May 30, 1996

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Mr. M. S. Tuckman
Senior Vice President
Nuclear Generation
Duke Power Company
P. O. Box 1006
Charlotte, North Carolina 28201

SUBJECT: ISSUANCE OF AMENDMENTS - CATAWBA NUCLEAR STATION, UNITS 1 AND 2 (TAC NOS. M91357 AND M91358)

Dear Mr. Tuckman:

The Nuclear Regulatory Commission has issued the enclosed Amendment No.145 to Facility Operating License No. NPF-35 and Amendment No. 139 to Facility Operating License No. NPF-52 for the Catawba Nuclear Station, Units 1 and 2. The amendments consist of changes to the Technical Specifications (TS) in response to your application dated January 12, 1995, as supplemented by letter dated June 29, 1995. The amendments revise and clarify portions of TS Section 6.0, "Administrative Controls."

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

Sincerely,

Original signed by:

Peter S. Tam, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-413 and 50-414

Enclosures:
1. Amendment No. 145 to NPF-35
2. Amendment No. 139 to NPF-52
3. Safety Evaluation

cc w/encl: See next page

DOCUMENT NAME: G:\CATAWBA\CAT91357.AMD

*SEE PREVIOUS CONCURRENCES

OFFICE	PD22/PM	PD22/PM*	OGC*	HQMB*	PD22/D
NAME	P.TAM	R.MARTIN:cn	C.WOODHEAD	S.BLACK	H.BERKOW
DATE	5/30/96	4/9/96	5/15/96	5/17/96	5/30/96
COPY	YES	NO	NO	NO	NO

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

May 30, 1996

Mr. M. S. Tuckman
Senior Vice President
Nuclear Generation
Duke Power Company
P. O. Box 1006
Charlotte, North Carolina 28201

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1. Amendment No. 145 to NPF-35
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3. Safety Evaluation

cc w/encl: See next page

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Catawba Nuclear Station

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

DUKE POWER COMPANY

NORTH CAROLINA ELECTRIC MEMBERSHIP CORPORATION

SALUDA RIVER ELECTRIC COOPERATIVE, INC.

DOCKET NO. 50-413

CATAWBA NUCLEAR STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 145
License No. NPF-35

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment to the Catawba Nuclear Station, Unit 1 (the facility) Facility Operating License No. NPF-35 filed by the Duke Power Company, acting for itself, North Carolina Electric Membership Corporation and Saluda River Electric Cooperative, Inc. (licensees), dated January 12, 1995, as supplemented by letter dated June 29, 1995, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as 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 set forth in 10 CFR Chapter I;

   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.

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2. Accordingly, the license is hereby amended by page 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-35 is hereby amended to read as follows:

   Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. 145 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Duke Power Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This 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

Herbert N. Berkow, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: May 30, 1996

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

DUKE POWER COMPANY

NORTH CAROLINA MUNICIPAL POWER AGENCY NO. 1

PIEDMONT MUNICIPAL POWER AGENCY

DOCKET NO. 50-414

CATAWBA NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 139
License No. NPF-52

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment to the Catawba Nuclear Station, Unit 2 (the facility) Facility Operating License No. NPF-52 filed by the Duke Power Company, acting for itself, North Carolina Municipal Power Agency No. 1 and Piedmont Municipal Power Agency (licensees), dated January 12, 1995, as supplemented by letter dated June 29, 1995, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as 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 set forth in 10 CFR Chapter I;

   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 hereby amended by page 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-52 is hereby amended to read as follows:

   Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. 139 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Duke Power Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This 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

Herbert N. Berkow, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: May 30, 1996

ATTACHMENT TO LICENSE AMENDMENT NO. 145

FACILITY OPERATING LICENSE NO. NPF-35

DOCKET NO. 50-413

AND

TO LICENSE AMENDMENT NO. 139

FACILITY OPERATING LICENSE NO. NPF-52

DOCKET NO. 50-414

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.

