

December 7, 2001

Mr. D. N. Morey
Vice President - Farley Project
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2 RE: ISSUANCE OF
AMENDMENTS (TAC NOS. MB0794 AND MB0795)

Dear Mr. Morey:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 152 to Facility Operating License No. NPF-2 and Amendment No. 144 to Facility Operating License No. NPF-8 for the Joseph M. Farley Nuclear Plant, Units 1 and 2. The amendments are in response to your application dated December 8, 2000.

The amendments delete or modify existing license conditions from the Unit 1 and Unit 2 Operating Licenses, which have been completed or are otherwise no longer in effect. 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,

/RA/

Frank Rinaldi, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and 50-364

Enclosures:

1. Amendment No. 152 to NPF-2
2. Amendment No. 144 to NPF-8
3. Safety Evaluation

cc w/encls: See next page

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SOUTHERN NUCLEAR OPERATING COMPANY, INC.

ALABAMA POWER COMPANY

DOCKET NO. 50-348

JOSEPH M. FARLEY NUCLEAR PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 152
License No. NPF-2

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Southern Nuclear Operating Company, Inc. (Southern Nuclear), dated December 8, 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, 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.
2. Accordingly, the Operating License is amended as indicated in the attachment to this license amendment.

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

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Richard J. Laufer, Acting Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Operating License Changes

Date of Issuance: December 7, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 152

TO FACILITY OPERATING LICENSE NO. NPF-2

DOCKET NO. 50-348

Replace the following pages of the Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

1 thru 12

Insert

1 thru 9

ATTACHMENT TO LICENSE AMENDMENT NO. 144

TO FACILITY OPERATING LICENSE NO. NPF-8

DOCKET NO. 50-364

Replace the following pages of the Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

1 thru 19

Insert

1 thru 8

SOUTHERN NUCLEAR OPERATING COMPANY, INC.

ALABAMA POWER COMPANY

DOCKET NO. 50-364

JOSEPH M. FARLEY NUCLEAR PLANT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 144
License No. NPF-8

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Southern Nuclear Operating Company, Inc. (Southern Nuclear), dated December 8, 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, 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.
2. Accordingly, the Operating License is amended as indicated in the attachment to this license amendment.

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

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Richard J. Laufer, Acting Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Operating License Changes

Date of Issuance: December 7, 2001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 152 TO FACILITY OPERATING LICENSE NO. NPF-2
AND AMENDMENT NO. 144 TO FACILITY OPERATING LICENSE NO. NPF-8
SOUTHERN NUCLEAR OPERATING COMPANY, INC., ET AL.
JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2
DOCKET NOS. 50-348 AND 50-364

1.0 INTRODUCTION

By letter dated December 8, 2000, Southern Nuclear Operating Company, Inc. (SNC) et al., submitted a request for changes to the Facility Operating License (FOL) of each unit. The requested changes would delete or modify existing license conditions from the Unit 1 and Unit 2 FOLs, which have been completed or are otherwise no longer in effect.

2.0 BACKGROUND

Joseph M. Farley Nuclear Plant, Unit 1 (Farley, Unit 1), Facility Operating License No. NPF-2 was issued on June 25, 1977. Joseph M. Farley Nuclear Plant, Unit 2 (Farley, Unit 2), Facility Operating License No. NPF-8 was issued on March 31, 1981. These licenses were issued with conditions containing various requirements to be completed by specified dates or prior to exceeding a specified power level. The activities identified and discussed in the following evaluation have now been completed, and the license conditions are either obsolete or no longer needed. The purpose of this license amendment is to delete these conditions from the Unit 1 and Unit 2 FOLs. Each proposed change and the justification for the change are addressed below.

3.0 EVALUATION

3.1 Unit 1 FOL NPF-2

License Condition 2.C.(3)(e)

This condition requires the replacement of instrumentation for measurement of the pressurizer level, the steam generator wide range level, the steam generator narrow range level, and the reactor coolant system pressure with modified instrumentation as identified in Amendment 65 to the Final Safety Analysis Report (FSAR) prior to startup following the first regularly scheduled refueling outage. SNC has proposed deletion of this condition.

Justification for Change

This license condition is the result of environmental qualification deficiencies identified with the originally installed instrumentation. As noted in Amendment 73 to the Unit 1 FSAR, this equipment was replaced during the first refueling outage. The requirements contained in this license condition have been met. Therefore, this license condition is to be deleted from the FOL.

License Condition 2.C.(3)(i)

For Cycle 16 only, SNC was permitted to operate the reactor based on a risk-informed demonstration that predicted that the steam generator tube structural integrity is adequate to meet Regulatory Guide 1.174 numerical acceptance criteria. In accordance with Principle 5 in Regulatory Guide 1.174, concerning monitoring operational experience to ensure that performance is consistent with risk analysis predictions, if SNC plugs or repairs steam generator tubes during Cycle 16, then SNC shall re-inspect the steam generators to the extent necessary to verify that they have been returned to a condition consistent with the operational assessment.

