

March 9, 1989

Docket No. 50-341

Mr. B. Ralph Sylvia
Group Vice President - Nuclear
Operations
Detroit Edison Company
6400 North Dixie Highway
Newport, Michigan 48166

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GPA/PA
ARM/LFMB
EJordan

Dear Mr. Sylvia:

SUBJECT: AMENDMENT NO. 31 TO FACILITY OPERATING LICENSE NO. NPF-43: TECHNICAL SPECIFICATION CHANGE - MISSED SURVEILLANCE (4.0.3 AND 4.0.4) (TAC NO. 68253)

The Commission has issued the enclosed Amendment No. 31 to Facility Operating License No. NPF-43 for the Fermi-2 facility. This amendment consists of changes to the Plant Technical Specifications in response to a portion of your letter dated May 24, 1988 (NRC-88-0062).

The amendment revises Fermi-2 Technical Specifications 4.0.3 and 4.0.4 to allow a 24-hour delay in implementing ACTION requirements due to a missed surveillance when the ACTION requirements provide a restoration time which is less than 24 hours and to resolve any interpretational conflicts between 4.0.3 and 4.0.4. The other changes requested in your May 24, 1988 application will be handled separately.

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

Sincerely,

[Handwritten signature]

Lynn Kelly, Project Manager
Project Directorate III-1
Division of Reactor Projects - III,
IV, V & Special Projects

Enclosures:

1. Amendment No. 31 to NPF-43
2. Safety Evaluation

cc w/enclosures:
See next page

LA/PD31:DRSP
RIngram
2/9/89

PM/PD31:DRSP
LKelly
2/9/89

PM/PD31:DRSP
JStang *me for*
2/9/89

(A)D/PD31:DRSP
TQuay *TK*
2/9/89

OGC *OB*
2/13/88

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[Signature]
Lynn Kelly, Project Manager
Project Directorate III-1
Division of Reactor Projects - III,
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(A)D/PD31:DRSP
TQuay
2/9/89

OGC *[Signature]*
2/13/88

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
March 9, 1989



Docket No. 50-341

Mr. B. Ralph Sylvia
Group Vice President - Nuclear
Operations
Detroit Edison Company
6400 North Dixie Highway
Newport, Michigan 48166

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SUBJECT: AMENDMENT NO. 31 TO FACILITY OPERATING LICENSE NO. NPF-43: TECHNICAL SPECIFICATION CHANGE - MISSED SURVEILLANCE (4.0.3 AND 4.0.4)
(TAC NO. 68253)

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Sincerely,

A handwritten signature in cursive script that reads "Lynn Kelly".

Lynn Kelly, Project Manager
Project Directorate III-1
Division of Reactor Projects - III,
IV, V & Special Projects

Enclosures:

1. Amendment No.31 to NPF-43
2. Safety Evaluation

cc w/enclosures:
See next page

Mr. B. Ralph Sylvia
Detroit Edison Company

Fermi-2 Facility

cc:

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Regional Administrator, Region III
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799 Roosevelt Road
Glen Ellyn, Illinois 60137



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

DETROIT EDISON COMPANY
WOLVERINE POWER SUPPLY COOPERATIVE, INCORPORATED

DOCKET NO. 50-341

FERMI-2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.31
License No. NPF-43

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the Detroit Edison Company (the licensee) dated May 24, 1988 (NRC-88-0062), 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-43 is hereby amended to read as follows:

Technical Specifications and Environmental Protection Plan

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

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Theodore R. Quay, Acting Director
Project Directorate III-1
Division of Reactor Projects - III,
IV, V & Special Projects

Attachment:
Changes to the Technical
Specifications

Date of Issuance: March 9, 1989

ATTACHMENT TO LICENSE AMENDMENT NO. 31

FACILITY OPERATING LICENSE NO. NPF-43

DOCKET NO. 50-341

Replace the following pages of the Appendix "A" Technical Specifications with the attached pages. The revised pages are identified by Amendment number and contain a vertical line indicating the area of change. The corresponding overleaf pages are also provided to maintain document completeness.

REMOVE

3/4 0-2

3/4 0-3

INSERT

3/4 0-2

3/4 0-3

3/4.0 APPLICABILITY

LIMITING CONDITION FOR OPERATION

3.0.1 Compliance with the Limiting Conditions for Operation contained in the succeeding Specifications is required during the OPERATIONAL CONDITIONS or other conditions specified therein; except that upon failure to meet the Limiting Conditions for Operation, the associated ACTION requirements shall be met.