Remove Pages	Insert Pages
6-7	6-7
6-8	6-8
6-9	6-9
6-10	6-10
6-13	6-13
6-15	6-15
6-21	6-21

6.5 REVIEW AND AUDIT

6.5.1 TECHNICAL REVIEW AND CONTROL ACTIVITIES

Programs shall be established for the preparation, review, approval, and retention of documents required by the activities described in Specifications 6.5.1.1. through 6.5.1.11. Approvals shall be by the head of the appropriate site organization, the head of the appropriate station organization, the head of the appropriate site engineering organization, the head of the environmental organization, or an alternate as specified in other applicable regulatory documents or administrative controls.

6.5.1.1 Each procedure and program required by Specification 6.8 and other procedures which affect nuclear safety, and changes thereto, shall be prepared by a knowledgeable individual/organization. Each such procedure, and changes thereto, shall be reviewed by an individual/organization other than the individual/organization which prepared the procedure, or changes thereto. Procedures, or changes thereto, shall be approved in accordance with Specifications 6.8.2 and 6.8.3.

6.5.1.2 Proposed modifications to unit nuclear safety-related structures, systems, and components shall be designed by a knowledgeable individual/ organization. Each such modification shall be reviewed by an individual/organization other than the individual/organization which designed the modification.

6.5.1.3 Individuals responsible for reviews performed in accordance with Specifications 6.5.1.1 and 6.5.1.2 shall be members of the supervisory staff assigned to the site, previously designated by the Site Vice President to perform such reviews. Review of environmental radiological analysis procedures shall be performed by the General Manager, Environmental Services or his designee. Each such review shall include a determination of whether or not additional, cross-disciplinary, review is necessary. If deemed necessary, such review shall be performed by the appropriate designated site review personnel.

6.5.1.4 Proposed changes to the Appendix A Technical Specifications shall be prepared by a knowledgeable individual/organization. The preparation of each proposed Technical Specification change shall be reviewed by an individual/ organization other than the individual/organization which prepared the proposed change.

6.5.1.5 Proposed tests and experiments which affect station nuclear safety and are not addressed in the FSAR or Technical Specifications shall be prepared and approved in a manner identical to that of Specification 6.5.1.1. These proposed tests and experiments shall be reviewed by a knowledgeable individual/organization other than the individual/organization which prepared the proposed tests and experiments.

TECHNICAL REVIEW AND CONTROL ACTIVITIES (Continued)

6.5.1.6 All REPORTABLE EVENTS and all violations of Technical Specifications shall be investigated and a report prepared which evaluates the occurrence and which provides recommendations to prevent recurrence. Such reports shall be reviewed by a knowledgeable individual/organization other than the individual/organization which prepared the report.

6.5.1.7 Special reviews and investigations, and the preparation of reports thereon, shall be performed by a knowledgeable individual/organization.

6.5.1.8 A knowledgeable individual/organization shall review every unplanned onsite release of radioactive material to the environs and prepare reports covering evaluation, recommendations, and disposition of the corrective ACTION to prevent recurrence.

6.5.1.9 A knowledgeable individual/organization shall review changes to the PROCESS CONTROL PROGRAM, OFFSITE DOSE CALCULATION MANUAL, and Radwaste Treatment Systems.

6.5.1.10 A knowledgeable individual/organization shall review the Fire Protection Program and implementing procedures.

6.5.1.11 Reports documenting each of the activities performed under Specifications 6.5.1.1 through 6.5.1.10 shall be maintained.

6.5.2 NUCLEAR SAFETY REVIEW BOARD (NSRB)

FUNCTION

6.5.2.1 The NSRB shall function to provide independent review and audit of designated activities in the areas of:

a. Nuclear power plant operations,

b. Nuclear engineering,

c. Chemistry and radiochemistry,

FUNCTION (Continued)

d. Metallurgy,

e. Instrumentation and control,

f. Radiological safety,

g. Mechanical and electrical engineering, and

h. Administrative control and quality assurance practices.

The NSRB shall report to and advise the Senior Vice President, Nuclear Generation on those areas of responsibility specified in Specifications 6.5.2.8 and 6.5.2.9.