Justification for Change

This condition was for Cycle 16 only. No plugging or steam generator tube repairs were performed during Cycle 16. The steam generators were replaced during refueling outage 17 and the Technical Specifications (TS) were revised per Amendment 147. Therefore, the requirements contained in this license condition have been met, and this condition is to be deleted from the FOL.

License Condition 2.C.(4)

This condition requires SNC to implement and maintain in effect the NRC-approved Fire Protection Program for the facility. SNC has proposed that this condition should be rewritten as follows:

(4) Fire Protection Program

Southern Nuclear shall implement and maintain in effect all provisions of the approved fire protection program as described on the Final Safety Analysis Report of the facility, which implements the fire protection requirements of 10 CFR 50.48 and 10 CFR 50 Appendix R. Southern Nuclear may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown.

Justification for Change

This change removes the list of dated Fire Protection Safety Evaluation Reports (SERs) contained in this condition. The list of SERs serves no purpose in the operating license since the program is described completely in the FSAR, and any new SERs would require a license

amendment in order for the license to remain current. Therefore, the above proposed condition justifies the deletion of the dated SERs.

License Condition 2.D.

This condition requires SNC to implement and maintain in effect the NRC-approved physical security, guard training and qualification, and safeguards contingency plans. SNC has proposed that this condition be rewritten, as follows:

- D. Southern Nuclear shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Joseph M. Farley Nuclear Plant Security Plan" (which contains the Safeguards Security Contingency Plan) and "Joseph M. Farley Nuclear Plant Security Personnel Training and Qualification Plan." Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

Justification for Change

This change removes effective revision dates from the titles of the security related plans listed in the condition. The purpose of this condition is to require SNC to implement and maintain the plans as required by the applicable regulations. These plans are maintained in accordance with the regulations and revised as necessary. However, the actual revision dates are irrelevant with regard to the operating license. Including the revision dates in the operating license could require a license amendment each time one of the plans is revised in order for the license to remain current. Therefore, SNC has proposed that the dates be deleted. Also, editorial changes have been made to the titles of the security related plans. Further, the Security Plan and the Safeguards Security Contingency Plan have been combined into one document titled, "Joseph M. Farley Nuclear Plant Security Plan." The plan for training and qualifications is titled, "Joseph M. Farley Nuclear Plant Security Personnel Training and Qualification Plan." These changes are reflected in the condition text provided above. These changes are considered as editorial and administrative changes.

3.2 Unit 2 FOL NPF-8

License Condition 2.C.(3)

This license condition specifies that the Initial Test Program described in Section 14 of the FSAR is to be conducted without making any modifications to this program unless such changes are in accordance with the provisions of 10 CFR 50.59. SNC has proposed that this condition be deleted.

Justification for Change

This requirement is obsolete since the initial test program is complete and Farley, Unit 2 is operating.

License Condition 2.C.(5)

This condition requires SNC to provide the NRC additional information concerning the inservice testing program for pumps and valves no later than 6 months prior to the end of the first 120-month interval. SNC has proposed that this condition be deleted.

Justification for Change

Farley, Unit 2 Inservice Testing Program implements the requirements of 10 CFR 50.55 a(g). The Unit 2 Inservice Testing Program for the second 120-month interval was approved in NRC letter dated May 23, 1991 (Reference 19). Therefore, this condition may be deleted from the Farley, Unit 2 operating license.

License Condition 2.C.(6)

This condition requires SNC to implement and maintain in effect the Commission-approved Fire Protection Program for the facility. SNC has proposed that this condition be rewritten, as follows:

(6) Fire Protection Program

Southern Nuclear shall implement and maintain in effect all provisions of the approved fire protection program as described on the Final Safety Analysis Report of the facility, which implements the fire protection requirements of 10 CFR 50.48 and 10 CFR 50 Appendix R. Southern Nuclear may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown.

Justification for Change: This change removes the list of dated Fire Protection SERs contained in this condition. The list of SERs serves no purpose in the operating license since the program is described completely in the FSAR, and any SERs issued subsequent to those listed would require a license amendment to add them to this condition in order for the license to remain current. Therefore, the above proposed condition justifies the deletion of the dated SERs.

License Condition 2.C.(7)

This condition requires SNC to report to the NRC within 90 days from the date of original issuance of this license any items related to emergency preparedness identified by FEMA or the NRC as requiring further action, and to complete its plans for four specific items related to emergency preparedness according to the NRC-approved schedule identified in SER Supplement 5. SNC has proposed that this condition be deleted.

Justification for Change

By letter dated June 25, 1981 (Reference 3), SNC submitted the status of the four listed items, as required by the license condition. Thus, SNC has met the requirements of the condition.

