

August 30, 2001

Mr. Oliver D. Kingsley, President
Exelon Nuclear
Exelon Generation Company, LLC
200 Exelon Way, KSA 3-E
Kennett Square, PA 19348

SUBJECT: PEACH BOTTOM ATOMIC POWER STATION, UNITS 2 AND 3 - ISSUANCE
OF AMENDMENT RE: ADMINISTRATIVE TECHNICAL SPECIFICATION
CHANGES (TAC NOS. MB1636 AND MB1637)

Dear Mr. Kingsley:

The Commission has issued the enclosed Amendments Nos. 240 and 243 to Facility Operating License Nos. DPR-44 and DPR-56 for the Peach Bottom Atomic Power Station, Units 2 and 3. These amendments consist of changes to the Technical Specifications (TSs) in response to your application dated April 3, 2001.

These amendments revise the administrative section of the TSs in accordance with Technical Specification Task Force, Item 258, Revision 4.

A copy of the safety evaluation is also enclosed. Notice of Issuance will be included in the Commission's Biweekly *Federal Register* Notice.

Sincerely,

/RA/

John P. Boska, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-277 and 50-278

Enclosures: 1. Amendment No. 240 to DPR-44
2. Amendment No. 243 to DPR-56
3. Safety Evaluation

cc w/encls: See next page

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ADAMS ACCESSION NUMBER: ML012140530

OFFICE	PM/PD1-2	LA/PD1-2	SC/RTSB	OGC	SC/PD1-2
NAME	JBoska	MO'Brien	RDennig	AHodgdon	RCroteau for JClifford
DATE	8/13/01	8/14/01	8/17/01	8/22/01	8/29/01

OFFICIAL RECORD COPY

Peach Bottom Atomic Power Station,
Units 2 and 3

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Units 2 and 3

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EXELON GENERATION COMPANY, LLC

PSEG NUCLEAR LLC

ATLANTIC CITY ELECTRIC COMPANY

DOCKET NO. 50-277

PEACH BOTTOM ATOMIC POWER STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 240
License No. DPR-44

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Exelon Generation Company, LLC (Exelon Generation Company), PSEG Nuclear LLC, and Atlantic City Electric Company (the licensees) dated April 3, 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-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. 240, are hereby incorporated in the license. Exelon Generation Company 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 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA RCroteau for/

James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: August 30, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 240

FACILITY OPERATING LICENSE NO. DPR-44

DOCKET NO. 50-277

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

5.0-3
5.0-4
5.0-5
5.0-10
5.0-23
5.0-24
5.0-25
5.0-26

Insert

5.0-3
5.0-4
5.0-5
5.0-10
5.0-23
5.0-24
5.0-25
5.0-26

EXELON GENERATION COMPANY, LLC

PSEG NUCLEAR LLC

ATLANTIC CITY ELECTRIC COMPANY

DOCKET NO. 50-278

PEACH BOTTOM ATOMIC POWER STATION, UNIT 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 243
License No. DPR-56

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Exelon Generation Company, LLC (Exelon Generation Company), PSEG Nuclear LLC, and Atlantic City Electric Company (the licensees) dated April 3, 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-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. 243, are hereby incorporated in the license. Exelon Generation Company 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 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA RCroteau for/

James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: August 30, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 243

FACILITY OPERATING LICENSE NO. DPR-56

DOCKET NO. 50-278

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

5.0-3
5.0-4
5.0-5
5.0-10
5.0-23
5.0-24
5.0-25
5.0-26

Insert

5.0-3
5.0-4
5.0-5
5.0-10
5.0-23
5.0-24
5.0-25
5.0-26

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 240 TO FACILITY OPERATING LICENSE NO. DPR-44
AND AMENDMENT NO. 243 TO FACILITY OPERATING LICENSE NO. DPR-56
EXELON GENERATION COMPANY, LLC
PSEG NUCLEAR LLC
ATLANTIC CITY ELECTRIC COMPANY
PEACH BOTTOM ATOMIC POWER STATION, UNITS 2 AND 3
DOCKET NOS. 50-277 AND 50-278

1.0 INTRODUCTION

By letter dated April 3, 2001, Exelon Generation Company, LLC (the licensee), submitted a request for changes to the Peach Bottom Atomic Power Station (PBAPS), Units 2 and 3, Technical Specifications (TSs). The requested changes would revise the administrative section of the TSs per Technical Specification Task Force (TSTF), Item 258, Revision 4, titled "Changes to Section 5.0, Administrative Controls."

