

April 18, 1997

Mr. Douglas R. Gipson
Senior Vice President
Nuclear Generation
Detroit Edison Company
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: FERMI-2 - ISSUANCE OF AMENDMENT RE: ELIMINATION OF SELECTED
RESPONSE TIME TESTING REQUIREMENTS (TAC NO. M98249)

Dear Mr. Gipson:

The Commission has issued the enclosed Amendment No. 111 to Facility Operating License No. NPF-43 for the Fermi-2 facility. The amendment consists of changes to the Technical Specifications (TS) in response to your application dated March 27, 1997, as supplemented April 4, 1997. This request was treated as an exigent amendment in accordance with 10 CFR 50.91(a)(6)(i)(A).

The amendment revises TS surveillance requirement (SR) 4.3.1.3 for the Reactor Protection System Instrumentation to indicate that certain sensors are exempt from response time testing. A similar revision is made to SR 4.3.2.3 for the Isolation Actuation Instrumentation. Finally, SR 4.3.3.3 for the Emergency Core Cooling System Actuation Instrumentation is revised to indicate that the emergency core cooling system actuation instrumentation is exempt from response time testing. These changes are consistent with the BWR Owners Group Licensing Topical Report NEDO-32291, dated January 1994, which the staff approved in a generic safety evaluation report (SER) dated December 28, 1994, and a supplement to this SER dated May 31, 1995.

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

Sincerely,

ORIGINAL SIGNED BY

Andrew J. Kugler, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-341

Enclosures: 1. Amendment No. 111 to NPF-43
2. Safety Evaluation

cc w/encl: See next page

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Fermi-2

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DATED: April 18, 1997

AMENDMENT NO. 111 TO FACILITY OPERATING LICENSE NO. NPF-43-FERMI-2

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

DETROIT EDISON COMPANY

DOCKET NO. 50-341

FERMI-2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 111
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 March 27, 1997, as supplemented on April 4, 1997, 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.

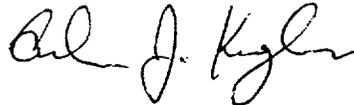
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment and paragraph 2.C.(2) of Facility Operating License No. NPF-43 is hereby amended to read as follows:

Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 111 , 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 with full implementation prior to entry into Operation Condition 2 or 3.

FOR THE NUCLEAR REGULATORY COMMISSION



Andrew J. Kugler, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: April 18, 1997

ATTACHMENT TO LICENSE AMENDMENT NO. 111

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 vertical lines indicating the area of change.

REMOVE

3/4 3-1*
3/4 3-1a
3/4 3-9*
3/4 3-10
3/4 3-23
3/4 3-24*

INSERT

3/4 3-1*
3/4 3-1a
3/4 3-9*
3/4 3-10
3/4 3-23
3/4 3-24*

*Overleaf page provided to maintain document completeness. No changes contained on these pages.

3/4.3 INSTRUMENTATION

3/4.3.1 REACTOR PROTECTION SYSTEM INSTRUMENTATION

LIMITING CONDITION FOR OPERATION

3.3.1 As a minimum, the reactor protection system instrumentation channels shown in Table 3.3.1-1 shall be OPERABLE.

APPLICABILITY: As shown in Table 3.3.1-1.

ACTION:

- a. With the number of OPERABLE channels less than required by the Minimum OPERABLE channels per Trip System requirement for one trip system:
 1. Within 1 hour, verify that each Functional Unit within the affected trip system contains no more than one inoperable channel or place the inoperable channel(s) and/or that trip system in the tripped condition*.
 2. If placing the inoperable channel(s) in the tripped condition would cause a scram, the inoperable channel(s) shall be restored to OPERABLE status within 6 hours or the ACTION required by Table 3.3.1-1 for the affected Functional Unit shall be taken.
 3. If placing the inoperable channel(s) in the tripped condition would not cause a scram, place the inoperable channel(s) and/or that trip system in the tripped condition within 12 hours.
- b. With the number of OPERABLE channels less than required by the Minimum OPERABLE Channels per Trip System requirement for both trip systems, place at least one trip system** in the tripped condition within 1 hour and take the ACTION required by Table 3.3.1-1.

*An inoperable channel need not be placed in the tripped condition where this would cause a scram to occur. In these cases, the inoperable channel shall be restored to OPERABLE status within 2 hours after the channel was first determined to be inoperable or the ACTION required by Table 3.3.1-1 for that Functional Unit shall be taken.

