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IPN-02-028

U.S. Nuclear Regulatory Commission
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SUBJECT: Indian Point 3 Nuclear Power Plant
Docket No. 50-286
License No. DPR-64
**Proposed Change to Technical Specifications Regarding Missed
Surveillances Using the Consolidated Line Item Improvement
Process (CLIP)**

Dear Sir or Madam:

In accordance with the provisions of 10 CFR 50.90, Entergy Nuclear Operations, Inc. (ENO) is submitting a request for an amendment to the Technical Specifications (TS) for Indian Point 3.

This application for amendment for the Indian Point 3 TS proposes to modify TS requirements for missed surveillances in Surveillance Requirement (SR) 3.0.3. This proposed change is based on the NRC approved Standard Technical Specification Change Traveler, TSTF-358, "Missed Surveillance Requirements." The availability of the TS improvement was announced in the Federal Register on September 28, 2001 as part of the Consolidated Line Item Improvement Process.

Attachment I provides a description and assessment of the proposed change. Attachment II provides the existing TS pages marked up to show the proposed change. Attachment III provides the existing TS Bases pages marked up to show the proposed change (for information only).

ENO requests approval of the proposed Licensed Amendment by July 2002, with the amendment being implemented within 60 days. The approval date was administratively selected to allow for NRC review but the plant does not require this amendment to allow continued safe full power operation.

In accordance with 10 CFR 50.91, a copy of this application and the associated attachments are being submitted to the designated New York State official.

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No new commitments are being made in this submittal.

If you have any questions regarding this submittal, please contact Mr. Kevin Kingsley at (914) 788-6034.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 11th, 2002.

Very truly yours,



Robert J. Barrett
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cc:

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ATTACHMENT I TO IPN-02-028

**DESCRIPTION AND ASSESSMENT OF PROPOSED CHANGES TO TECHNICAL
SPECIFICATIONS REGARDING MISSED SURVEILLANCES USING THE
CONSOLIDATED LINE ITEM IMPROVEMENT PROCESS (CLIIP)**

**ENTERGY NUCLEAR OPERATIONS, INC.
INDIAN POINT 3 NUCLEAR POWER PLANT
DOCKET NO. 50-286
DPR-64**

1.0 INTRODUCTION

This proposed License Amendment Request is made pursuant to 10 CFR 50.90 to modify Technical Specification (TS) requirements for missed surveillances in SR 3.0.3 as part of the consolidated line item improvement process (CLIIP).

2.0 DESCRIPTION

The proposed amendment adopts Standard Technical Specification Change Traveler, TSTF-358, Revision 6. The changes are consistent with Nuclear Regulatory Commission approved Industry/Technical Specification Task Force (TSTF) STS change TSTF-358, Revision 6, as modified by Federal Register Notice 66 FR 32400, and in response to public comments. The availability of this TS improvement was published in the Federal Register on September 28, 2001 as part of the CLIIP.

3.0 ASSESSMENT

3.1 Applicability of Published Safety Evaluation

ENO has reviewed the safety evaluation dated September 28, 2001 as part of the CLIIP. This review included a review of the NRC staff's evaluation, as well as the supporting information provided to support TSTF-358. ENO has concluded that the justifications presented in the TSTF proposal and the safety evaluation prepared by the NRC staff are applicable to Indian Point 3 (IP3) and justify this amendment for the incorporation of the changes to the IP3 Technical Specifications.

3.2 Optional Changes and Variations

ENO is not proposing any variations or deviations for the TS changes described in the fully modified TSTF-358 Revision 6 or the NRC staff's model safety evaluation dated June 14, 2001.

4.0 REGULATORY ANALYSIS

4.1 No Significant Hazards Consideration Determination

ENO has reviewed the proposed no significant hazards consideration determination published in the Federal Register as part of the CLIIP. ENO has concluded that the proposed No Significant Hazards Consideration Determination presented in the Federal Register notice is applicable to IP3 and is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

4.2 Verification and Commitments

As discussed in the notice of availability in the Federal Register on September 28, 2001 for this TS improvement, plant-specific verifications were performed as follows:

ENO has established TS Bases for SR 3.0.3 which state that use of the delay period established by SR 3.0.3 is a flexibility which is not intended to be used as an operational convenience to extend surveillance intervals, but only for the performance of missed surveillances.

