

June 15, 2001

Mr. J. A. Scalice
Chief Nuclear Officer and
Executive Vice President
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, Tennessee 37402-2801

SUBJECT: WATTS BAR NUCLEAR PLANT, UNIT 1 - ISSUANCE OF AMENDMENT TO
ADOPT TECHNICAL SPECIFICATION TASK FORCE ITEM TSTF-364,
REVISION 0 (TAC NO. MB1321).

Dear Mr. Scalice:

The U.S. Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 32 to Facility Operating License No. NPF-90 for Watts Bar Nuclear Plant, Unit 1. This amendment responds to your application of March 2, 2001, to revise Technical Specifications 5.6, "Technical Specification (TS) Bases Control Program," to adopt Technical Specification Task Force (TSTF) item TSTF-364, Revision 0. The NRC staff has incorporated TSTF-364 into NUREG-1431 "Standard Technical Specifications Westinghouse Plants" to be consistent with the changes to Title 10 *Code of Federal Regulations* Section 50.59 as published in the *Federal Register* (Volume 64, Number 191) on October 4, 1999.

A copy of the safety evaluation is also enclosed. We will include a Notice of Issuance in the Commission's biweekly Federal Register notice.

Sincerely,

/RA/

L. Mark Padovan, Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-390

Enclosures: 1. Amendment No. 32 to NPF-90
2. Safety Evaluation

cc w/enclosures: See next page

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*No major changes to SE

** See previous concurrence

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DATE	6/12/01	6/12/01	3/14/01	4/4/01	6/14/01

OFFICIAL RECORD COPY

Mr. J. A. Scalice
Tennessee Valley Authority

WATTS BAR NUCLEAR PLANT

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TENNESSEE VALLEY AUTHORITY

DOCKET NO. 50-390

WATTS BAR NUCLEAR PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 32
License No. NPF-90

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Tennessee Valley Authority (the licensee) dated March 2, 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. NPF-90 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 32, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. TVA shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance, and shall be implemented no later than 30 days from the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Patrick M. Madden, Acting Chief, Section 2
Project Directorate II
Division of Project Licensing Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: June 15, 2001

ATTACHMENT TO AMENDMENT NO. 32
FACILITY OPERATING LICENSE NO. NPF-90
DOCKET NO. 50-390

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

Remove Page

5.0-8

Insert Page

5.0-8

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 32 TO FACILITY OPERATING LICENSE NO. NPF-90
TENNESSEE VALLEY AUTHORITY
WATTS BAR NUCLEAR PLANT, UNIT 1
DOCKET NO. 50-390

1.0 INTRODUCTION

The Tennessee Valley Authority (TVA) submitted a Technical Specifications (TS) amendment request on March 2, 2001, to revise TS 5.6, "Technical Specifications (TS) Bases Control Program," to adopt U.S. Nuclear Regulatory Commission (NRC)-approved Technical Specification Task Force (TSTF) Item TSTF-364, Revision 0. TSTF-364 revises NUREG-1431 "Standard Technical Specifications Westinghouse Plants" to be consistent with the changes to Title 10 *Code of Federal Regulations* (10 CFR) Section 50.59 as published in the *Federal Register* (Volume 64, Number 191) on October 4, 1999. The NRC's letter of June 16, 2000, to Mr. James Davis, Director Operations Department - Nuclear Energy Institute (NEI), informed the NEI that the NRC staff had determined to incorporate TSTF-364, Revision 0, into NUREG-1431.

The Commission's regulations, in 10 CFR 50.59, establish the conditions under which a licensee may make changes to its facility or procedures as described in the Final Safety Analysis Report (FSAR), as updated, and conduct tests or experiments not described in the FSAR without obtaining a license amendment. The NRC revised Section 50.59 as published in the *Federal Register* (Volume 64, Number 53,582) on October 4, 1999. The rule changes clarified the specific types of changes, tests, and experiments that require evaluation by licensees under Section 50.59. The changes also revised the criteria licensees must use to determine whether NRC approval is needed before such changes, tests, or experiments may be implemented. The final rule further added definitions for terms that have been subject to differing interpretations, and reorganized the rule for clarity. The NRC must review and approve proposed changes, tests, and experiments that satisfy the definitions and one or more of the criteria in the rule before licensee implementation.

The Bases Control Program required by TS 5.6 allows the licensee to make changes to the Bases without NRC approval provided the changes do not involve a change to the Updated FSAR or Bases that involves an "unreviewed safety question" as previously defined in 10 CFR 50.59. The revisions to 10 CFR 50.59 eliminated the definition of "unreviewed safety question" from that regulation. Therefore, TVA is requesting NRC authorization to revise the Watts Bar TS to be consistent with the revision to 10 CFR 50.59.

Enclosure

2.0 EVALUATION

2.1 Description of Changes

TS 5.6.2, "Technical Specifications (TS) Bases Control Program," requires TVA to have a program for processing changes to TS Bases. TS 5.6.2 currently says:

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.

TVA seeks to revise TS 5.6.2 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.

2.2 Justification

The Commission's final rule of October 4, 1999, revising 10 CFR 50.59, affects the wording of the TS Bases Control Program. In that revision to Section 50.59, the Commission removed the term "unreviewed safety question" from the regulation. Section 50.59 had previously included this term to describe the criteria licensees must use to determine whether NRC approval is needed before a change, test, or experiment covered by the regulation may be implemented. The criteria themselves, while revised by the final rule, remained in the regulation.

The amendment merely removes the phrase "unreviewed safety question" from the TS, while retaining the reference to Section 50.59 in the TS. Revised TS 5.6.2 would continue to incorporate the criteria of Section 50.59 by reference, and these criteria provide appropriate and adequate control of changes to the TS Bases. The staff has reviewed the licensee's proposal to incorporate TSTF-364, Revision 0, into the TS. Based on the above, the staff concludes that this amendment request is acceptable.

3.0 STATE CONSULTATION

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

4.0 ENVIRONMENTAL CONSIDERATION

The amendment relates to changes in recordkeeping, reporting, or administrative procedures or requirements. 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 17971 dated April 4, 2001). Accordingly, the amendment meets 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 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: A. Chu, NRR

Date: June 15, 2001