**The trip system need not be placed in the tripped condition if this would cause a scram to occur. When a trip system can be placed in the tripped condition without causing a scram to occur, place the trip system with the most inoperable channels in the tripped condition; if both systems have the same number of inoperable channels, place either trip system in the tripped condition.

3/4.3 INSTRUMENTATION

3/4.3.1 REACTOR PROTECTION SYSTEM INSTRUMENTATION

SURVEILLANCE REQUIREMENTS

4.3.1.1 Each reactor protection system instrumentation channel shall be demonstrated OPERABLE by the performance of the CHANNEL CHECK, CHANNEL FUNCTIONAL TEST, and CHANNEL CALIBRATION operations for the OPERATIONAL CONDITIONS and at the frequencies shown in Table 4.3.1.1-1.

4.3.1.2 LOGIC SYSTEM FUNCTIONAL TESTS and simulated automatic operation of all channels shall be performed at least once per 18 months.

4.3.1.3 The REACTOR PROTECTION SYSTEM RESPONSE TIME of each reactor trip functional unit* shall be demonstrated to be within its limit at least once per 18 months. Neutron detectors are exempt from response time testing. Each test shall include at least one channel per trip system such that all channels are tested at least once every N times 18 months where N is the total number of redundant channels in a specific reactor trip system.

*The sensor response time for Reactor Vessel Steam Dome Pressure - High and Reactor Vessel Low Water Level - Level 3 need not be measured and may be assumed to be the design sensor response time.

INSTRUMENTATION

3/4.3.2 ISOLATION ACTUATION INSTRUMENTATION

LIMITING CONDITION FOR OPERATION

3.3.2 The isolation actuation instrumentation channels shown in Table 3.3.2-1 shall be OPERABLE with their trip setpoints set consistent with the values shown in the Trip Setpoint column of Table 3.3.2-2.

APPLICABILITY: As shown in Table 3.3.2-1.

ACTION:

- a. With an isolation actuation instrumentation channel trip setpoint less conservative than the value shown in the Allowable Values column of Table 3.3.2-2, declare the channel inoperable until the channel is restored to OPERABLE status with its trip setpoint adjusted consistent with the Trip Setpoint value.
- b. With the number of OPERABLE channels less than required by the Minimum OPERABLE Channels per Trip System requirement for one trip system:
 1. If placing the inoperable channel(s) in the tripped condition would cause an isolation, the inoperable channel(s) shall be restored to OPERABLE status within 6 hours or the ACTION required by Table 3.3.2-1 for the affected trip function shall be taken.
 2. If placing the inoperable channel(s) in the tripped condition would not cause an isolation, the inoperable channel(s) and/or that trip system shall be placed in the tripped condition within:
 - a) 12 hours for trip functions common to RPS Instrumentation;
and
 - b) 24 hours for trip functions not common to RPS Instrumentation.
- c. With the number of OPERABLE channels less than required by the Minimum OPERABLE Channels per Trip System requirement for both trip systems, place at least one trip system* in the tripped condition within one hour and take the ACTION required by Table 3.3.2-1.

*Place one trip system (with the most inoperable channels) in the tripped condition. The trip system need not be placed in the tripped condition when this would cause the isolation to occur.

INSTRUMENTATION

SURVEILLANCE REQUIREMENTS

4.3.2.1 Each isolation actuation instrumentation channel shall be demonstrated OPERABLE by the performance of the CHANNEL CHECK, CHANNEL FUNCTIONAL TEST and CHANNEL CALIBRATION operations for the OPERATIONAL CONDITIONS and at the frequencies shown in Table 4.3.2.1-1.

4.3.2.2 LOGIC SYSTEM FUNCTIONAL TESTS and simulated automatic operation of all channels shall be performed at least once per 18 months.

4.3.2.3 The ISOLATION SYSTEM RESPONSE TIME of each isolation trip function* shall be demonstrated to be within its limit at least once per 18 months. Radiation detectors are exempt from response time testing. Each test shall include at least one channel per trip system such that all channels are tested at least once every N times 18 months, where N is the total number of redundant channels in a specific isolation trip system.

*The sensor response time for Primary Containment Isolation Reactor Vessel Low Water Level - Level 1 and Main Steam Line Flow - High need not be measured and may be assumed to be the design sensor response time.

INSTRUMENTATION

3/4.3.3 EMERGENCY CORE COOLING SYSTEM ACTUATION INSTRUMENTATION

LIMITING CONDITION FOR OPERATION

3.3.3 The emergency core cooling system (ECCS) actuation instrumentation channels shown in Table 3.3.3-1 shall be OPERABLE with their trip setpoints set consistent with the values shown in the Trip Setpoint column of Table 3.3.3-2.

