

January 31, 2002

Mr. Howard Bergendahl
Vice President-Nuclear, Davis-Besse
FirstEnergy Nuclear Operating Company
Davis-Besse Nuclear Power Station
5501 North State Route 2
Oak Harbor, OH 43449-9760

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1 - ISSUANCE OF
AMENDMENT (TAC NO. MB1678)

Dear Mr. Bergendahl:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 250 to Facility Operating License No. NPF-3 for the Davis-Besse Nuclear Power Station (DBNPS), Unit 1. The amendment revises the Technical Specifications in response to your application dated April 1, 2001.

FirstEnergy Nuclear Operating Company submitted License Amendment Request (LAR) 00-0003 for DBNPS, Unit 1 for review and approval. This amendment request proposes to revise references in the Technical Specification (TS) to the American Society of Mechanical Engineers (ASME) *Boiler and Pressure Vessel Code* (ASME Code), Section XI, as the source of requirements for the inservice testing of ASME Code Class 1, 2, and 3 pumps and valves. The TS will reference the ASME Code for Operation and Maintenance of Nuclear Power Plants (ASME OM Code).

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

Sincerely,

/RA/

Stephen P. Sands, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosures: 1. Amendment No. 250 to
License No. NPF-3
2. Safety Evaluation

cc w/encls: See next page

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Distribution w/encls:

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License No. NPF-3
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ADAMS Accession No.: ML020300351

TS Accession No.: ML020460299

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| OFFICE | PM:PD3-2 | LA:PD3-2 | EMEB | OGC nlo | SC:PD3-2 |
| NAME | SSands | THarris | DTerao | RHoeffling | AMendiola |
| DATE | 1/18/2002 | 1/17/2002 | 01/22/2002 | 1/28/2002 | 1/31/2002 |

OFFICIAL RECORD COPY

Mr. Howard Bergendahl
FirstEnergy Nuclear Operating Company

Davis-Besse Nuclear Power Station, Unit 1

cc:

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FIRSTENERGY NUCLEAR OPERATING COMPANY

DOCKET NO. 50-346

DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 250

License No. NPF-3

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the FirstEnergy Nuclear Operating Company (the licensee) dated April 1, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment and paragraph 2.C.(2) of Facility Operating License No. NPF-3 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 250, are hereby incorporated in the license. FirstEnergy Nuclear Operating Company shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 120 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Anthony J. Mendiola, Chief, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: January 31, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 250

FACILITY OPERATING LICENSE NO. NPF-3

DOCKET NO. 50-346

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

Remove

3/4 0-2
3/4 0-3
B 3/4 0-4
B 3/4 4-1a

Insert

3/4 0-2
3/4 0-3
B 3/4 0-4
B 3/4 4-1a

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 250 TO FACILITY OPERATING LICENSE NO. NPF-3
FIRSTENERGY NUCLEAR OPERATING COMPANY
DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1
DOCKET NO. 50-346

1.0 INTRODUCTION

In 1990, the American Society of Mechanical Engineers (ASME) published the initial edition of the ASME *Code for Operation and Maintenance* of Nuclear Power Plants (ASME OM Code) that provides rules for the inservice testing (IST) of pumps and valves. The ASME OM Code replaced Section XI of the ASME *Boiler and Pressure Vessel Code* for IST of pumps and valves. The 1995 Edition with the 1996 Addenda of the ASME OM Code was incorporated by reference into the regulations in 10 CFR 50.55a on September 22, 1999. The regulations in 10 CFR 50.55a(f)(4)(ii) require that IST during successive 120-month intervals comply with the requirements of the latest edition and addenda of the Code incorporated into 10 CFR 50.55a 12 months prior to the start of the 120-month interval.

In a letter dated April 1, 2001, FirstEnergy Nuclear Operating Company, licensee for Davis-Besse Nuclear Power Station (DBNPS), Unit No. 1, submitted license amendment request (LAR) 00-0003 for the 120-month update of the DBNPS IST program for pumps and valves. In LAR 00-0003, the licensee proposes to revise Technical Specification (TS) Surveillance Requirement (SR) 4.0.5, Applicability, TS Bases 4.0.5, and TS Bases 3/4.4.2 and 3/4.4.3, Reactor Coolant System - Safety Valves.

