

June 28, 1994

Docket No. 50-423

Mr. John F. Opeka
Executive Vice President, Nuclear
Connecticut Yankee Atomic Power Company
Northeast Nuclear Energy Company
Post Office Box 270
Hartford, Connecticut 06141-0270

Dear Mr. Opeka:

SUBJECT: ISSUANCE OF AMENDMENT (TAC NO. M82949)

The Commission has issued the enclosed Amendment No. 91 to Facility Operating License No. NPF-49 for Millstone Nuclear Power Station, Unit No. 3, in response to your application dated February 10, 1992 as supplemented April 14, 1994.

The amendment removes two tables from the Technical Specifications which list reactor trip system instrumentation response times and engineered safety features actuation system instrumentation response times. These tables will be placed in the Millstone 3 Technical Requirements Manual.

A copy of the related Safety Evaluation is also enclosed. The notice of issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

Original signed by Guy S. Vissing

for: Vernon L. Rooney, Senior Project Manager
Project Directorate I-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

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P PDR

Enclosures:

1. Amendment No. 91 to NPF-49
2. Safety Evaluation

cc w/enclosures:

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DATE:	6/15/94	6/15/94	6/15/94	6/15/94	6/16/94

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Northeast Nuclear Energy Company

Millstone Nuclear Power Station
Unit 3

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

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 91
License No. NPF-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Northeast Nuclear Energy Company, et al. (the licensee), dated February 10, 1992 as supplemented April 14, 1994 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.

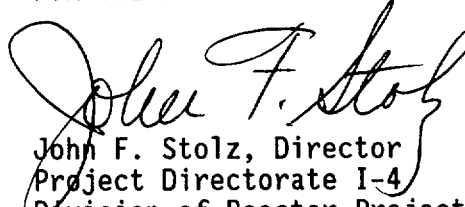
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-49 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 91 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto are hereby incorporated in the license. The licensee 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, to be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



John F. Stolz, Director
Project Directorate I-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: June 28, 1994

ATTACHMENT TO LICENSE AMENDMENT NO. 91

FACILITY OPERATING LICENSE NO. NPF-49

DOCKET NO. 50-423

Replace the following pages of the Appendix A Technical Specifications with the enclosed pages. The revised pages are identified by amendment number and contain vertical lines indicating the areas of change.

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3/4.3 INSTRUMENTATION

3/4.3.1 REACTOR TRIP SYSTEM INSTRUMENTATION

LIMITING CONDITION FOR OPERATION

3.3.1 As a minimum, the Reactor Trip System instrumentation channels and interlocks of Table 3.3-1 shall be OPERABLE.

APPLICABILITY: As shown in Table 3.3-1.

ACTION:

As shown in Table 3.3-1.

SURVEILLANCE REQUIREMENTS

4.3.1.1 Each Reactor Trip System instrumentation channel and interlock and the automatic trip logic shall be demonstrated OPERABLE by the performance of the Reactor Trip System Instrumentation Surveillance Requirements specified in Table 4.3-1.

4.3.1.2 The REACTOR TRIP SYSTEM RESPONSE TIME of each Reactor trip function shall be demonstrated to be within its limit at least once per 18 months.* Neutron detectors and speed sensors are exempt from response time testing. Each test shall include at least one train such that both trains are tested at least once per 36 months and one channel (to include input relays to both trains) per function such that all channels are tested at least once every N times 18 months where N is the total number of redundant channels in a specific Reactor trip function as shown in the "Total No. of Channels" column of Table 3.3-1.

*Except that the surveillance requirement due no later than June 13, 1993, may be deferred until the next refueling outage, but no later than September 30, 1993, whichever is earlier.

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INSTRUMENTATION

3/4.3.2 ENGINEERED SAFETY FEATURES ACTUATION SYSTEM INSTRUMENTATION

LIMITING CONDITION FOR OPERATION

3.3.2 The Engineered Safety Features Actuation System (ESFAS) instrumentation channels and interlocks shown in Table 3.3-3 shall be OPERABLE with their Trip Setpoints set consistent with the values shown in the Trip Setpoint column of Table 3.3-4.

APPLICABILITY: As shown in Table 3.3-3.

ACTION:

- a. With an ESFAS Instrumentation or Interlock Trip Setpoint trip less conservative than the value shown in the Trip Setpoint column but more conservative than the value shown in the Allowable Value column of Table 3.3-4, adjust the Setpoint consistent with the Trip Setpoint value.
- b. With an ESFAS Instrumentation or Interlock Trip Setpoint less conservative than the value shown in the Allowable Value column of Table 3.3-4, either:
 1. Adjust the Setpoint consistent with the Trip Setpoint value of Table 3.3-4, and determine within 12 hours that Equation 2.2-1 was satisfied for the affected channel, or
 2. Declare the channel inoperable and apply the applicable ACTION statement requirements of Table 3.3-3 until the channel is restored to OPERABLE status with its Setpoint adjusted consistent with the Trip Setpoint value.