APPLICABILITY: As shown in Table 3.3.3-1.

ACTION:

- a. With an ECCS actuation instrumentation channel trip setpoint less conservative than the value shown in the Allowable Values column of Table 3.3.3-2, declare the channel inoperable until the channel is restored to OPERABLE status with its trip setpoint adjusted consistent with the Trip Setpoint value.
- b. With one or more ECCS actuation instrumentation channels inoperable, take the ACTION required by Table 3.3.3-1.
- c. With either ADS trip system "A" or "B" inoperable, restore the inoperable trip system to OPERABLE status within:
 1. 7 days, provided that the HPCI and RCIC systems are OPERABLE, otherwise,
 2. 72 hours.

Otherwise, be in at least HOT SHUTDOWN within the next 12 hours and reduce reactor steam dome pressure to less than or equal to 150 psig within the following 24 hours.

SURVEILLANCE REQUIREMENTS

4.3.3.1 Each ECCS actuation instrumentation channel shall be demonstrated OPERABLE by the performance of the CHANNEL CHECK, CHANNEL FUNCTIONAL TEST and CHANNEL CALIBRATION operations for the OPERATIONAL CONDITIONS and at the frequencies shown in Table 4.3.3.1-1.

4.3.3.2 LOGIC SYSTEM FUNCTIONAL TESTS and simulated automatic operation of all channels shall be performed at least once per 18 months.*

4.3.3.3 The ECCS RESPONSE TIME of each ECCS trip function** shall be demonstrated to be within the limit at least once per 18 months.

* For the diesel generator output breakers: Completion of logic system functional testing, for the loss of power function, to positively verify that the breaker reclosure permissive relay (52XX) is re-energized by the associated bus load shedding logic contact closing, rather than the 52XX being re-energized by a parallel path, may be deferred and must be completed no later than during the first plant outage after September 29, 1995.

**ECCS actuation instrumentation response time need not be measured and may be assumed to be the design instrumentation response time.

TABLE 3.3.3-1

EMERGENCY CORE COOLING SYSTEM ACTUATION INSTRUMENTATION

<u>TRIP FUNCTION</u>	<u>MINIMUM OPERABLE CHANNELS PER TRIP SYSTEM(a)</u>	<u>APPLICABLE OPERATIONAL CONDITIONS</u>	<u>ACTION</u>
1. <u>CORE SPRAY SYSTEM</u>			
a. Reactor Vessel Low Water Level - Level 1	2(b)	1, 2, 3, 4*, 5*	30
b. Drywell Pressure - High	2(b)	1, 2, 3	30
c. Reactor Steam Dome Pressure - Low (Injection Permissive)	2	1, 2, 3	30
	2	4*, 5*	30
d. Manual Initiation	100	1, 2, 3, 4*, 5*	33
2. <u>LOW PRESSURE COOLANT INJECTION MODE OF RHR SYSTEM</u>			
a. Reactor Vessel Low Water Level - Level 1	2	1, 2, 3, 4*, 5*	30
b. Drywell Pressure - High	2	1, 2, 3	30
c. Reactor Steam Dome Pressure - Low (Valve Permissive)	2	1, 2, 3	30
	2	4*, 5*	30
d. Reactor Vessel Low Water Level - Level 2 (Loop Select Logic)	2	1, 2, 3, 4*, 5*	30
e. Reactor Steam Dome Pressure - Low (Break Detection Logic)	2	1, 2, 3, 4*, 5*	30
f. Riser Differential Pressure - High (Break Detection)	2	1, 2, 3	30
g. Recirculation Pump Differential Pressure - High (Break Detection)	2	1, 2, 3	30
h. Manual Initiation	100	1, 2, 3, 4*, 5*	33
3. <u>HIGH PRESSURE COOLANT INJECTION SYSTEM</u>			
a. Reactor Vessel Low Water Level - Level 2	2	1, 2, 3	30
b. Drywell Pressure - High	2	1, 2, 3	30
c. Condensate Storage Tank Level Low	2(c)	1, 2, 3	34
d. Suppression Pool Water Level High	2(d)	1, 2, 3	34
e. Reactor Vessel High Water Level Level 8	2(e)	1, 2, 3	32
f. Manual Initiation	100	1, 2, 3	33



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 111 TO FACILITY OPERATING LICENSE NO. NPF-43