2.0 BACKGROUND

As part of a continuing effort to maintain and improve the use of TSs, the industry and the Nuclear Regulatory Commission (NRC) staff have worked to develop generic changes to the improved standard Technical Specifications (ISTs) (NUREGs 1430 through 1434). This process saves licensee and industry resources by addressing generic issues once, rather than on each plant docket, and by pre-identifying the information necessary to process the change. This improves the adoption process for generically acceptable changes.

Generic changes to the ISTs NUREGs are proposed by the Nuclear Energy Institute (NEI) TSTF to the NRC. The TSTF includes representatives from the four U.S. commercial nuclear power plant Owners Groups, and NEI. Generic changes are prepared and reviewed using a process that the TSTF and NRC developed to correct and improve the ISTs NUREGs. These proposed changes are assigned a number for tracking purposes, and are referred to as TSTFs (e.g., TSTF-2, TSTF-5, etc). After NRC approval, these TSTFs are available for adoption by plants. TSTF-248, Revision 4, "Changes to Section 5.0, Administrative Controls," has been approved by the NRC. Periodically the NRC issues revisions to the ISTs NUREGs which incorporate the approved TSTFs. NUREG-1433, "Standard Technical Specifications, General Electric Plants, BWR/4," Revision 2, was issued April 30, 2001, and incorporates TSTF-258, Revision 4. This is the ISTs NUREG which applies to PBAPS.

3.0 EVALUATION

The changes in TSTF-258 which PBAPS proposes to adopt are to revise TS Section 5.0, "Administrative Controls," in four areas (note that the TSTF-258 changes related to TS Sections 5.5.4.b and 5.6.4 are already incorporated into the existing PBAPS TSs, and, therefore, are not part of this submittal):

- (1) Revise TS Section 5.2.2 to delete the staffing requirements for licensed Reactor Operators (ROs) and Senior Reactor Operators (SROs), delete TS details for working hour limits, and clarify the requirements for the Shift Technical Advisor (STA) position.
- (2) Revise TS Section 5.3 to incorporate the regulatory definitions for RO and SRO positions.
- (3) Revise TS Section 5.5.4, "Radioactive Effluent Controls Program," to be consistent with the intent of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20.
- (4) Revise TS Section 5.7 to update radiological area control requirements for radiation areas to be consistent with 10 CFR 20.1601(c).

3.1 Revision of TS 5.2.2, Unit Staff

Description of Change and Justification:

This portion of TSTF-258, Revision 4, deletes details of staffing requirements for ROs and SROs in TS 5.2.2.b. The justification given in the NRC-approved TSTF is that the requirements of 10 CFR 50.54(m)(2)(iii) and 50.54(k) adequately provide for shift manning. Regulation 10 CFR 50.54(m)(2)(iii) requires "When a nuclear power unit is in an operational mode other than cold shutdown or refueling, as defined by the unit's technical specifications, each licensee shall have a person holding a senior operator license for the nuclear power unit in the control room at all times. In addition to this senior operator, for each fueled nuclear power unit, a licensed operator or senior operator shall be present at the controls at all times." Further, 10 CFR 50.54(k) requires "An operator or senior operator licensed pursuant to part 55 of this chapter shall be present at the controls at all times during the operation of the facility." The revised wording matches NUREG-1433, Revision 2.

