical Specifications 5.5.6.b to be consistent with the new 10 CFR 50.59 Rule.

The proposed change is required to comply with new 10 CFR 50.59 Rule, and does not present undue risk to the public health and safety. This change was previousely approved by the NRC on a generic basis for incorporation into the Standard Technical Specifications (NUREG-1433).

Attachment A provides a description of the proposed License Amendment and no significant hazards consideration determination, attachment B contains the marked-up Technical Specification page and attachment C contains the amended Technical Specification page.

We request NRC approval of the proposed License Amendment by December 2001.

Should you have any questions regarding this letter, please contact Walter Lobo at (508) 830-7940.

Sincerely,

M. Bellamy

Commonwealth of Massachusetts)
Country of Plymouth )

Then personally appeared before me, Michael Bellamy, who being duly sworn, did state that he is the Site Vice President of Pilgrim Nuclear Power Station and that he is duly authorized to execute and file the submittal contained herein in the name and on behalf of Entergy Nuclear Generation Company and that the statements are true to the best of his knowledge and belief.

My commission expires: September 20, 2002 (DATE) Peter M. Kahler (NOTARY PUBLIC) A001

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Attachment A: Description of Proposed Changes
Attachment B: Marked-up Technical Specification Page
Attachment C: Amended Technical Specification Page

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ATTACHMENT A

Description of Proposed Technical Specification Change

Description of Proposed Change:

Technical Specification 5.5.6, Technical Specifications (TS) Bases Control Program, requires a program for processing changes to the Bases of the Technical Specifications.

TS 5.5.6.b. 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 5.5.6.b. is revised to refer to "changes do not require" instead of "changes do not involve" and TS 5.5.6.b.2 is revised to state: "a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59." These changes are proposed for consistancy with the changes to 10 CFR 50.59 published in the Federal Register (Volume 64, Number 191) dated October 4, 1999.

Background:

Regulation 10 CFR 50.59 establishes the conditions under which licensees may make changes to the facility or procedures and conduct test or experiments without prior NRC approval.

In 1999, the NRC revised the regulation (Federal Register - Volume 64, Number 191 dated October 4, 1999) controlling changes, tests and experiments performed by nuclear plant licensees. The revision was prompted by the need to resolve differences in interpretation of the regulation's requirements by the industry and the NRC. The rule change had two principal objectives, both aimed at restoring 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 revised regulation was approved by the NRC in 1999 and made 10 CFR 50.59 more focused and efficient by:

- 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 criterion in the rule must be reviewed and approved by the NRC before implementation.

The Technical Specification changes proposed are for consistancy with the revised rule and have been reviewed and approved generically by the NRC in TSTF-364 for NUREG-1433, dated June 16, 2000 and plant specifically for Hatch (Docket No. 50-321/366, TAC MB0511/ MB0512) and Wolf Creek (Docket No. 50-482, TAC MB0693) nuclear plants.

Need for Change:

As indicated above, the Bases Control Program required by TS 5.5.6 allows Pilgrim to make changes to the Bases without NRC approval provided the change does not involve a change to the updated 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.

Justification for the Change:

The current Bases Control Program allows the licensee to make changes to the Technical Specification Bases that do not modify the Technical Specification requirements and which are allowed without prior NRC approval via 10 CFR 50.59. The proposed change does not modify these requirements and is administrative in nature. The revised change just modifies the wording of the Bases Control Program to be consistent with the revised 10 CFR 50.59 program.

Determination of No Significant Hazards Considerations:

Entergy Nuclear Generation Company (ENGC) proposes to change the Technical Specification Bases Control Program to provide consistency with the changes to 10 CFR 50.59 published in the Federal Register (Volume 64, Number 191) dated October 4, 1999. In accordance with the criteria set forth in 10 CFR 50.92, ENGC has evaluated these proposed Technical Specification changes for Pilgrim Nuclear Power Station and determined they do not represent a significant hazards consideration. The following is provided in support of this conclusion.