DETROIT EDISON COMPANY

FERMI-2

DOCKET NO. 50-341

1.0 INTRODUCTION

By letter dated March 27, 1997, as supplemented on April 4, 1997, the Detroit Edison Company (DECo or the licensee) requested an amendment to the Technical Specifications (TS) appended to Facility Operating License No. NPF-43 for Fermi-2. The proposed amendment would revise TS surveillance requirement (SR) 4.3.1.3, Reactor Protection System (RPS) Instrumentation, to indicate that certain sensors are exempt from response time testing (RTT). A similar revision would be made to SR 4.3.2.3, Isolation Actuation Instrumentation. Finally, SR 4.3.3.3, Emergency Core Cooling System (ECCS) Actuation Instrumentation, would be revised to indicate that the ECCS actuation instrumentation is exempt from RTT.

2.0 BACKGROUND

The Boiling Water Reactor Owners Group (BWROG), with Detroit Edison participation, performed an analysis to assess the impact of elimination of RTT for selected instrument loops. This analysis was documented as Licensing Topical Report NEDO-32291, "System Analyses for Elimination of Selected Response Time Testing Requirements," and was submitted for NRC approval in January 1994. The NRC approved NEDO-32291 in a generic SER dated December 28, 1994 and approved subsequent revisions to NEDO-32291 in a supplemental SER dated May 31, 1995. The generic SER included Tables 1 and 2, which respectively list the make/model of instruments/devices, and systems that were evaluated in NEDO-32291 for RTT elimination. The generic SER states, "The BWROG concluded that the RTT requirements for the devices identified in Table 1 can be removed from the TSs when the devices are used in systems listed in Table 2." In addition to approving elimination of RTT for selected instrumentation, the generic SER stipulated certain conditions that individual plant licensees must meet when implementing the NEDO-32291 guidelines on a plant-specific basis.

ENCLOSURE

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3.0 PROPOSED CHANGES AND EVALUATION

Detroit Edison proposed elimination of the following selected RTT requirements from the Fermi-2 TS:

1. RPS Instrumentation - Sensors for Reactor Vessel Steam Dome Pressure-High and Reactor Vessel Low Water Level - Level 3;
2. Isolation Actuation System Instrumentation - Sensors for Reactor Vessel Low Water Level-Level 1 and Main Steam Line Flow-High, and;
3. ECCS Actuation Instrumentation.

As approved by the staff, NEDO-32291 indicated that RTT can be eliminated for the following based on other TS testing that is sufficient to detect instrumentation response degradation:

1. All ECCS instrument loops;
2. All Isolation Actuation instrument loops except for main steam line isolation valves (MSIVs);
3. Sensors for selected RPS actuation; and
4. Sensors for MSIV closure actuation.

The specific sections of the Fermi-2 TS to be changed are as follows:

- (a) Section 3/4.3.1, Reactor Protection System Instrumentation, page 3/4 3-1a, Surveillance Requirement 4.3.1.3, Reactor Protection System Response Time.

Proposed Change: Add a footnote stating: "The sensor response time for Reactor Vessel Steam Dome Pressure - High and Reactor Vessel Low Water Level - Level 3 need not be measured and may be assumed to be the design sensor response time."

Evaluation: This footnote will allow Fermi-2 to use manufacturers' response time data and eliminate the requirement for a separate measurement of the sensor response time. The remainder of the channel will continue to be tested for response time. This change is consistent with the approved NEDO-32291.

- (b) Section 3/4.4, Surveillance Requirements, page 3/4 3-10, Surveillance Requirement 4.3.2.3, Isolation System Response Time.

Proposed Change: Add a footnote stating: "The sensor response time for Primary Containment Isolation Reactor Vessel Low Water Level - Level 1 and Main Steam Line Flow - High need not be measured and may be assumed to be the design sensor response time."

Evaluation: This footnote will allow Fermi-2 to use manufacturers' response time data and eliminate the requirement for a separate measurement of the sensor response time. The remainder of the channel will continue to be tested for response time. This change is consistent with the approved NEDO-32291.

- (c) Section 3/4.3.3, Emergency Core Cooling System Actuation Instrumentation, page 3/4 3-23, Surveillance Requirement 4.3.3.3, ECCS Response Time.

Proposed Change: Add a footnote stating: "ECCS actuation instrumentation response time need not be measured and may be assumed to be the design instrumentation response time."

Evaluation: This footnote will allow Fermi-2 to use manufacturers' response time data and eliminate the requirement for a measurement of the instrument channel response time. For the ECCS functions, the entire channel is exempted from response time testing. This change is consistent with the approved NEDO-32291.

