

August 16, 2001

Mr. William T. Cottle
President and Chief Executive Officer
STP Nuclear Operating Company
South Texas Project Electric
Generating Station
P. O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS
ON REPORTING REQUIREMENTS (TAC NOS. MB1057 AND MB1058)

Dear Mr. Cottle:

The Commission has issued the enclosed Amendment No. 129 to Facility Operating License No. NPF-76 and Amendment No. 118 to Facility Operating License No. NPF-80 for the South Texas Project, Units 1 and 2, respectively. The amendments consist of changes to license conditions and the Technical Specifications (TSs) in response to your application dated December 20, 2000.

The amendments delete License Condition 2.G, "Reporting to the Commission," and TS 6.6.1.a, "Reportable Event Action."

A copy of our related Safety Evaluation is enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

/RA/

David J. Wrona, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

Enclosures: 1. Amendment No. 129 to NPF-76
2. Amendment No. 118 to NPF-80
3. Safety Evaluation

cc w/encls: See next page

August 16, 2001

Mr. William T. Cottle
President and Chief Executive Officer
STP Nuclear Operating Company
South Texas Project Electric
Generating Station
P. O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS
ON REPORTING REQUIREMENTS (TAC NOS. MB1057 AND MB1058)

Dear Mr. Cottle:

The Commission has issued the enclosed Amendment No. 129 to Facility Operating License No. NPF-76 and Amendment No. 118 to Facility Operating License No. NPF-80 for the South Texas Project, Units 1 and 2, respectively. The amendments consist of changes to license conditions and the Technical Specifications (TSs) in response to your application dated December 20, 2000.

The amendments delete License Condition 2.G, "Reporting to the Commission," and TS 6.6.1.a, "Reportable Event Action."

A copy of our related Safety Evaluation is enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,
/RA/

David J. Wrona, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

Enclosures: 1. Amendment No. 129 to NPF-76
2. Amendment No. 118 to NPF-80
3. Safety Evaluation

cc w/encls: See next page

DISTRIBUTION:

PUBLIC

PRIV.-1 r/f

G. Hill (4)

RidsNrrDlpmLpdiv (S. Richards)

RidsNrrDlpmLpdiv1 (R. Gramm)

RidsNrrPMMThadani

RidsNrrPMDWrona

RidsNrrLAMMcAllister

RidsNrrDripRtsb (R. Dennig)

RidsAcrcAcnwMailCenter

RidsOgcRp

RidsRgn4MailCenter (D. Graves, L. Hurley, D. Bagel)

A. Chu (ATC)

ACCESSION NO: ML

*Provided e-mail discussed in SE is docketed

OFFICE	PRIV.-1/PM	PRIV.-D/LA	PRIV.-1/PM	RTSB/(A)BC	OGC/NLO*	PRIV.-1/SC
NAME	DWrona	MMcAllister	MThadani	RDennig*	RWeisman	RGramm
DATE	07/31/01	07/27/01	07/31/01	6/12/01	08/13/01	08/16/01

OFFICIAL RECORD COPY

South Texas, Units 1 & 2

cc:

Mr. Cornelius F. O'Keefe
Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 910
Bay City, TX 77414

A. Ramirez/C. M. Canady
City of Austin
Electric Utility Department
721 Barton Springs Road
Austin, TX 78704

Mr. M. T. Hardt
Mr. W. C. Gunst
City Public Service Board
P. O. Box 1771
San Antonio, TX 78296

Mr. C. A. Johnson/R. P. Powers
AEP - Central Power and Light Company
P. O. Box 289
Mail Code: N5022
Wadsworth, TX 77483

INPO
Records Center
700 Galleria Parkway
Atlanta, GA 30339-3064

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011

D. G. Tees/R. L. Balcom
Houston Lighting & Power Co.
P. O. Box 1700
Houston, TX 77251

Judge, Matagorda County
Matagorda County Courthouse
1700 Seventh Street
Bay City, TX 77414