The modification will also include changes to the Bases for SR 3.0.3 that provide details on how to implement the new requirements. The Bases changes provide guidance for surveillance frequencies that are not based on time intervals but are based on specified unit conditions, operating situations, or requirements of regulations. In addition, the Bases changes state that ENO is expected to perform a missed surveillance test at the first reasonable opportunity, taking into account appropriate considerations such as the impact on plant risk and accident analysis assumptions, consideration of unit conditions, planning, availability of personnel, and the time required to perform the surveillance. The Bases also state that the risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, "Assessing and Managing Risks Before Maintenance Activities at Nuclear Power Plants," and that the missed surveillance should be treated as an emergent condition, as discussed in Regulatory Guide 1.182. In addition, the Bases state that the degree of depth and rigor of the evaluation should be commensurate with the importance of the component and that missed surveillances for important components should be analyzed quantitatively. The Bases also state that the results of the risk evaluation determine the safest course of action. In addition, the Bases state that all missed surveillances will be placed in the licensee's Corrective Action Program. Finally, ENO has a Bases Control Program consistent with Section 5.5 of the STS.

5.0 ENVIRONMENTAL EVALUATION

ENO has reviewed the environmental evaluation included in the model safety evaluation dated June 14, 2001 as part of the CLIIP. ENO has concluded that the staff's findings presented in that evaluation are applicable to IP3 and the evaluation is hereby incorporated by reference for this application.

ATTACHMENT II TO IPN-02-028

**MARK UP OF EXISTING TECHNICAL SPECIFICATION
PAGES TO SHOW THE PROPOSED CHANGE**

**ENTERGY NUCLEAR OPERATIONS, INC.
INDIAN POINT 3 NUCLEAR POWER PLANT
DOCKET NO. 50-286
DPR-64**

3.0 SURVEILLANCE REQUIREMENT (SR) APPLICABILITY

SR 3.0.1 SRs shall be met during the MODES or other specified conditions in the Applicability for individual LCOs, unless otherwise stated in the SR. Failure to meet a Surveillance, whether such failure is experienced during the performance of the Surveillance or between performances of the Surveillance, shall be failure to meet the LCO. Failure to perform a Surveillance within the specified Frequency shall be failure to meet the LCO except as provided in SR 3.0.3. Surveillances do not have to be performed on inoperable equipment or variables outside specified limits.

SR 3.0.2 The specified Frequency for each SR is met if the Surveillance is performed within 1.25 times the interval specified in the Frequency, as measured from the previous performance or as measured from the time a specified condition of the Frequency is met.

For Frequencies specified as "once," the above interval extension does not apply.

If a Completion Time requires periodic performance on a "once per . . ." basis, the above Frequency extension applies to each performance after the initial performance.

Exceptions to this Specification are stated in the individual Specifications.

SR 3.0.3 If it is discovered that a Surveillance was not performed within its specified Frequency, then compliance with the requirement to declare the LCO not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified Frequency, whichever is less greater. This delay period is permitted to allow performance of the Surveillance. *A risk evaluation shall be performed for any Surveillance delayed greater than 24 hours and the risk impact shall be managed.*

If the Surveillance is not performed within the delay period, the LCO must immediately be declared not met, and the applicable Condition(s) must be entered.

When the Surveillance is performed within the delay period and the Surveillance is not met, the LCO must immediately be declared not met, and the applicable Condition(s) must be entered.

(continued)

ATTACHMENT III TO IPN-02-028

EXISTING TECHNICAL SPECIFICATION BASES PAGES

MARKED UP TO SHOW THE PROPOSED CHANGE

(FOR INFORMATION ONLY)

**ENTERGY NUCLEAR OPERATIONS, INC.
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BASES

SR 3.0.2
(continued)

The exceptions to SR 3.0.2 are those Surveillances for which the 25% extension of the interval specified in the Frequency does not apply. These exceptions are stated in the individual Specifications. An example of where SR 3.0.2 does not apply is a Surveillance with a Frequency of "in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions." The requirements of regulations take precedence over the TS. The TS cannot in and of themselves extend a test interval specified in the regulations. Therefore, there is a Note in the Frequency stating, "SR 3.0.2 is not applicable."

As stated in SR 3.0.2, the 25% extension also does not apply to the initial portion of a periodic Completion Time that requires performance on a "once per ..." basis. The 25% extension applies to each performance after the initial performance. The initial performance of the Required Action, whether it is a particular Surveillance or some other remedial action, is considered a single action with a single Completion Time. One reason for not allowing the 25% extension to this Completion Time is that such an action usually verifies that no loss of function has occurred by checking the status of redundant or diverse components or accomplishes the function of the inoperable equipment in an alternative manner.