The Nuclear Regulatory Commission's (NRC's) findings with respect to authorizing the alternative to grant or deny the license amendment request is provided below.

2.0 EVALUATION

The license amendment request proposes revisions to TS SR 4.0.5, Applicability, TS Bases 4.0.5, and TS Bases 3/4.4.2 and 3/4.4.3, Reactor Coolant System - Safety Valves.

Existing TS SR 4.0.5a makes reference to inservice inspection of ASME Code Class 1, 2, and 3 components and IST of ASME Code Class 1, 2, and 3 pumps and valves. The TS state that IST shall be performed in accordance with Section XI of the ASME *Boiler and Pressure Vessel Code* and applicable addenda as required by 10 CFR 50.55a. The proposed change to TS SR 4.0.5a revises reference to IST of ASME Code Class 1, 2, and 3 pumps and valves, and states that IST of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with the ASME OM Code and applicable Addenda as required by 10 CFR 50.55a. The

proposed change is necessary in order for the DBNPS IST program to be in compliance with the requirements of 10 CFR 50.55a. The staff finds this proposed TS SR change to be acceptable.

Existing TS SR 4.0.5b addresses weekly, monthly, quarterly, semiannual, and yearly surveillance intervals but does not address the semi-quarterly, nine-month, or biennial surveillance intervals that are addressed in the ASME OM Code. Proposed changes to TS SR 4.0.5b would add the semi-quarterly, nine-month, and biennial surveillance intervals to the list of required frequencies for performing inservice inspection and testing activities. The proposed changes to add semi-quarterly, nine-month, and biennial surveillance intervals to TS SR 4.0.5b will maintain consistency with the Code requirements. The staff finds this proposed TS SR change to be acceptable.

TS SRs 4.0.5c, 4.0.5d, 4.0.5e remain unchanged. The proposed change to TS Bases 4.0.5 removes the reference to the ASME *Boiler and Pressure Vessel Code* for IST of ASME Code Class 1, 2, and 3 pumps and valves, and makes reference to IST of ASME Code Class 1, 2, and 3 pumps and valves that will be performed in accordance with a periodically updated edition and addenda of the ASME OM Code as required by 10 CFR 50.55a.

The proposed TS Bases 4.0.5 also removes reference to the TS definition of operable which does not grant a grace period before a device that is not capable of performing its specified functions is declared inoperable. This takes precedence over the ASME Boiler and Pressure Vessel provision, which allows a valve to be incapable of performing its specified function for up to 24 hours before being declared inoperable. Operational readiness is addressed and satisfied in the ASME OM Code. It states the pump shall be declared inoperable until either the cause of the deviation has been determined and the condition is corrected, or an analysis of the pump is performed and new reference values are established. The proposed changes are necessary to implement the DBNPS third 120-month interval IST program. The staff finds this proposed TS Bases change to be acceptable.

Existing TS Bases Section 3/4.4.2 and 3/4.4.3 states, in part, that demonstration of the safety valves' lift settings will occur only during shutdown and will be performed in accordance with the provisions of Section XI of the ASME Boiler and Pressure Vessel Code. The proposed change to TS Bases 3/4.4.2 and 3/4.4.3 will reference the ASME OM Code. The proposed change is necessary for consistency with the IST requirements of 10 CFR 50.55a. The staff finds this proposed TS Bases change to be acceptable.

3.0 STATE CONSULTATION

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

4.0 ENVIRONMENTAL CONSIDERATION

This amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 or changes a surveillance requirement. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluent that may be released offsite, and that there is no significant increase in individual or cumulative occupational

radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration and there has been no public comment on such finding (66 FR 29375). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

5.0 CONCLUSION

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

Principal Contributor: A. Park

Date: January 31, 2002