ORGANIZATION

6.5.2.2 The Director, members, and alternate members of the NSRB shall be appointed in writing by the Senior Vice President, Nuclear Generation and shall have an academic degree in an engineering or physical science field; and in addition, shall have a minimum of 5 years technical experience, of which a minimum of 3 years shall be in one or more areas given in Specification 6.5.2.1. In special cases, candidates for appointment without an academic degree in engineering or physical science may be qualified with a minimum of ten years experience in one of the areas in Specification 6.5.2.1. No more than two alternates shall participate as voting members in NSRB activities at any one time.

6.5.2.3 The NSRB shall be composed of at least five members, including the Director. Members of the NSRB may be from the Nuclear Generation Department, from other departments within the Company, or from external to the Company. A maximum of one member of the NSRB may be from the Catawba Nuclear Site staff.

6.5.2.4 Consultants shall be utilized as determined by the NSRB Director to provide expert advice to the NSRB.

6.5.2.5 Staff assistance may be provided to the NSRB in order to promote the proper, timely, and expeditious performance of its functions.

6.5.2.6 The NSRB shall meet at least once per calendar quarter during the initial year of unit operation following fuel loading and at least twice per year thereafter.

6.5.2.7 The quorum of the NSRB necessary for the performance of the NSRB review and audit functions of these Technical Specifications shall consist of the Director, or designated alternate, and at least four other NSRB members including alternates. No more than a minority of the quorum shall have line responsibility for operation of Catawba Nuclear Station.

REVIEW

6.5.2.8 The NSRB shall be responsible for the review of:

a. The safety evaluation for: (1) changes to procedures, equipment, or systems, and (2) tests or experiments completed under the provision of Section 50.59, 10 CFR to verify that such actions did not constitute an unreviewed safety question.

b. Proposed changes to procedures, equipment, or systems which involve an unreviewed safety question as defined in Section 50.59, 10 CFR;

c. Proposed tests or experiments which involve an unreviewed safety question as defined in Section 50.59, 10 CFR;

d. Violations of Codes, regulations, orders, Technical Specifications, license requirements, or of internal procedures or instructions having nuclear safety significance;

e. Significant operating abnormalities or deviations from normal and expected performance of unit equipment that affect nuclear safety;

f. All REPORTABLE EVENTS;

g. All recognized indications of an unanticipated deficiency in some aspect of design or operation of structures, systems, or components that could affect nuclear safety;

h. Quality Assurance Program audits relating to station operations and actions taken in response to these audits; and

i. Reports of activities performed under the provisions of Specifications 6.5.1.1 through 6.5.1.10.

AUDITS

6.5.2.9 Audits of site activities shall be performed under the cognizance of the NSRB. These audits shall encompass:

a. The conformance of unit operation to provisions contained within the Technical Specifications and applicable license conditions;

b. The performance, training, and qualifications of the entire station staff;

6.8 PROCEDURES AND PROGRAMS

6.8.1 Written procedures shall be established, implemented, and maintained covering the activities referenced below:

a. The applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978;
b. The emergency operating procedures required to implement the requirements of NUREG-0737 and Supplement No. 1 to NUREG-0737 as stated in Generic Letter No. 82-33;
c. Deleted
d. Deleted
e. PROCESS CONTROL PROGRAM implementation;
f. OFFSITE DOSE CALCULATION MANUAL implementation;
g. Quality Assurance Program implementation for effluent and environmental monitoring;
h. Technical Review and Control Program implementation.
i. Fire Protection Program implementation;
j. Plant Operations Review Committee implementation.
k. Commitments contained in FSAR Chapter 16.0.

6.8.2 Each procedure of Specification 6.8.1, and changes thereto, shall be reviewed and approved by an appropriate division manager, superintendent/manager, or one of their designated direct reports prior to implementation and shall be reviewed periodically as set forth in administrative procedures. For procedures which implement offsite environmental, technical and laboratory activities, the above review and approval may be performed by the General Manager, Environmental Services or designee.