License Condition 2.C.(8)

This condition replaces the Action Statement of Technical Specification 3.7.4 with alternate requirements on a one-time only basis, and further states that this license condition expires 90 days from date of original issuance. SNC has proposed that this condition be deleted.

Justification for Change

This condition is complete, per letters to the NRC dated June 29, 1981 (Reference 20), and December 22, 1981 (Reference 1).

License Condition 2.C.(9)(a)

This condition requires SNC to provide to the NRC the results of seven augmented low power tests prior to exceeding 5% power. SNC has proposed that this condition be deleted.

Justification for Change

This condition is complete per letters to the NRC dated May 18, 1981(Reference 21), and December 22, 1981 (Reference 1).

License Condition 2.C.(9)(b)

This condition requires SNC to provide the results of a test of natural circulation cooldown with boron mixing no later than prior to startup following the first refueling outage. SNC has proposed that this condition be deleted.

Justification for Change

SNC provided information related to this condition by letters dated July 8 and October 21, 1982, which described similar tests run at other plants which can be applied to the Farley Nuclear Plant. By letter dated November 10, 1982 (Reference 2), the NRC notified SNC of the staff's agreement with the conclusion that these tests and of their applicability to Farley, Unit 2, and that the Farley Nuclear Plant procedures were adequately verified. Further, this letter stated that License Condition 2.C.(9)(b) was considered to be satisfactorily completed.

License Condition 2.C.(10)

This condition requires SNC to make the post-accident sampling system fully operational prior to exceeding 5% power. SNC proposes that this condition be deleted.

Justification for Change

This condition is complete per letter to the NRC dated December 22, 1981 (Reference 1).

License Condition 2.C.(11)

This condition requires SNC to complete the training for mitigating core damage prior to exceeding 5% power. SNC proposes that this condition be deleted.

Justification for Change

This condition is complete per letter to the NRC dated December 22, 1981 (Reference 1).

License Condition 2.C.(12)

This condition requires SNC to modify procedures and, if necessary, equipment used for natural circulation cooldown. Three separate requirements are listed. SNC proposes that this condition be deleted.

Justification for Change

Condition 2.C.(12)(a) - This condition is complete per letter to the NRC dated December 22, 1981 (Reference 1).

Condition 2.C.(12)(b) - By letter dated August 1, 1988 (Reference 4), the NRC informed SNC that the staff had reviewed the response to this license condition which required provisions or modifications to assure that the safety-grade backup means of reactor coolant system depressurization is in accordance with the requirements of Table 1 in the Branch Technical Position RSB 5-1, Rev. 1, and had concluded that the action related to this license condition was considered completed.

Condition 2.C.(12)(c) - By letter dated November 10, 1982 (Reference 2), the NRC informed SNC that this license condition, which required SNC to provide to the NRC natural circulation cooldown procedures based on test results applicable to Farley, Unit 2, was considered to be satisfactorily completed.

License Condition 2.C.(13)

This condition requires SNC prior to exceeding 5% power to modify and test reset circuits for several items in accordance with the requirements of IE Bulletin 80-06, and to revise procedures to be consistent with the modified designs. SNC proposes that this condition be deleted.

Justification for Change

This condition is complete per letter to the NRC dated December 22, 1981 (Reference 1).

License Condition 2.C.(14)

This condition states that, prior to exceeding 5% power, certain equipment which was not required to be operable by the Fuel Loading and Low Power Testing License is exempt from the Technical Specification (TS) that requires a demonstration of operability. SNC proposes that this condition be deleted.

Justification for Change

This condition is complete per letter to the NRC dated December 22, 1981 (Reference 1).

License Condition 2.C.(15)

This condition requires SNC to complete modifications to the subcooling monitor system identified in Item II.F.2, Section 22.3 in SER Supplement 5, NUREG-0117 prior to May 31, 1981. SNC proposes that this condition be deleted.

Justification for Change

This condition is complete per letter to the NRC dated December 22, 1981 (Reference 1).

License Condition 2. C.(16)

This condition requires SNC to complete modifications to Masonry Wall 2 CBW-34 to meet NRC staff criteria prior to startup following second refueling. SNC proposed that this condition be deleted.

Justification for Change

Masonry Wall 2 CBW-34 was modified to meet NRC design criteria during the second refueling outage which ended October 22, 1983. The NRC acknowledged this modification by letter dated October 24, 1984 (Reference 8), and stated at that time that only one Unit 1 wall did not meet NRC criteria. Therefore, there are no longer any outstanding requirements associated with this license condition.

License Condition 2.C.(17)

This condition requires SNC to submit to the NRC prior to October 1, 1981 the design of a modified containment vent and purge system, and to install the system prior to startup following the first refueling. SNC proposes that this condition be deleted.