A. H. Gutterman, Esq.
Morgan, Lewis & Bockius
1800 M Street, N.W.
Washington, DC 20036-5869

Mr. J. J. Sheppard, Vice President
Engineering & Technical Services
STP Nuclear Operating Company
P. O. Box 289
Wadsworth, TX 77483

S. M. Head, Manager, Licensing
Nuclear Quality & Licensing Department
STP Nuclear Operating Company
P. O. Box 289, Mail Code: N5014
Wadsworth, TX 77483

Office of the Governor
ATTN: John Howard, Director
Environmental and Natural
Resources Policy
P. O. Box 12428
Austin, TX 78711

Jon C. Wood
Matthews & Branscomb
112 East Pecan, Suite 1100
San Antonio, TX 78205

Arthur C. Tate, Director
Division of Compliance & Inspection
Bureau of Radiation Control
Texas Department of Health
1100 West 49th Street
Austin, TX 78756

Jim Calloway
Public Utility Commission of Texas
Electric Industry Analysis
P. O. Box 13326
Austin, TX 78711-3326

June 2001

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-498

SOUTH TEXAS PROJECT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 129
License No. NPF-76

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by STP Nuclear Operating Company* acting on behalf of itself and for Houston Lighting & Power Company (HL&P), the City Public Service Board of San Antonio (CPS), Central Power and Light Company (CPL), and the City of Austin, Texas (COA) (the licensees), dated December 20, 2000, 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, as amended, 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 license 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.

*STP Nuclear Operating Company is authorized to act for Houston Lighting & Power Company (HL&P), the City Public Service Board of San Antonio, Central Power and Light Company, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

2. Accordingly, the license is amended by changes to the Operating License and the Technical Specifications as indicated in the attachment to this license amendment and Paragraph 2.C.(2) of Facility Operating License No. NPF-76 is hereby amended to read as follows:

2. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 129 , and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 30 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Robert A. Gramm, Chief, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications
and Operating License

Date of Issuance: August 16, 2001

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-499

SOUTH TEXAS PROJECT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 118
License No. NPF-80

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by STP Nuclear Operating Company* acting on behalf of itself and for Houston Lighting & Power Company (HL&P), the City Public Service Board of San Antonio (CPS), Central Power and Light Company (CPL), and the City of Austin, Texas (COA) (the licensees), dated December 20, 2000, 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, as amended, 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 license 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.

*STP Nuclear Operating Company is authorized to act for Houston Lighting & Power Company (HL&P), the City Public Service Board of San Antonio, Central Power and Light Company, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

2. Accordingly, the license is amended by changes to the Operating License and the Technical Specifications as indicated in the attachment to this license amendment and Paragraph 2.C.(2) of Facility Operating License No. NPF-80 is hereby amended to read as follows:

2. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 118 , and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 30 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Robert A. Gramm, Chief, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications
and Operating License

Date of Issuance: August 16, 2001

ATTACHMENT TO LICENSE AMENDMENT NOS. 129 AND 118

FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80

DOCKET NOS. 50-498 AND 50-499

Replace the following page of Facility Operating License No. NPF-76 with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

REMOVE

6

INSERT

6

Replace the following page of Facility Operating License No. NPF-80 with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

REMOVE

6

INSERT

6

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

REMOVE

6-13

INSERT

6-13

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NOS. 129 AND 118 TO
FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80
STP NUCLEAR OPERATING COMPANY, ET AL.
SOUTH TEXAS PROJECT, UNITS 1 AND 2
DOCKET NOS. 50-498 AND 50-499

1.0 INTRODUCTION

By application dated December 20, 2000, STP Nuclear Operating Company (the licensee) requested changes to the South Texas Project, Units 1 and 2, Technical Specifications and Operating Licenses. The proposed changes would delete License Condition 2.G, "Reporting to the Commission," and Technical Specification (TS) 6.6.1.a, "Reportable Event Action."