3.0.2 Noncompliance with a Specification shall exist when the requirements of the Limiting Condition for Operation and associated ACTION requirements are not met within the specified time intervals. If the Limiting Condition for Operation is restored prior to expiration of the specified time intervals, completion of the Action requirements is not required.

3.0.3 When a Limiting Condition for Operation is not met, except as provided in the associated ACTION requirements, within one hour action shall be initiated to place the unit in an OPERATIONAL CONDITION in which the Specification does not apply by placing it, as applicable, in:

1. At least STARTUP within the next 6 hours,
2. At least HOT SHUTDOWN within the following 6 hours, and
3. At least COLD SHUTDOWN within the subsequent 24 hours.

Where corrective measures are completed that permit operation under the ACTION requirements, the ACTION may be taken in accordance with the specified time limits as measured from the time of failure to meet the Limiting Condition for Operation. Exceptions to these requirements are stated in the individual Specifications.

This Specification is not applicable in OPERATIONAL CONDITIONS 4 or 5.

3.0.4 Entry into an OPERATIONAL CONDITION or other specified condition shall not be made unless the conditions for the Limiting Condition for Operation are met without reliance on provisions contained in the ACTION requirements. This provision shall not prevent passage through or to OPERATIONAL CONDITIONS as required to comply with ACTION requirements. Exceptions to these requirements are stated in the individual Specifications.

APPLICABILITY

SURVEILLANCE REQUIREMENTS

4.0.1 Surveillance Requirements shall be met during the OPERATIONAL CONDITIONS or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.

4.0.2 Each Surveillance Requirement shall be performed within the specified time interval with:

- a. A maximum allowable extension not to exceed 25% of the surveillance interval, but
- b. The combined time interval for any 3 consecutive surveillance intervals shall not exceed 3.25 times the specified surveillance interval.

4.0.3 Failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by Specification 4.0.2, shall constitute noncompliance with the OPERABILITY requirements for a Limiting Condition for Operation. The time limits of the ACTION requirements are applicable at the time it is identified that a Surveillance Requirement has not been performed. The ACTION requirements may be delayed for up to 24 hours to permit the completion of the surveillance when the allowable outage time limits of the ACTION requirements are less than 24 hours. Surveillance Requirements do not have to be performed on inoperable equipment.

4.0.4 Entry into an OPERATIONAL CONDITION or other specified applicable condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation have been performed within the applicable surveillance interval or as otherwise specified. This provision shall not prevent passage through or to OPERATIONAL CONDITIONS as required to comply with ACTION requirements.

4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, & 3 components shall be applicable as follows:

- a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves 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, Section 50.55a(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR 50, Section 50.55a(g)(6)(i).
- b. Surveillance intervals specified in Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda for the inservice inspection and testing activities required by the ASME Boiler and Pressure Vessel Code and applicable Addenda shall be applicable as follows in these Technical Specifications:

APPLICABILITY

SURVEILLANCE REQUIREMENTS (Continued)

<u>ASME Boiler and Pressure Vessel Code and applicable Addenda terminology for inservice inspection and testing activities</u>	<u>Required frequencies for performing inservice inspection and testing activities</u>
Weekly	At least once per 7 days
Monthly	At least once per 31 days
Quarterly or every 3 months	At least once per 92 days
Semiannually or every 6 months	At least once per 184 days
Every 9 months	At least once per 276 days
Yearly or annually	At least once per 366 days

- c. The provisions of Specification 4.0.2 are applicable to the above required frequencies for performing inservice inspection and testing activities.
- d. Performance of the above inservice inspection and testing activities shall be in addition to other specified Surveillance Requirements.
- e. Nothing in the ASME Boiler and Pressure Vessel Code shall be construed to supersede the requirements of any Technical Specification.