Justification for Change

In a letter to the NRC dated December 22, 1981 (Reference 1), SNC informed the NRC that this condition is complete except for the installation of the modified vent and purge system. In NRC Safety Evaluation for License Amendment No. 34, issued in a letter dated May 17, 1984 (Reference 23), the NRC stated in the summary, "Our review, ... concludes that the licensee's proposed TS changes meet the intent of license conditions 2.C.(17) ..."

License Condition 2.C.(18)

This condition requires SNC to take certain actions with regard to the environmental qualification requirements for Class 1E equipment. SNC proposes that this condition be deleted.

Justification for Change

By letter dated January 7, 1983 (Reference 5), SNC requested closure of this license condition based on several submittals regarding the environmental qualification (EQ) of electric equipment and the publication of 10 CFR 50.49, which effectively superseded the completion date of June 30, 1982, in the license condition. All actions taken involving EQ have been in accordance with this rule since it became effective. Therefore, the requirements contained in this license condition are considered obsolete.

License Condition 2.C.(19)(a)

This condition requires SNC to provide additional evaluations of the Westinghouse fuel performance code (PAD 3.3) to demonstrate its applicability to fuel burnups during successive fuel cycles prior to resuming power operation following the first refueling. SNC proposes that this condition be deleted.

Justification for Change: By letter dated October 22, 1982 (Reference 12), SNC stated that the NRC had reviewed the PAD 3.3 program as indicated in NRC letter from Mr. H. Bernard (NRC) to Mr. E. P. Rahe (Westinghouse Electric Corporation) dated July 20, 1982, and concluded that the revised model is acceptable to adequately define fuel burnup for successive Farley fuel cycles. Therefore, the requirements contained in this license condition have been completed.

License Condition 2.C.(19)(b)

This condition requires SNC to complete the remaining modifications to the primary and backup circuit protection devices in the containment penetration circuits no later than during the second refueling outage. SNC proposes that this condition be deleted.

Justification for Change

By letter dated July 26, 1982 (Reference 22), SNC requested an extension of this condition until the second refueling outage, and the circuit protection devices were installed according to this schedule. In the Safety Evaluation for License Amendment No. 34, issued per NRC letter dated May 17, 1984 (Reference 23), which added these devices to the Technical Specifications, the NRC stated that the intent of License Condition 2.C.(19)(b) has been met.

License Condition 2.C.(19)(c)

This condition requires SNC to modify the lubrication system of the two Fairbanks-Morse opposed-piston diesel generators prior to resuming power operation following the first refueling. The system design and implementation schedule is required to be submitted within six months after the license is issued. SNC proposes that this condition be deleted.

Justification for Change

By letter dated October 28, 1982 (Reference 6), the NRC informed SNC that the license condition requirements had been satisfied and that License Condition 2.C.(19)(c) was considered satisfactorily completed.

License Condition 2.C.(19)(d)

This condition requires SNC to inspect the main steam turbine for indications of low pressure rotor disc cracking, or replace the present low pressure rotors with refurbished rotors. SNC proposes that this condition be deleted.

Justification for Change

By letter dated February 8, 1982 (Reference 10), SNC requested that this condition be deleted in order to implement turbine inspection recommendations issued by the NRC via a letter dated August 24, 1981. However, due to outage schedule difficulties on Farley, Unit 1, SNC stated by letter dated July 1, 1982 (Reference 13), that they intended to proceed with the Unit 2 turbine rotor replacement as required by the license condition at the first refueling outage. The Unit 2 rotors have been replaced as required by the license condition.

License Condition 2.C.(20)

This condition requires SNC to provide a schedule for bringing the facility into compliance with Revision 2 of Regulatory Guide 1.97 prior to April 30, 1981. SNC proposes that this condition be deleted.

Justification for Change

By letter dated January 7, 1983 (Reference 5), SNC provided a summary of actions taken with regard to Regulatory Guide 1.97. This letter states that the previously transmitted schedule for meeting these requirements was being withdrawn, Generic Letter 82-33 established the latest guidance for demonstrating compliance with Regulatory Guide 1.97, and that all further action on this issue was being taken in accordance with the Generic Letter. It was further stated that SNC had completed the requirements of the license condition and requested that it be formally closed by the NRC. SNC states that the requirements contained in this condition have been met. The staff finds that the requirements imposed by this license condition have been fulfilled (Item 3 - Reference 24) and that its deletion is acceptable.

License Condition 2.C.(21)

This section contains conditions to be completed to the satisfaction of the NRC by the times indicated. Each of the following conditions references the appropriate item in Section 22.5, "Dated Requirements" in SER Supplement 5, NUREG-0117. SNC proposes that each of the following sub-conditions be deleted.

2.C.(21)(a) - Guidance for the Evaluation and Development of Procedures for Transients and Accidents (I.C.1)

Prior to startup following the first refueling after January 1, 1982, complete the upgrading of emergency procedures and associated operator training.