Equation 2.2-1

$$Z + R + S \leq TA$$

Where:

Z = The value from Column Z of Table 3.3-4 for the affected channel,

R = The "as measured" value (in percent span) of rack error for the affected channel,

S = Either the "as measured" value (in percent span) of the sensor error, or the value from Column S (Sensor Error) of Table 3.3-4 for the affected channel, and

TA = The value from Column TA (Total Allowance) of Table 3.3-4 for the affected channel.

- c. With an ESFAS instrumentation channel or interlock inoperable, take the ACTION shown in Table 3.3-3.

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INSTRUMENTATION

BASES

REACTOR TRIP SYSTEM INSTRUMENTATION and ENGINEERED SAFETY FEATURES ACTUATION SYSTEM INSTRUMENTATION (Continued)

the sensor from its calibration point or the value specified in Table 3.3-4, in percent span, from the analysis assumptions. Use of Equation 3.3-1 allows for a sensor drift factor, an increased rack drift factor, and provides a threshold value for REPORTABLE EVENTS.

The methodology to derive the Trip Setpoints is based upon combining all of the uncertainties in the channels. Inherent to the determination of the Trip Setpoints are the magnitudes of these channel uncertainties. Sensor and rack instrumentation utilized in these channels are expected to be capable of operating within the allowances of these uncertainty magnitudes. Rack drift in excess of the Allowable Value exhibits the behavior that the rack has not met its allowance. Being that there is a small statistical chance that this will happen, an infrequent excessive drift is expected. Rack or sensor drift, in excess of the allowance that is more than occasional, may be indicative of more serious problems and should warrant further investigation.

The measurement of response time at the specified frequencies provides assurance that the Reactor trip and the Engineered Safety Features actuation associated with each channel is completed within the time limit assumed in the safety analyses. The RTS and ESF response times are included in the Operating Procedure OP-3273 "Technical Requirements--Supplementary Technical Specifications." Any changes to the RTS and ESF response times shall be in accordance with Section 50.59 of 10CFR50 and approved by the Plant Operations Review Committee. No credit was taken in the analyses for those channels with response times indicated as not applicable. Response time may be demonstrated by any series of sequential, overlapping, or total channel test measurements provided that such tests demonstrate the total channel response time as defined. Sensor response time verification may be demonstrated by either: (1) in place, onsite, or offsite test measurements, or (2) utilizing replacement sensors with certified response time. Detector response times may be measured by the in situ on line noise analysis-response time degradation method described in the Westinghouse Topical Report, "The Use of Process Noise Measurements To Determine Response Characteristics of Protection Sensors in U.S. Plants," August 1983.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 91 TO FACILITY OPERATING LICENSE NO. NPF-49
NORTHEAST NUCLEAR ENERGY COMPANY, ET AL
MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3
DOCKET NO. 50-423

1.0 INTRODUCTION

By letter dated February 10, 1992, as supplemented April 19, 1994 Northeast Nuclear Energy Company (the licensee), submitted a request for changes to the Millstone Nuclear Power Station, Unit No. 3 Technical Specifications (TS). The requested amendment would change the TS to modify the requirements of TS 3.3.1 and TS 3.3.2 and relocate Tables 3.3-2 and 3.3-5, which provide the response time limits for the reactor trip system (RTS) and the engineered safety features actuation system (ESFAS) instruments, from the TS to the Millstone Unit No. 3 Technical Requirements Manual (TRM). The licensee has stated that the next update of the TRM will include these tables. The NRC provided guidance to all holders of operating licenses or construction permits for nuclear power reactors on the proposed TS changes in Generic Letter 93-08, "Relocation of Technical Specification Tables of Instrument Response Time Limits," dated December 29, 1993.

2.0 BACKGROUND

The NRC staff undertook efforts in the early 1980's to address problems related to the content of nuclear power plant TS. These projects have resulted in the issuance of various reports, proposed rulemakings, and Commission policy statements. Line item improvements became a mechanism for TS improvement as part of the implementation of the Commission's interim policy statement on TS improvements published on February 6, 1987 (52 FR 3788). The final Commission policy statement on TS improvements was published July 22, 1993 (58 FR 39132). The final policy statement provided criteria which can be used to establish, more clearly, the framework for TS. The staff has maintained the line item improvement process, through the issuance of generic letters, in order to improve the content and consistency of TS and to reduce the licensee and staff resources required to process amendments related to those specifications being relocated from the TS to other licensee documents as a result of the implementation of the Commission's final policy statement.

Section 50.36 of Title 10 of the Code of Federal Regulations establishes the regulatory requirements for licensees to include TS as part of applications for operating licenses. The rule requires that TS include items in five specified categories: (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. In addition, the Commission's final policy statement on TS improvements and other Commission documents provide guidance regarding the required content of TS. The fundamental purpose of the TS, as described in the Commission's final policy statement, is to impose those conditions or limitations upon reactor operation necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety by identifying those features that are of controlling importance to safety and establishing on them certain conditions of operation which cannot be changed without prior Commission approval.