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

The current Bases Control Program allows the licensee to make changes to the Technical Specification Bases that do not modify the Technical Specification requirements and which are allowed without prior NRC approval via 10 CFR 50.59. The proposed change does not modify these requirements and is administrative in nature. The revised change modifies the wording of the Bases Control Program to be consistent with the revised 10 CFR 50.59 program. The evaluation requirements of 10 CFR 50.59 will ensure that changes to the Technical Specification Bases will not result in more than a minimal increase in the probability or consequences of an accident without NRC prior review and approval. Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously analyzed?

The current Bases Control Program allows the licensee to make changes to the Technical Specification Bases that do not modify the Technical Specification requirements and which are allowed without prior NRC approval via 10 CFR 50.59. The proposed change does not modify

these requirements and is administrative in nature. The revised change modifies the wording of the Bases Control Program to be consistent with the revised 10 CFR 50.59 program. The evaluation requirements of 10 CFR 50.59 will ensure that changes to the Technical Specification Bases will not result in a new or different kind of accident than any previously evaluated in the final safety analysis report without NRC prior review and approval. Thus, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does this change involve a significant reduction in the margin of safety?

The current Bases Control Program allows the licensee to make changes to the Technical Specification Bases that do not modify the Technical Specification requirements and which are allowed without prior NRC approval via 10 CFR 50.59. The proposed change does not modify these requirements and is administrative in nature. The revised change modifies the wording of the Bases Control Program to be consistent with the revised 10 CFR 50.59 program. The evaluation requirements of 10 CFR 50.59 will ensure that changes to the Technical Specification Bases will not result significant reduction in the margin of safety without NRC prior review and approval. This change is administrative in nature based on the amending of 10 CFR 50.59. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Environmental Consideration:

The proposed amendment meets the eligibility criteria for categorial exclusion set forth in 10 CFR 51.22(c) (9) because the proposed license amendment is required to comply with the new 10 CFR 50.59 Rule. Hence, pursuant to 10 CFR 51.22(b) no environmenetal impact assessment or environmental assessment is necessary in connection with the issuance of the license amendment.

Implementation Schedule:

Pilgrim will revise the applicable procedures and conduct the required training within 30 days of receipt of NRC approved license amendment.

ATTACHMENT B

MARKED-UP TECHNICAL SPECIFICATION PAGE

TS Page No. 5.0-9

5.5 Program and Manuals

5.5.4 Radioactive Effluent Controls Program (continued)

i. Limitations on the annual and quarterly doses to a member of the public from Iodine-131, Iodine-133, Tritium, and all radionuclides in particulate form with half lives > 8 days in gaseous effluents released to areas beyond the site boundary, conforming to 10 CFR 50, Appendix I; and

j. Limitations on the annual dose or dose commitment to any member of the public due to releases of radioactivity and to radiation from uranium fuel cycle sources, conforming to 40 CFR 190.

5.5.5 Component Cyclic or Transient Limit

This program provides controls to track the FSAR Section C.3.4.1, cyclic and transient occurrences to ensure that components are maintained within the design limits.

5.5.6 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~~ 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 ~~involves an unreviewed safety question as defined in~~ 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 FSAR.

d. Proposed changes that meet the criteria of Specification 5.5.6b 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).

ATTACHMENT C

AMENDED TECHNICAL SPECIFICATION PAGE

TS Page No.5.0-9

5.5 Program and Manuals

5.5.4 Radioactive Effluent Controls Program (continued)

i. Limitations on the annual and quarterly doses to a member of the public from Iodine-131, Iodine-133, Tritium, and all radionuclides in particulate form with half lives > 8 days in gaseous effluents released to areas beyond the site boundary, conforming to 10 CFR 50, Appendix I; and

j. Limitations on the annual dose or dose commitment to any member of the public due to releases of radioactivity and to radiation from uranium fuel cycle sources, conforming to 40 CFR 190.

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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.

c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the FSAR.

d. Proposed changes that meet the criteria of Specification 5.5.6b 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).