Justification for Deletion

By letter dated January 7, 1983 (Reference 5), SNC provided a summary of actions taken on this subject and stated that actions taken by SNC in association with the Westinghouse Owner's Group satisfy the applicable requirements. This letter further stated that Generic Letter 82-33 established revised guidance on upgrading emergency operating procedures and that subsequent action on this subject would be in accordance with the Generic Letter. Therefore, the requirements contained in this condition have been met.

2.C.(21)(b) Reactor Coolant System Vents (II.B.1)

Submit a design description and operating procedures for reactor coolant system vents prior to July 1, 1981, and complete installation prior to July 1, 1982.

Justification for Deletion

This condition is complete per letter to the NRC dated December 22, 1981 (Reference 1). Also, NRC letter dated May 23, 1985 (Item 5 - Reference 24) stated that its implementation schedule is superseded by NRC regulations stated in 10 CFR 50.44(c)(3)(iii). The staff finds this deletion acceptable.

2.C.(21)(c) Plant Shielding (II.B.2)

At the next cold shutdown period of sufficient duration after material availability, but at the latest no later than prior to startup after the first refueling outage, the remaining modifications shall be completed. These modifications are as described in SNC letter dated February 11, 1982. The modifications are to assure access to vital areas and protection of safety equipment following an accident resulting in a degraded core.

Justification for Deletion

By letter dated December 15, 1983 (Reference 11), the NRC informed SNC that NRC had completed its review of the submittals related to this subject and had performed the necessary plant inspections to insure compliance with NUREG 0737, Item II.B.2.2, and that the applicable requirements had been met.

2.C.(21)(d) Relief and Safety Valve Tests (II.D.1)

Provide information to the NRC based on tests to demonstrate qualification of relief valves, block valves, and associated piping as follows:

- (1) Report demonstrating qualification of relief valves, and associated piping prior to October 1, 1981.

- (2) Report demonstrating qualification of block valves prior to July 1, 1982.

Justification for Deletion

By letter dated July 1, 1982, SNC documented compliance with these requirements. SNC participated in the Generic PWR Safety and Relief Valve Test Program implemented by the Electric Power Research Institute. A plant-specific evaluation of this program was performed by Westinghouse to demonstrate that the test conditions and results are applicable to Farley, Units 1 and 2. Further supporting analyses were provided by letter dated November 4, 1982. By letters dated July 18, 1995 (Reference 14), and December 16, 1986 (Reference 7), the NRC informed SNC that they had reviewed all submittals related to these items and that the responses provided were acceptable. The requirements contained in these conditions have been met.

2.C.(21)(e) Auxiliary Feedwater Initiation and Indication (II.E.1.2)

Prior to startup following the first refueling, make modifications to the control and protection circuits for the auxiliary feedwater system to enhance the reliability and tolerance of the system to failures. Submit the design of these modifications to the NRC prior to July 1, 1981.

Justification for Deletion

SNC submitted its design for auxiliary feedwater system enhancements by letter dated July 1, 1981, and received NRC approval of this design by letter dated August 7, 1981. These modifications were subsequently implemented as indicated by the SNC letter dated June 4, 1982 (Reference 15). The requirements contained in this condition have been met.

2.C.(21)(f) Additional Accident Monitoring Instruments (II.F.1)

Install and provide information regarding accident monitoring instruments as follows:

- (1) Install noble gas effluent monitors prior to January 1, 1982.
- (2) Install capability for continuous sampling of plant gas effluents prior to exceeding 5-percent power.
- (3) Install high-range radioactivity monitors in the containment prior to January 1, 1982.
- (4) Provide a description of containment pressure instruments prior to June 1, 1981, and install pressure instruments prior to January 1, 1982.
- (5) Provide a description of a containment water level measurement system prior to June 1, 1981 and install water level system prior to January 1, 1982.
- (6) Provide a description of the use of the installed hydrogen indication monitors prior to June 1, 1981 and make modifications, if required, prior to January 1, 1982.

Justification for Deletion

Conditions 2.C.(21)(f)(1), (2), and (3) are complete per letter to the NRC dated December 22, 1981 (Reference 1). By letters dated June 1 and 11, and December 22, 1981, and April 16, 1982, SNC submitted to the NRC information concerning the instrumentation described in Conditions 2.C.(21)(f)(4), (5), and (6). By letter dated July 30, 1982 (Reference 16), the NRC informed SNC that it had completed its review of these items and that the License Conditions were satisfied.

2.C.(21)(g) Inadequate Core Cooling Instruments (II.F.2)

For the proposed reactor vessel water level instrument,

- (1) Provide detailed design information identified in Section 22.5 of SER Supplement 5, Requirement A, Parts (1)(a), (3), (4), (7), (8), and (9) prior to July 1, 1981.
- (2) Provide results of tests on Farley Unit 1 for consideration in this facility prior to July 1, 1981.
- (3) Provide planned program to complete development, including any additional test data needed to determine feasibility, prior to January 1, 1982.