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



SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
SUPPORTING AMENDMENT NO. 31 TO FACILITY OPERATING LICENSE NO. NPF-43

DETROIT EDISON COMPANY

WOLVERINE POWER SUPPLY COOPERATIVE, INCORPORATED

FERMI-2

DOCKET NO. 50-341

1.0 INTRODUCTION

By letter dated May 24, 1988, the Detroit Edison Company (DECo or the licensee) requested an amendment to the Technical Specifications (TSs) appended to Facility Operating License No. NPF-43 for Fermi-2. The proposed amendment would revise the TSs based on the guidance provided by the NRC staff in the portions of Generic Letter 87-09 (GL 87-09) pertaining to TSs 4.0.3 and 4.0.4. These proposed changes would allow a 24-hour delay in implementing ACTION requirements due to a missed surveillance when the ACTION requirements provide a restoration time which is less than 24 hours and would resolve interpretation conflicts between TSs 4.0.3 and 4.0.4.

The licensee's May 24, 1988 letter also proposed other changes to the TSs which will be handled separately.

2.0 EVALUATION

TS 4.0.3 establishes the failure to perform a surveillance requirement within its specified time interval as non-compliance with the associated Limiting Condition for Operation (LCO). In their submittal, DECo stated that assuming the equipment to be inoperable because a surveillance is missed is overly conservative since a missed surveillance does not provide any real evidence that the function to be tested is actually inoperable. This conservatism becomes a problem in instances where the LCO restoration time is short, thereby forcing testing (of a component that is probably OPERABLE) to be completed on an urgent basis in order to avoid a shutdown. DECo proposed a revision to Technical Specification 4.0.3 to resolve this conservatism problem and to avoid unnecessary shutdown when the surveillance intervals are inadvertently exceeded.

The essence of the change to TS 4.0.3 proposed by DECo is to provide a reasonable amount of time (24 hours) to perform a missed surveillance in recognition of the fact that in most cases a surveillance verifies the OPERABILITY, rather than inoperability, of a component. This allowance would only be provided when the existing action statement time limits are less than 24 hours. This revision is based on the NRC GL 87-09 guidance.

The basis for the 24-hour limit, as stated in the Generic Letter and reiterated by DECo, is that it "would balance the risks associated with an allowance for completing the surveillance within this period against the risks associated with the potential for plant upset and challenge to safety systems." The NRC staff concluded in the Generic Letter that 24 hours is appropriate based on consideration of plant safety conditions, adequate planning, availability of personnel, the time required to perform the surveillance, and the safety significance of the delay in completion of the surveillance.

TS 4.0.4 prohibits entry into an OPERATIONAL CONDITION or other specified condition until all required surveillances have been performed. This could cause an interpretation problem when OPERATIONAL CONDITION changes are required in order to comply with ACTION statements. Specifically, two possible conflicts between TSs 4.0.3 and 4.0.4 could exist. The first conflict arises because TS 4.0.4 prohibits entry into an operational mode or other specified condition when surveillance requirements have not been performed within the specified surveillance interval. The DECo proposed modification to resolve this conflict involves the revision to TS 4.0.3 to permit a delay of up to 24 hours in the application of the Action Requirements, as explained above, and a clarification of TS 4.0.4 to allow passage through or to operational modes as required to comply with Action Requirements. The second potential conflict between TSs 4.0.3 and 4.0.4 arises because an exception to the requirements of 4.0.4 is allowed when surveillance requirements can only be completed after entry into a mode or condition. However, after entry into this mode or condition, the requirements of TS 4.0.3 may not be met because the surveillance requirements may not have been performed within the allowable surveillance interval.

DECo proposes to resolve these conflicts by providing the following clarifying statement to TS 4.0.4:

"This provision shall not prevent passage through or to OPERATIONAL CONDITIONS as required to comply with ACTION requirements."

The NRC staff has provided in GL 87-09 a clarification that: (a) it is not the intent of 4.0.3 that the Action Requirements preclude the performance of surveillances allowed under any exception to TS 4.0.4; and (b) that the delay of up to 24 hours in TS 4.0.3 for the applicability of Action Requirements provides an appropriate time limit for the completion of surveillance requirements that become applicable as a consequence of any exception to TS 4.0.4.

Consequently, the NRC staff finds the proposed changes to TSs 4.0.3 and 4.0.4 acceptable.

3.0 ENVIRONMENTAL CONSIDERATION

This amendment involves a change in the surveillance requirements. We have

determined that this amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents which 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 this amendment involves no significant hazards consideration and there has been no public comment on such finding. Accordingly, this 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 this amendment.

4.0 CONCLUSION

We have 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, and (2) such activities will be conducted in compliance with the Commission's regulations, and 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: Lynn Kelly

Dated: March 9, 1989