The Commission's final policy statement recognized, as had previous statements related to the staff's TS improvement program, that implementation of the policy would result in the relocation of existing TS requirements to licensee controlled documents such as the UFSAR. Those items relocated to the UFSAR would in turn be controlled in accordance with the requirements of 10 CFR 50.59, "Changes, tests and experiments." Section 50.59 of Title 10 of the Code of Federal Regulations provides criteria to determine when facility or operating changes planned by a licensee require prior Commission approval in the form of a license amendment in order to address any unreviewed safety questions. NRC inspection and enforcement programs also enable the staff to monitor facility changes and licensee adherence to UFSAR commitments and to take any remedial action that may be appropriate.

3.0 EVALUATION

The licensee has proposed changes to TS 3.3.1 and TS 3.3.2 that remove the references to Tables 3.3-2 and 3.3-5 and deletes these tables from the TS. The licensee committed to relocate the tables on response time limits to the TRM in the next periodic update. Generic Letter 93-08 spoke to relocation of TS tables to the UFSAR rather than to the TRM. The licensee has proposed to add a statement to the Bases of TS 3/4.3.1 and 3/4.3.2 that any changes to the RTS and ESFAS response time shall be made in accordance with Section 50.59 of 10 CFR 50 and approved by the Plant Operations Review Committee. This is consistent with the Commission's Final Policy Statement on Nuclear Power Reactors, and is also consistent with the manner in which other Millstone 3 TS requirement relocations have been performed. The TRM is updated more frequently than the FSAR, the staff is provided with changes, as they occur, the 50.59 process and Plant Operations Review Committee approval are required for changes, and finally relocation of these requirements removed from the TS into a single controlled document reduces confusion. The staff finds that for the above reasons, the proposed relocation to the TRM, rather than the UFSAR preserves the advantages associated with the relocation to the UFSAR. Thus the proposed change is consistent with the guidance in Generic Letter 93-08.

Tables 3.3-2 and 3.3-5 contain the values of the response time limits for the RTS and ESFAS instruments. The limiting conditions for operation for the RTS and ESFAS instrumentation specify these systems shall be operable with the response times as specified in these tables. These limits are the acceptance

criteria for the response time tests performed to satisfy the surveillance requirements of TS 4.3.1.3 and TS 4.3.2.3 for each applicable RTS and ESFAS trip function. These surveillances ensure that the response times of the RTS and ESFAS instruments are consistent with the assumptions of the safety analyses performed for design basis accidents and transients. The changes associated with the implementation of Generic Letter 93-08 involve only the relocation of the RTS and ESFAS response time tables but retain the surveillance requirement to perform response time testing. The UFSAR will now contain the acceptance criteria for the required RTS and ESFAS response time surveillances. Because it does not alter the TS requirements to ensure that the response times of the RTS and ESFAS instruments are within their limits, the staff has concluded that relocation of these response time limit tables from the TS to TRM is acceptable.

The staff's determination is based on the fact that the removal of the specific response time tables does not eliminate the requirements for the licensee to ensure that the protection instrumentation is capable of performing its safety function. Although the tables containing the specific response time requirements are relocated from the TS to the TRM, the licensee must continue to evaluate any changes to response time requirements in accordance with 10 CFR 50.59. Should the licensee's determination conclude that an unreviewed safety question is involved, due to either (1) an increase in the probability or consequences of accidents or malfunctions of equipment important to safety, (2) the creation of a possibility for an accident or malfunction of a different type than any evaluated previously, or (3) a reduction in the margin of safety, NRC approval and a license amendment would be required prior to implementation of the change.

The staff's review concluded that 10 CFR 50.36 does not require the response time tables to be retained in TS. Requirements related to the operability, applicability, and surveillance requirements, including performance of testing to ensure response times, for RTS and ESFAS systems are retained due to those systems' importance in mitigating the consequences of an accident. However, the staff determined that the inclusion of specific response time requirements for the various instrumentation channels and components addressed by Generic Letter 93-08 was not required. The response times are considered to be an operational detail related to the licensee's safety analyses which are adequately controlled by the requirements of 10 CFR 50.59. Therefore, the continued processing of license amendments related to revisions of the affected instrument or component response times, where the revisions to those requirements do not involve an unreviewed safety question under 10 CFR 50.59, would afford no significant benefit with regard to protecting the public health and safety. Further, the response time requirements do not constitute a condition or limitation on operation necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety, in that the ability of the RTS and ESFAS systems to perform their safety functions are not adversely impacted by the relocation of the response time tables from the TS to the TRM.

In addition to removing the response times from the TS, the licensee is modifying the TS Bases Sections 3/4.3.1 and 3/4.3.2 to reflect these changes and has stated that the plant procedures for response time testing include acceptance criteria that reflect the RTS and ESFAS response time limits in the tables being relocated to the TRM. These changes are acceptable in that they merely constitute administrative changes required to implement the TS change discussed above.

These TS changes are consistent with the guidance provided in Generic Letter 93-08 and the TS requirement of 10 CFR 50.36. The staff has determined that the proposed changes to the TS for the Millstone Nuclear Power Station Unit 3 are acceptable.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance 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 (59 FR 27058). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). 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.

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 amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: William Reckley
Vernon Rooney

Date: June 28, 1994