Specific working hour limits in TS 5.2.2.e are revised to reference administrative procedures as the means to control working hours. The justification given in the NRC-approved TSTF is that the proposed changes will provide reasonable assurance that impaired performance caused by excessive working hours will not jeopardize safe plant operation. Specific working hour limits are not otherwise required to be in the TS under 10 CFR 50.36(c)(5). Specific controls for working hours of reactor plant staff are described in procedures that require a deliberate decision making process to minimize the potential for impaired personnel performance, and the established procedure control processes will provide sufficient control for changes to that procedure. Additionally, the statement "Controls shall be included in the procedures such that individual overtime shall be reviewed monthly by the Plant Manager or his designee to ensure that excessive hours have not been assigned" is being deleted from TS 5.2.2.e. There is no guidance in NRC Generic Letter 82-12 that discusses these additional controls. The additional requirement to have the Plant Manager (or his designee) review individual overtime on a monthly basis is unnecessary since sufficient administrative controls and policies exist in site procedures. In lieu of this approval requirement, a new TS provision is being added to require a periodic independent review of overtime usage, which will ensure that the administrative procedures are being effectively implemented. The revised wording matches NUREG-1433, Revision 2. In addition to the TSTF-258 changes, PBAPS has proposed to replace the title

“auxiliary operators” with “non-licensed Operators” to correspond to the terminology used in the existing TS 5.2.2.a.

TS 5.2.2.g is revised to eliminate the title of "Shift Technical Advisor (STA)." The justification given in the NRC-approved TSTF is that TS 5.2.2.g is revised so that it does not imply that the STA and the Shift Supervisor must be different individuals. Option 1 of the Commission Policy Statement on Engineering Expertise on Shift can be satisfied by assigning an individual with specified educational qualifications to each operating crew as one of the SROs required by 10 CFR 50.54(m)(2)(i) to provide the technical expertise on shift. The existing TS 5.2.2.g wording of, "the STA shall provide advisory technical support to the Shift Supervisor....," can be easily misinterpreted to require separate individuals. Therefore, the wording is revised so that the STA function may be provided by either a separate individual or the individual who also fulfills another role in the shift command structure. The revised wording matches NUREG-1433, Revision 2.

Applicability to PBAPS Units 2 and 3:

In their amendment application, the licensee stated the same justification as that given for the NRC-approved TSTF. Staffing requirements will be met through compliance with the regulations and are not required to be reiterated in the TSs. The change which delegates the details of work hour controls to site processes is an administrative change that will not result in impaired performance due to excessive work hours, and will not jeopardize plant safety. Changing the title of “auxiliary operator” to “non-licensed Operator” is an administrative change which corresponds to the title previously used in the PBAPS TSs. The NRC staff concludes that the changes are acceptable.

3.2 Revision of TS 5.3, Unit Staff Qualifications

Description of Change and Justification:

In this portion of TSTF-258, Revision 4, a new TS 5.3.2 is added which incorporates the regulatory definitions for the SRO and RO positions for the purpose of explicitly applying 10 CFR 55.4. The justification given in the NRC-approved TSTF is that 10 CFR 55.4 states that "Actively performing the functions of an operator or senior operator means that an individual has a position on the shift crew that requires the individual to be licensed as defined in the facility's technical specifications, and that...." Adding paragraph 5.3.2 ensures that there is no misunderstanding when complying with 10 CFR 55.53 requirements. The minimum staffing requirements stipulated in 10 CFR 50.54(m), for unit members actively performing the functions of an operator or senior operator, can be exceeded. This means that the site can take credit for more than the minimum number of watchstanders required by 10 CFR 50.54(m) provided that there are administrative controls which assure that functions and duties are divided and rotated in a manner which provides each watchstander meaningful and significant opportunity to maintain proficiency in the performance of the functions of an RO and/or SRO. This NRC position was previously stated in NUREG-1262. The revised wording matches NUREG-1433, Revision 2.