Justification for Deletion

By letter dated January 7, 1983 (Reference 5), SNC provided a summary of actions taken on this subject, stating that the SNC letter dated June 29, 1981, documented compliance with these three conditions. It was further stated that NRC Generic Letter 82-28 established the latest guidance on this subject and all further action would be in accordance with the Generic Letter. Reference 1 also lists these items as complete. The requirements contained in this condition have been met.

2.C.(21)(h) Commission Orders on Babcock & Wilcox Plants, Subsequently Applied to all PWR Plants (II.K.2)

Prior to January 1, 1982,

- (1) Submit a detailed analysis of the thermal mechanical conditions in the reactor vessel during recovery from small break LOCAs with an extended loss of all feedwater (II.K.2.13).
- (2) Provide an analysis of the potential for voiding in the reactor coolant system during anticipated transients (II.K.2.17).
- (3) Provide a bench mark analysis of sequential auxiliary feedwater flow to the steam generators following a loss of main feedwater (II.K.2.19).

Justification for Deletion

- (1) As stated in SNC letter dated January 7, 1983 (Reference 5), License Condition 2.C.(21)(h)(1) was addressed as part of a Westinghouse Owners' Group generic effort. The required analysis was submitted to the NRC by the Westinghouse Owners' Group in a letter dated December 30, 1981. The requirements contained in this condition have been met.
- (2) By letter dated July 6, 1981 (Reference 17), the NRC informed SNC that the concerns expressed in License Condition 2.C.(21)(h)(2) are not considered applicable to steam generators of the design used by Farley, Unit 2, and that this license condition was considered complete.
- (3) As stated in the SNC letter dated January 7, 1983 (Reference 5), compliance with License Condition 2.C.(21)(h)(3) was documented in the SNC letter dated December 22, 1981, by referencing submittal of the required analysis attached to an April 20, 1981, letter from the Westinghouse Owners' Group. The requirements contained in this condition have been met.

2.C.(21)(i) Final Recommendations of B&O Task Force (II.K.3)

- (1) With respect to an automatic power-operated relief valve (PORV) isolation system (II.K.3.1 and II.K.3.2):
 - (i) Perform a safety examination of an automatic PORV isolation system (II.K.3.1) per the requirement of II.K.3.2.
 - (ii) If an automatic PORV isolation system is required per (i) above, provide the information identified under the "Documentation Required" section of II.K.3.1 of NUREG-0737 by July 1, 1981.
 - (iii) If required from (i) above, complete installation and testing of the modified automatic PORV isolation system prior to startup following the first refueling outage that is scheduled to occur more than 6 months after NRC approval of the design.

Justification for Deletion

Items (i) and (ii) are complete per letter to the NRC dated December 22, 1981, (Reference 1) and, per Reference 1, Item (iii) was determined not to be required. Also, the staff found in Reference 25 that the requirements were met with the existing PORV, safety valve and reactor high-pressure trip setpoints, and that an automatic PORV isolation system was not required. The staff finds these deletions acceptable.

2.C.(21)(i) Final Recommendations of B&O Task Force (II.K.3)

- (2) With respect to tripping of reactor coolant pumps (RCPs) (II.K.3.5):

- (i) Submit to the NRC for approval either (1) an evaluation which shows that sufficient time is available to the operator to manually trip the RCPs in the event of a small break LOCA, or (2) a description of design modifications required to provide for an automatic pump trip. This submittal is required within three months after NRC determination of acceptability of the small break LOCA model based on comparisons with LOFT test L3-6.
- (ii) If required based on (i) above, complete plant modifications to provide for automatic tripping of reactor coolant pumps within 11 months after NRC determination of model acceptability, provided there is an appropriate outage during that time interval to complete installation or during the first such scheduled outage occurring thereafter.

Justification for Deletion

As stated in SNC letter dated January 7, 1983 (Reference 5), SNC letter dated December 22, 1981, documented compliance with these conditions by referencing submittal of the Westinghouse Owners' Group (WOG) evaluation. This WOG submittal was made in letters dated March 3 and 23, and June 15, 1981. The WOG evaluation concluded that automatic tripping of the RCPs is not required. The requirements contained in this condition have been met.

2.C.(21)(i) Final Recommendations of B&O Task Force (II.K.3)

- (3) With respect to reliability of reactor coolant pump seal cooling (II.K.3.25),
 - (i) Prior to January 1, 1982, submit results of analyses or experiments to determine consequences of a loss of cooling water to the reactor coolant pump seal coolers and describe any modifications found necessary.
 - (ii) Prior to July 1, 1982, complete any necessary modifications.

Justification for Deletion

Per Reference 1, Enclosure 7, Item 8, SNC provided responses to this item to the NRC. By letter dated July 21, 1982 (Reference 18), the NRC notified SNC that NRC had evaluated these responses and determined that the integrity of the RCP seals had been adequately demonstrated for a loss of offsite power event, and that they considered this item to be resolved.