6.8.3 Temporary changes to procedures of Specification 6.8.1 may be made provided:

a. The intent of the original procedure is not altered;

b. The change is approved by two members of the plant management staff, at least one of whom holds a Senior Operator license on the unit affected; and

c. The change is approved by an appropriate division manager, superintendent/manager or one of their designated direct reports within 14 days of implementation.

6.8.4 The following programs shall be established, implemented, and maintained:

a. <u>Primary Coolant Sources Outside Containment</u>

A program to reduce leakage from those portions of systems outside containment that could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. The systems include the containment spray, Safety Injection, chemical

PROCEDURES AND PROGRAMS (Continued)

e. Post-Accident Sampling

A program which will ensure the capability to obtain and analyze reactor coolant, radioactive iodines and particulates in plant gaseous effluents, and containment atmosphere samples under accident conditions. The program shall include the following:

1) Training of personnel,
2) Procedures for sampling and analysis, and
3) Provisions for maintenance of sampling and analysis equipment.

f. Radioactive Effluent Controls Program

A program shall be provided conforming with 10 CFR 50.36a for the control of radioactive effluents and for maintaining the doses to MEMBERS OF THE PUBLIC from radioactive effluents as low as reasonably achievable. The program (1) shall be contained in Chapter 16 of the FSAR, (2) shall be implemented by operating procedures, and (3) shall include remedial actions to be taken whenever the program limits are exceeded. The program shall include the following elements:

1) Limitations on the operability of radioactive liquid and gaseous monitoring instrumentation including surveillance tests and setpoint determination in accordance with the methodology in the Offsite Dose Calculation Manual (ODCM),

2) Limitations on the concentrations of radioactive material released in liquid effluents to UNRESTRICTED AREAS conforming to 10 times 10 CFR Part 20.1001-20.2401, Appendix B, Table 2, Column 2,

3) Monitoring, sampling, and analysis of radioactive liquid and gaseous effluents in accordance with 10 CFR 20.1302 and with the methodology and parameters in the ODCM,

4) Limitations on the annual and quarterly doses or dose commitment to a MEMBER OF THE PUBLIC from radioactive materials in liquid effluents released from each unit to UNRESTRICTED AREAS conforming to Appendix I to 10 CFR Part 50,

5) Determination of cumulative and projected dose contributions from radioactive effluents for the current calendar quarter and current calendar year in accordance with the methodology and parameters in the ODCM at least every 31 days,

6) Limitations on the operability and use of the liquid and gaseous effluent treatment systems to ensure that the appropriate portions of these systems are used to reduce releases of radioactivity when the projected doses in a 31-day period would exceed 2 percent of

RECORD RETENTION (Continued)

h. Records of inservice inspections performed pursuant to these Technical Specifications;
i. Records of reviews performed for changes made to procedures or equipment or reviews of tests and experiments pursuant to 10 CFR 50.59;
j. Records of meetings of the NSRB and reports required by Specification 6.5.1.11;
k. Records of the service lives of all hydraulic and mechanical snubbers required by Specification 3.7.8 including the date at which the service life commences and associated installation and maintenance records;
l. Records of secondary water sampling and water quality;
m. Records of analyses required by the Radiological Environmental Monitoring Program that would permit evaluation of the accuracy of the analysis at a later date. This should include procedures effective at specified times and QA records showing that these procedures were followed; and
n. Records of reviews performed for changes made to Section 16.11 (Radiological Effluent Controls) of the FSAR.

6.10.3 Records of quality assurance activities required by the Operational Quality Assurance Manual shall be retained for a period of time as recommended by ANSI N.45.2.9-1974.

6.11 RADIATION PROTECTION PROGRAM

6.11 Procedures for personnel radiation protection shall be prepared consistent with the requirements of 10 CFR Part 20 and shall be approved, maintained, and adhered to for all operations involving personnel radiation exposure.