4.0 VERIFICATION OF NEDO-32291 PLANT-SPECIFIC CONDITIONS

The staff stipulated several conditions in the generic SER approving NEDO-32291 which must be met by the individual licensee referencing NEDO-32291 before its guidance could be implemented in plant-specific TS change proposals. From the Fermi-2 licensee's submittals, the staff verified that the licensee has met the applicable conditions as follows:

- 4.1 Condition: Confirm the applicability of the generic analyses to the plant.

Licensee's Response: The licensee indicated that Fermi-2 was selected as a lead plant in the development of NEDO-32291 as documented in Section 4.0 and Appendix A, B, C, and H of the NEDO document. Therefore, the NEDO-32291 analysis are applicable to Fermi-2. The staff finds this response acceptable.

- 4.2 Condition: The licensee's revision request shall be submitted as shown in Appendix I of the BWROG letter.

Licensee's Response: The licensee stated that the March 27, 1997, submittal for proposed TS changes satisfies this condition. The staff finds this response acceptable.

- 4.3 Condition: The licensee shall state that it is following the recommendations from EPRI NP-7243 and, therefore, shall perform the following actions:

- (a) Prior to installation of a new transmitter/switch or following refurbishment of a transmitter/switch (e.g., sensor cell or variable damping components), a hydraulic RTT shall be performed to determine an initial sensor-specific response time value.

Licensee Response: Rosemount transmitters are used exclusively for the transmitter/switch channels described in NEDO-32291. The calibration procedures have been revised to include a step requiring an RTT to be performed prior to returning the transmitter to service after replacing the transmitter with a new or refurbished transmitter (e.g., sensor cell or variable damping components). The test is required prior to return to service rather than prior to installation since it is acceptable to perform RTT for the transmitter on the bench or as installed on the rack. The staff finds that this response meets the above conditions.

- (b) For transmitters and switches that use capillary tubes, capillary tube testing shall be performed after initial installation and after any maintenance or modification activity that could damage the capillary tubes.

Licensee Response: In its submittal, the licensee stated Fermi-2 currently does not utilize any transmitters or switches that use capillary tubes in any application that requires RTT. Therefore, this recommendation is not applicable to Fermi-2.

4.4 Condition: The licensee must confirm the following:

- (a) That calibration is being done with equipment designed to provide a step function or fast ramp in the process variable.

Licensee Response: The applicable calibration procedures will require the technicians to be in direct communication to verify that the response of the transmitter to the step input change or fast ramp is prompt, and in all cases less than 5 seconds. During this excursion the transmitter/instrument loop is observed for sluggishness or erratic operation that would be indicative of degraded transmitter/instrument loop performance. The staff finds that this response meets the above condition.

- (b) That provisions have been made to ensure that operators and technicians, through an appropriate training program, are aware of the consequences of instrument response time degradation, and that applicable procedures have been reviewed and revised as necessary to assure that technicians monitor for response time degradation during the performance of calibrations and functional tests.

Licensee Response: Training was conducted for the operators and technicians in response to Requested Action 4.a of NRC Bulletin (NRCB) 90-01, "Loss of Fill-Oil in Transmitters Manufactured by Rosemount." In addition to addressing the symptoms that a transmitter exhibits if it is experiencing a loss of fill oil, this training also addressed the consequences of instrument response time degradation. Completion of this training was documented in Fermi's response to NRCB 90-01 (Reference letter: NRC-90-0179, dated January 18, 1990). Procedures require that the

technicians monitor for sluggish transmitter behavior while performing transmitter calibration. An additional provision has been added to the procedures to assure that technicians monitor for response time degradation during the performance of calibrations. The staff finds that this response meets the above conditions.

- (c) That surveillance testing procedures have been reviewed and revised if necessary to ensure calibrations and functional tests are being performed in a manner that allows simultaneous monitoring of both the input and output response of units under test.

Licensee Response: Technicians performing calibrations and functional tests are in a position to communicate with one another. If the technicians are in separate locations, telephones are used such that any observation by one technician can be communicated to the other. Procedures require that the technicians monitor for sluggish transmitter behavior while performing transmitter calibration. The applicable calibration procedures have been revised to require the technicians at different locations to be in direct communication to verify that the response of the transmitter to a step input change or fast ramp is prompt, and in all cases less than 5 seconds. The staff finds that this response meets the above conditions.