The NRC staff noted typographical errors in the updated markup page and reconstituted page for Unit 2 License page 6 as submitted by the licensee in the letter dated December 20, 2000. The typographical errors were in a paragraph not affected by this amendment. The licensee provided a corrected markup page and reconstituted page for Unit 2 License page 6 by electronic mail dated July 30, 2001.

The proposed changes are solely administrative in nature and will eliminate notification and reporting requirements from the Facility Operating Licences and TSs which are adequately governed by the reporting requirements of Title 10 *Code of Federal Regulations* (10 CFR) 50.72 and 10 CFR 50.73. Additionally, these changes will reduce unnecessary regulatory burden and will allow STP to take advantage of a recent revision to 10 CFR 50.73 that allows for Licensee Event Reports to be submitted within 60 days instead of 30 days as required by the current Condition 2.G. This amendment request contains no new licensing basis commitments regarding STP Units 1 and 2.

According to the *Federal Register* (65 FR 63769, dated October 25, 2000), the revision to 10 CFR 50.73 became effective January 23, 2001. As South Texas Project's Operating Licenses currently maintain the 30-day reporting rule, South Texas Project requests this amendment be approved as soon as possible.

2.0 BACKGROUND

Operating License Condition 2.G, "Reporting to Commission," provides for initial notification with written follow-up of any violations of requirements contained in Condition 2.C of the South Texas Project facility operating licenses. Similarly, TS 6.6.1.a, "Reportable Event Action," requires notification and a report submitted for all Reportable Events. The NRC's requirements

for immediate notification with written follow-up requirements (Licensee Event Reports) of events at operating nuclear power reactors are stated in 10 CFR 50.72 and 10 CFR 50.73. Thus, the requirements of South Texas Project License Condition 2.G. and TS 6.6.1.a are adequately governed by the requirements of 10 CFR 50.72 and 10 CFR 50.73.

3.0 EVALUATION

License Condition 2.C lists requirements regarding Maximum Thermal Power, TSs, Antitrust, Initial Startup Test Program, Safety Parameter Display System (Unit 1 only), and Supplementary Containment Purge Isolation (Unit 1 only).

License Condition 2.G, Reporting to The Commission states that except as otherwise provided in the TSs or Environmental Protection Plan, "STPNOC shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within [24] hours to the NRC Operations Center via the Emergency Notification System with written follow up within 30 days in accordance with the procedures described in 10 CFR 50.73(b), (c), and (e)."

License Condition 2.G reporting requirements related to the Maximum Thermal Power and TSs requirements of License Condition 2.C are adequately addressed in 10 CFR 50.72 and 10 CFR 50.73. Further, the reporting requirement related to the Antitrust requirement of License Condition 2.C pertains to an administrative issue which is not safety significant. In addition, the reporting requirements related to the Initial Startup Test Program, Safety Parameter Display System (Unit 1 only), and Supplementary Containment Purge Isolation (Unit 1 only) requirements pertain to historical issues that have been resolved. Since the NRC's requirements for immediate notification with written follow-up requirements (Licensee Event Reports) of events at operating nuclear power reactors are stated in 10 CFR 50.72 and 10 CFR 50.73, and based on the above, License Condition 2.G may be deleted.

TS 6.6.1.a requires that the Commission be notified and a report submitted pursuant to 10 CFR 50.73 for Reportable Events.

The above TS 6.6.1.a requirement is adequately addressed by the reporting requirements in 10 CFR 50.72 and 10 CFR 50.73; therefore, TS 6.6.1.a may be deleted.

The deletion of License Condition 2.G and TS 6.6.1.a does not involve the STP Operational Quality Assurance Program.

Based on the above review, the NRC staff concludes that the proposed changes are acceptable.

4.0 STATE CONSULTATION

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

5.0 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 31715, dated June 12, 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.

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: Angela T. Chu

Date: August 16, 2001