6.12 HIGH RADIATION AREA

6.12.1 In lieu of the "control device" or "alarm signal" required by paragraph 20.203(c)(2) of 10 CFR Part 20, each high radiation area, as defined in 10 CFR Part 20, in which the intensity of radiation is equal to or less than 1000 mR/h at 45 cm (18 in.) from the radiation source or from any surface which the radiation penetrates shall be barricaded and conspicuously posted as a high radiation area and entrance thereto shall be controlled by requiring issuance of a Radiation Work Permit (RWP). Individuals qualified in radiation protection procedures (e.g., Radiation Protection Technician) or personnel continuously escorted by such individuals may be exempt from the RWP issuance requirement during the performance of their assigned duties in high radiation areas with exposure rates equal to or less than 1000 mR/h, provided they are otherwise following plant radiation protection procedures for entry into such high radiation areas. Any individual or group of individuals permitted to enter such areas shall be provided with or accompanied by one or more of the following:

a. A radiation monitoring device which continuously indicates the radiation dose rate in the area; or

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 145 TO FACILITY OPERATING LICENSE NPF-35

AND AMENDMENT NO. 139 TO FACILITY OPERATING LICENSE NPF-52

DUKE POWER COMPANY, ET AL.

CATAWBA NUCLEAR STATION UNITS 1 AND 2

DOCKET NOS. 50-413 AND 414

1.0 INTRODUCTION

By letter dated January 12, 1995, as supplemented by letter dated June 29, 1995, Duke Power Company, et al. (the licensee), requested changes to the Catawba Nuclear Station, Units 1 and 2, Technical Specifications (TS). The requested changes would revise portions of TS Section 6.0, "Administrative Controls."

A major feature of these revisions is to reflect the onsite Plant Operating Review Committee (PORC) in the Catawba TS. This is accompanied by a program description of PORC activities in the Final Safety Analysis Report's (FSAR's) Selected Licensee Commitment (SLC) Manual. These changes integrate the PORC activities, as discussed in Catawba regulatory documents, with the Qualified Reviewer Program (QRP) activities, corporate Nuclear Safety Review Board (NSRB) activities and the Quality Assurance Program (QAP). Provision for appointment of the PORC have previously been made in the QAP Topical Report (Section 17.3.3.2.2), as have provisions for PORC recordkeeping (Section 17.3.2.15) and the PORC governing procedures (Section 17.3.2.14).

A second major feature of these revisions is to transfer certain other provisions of the Administrative Controls from the TS either to the FSAR's SLC Manual or to the licensee's Quality Assurance Program. The Quality Assurance Program commits to Regulatory Guide 1.33 that endorses ANSI N18.7-1976, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants." ANSI N18.7 outlines administrative controls and quality assurance provisions for operating plants and similarly addresses the review and audit functions currently described in the TS. As discussed later in Section 2.3 of this evaluation, subsequent changes to these provisions would be made pursuant to 10 CFR 50.59 for FSAR SLC issues and pursuant to 10 CFR 50.54 for Quality Assurance Program (QAP) issues.

A third feature of these revisions is to make numerous editorial changes to clarify the language of the TS, to resolve inconsistencies, and to reformat TS sections.

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2.0 EVALUATION

2.1 Technical Review and Control Activities

The licensee proposes to modify TS 6.5.1 to integrate the TS Administrative Controls with those matters that have been relocated to the SLC or to the QAP. A new paragraph at the beginning of TS Section 6.5.1 establishes programs for "the preparation, review, approval and retention of documents required by the activities described in Specifications 6.5.1.1 through 6.5.1.11." A new Section 16.13-2, "Technical Review and Control" has been added to the FSAR SLC Manual to accommodate the activities transferred to the FSAR SLC and a new Section 16.13-3, "Plant Operations Review Committee" has been added to the FSAR SLC manual to describe the PORC makeup, its functions and reporting relationships.

The term "Qualified individual/organization" appears in six locations in TS 6.5.1. The licensee proposed to replace this with the term "knowledgeable individual/organization." The licensee characterizes this as an administrative change to avoid confusion with the licensee's Qualified Reviewer Program and, as such, it conveys no change in the required qualifications of those who perform these activities. Therefore, these changes are acceptable. In addition, for TS 6.5.1.6 and TS 6.5.1.7, a requirement for review of the subject report by "knowledgeable individual/organization" has been added. This establishes consistency of the requirements for TS 6.5.1.6 and TS 6.5.1.7 with the other activity review requirements in TS 6.5.1 and is acceptable.