- (d) That for any request involving the elimination of RTT for Rosemount pressure transmitters, the licensee is in compliance with the guidelines of Supplement 1 to Bulletin 90-01, "Loss of Fill-Oil in Transmitters Manufactured by Rosemount."

Licensee Response: Fermi-2 compliance with the guidelines of Supplement 1 to NRCB 90-01 was reviewed and documented in a safety evaluation transmitted to Fermi by NRC letter dated June 3, 1994. The NRC's evaluation concluded that Fermi responses to the NRCB 90-01 and Supplement 1 conform to the Requested Actions of NRCB 90-01, Supplement 1. The staff finds that this response meets the above conditions.

- (e) That for those instruments where the manufacturer recommends periodic RTT as well as calibration to ensure correct functioning, the licensee has ensured that elimination of RTT is nevertheless acceptable for the particular application involved.

Licensee Response: Fermi-2 has reviewed the vendor recommendations for the applicable devices and confirmed that there are no manufacturer recommendations for periodic RTT. The staff finds that this response meets the above conditions.

Based upon the above review, the staff concludes that the licensee has implemented the provisions of the generic SER for RTT elimination in accordance with NEDO-32291. Therefore, the staff finds that the proposed

Fermi-2 TS modifications for selected instrument RTT elimination are acceptable.

5.0 EXIGENT CIRCUMSTANCES

The Commission's regulations, 10 CFR 50.91, contain provisions for issuance of amendments where the Commission finds that exigent circumstances exist, in that a licensee and the Commission must act quickly and that time does not permit the Commission to publish a *Federal Register* notice allowing 30 days for prior public comment. The exigency exists in this case in that the proposed amendments are needed to allow Fermi Unit 2 to resume power operation and time does not permit the Commission to publish a notice allowing 30 days for prior public comment. The licensee was unable to make a more timely application because the licensee was not formally notified by the NRC of a possible TS non-compliance issue and need for TS amendment with regard to response time testing until March 20, 1997. The staff has determined that the licensee used its best efforts to make a timely application.

Accordingly, the Commission has determined that exigent circumstances exist pursuant to 10 CFR 50.91(a)(6) and could not have been avoided, the submittal of information was timely, and that the licensee did not create the exigency.

6.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATIONS DETERMINATION

The Commission's regulations in 10 CFR 50.92(c) state that the Commission may make a final determination that a license amendment involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) result in a significant reduction in the margin of safety. The NRC staff has made a final determination that no significant hazards consideration is involved for the proposed amendment and that the amendment should be issued as allowed by the criteria contained in 10 CFR 50.91. The NRC staff's final determination is presented below.

- (1) The proposed changes would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The purpose of the proposed TS changes is to eliminate response time testing requirements for selected instrument loops in the Reactor Protection System, Isolation System, and Emergency Core Cooling System. However, because of the continued application of other TS testing requirements such as channel calibrations, channel checks, channel functional tests, and logic system functional tests, the response time of these systems will be maintained within the acceptance limits assumed in plant safety analyses and required for successful mitigation of an initiating event. Therefore, the proposed TS changes do not affect the capability of the associated systems to perform their intended function within their required response time.

The General Electric Company and the BWROG have completed an evaluation (Reference 1 of the March 27, 1997, application) which demonstrates that response time testing of certain instruments is unnecessary due to other TS testing requirements listed in the preceding paragraph. These other tests are sufficient to identify failure modes or degradations in instrument response time and assure operation of the associated systems within acceptance limits. There are no failure modes that can be detected by response time testing that cannot also be detected by the other TS tests.

- (2) The proposed changes would not create the possibility of a new or different kind of accident from any accident previously evaluated.

As discussed above, the proposed TS changes do not affect the capability of the associated systems to perform their intended function within the acceptance limits assumed in the plant safety analyses and required for successful mitigation of an initiating event. Other than the elimination of selected response time tests there are no changes to plant equipment or configuration.

- (3) The proposed changes would not result in a significant reduction in the margin of safety.

The current TS response times are based on the maximum allowable values assumed in the plant safety analyses. These analyses conservatively establish the margin of safety. As described above, the proposed Technical Specification changes do not affect the capability of the associated systems to perform their intended function within the allowed response time used as the basis for the plant safety analyses. Plant and system response to an initiating event will remain in compliance within the assumptions of the safety analyses, and therefore, the margin of safety is not affected.

7.0 STATE CONSULTATION

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

8.0 ENVIRONMENTAL CONSIDERATION

The amendment changes surveillance requirements. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents 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 (62 FR 15731). 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.

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

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