2.C.(21)(i) Final Recommendations of B&O Task Force (II.K.3)

- (4) With respect to a revised small break LOCA model,
 - (i) Prior to January 1, 1982, submit to the NRC a revised model to account for recent experimental data (II.K.3.30).

- (ii) Submit to the NRC the results of plant-specific calculations using the NRC-approved revised model prior to January 1, 1983.

Justification for Deletion

As stated in the SNC letter dated January 7, 1983 (Reference 5), the SNC letter dated December 22, 1981, documented compliance with these license conditions by referencing the NRC-approved small break LOCA model used in the licensing process for the Farley Nuclear Plants. SNC subsequently committed to participate in the WOG effort to address this issue generically, and all subsequent action on this issue was taken in accordance with the WOG effort. The requirements contained in this condition have been met.

License Condition 2.D.

This condition requires SNC to implement and maintain in effect the NRC-approved physical security, guard training and qualification, and safeguards contingency plans. SNC has proposed that this condition be rewritten, as follows:

- D. Southern Nuclear shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Joseph M. Farley Nuclear Plant Security Plan" (which contains the Safeguards Security Contingency Plan) and "Joseph M. Farley Nuclear Plant Security Personnel Training and Qualification Plan." Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

Justification for Change

This change removes effective revision dates from the titles of the security related plans listed in the condition. The purpose of this condition is to require SNC to implement and maintain the plans as required by the applicable regulations. These plans are maintained in accordance with the regulations and revised as necessary; however, the actual revision dates are irrelevant with regard to the operating license. Including the revision dates in the operating license could require a license amendment each time one of the plans is revised in order for the license to remain current. It is therefore proposed that the dates be deleted. Minor editorial changes have been made to the titles of the security related plans. The Security Plan and the Safeguards Security Contingency Plan have been combined into one document titled, "Joseph M. Farley Nuclear Plant Security Plan." The plan for training and qualifications is titled, "Joseph M. Farley Nuclear Plant Security Personnel Training and Qualification Plan." These changes are reflected in condition text provided above and are minor editorial and administrative changes.

License Condition 2.E.

The licensee's application requests the deletion of License Condition 2.E. of the Farley Unit 2 operating license, which states the following:

- E. Southern Nuclear shall report any violations of the requirements contained in Section 2, Items C.(3) through C.(21), and D of this license within 24 hours by telephone and confirm by telegram, mailgram, or facsimile transmission to the Director for Region II of the Office of Inspection and Enforcement, or the Director's designate, no later than the first working day following the violation, with a written follow-up report within 14 days.

Justification for Deletion

As result of Information Notice 97-43, SNC has reviewed each condition of the Farley operating licenses and found this license condition to be ambiguous due to differences between the condition and current reporting requirements. Current regulations require the NRC to be notified of reportable events within one hour, four hours, or thirty days, depending on severity. A one-hour or four-hour reporting requirement is typically reserved for issues of high NRC importance, as evidenced by the NRC's reporting requirements contained in 10 CFR 50.72 and 50.73. 10.CFR 50.72(b)(1)(ii) requires one hour reports for events or conditions during operation that result in the plant being in a seriously degraded or unanalyzed condition that significantly compromises plant safety, or a condition not covered by a plant's operating or emergency procedures. The regulation contemplates reports on matters to which the NRC must respond quickly or which have immediate regulatory significance that compromises the protection of public health and safety. The events and conditions which trigger a one-hour report clearly have major potential or actual safety significance. 10 CFR 50.73 describes the Licensee Event Report system. This system requires licensees to report within thirty days certain operational events and plant conditions that could affect the safe operation of the plant, but which do not have the potential for immediate degradation of the protection of public health and safety.

Thus, with its 24-hour reporting requirement, License Condition 2.E could imply that relatively insignificant issues (e.g. logable security events) be afforded regulatory significance comparable to those much more serious events reportable under 10 CFR 50.72.

SNC, upon further review, believes that this license condition is unnecessary. The items cited in this license condition impose conditions which have been fulfilled or are no longer applicable, with the exception of 2.C.(4), which requires NRC approval before use of the spent fuel cask crane to lift spent fuel casks; 2.C.(6), Fire Protection Program; and 2.(D), concerning physical security (including safeguards contingency plans) and security personnel training. Reporting requirements should no longer be applicable to the items which have been fulfilled or are no longer applicable. The reportable events associated with 2.C.(4), 2.C.(6), and 2.D. can be dispositioned in accordance with the Commission's published rules and regulations.

Reportable events associated with the Fire Protection Program are currently dispositioned in accordance with the requirements contained in the Fire Hazards Analysis (Appendix 9.B. of the FSAR), and, when appropriate, 10 CFR 50.72 and 10 CFR 50.73. Events associated with the

spent fuel cask crane can be currently dispositioned in accordance with 10 CFR 50.72 or 10 CFR 50.73; events associated with physical security (including safeguards contingency plans) and security personnel training are dispositioned in accordance with 10 CFR 73.71. These regulations, which address reporting requirements, were published subsequent to the issuance of the Farley, Unit 2 Operating License in 1981.