Currently, both of the terms "individual/organization" and "individual/group" are used in TS 6.5.1. The licensee proposes to replace the five usages of "individual/group" in TS 6.5.1 with "individual/organization." This is an editorial clarification of language to achieve consistency and is acceptable.

TS 6.5.1.1 on preparation of procedures and programs, TS 6.5.1.4 (formerly TS 6.5.1.2) on preparation of TS, and TS 6.5.1.2 (formerly TS 6.5.1.3) on preparation of modifications, require that the activity "be reviewed by an individual/organization other than the individual/organization which prepared the change, [but who may be from the same organization as the individual/group which prepared the proposed change]." The latter portion of this phrase within brackets is redundant to the preceding portion and is deleted to improve the clarity of the TS requirement. This is an editorial clarification of language and is acceptable.

TS 6.5.1.1 is modified by the addition of the statement "Procedures or changes thereto, shall be approved in accordance with Specification 6.8.2 and 6.8.3." This provides emphasis that, among the documents subject to the newly added paragraph under the heading for TS 6.5.1, requirements for procedures are specifically addressed by TS 6.8.1 and TS 6.8.2. Thus, this change is an editorial cross referencing to other applicable TS and is acceptable.

TS 6.5.1.3 (formerly TS 6.5.1.4) includes the phrase "site supervisory staff" which is changed to "supervisory staff assigned to the site." This is an editorial clarification of language and is acceptable.

Transferral of Requirements from TS

The first three sections of TS 6.5.1 address the preparation of procedures and programs (TS 6.5.1.1), proposed changes to the TS (formerly TS 6.5.1.2, now TS 6.5.1.4), and proposed modifications (formerly 6.5.1.3, now 6.5.1.2). The next sequential TS section (formerly TS 6.5.1.4, now TS 6.5.1.3) then established requirements for individually accomplished reviews of these three activities. With the transfer of the requirement for NSRB review of TS changes to the QAP and the establishment of PORC review of proposed TS changes in the SLC, TS 6.5.1.3 has been modified to make it applicable only to procedures, programs, and modifications. The licensee's Qualified Reviewer Program applicable to the review of procedures, programs, and modifications is unchanged by this amendment. This is consistent with the establishment of PORC as reflected in the TS, in the FSAR SLC Section 16.13-3, and the QAP Topical Report. The Duke Power Company QAP Topical Report, Amendment 20, provides amplifying details on the station organizational structure. QAP Section 17.3.2.2 defines the final approval authority for station modifications. QAP Section 17.3.2.14 defines the approval authority for changes to station TS and for station procedures. Future changes to the QAP are under the control of 10 CFR 50.54(a). The licensee stated that there will be no decrease in the level of quality given to the review and approval activities. Further, personnel performing the reviews will continue to meet the same qualification requirements of ANSI N18.1-1971. The staff finds these changes to be acceptable as the QAP contains sufficient controls to ensure that the reviews are performed by qualified personnel.

TS 6.5.1.2 (previously TS 6.5.1.3) on the preparation of modifications is modified by transferring the designation of the approval authority for implementation of modifications to the FSAR SLC Manual, specifically SLC Section 16.13-2b. The licensee attached a copy of SLC Manual Section 16.13-2 to its application dated January 12, 1995, for information. The SLC Section is maintained as Section 16 of the FSAR.

TS 6.5.1.4 (formerly TS 6.5.1.2) on changes to the TS is modified by transferring the requirement that "proposed changes to the TS shall be approved by the Station Manager," to the SLC, specifically SLC Section 16.13-2.b.