Applicability to PBAPS Units 2 and 3:

In their amendment application, the licensee stated the same justification as that given for the NRC-approved TSTF. This added TS provision is considered administrative because none of the existing manning requirements are changed; therefore, the NRC staff concludes that the change is acceptable.

3.3 Revision of TS 5.5.4, Radioactive Effluent Controls Program

Description of Change and Justification:

In this portion of TSTF-258, Revision 4, TS 5.5.4 on the Radioactive Effluent Controls Program is being modified to be consistent with the revision to 10 CFR Part 20. The PBAPS TSs have previously incorporated the TSTF changes to limitations on the dose rate resulting from radioactive material released in gaseous effluents to areas at or beyond the site boundary, except for minor wording changes which are administrative changes. In addition, the provisions of Surveillance Requirement (SR) 3.0.2 are applied to the Radioactive Effluent Controls Program surveillance frequencies to allow for scheduling flexibility. SR 3.0.2 permits a 25 percent extension of the interval specified in the frequency (31 days). Allowing a 25 percent extension in the frequency of performing the monthly cumulative dose and projected dose calculation for the current quarter/year will have no effect on the outcome of the calculations. SR 3.0.3 is added in association with SR 3.0.2 to maintain consistency of the TS application.

Applicability to PBAPS Units 2 and 3:

In their amendment application, the licensee stated the same justification as that given for the NRC-approved TSTF. The proposed TS changes maintain the same overall level of program controls while providing operational flexibility. The licensee proposed the same changes to the TSs that are given in the TSTF. The NRC staff concludes that the changes are acceptable.

3.4 Revision of TS 5.7, High Radiation Areas

Description of Change and Justification:

In this portion of TSTF-258, Revision 4, TS Section 5.7, High Radiation Area, is revised in accordance with 10 CFR 20.1601(c) and is updated with acceptable alternate controls to those provided in 10 CFR 20.1601. The PBAPS Units 2 and 3 TSs were previously revised during the conversion to the ISTS to incorporate many of the changes detailed in TSTF-258. Therefore, only those TSTF-258 changes that are applicable now are discussed below.

Paragraphs are rearranged and reworded to match TSTF-258; the requirements remain equivalent to existing requirements.

TS 5.7.1.e and TS 5.7.2.e are revised to include allowing entry into a high radiation area before dose surveys have been performed by personnel not qualified in radiation protection procedures who are continuously escorted by qualified personnel. These continuously escorted personnel shall receive a pre-job briefing prior to entry into such areas. This option provides adequate protection while minimizing exposure to the qualified individual.

TS 5.7.2.a is revised to allow the entry control to a high radiation area to be a continuously guarded door or gate. This change is consistent with NRC Regulatory Guide 8.38, Section 2.5, which indicates the use of a locked door or one control point where positive control over personnel entry is exercised. Posting an individual to monitor a door provides positive controls over a high radiation area.

TS 5.7.2.a.1 is revised to allow the keys to high radiation areas to be controlled by the shift supervisor, radiation protection manager, or his or her designee. It had previously stated that the keys would be under the control of radiation protection personnel. Other personnel, such as the shift supervisor, have the need to control access to high radiation areas, have the training to understand the hazards involved, and can enforce the requirements for entry into these areas.

TS 5.7.2.f is revised to delete the requirement for a high radiation area with dose rates greater than 1 rem/hour which is controlled by barricades, postings, and flashing lights to be within a larger area that is controlled as a high radiation area. It is not always practical to control such areas surrounding the barricaded area as high radiation areas. The revised wording of TS 5.7 matches NUREG-1433, Revision 2.

Applicability to PBAPS Units 2 and 3:

In their amendment application, the licensee stated the same justification as that given for the NRC-approved TSTF. The licensee proposed the same changes to the TSs that are given in the TSTF. The proposed changes to the controls for high radiation areas provide reasonable assurance that radiation doses to personnel will be properly controlled. The NRC staff concludes that the changes are 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 no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments relate to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the 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 the 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 Contributor: John P. Boska

Date: August 30, 2001