As noted above, immediate NRC notification of reportable events is made within one hour or four hours, depending on severity, as required by 10 CFR 50.72 and other regulations. Thus, significant reporting provisions have been added to the Part 50 regulations since this license condition was first issued. This license condition is no longer necessary to maintain the NRC cognizant of the significant events occurring at the Farley Nuclear Plants.

The revisions to 10 CFR 50.72 and 10 CFR 50.73, and the guidance provided in NUREG-1022, Revision 2, have been reviewed by SNC. The justification for deleting License Condition 2.E. remains valid and is not affected by these revisions. The staff finds acceptable the deletion of License Condition 2.E.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32, and 51.35, an Environmental Assessment and Finding of No Significant Impact was published in the Federal Register on December 5, 2001 (66 FR 63268). Accordingly, based on the environmental Assessment, the commission has determined that issuance of this amendment will not have a significant effect on the quality of the human environment.

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.

7.0 REFERENCES

1. Letter from F. L. Clayton of Alabama Power Company to S. A. Varga of the Nuclear Regulatory Commission dated December 22, 1981.
2. Letter from S. A. Varga of the Nuclear Regulatory Commission to F. L. Clayton of Alabama Power Company dated November 10, 1982.
3. Letter from F. L. Clayton of Alabama Power Company to B. J. Youngblood of the Nuclear Regulatory Commission dated June 25, 1981.
4. Letter from Edward A. Reeves of the Nuclear Regulatory Commission to W. G. Hairston of Alabama Power Company dated August 1, 1988.

5. Letter from F. L. Clayton of Alabama Power Company to S. A. Varga of the Nuclear Regulatory Commission dated January 7, 1983.
6. Letter from S. A. Varga of the Nuclear Regulatory Commission to F. L. Clayton of Alabama Power Company dated October 28, 1982.
7. Letter from Edward A. Reeves of the Nuclear Regulatory Commission to R. P. McDonald of Alabama Power Company dated December 16, 1986.
8. Letter from S. A. Varga of the Nuclear Regulatory Commission to R. P. McDonald of Alabama Power Company dated October 24, 1984.
9. Nuclear Regulatory Commission Safety Evaluation related to Amendment 34 to Facility Operating License No. NPF-8.
10. Letter from F. L. Clayton of Alabama Power Company to S. A. Varga of the Nuclear Regulatory Commission dated February 8, 1982.
11. Letter from S. A. Varga of the Nuclear Regulatory Commission to F. L. Clayton of Alabama Power Company dated December 15, 1983.
12. Letter from F. L. Clayton of Alabama Power Company to S. A. Varga of the Nuclear Regulatory Commission dated October 22, 1982.
13. Letter from F. L. Clayton of Alabama Power Company to S. A. Varga of the Nuclear Regulatory Commission dated July 1, 1982.
14. Letter from Letter from B. L. Siegel of the Nuclear Regulatory Commission to D. N. Morey of Southern Nuclear Operating Company dated July 18, 1995.
15. Letter from F. L. Clayton of Alabama Power Company to S. A. Varga of the Nuclear Regulatory Commission dated June 4, 1982.
16. Letter from S. A. Varga of the Nuclear Regulatory Commission to F. L. Clayton of Alabama Power Company dated July 30, 1982.
17. Letter from S. A. Varga of the Nuclear Regulatory Commission to F. L. Clayton of Alabama Power Company dated July 6, 1981.
18. Letter from J. D. Neighbors of the Nuclear Regulatory Commission to F. L. Clayton of Alabama Power Company dated July 21, 1982.
19. Letter from A. J. Mendiola of the Nuclear Regulatory Commission to W. G. Hairston, III of Alabama Power Company dated May 23, 1991.
20. Letter from F. L. Clayton, Jr. of Alabama Power Company to S. A. Varga of the Nuclear Regulatory Commission dated June 29, 1981.
21. Letter from F. L. Clayton, Jr. of Alabama Power Company to B. J. Youngblood of the Nuclear Regulatory Commission dated May 18, 1981.
22. Letter from F. L. Clayton, Jr. of Alabama Power Company to S. A. Varga of the Nuclear Regulatory Commission dated July 26, 1982.
23. Letter from S. A. Varga of the Nuclear Regulatory Commission to R. P. McDonald of Alabama Power Company dated May 17, 1984.
24. Letter from S. A. Varga of the Nuclear Regulatory Commission to R. P. McDonald of Alabama Power Company dated May 23, 1983.
25. Letter from S. A. Varga of the Nuclear Regulatory Commission to F. L. Clayton of Alabama Power Company dated September 23, 1983.

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