TS 6.5.1.5 on proposed tests and experiments, which affect station nuclear safety and are not addressed in the FSAR or the TS, has been modified in two respects. First, it has been modified to require preparation and approval in a manner identical to that of TS 6.5.1.1. This subjects these tests and experiments to the TS 6.5.1.1 requirement for preparation by a knowledgeable individual/organization and to the requirement for development of procedures pursuant to TS 6.8.1. This is consistent with the requirements for Procedures and Programs previously established pursuant to TS 6.5.1.1 and is acceptable. The second change is that the requirement for review of these proposed tests and experiments has been transferred from the TS to the SLC, specifically to SLC Section 16.13-2.e where it is assigned to the PORC. Also, the requirement for the PORC now established in SLC Section 16.13-3, establishes the Station Manager as a member and it also specifies the PORC in Section 16.13-3.a.1 as

being responsible for the review of such test and experiments which affect nuclear safety and are not addressed in the FSAR or TS.

Reports

The TS listed below have been modified to transfer, from the TS to the FSAR SLC Section, the requirements for the Manager of Safety Assurance to assure that certain activities are performed. The current and former TS item number, the issue, and the SLC to which the requirement is transferred are as follows:

TS 6.5.1.6 Reports on Reportable Events and TS violations, SLC 16.13-2.f

TS 6.5.1.7 Special reviews and investigations, SLC 16.13-2.g

TS 6.5.1.8/TS 6.5.1.10 Unplanned Onsite releases, SLC 16.13-2.h

TS 6.5.1.9/TS 6.5.1.11 Changes to PCP, ODCM and Radwaste Treatment Systems, SLC 16.13-2.i

TS 6.5.1.10/TS 6.5.1.12 Fire Protection Program SLC 16.13-2.j

There is no regulatory requirement for the Manager of Safety Assurance, by specific title, to perform these functions. TS 6.5.1.11 will continue to require that all of these reports be prepared. The QAP Section 17.3.2.13 requires that for significant events which are or could be related to safety, reports are generated. The QAP further requires that the Manager Safety Assurance approve such reports and provide them to the Site Vice President, the PORC, and to the NSRB. On this basis, the staff concludes that the former TS provisions for such reports have been replaced with equivalent provisions in the revised TS, the SLC, and the QAP and that these changes are acceptable.

Reports to NSRB

TS 6.5.1.6, 6.5.1.8, and 6.5.1.10 formerly required that reports developed as a result of these activities be provided to the Nuclear Safety Review Board (NSRB). With the transfer of these requirements to the SLC, such reports will now be transmitted to the PORC and to the Director, Organization Effectiveness. This reflects the establishment of the PORC and is consistent with the appropriate level of responsibility for corrective action and oversight of these issues and is acceptable.

The TS 6.5.1.11/TS 6.5.1.13 requirement for copies of reports developed on TS 6.5.1 activities to be provided to the NSRB has been transferred to SLC Section 16.13-2.k.

The NSRB, pursuant to TS 6.5.2.8.i, remains responsible to review reports generated as a result of all TS 6.5.1 activities. The NSRB continues to report to and advise the Senior Vice President, Nuclear Generation. As appropriate mechanisms will be implemented to perform independent reviews in accordance with ANSI N18.7, the staff finds these changes acceptable.

NSRB Meeting Frequency

TS 6.5.2.6 is revised to change the NSRB meeting frequency from at least once per 6 months to twice per year. The staff finds this change acceptable as it is consistent with that described in Section 4.3 of ANSI N18.7-1976, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants" that has been endorsed by Regulatory Guide 1.33.

NSRB Review of TS

The TS 6.5.2.8.d on responsibility of the NSRB to review proposed changes in the TS is relocated to SLC 16.13-2.d. The requirement that the PORC review proposed changes to the TS has also been added to SLC 16.13-2.d. All other NSRB responsibilities in TS 6.5.2.8 are unchanged by this amendment.

The NRC staff's position is that such requirements should also be relocated to the Quality Assurance Program (QAP) in order that future changes would be governed in accordance with 10 CFR 50.54(a). The basis for this position is that independent review functions, such as the NSRB function, are already described in the QAP via commitments to Regulatory Guide 1.33 and ANSI N18.7-1976, "Administrative Control and Quality Assurance for the Operational Phase of Nuclear Power Plants." Changes to the QAP are governed by 10 CFR 50.54(a) that requires that QAP changes, which are reductions in commitment, are submitted for NRC review prior to licensee implementation. NRC Administrative Letter 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," further describes the logic for inclusion of these types of administrative controls into the QAP. The licensee has included a statement in the QAP, Revision 20, Section 17.3.3.2.1, that the NSRB "reviews proposed changes to the stations' technical specifications and operating licenses..."

The staff finds this change acceptable as the requirement for the NSRB to review proposed changes to the TS and operating license will be relocated to and remain in force in the QAP. Future changes to the QAP will be controlled in accordance with 10 CFR 50.54(a).

Miscellaneous and Editorial Changes

Several other miscellaneous editorial changes are made within TS Section 6.5 for clarification purposes, to renumber TS sections due to line item deletions and additions, and to spell out the acronym, ODCM, to Offsite Dose Calculation Manual. These are acceptable as they are editorial in nature and enhance the clarity of the TS.

2.2 Plant Operating Review Committee (PORC)

TS 6.8.1 has been augmented with requirements that procedures shall be established, implemented, and maintained for the implementation of the Technical Review and Control Program and the functioning of the PORC. The licensee proposes to implement the site Technical Review and Control Program in accordance with procedures and the description in SLC Manual 16.13-2. The licensee indicates that the establishment of a PORC at the site will be an

enhancement to the review process for significant operational activities. The PORC will serve to provide a structure to assemble licensee personnel from functional units, such as engineering, to assist with the Station Manager's decision making process. The PORC will also provide increased management involvement of nuclear safety matters. The PORC has been successfully employed by other nuclear utilities.

SLC 16.13-2 describes the functions of the PORC including the review of proposed TS changes, proposed tests and experiments, which affect station nuclear safety, reports of incidents reportable pursuant to TS and violations of TS, special investigation reports, and unplanned onsite release of radioactive material reports.

The staff finds this proposed addition acceptable as it should serve to enhance plant safety and is in conformance with ANSI N18.7-1976 that has been endorsed by NRC Regulatory Guide 1.33.

2.3 Evaluation of Transferred Requirements

The NRC staff has recently issued Administrative Letter (AL) 95-06, "Relocation of Technical Specifications Administrative Controls Related to Quality Assurance" that discusses recent changes made to the Commission's Regulations in 10 CFR 50.36 and the Commission's associated Final Policy Statement. The Statements of Consideration of the Final Rule for 10 CFR 50.36 (60 FR 36955) states that "LCOs that do not meet any of the criteria, and their associated surveillance requirements, may be proposed for relocation from the technical specifications to licensee controlled documents, such as the FSAR." It also states (60 FR 36957) that "When a licensee elects to apply these criteria, some requirements are relocated from technical specifications to the FSAR or other licensee controlled documents. ... Changes made in accordance with the provisions of other licensee controlled documents (e.g., QA plan, security plan) are subject to those specific requirements." The specific change control requirement for QA program content is 10 CFR 50.54(a) that requires NRC approval before the licensee can implement QA program changes, which constitutes a reduction in commitment.

Based on these recent revisions to 10 CFR 50.36, the staff has determined that requirements that are not specifically required under 10 CFR 50.36(c)(5) and which are not otherwise necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety, can be removed from administrative controls. On the basis discussed above for the specific changes, the staff concludes that the relocated provisions are not required to be in the TS under 10 CFR 50.36 or Section 182a of the Atomic Energy Act, and are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. In addition, the staff finds that sufficient regulatory controls exist under 10 CFR 50.54 and 10 CFR 50.59 to adequately control future modifications to these provisions. Accordingly, the staff has concluded that these requirements may be relocated from the TS to the respective licensee-controlled documents.

The staff finds the requested changes acceptable as they meet the appropriate acceptance criteria of Section 13.4 of NUREG-0800, the Standard Review Plan, and conform to the Improved Standard Technical Specifications.

3.0 STATE CONSULTATION

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

4.0 ENVIRONMENTAL CONSIDERATIONS

The amendments change 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.

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

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