The provisions of SR 3.0.2 are not intended to be used repeatedly merely as an operational convenience to extend Surveillance intervals (other than those consistent with refueling intervals) or periodic Completion Time intervals beyond those specified.

SR 3.0.3

SR 3.0.3 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a Surveillance has not been completed within the specified Frequency. A delay period of up to 24 hours or up to the limit of the specified Frequency, whichever is less greater, applies from the point in time that it is discovered that the Surveillance has not been performed in accordance with SR 3.0.2, and not at the time that the specified Frequency was not met.

This delay period provides adequate time to complete Surveillances that have been missed.

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BASES

SR 3.0.3
(continued)

This delay period permits the completion of a Surveillance before complying with Required Actions or other remedial measures that might preclude completion of the Surveillance.

The basis for this delay period includes consideration of unit conditions, adequate planning, availability of personnel, the time required to perform the Surveillance, the safety significance of the delay in completing the required Surveillance, and the recognition that the most probable result of any particular Surveillance being performed is the verification of conformance with the requirements. ~~When a Surveillance with a Frequency based not on time intervals, but upon specified unit conditions or operational situations, is discovered not to have been performed when specified, SR 3.0.3 allows the full delay period of 24 hours to perform the Surveillance.~~

~~SR 3.0.3 also provides a time limit for completion of Surveillances that become applicable as a consequence of MODE changes imposed by Required Actions.~~

When a Surveillance with a Frequency based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., prior to entering MODE 1 after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed when specified, SR 3.0.0 allows for the full delay period of up to the specified Frequency to perform the Surveillance. However, since there is not a time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.

SR 3.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of MODE changes imposed by Required Actions.

Failure to comply with specified Frequencies for SRs is expected to be an infrequent occurrence. Use of the delay period established by SR 3.0.3 is a flexibility which is not intended to be used as an operational convenience to extend Surveillance intervals. *While up to 24 hours or the limit of the specified Frequency is provided to perform the missed Surveillance, it is expected that the missed Surveillance will be performed at the first reasonable opportunity. The determination of the first reasonable opportunity should include consideration of the impact on plant risk (from delaying*

BASES

the Surveillance as well as any plant configuration changes required or shutting the plant down to perform the Surveillance) and impact on any analysis assumptions, in addition to unit conditions, planning, availability of personnel, and the time required to perform the Surveillance. This risk impact should be managed through the program in place to implement 10 CFR 50.65(a)(4) and its implementation guidance, NRC Regulatory Guide 1.182, "Assessing and Managing Risk Before Maintenance Activities at Nuclear Power Plants." This Regulatory Guide addresses consideration of temporary and aggregate risk impacts, determination of risk management action thresholds, and risk management action up to and including plant shutdown. The missed Surveillance should be treated as an emergent condition as discussed in the Regulatory Guide. The risk evaluation may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed Surveillances for important components should be analyzed quantitatively. If the results of the risk evaluation determine the risk increase is significant, this evaluation should be used to determine the safest course of action. All missed Surveillances will be placed in the licensee's Corrective Action Program.

If a Surveillance is not completed within the allowed delay period, then the equipment is considered inoperable or the variable is considered outside the specified limits and the Completion Times of the Required Actions for the applicable LCO Conditions begin immediately upon expiration of the delay period. If a Surveillance is failed within the delay period, then the equipment is inoperable, or the variable is outside the specified limits and the Completion Times of the Required Actions for the applicable LCO Conditions begin immediately upon the failure of the Surveillance.

Completion of the Surveillance within the delay period allowed by this Specification, or within the Completion Time of the ACTIONS, restores compliance with SR 3.0.1.

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SR 3.0.4 SR 3.0.4 establishes the requirement that all applicable SRs must be met before entry into a MODE or other specified condition in the Applicability.

This Specification ensures that system and component OPERABILITY requirements and variable limits are met before entry into MODES or other specified conditions in the Applicability for which these systems and components ensure safe operation of the unit.

The provisions of this Specification should not be interpreted as endorsing the failure to exercise the good practice of restoring systems or component to OPERABLE status before entering an associated MODE or other specified condition in the Applicability.

However, in certain circumstances, failing to meet an SR will not result in SR 3.0.4 restricting a MODE change or other specified condition change. When a system, subsystem, division, component, device, or variable is inoperable or outside its specified limits, the associated SR(s) are not required to be performed, per SR 3.0.1, which states that surveillances do not have to be performed on inoperable equipment. When equipment is inoperable, SR 3.0.4 does not apply to the associated SR(s) since the requirement for the SR(s) to be performed is removed. Therefore, failing to perform the Surveillance(s) within the specified Frequency does not result in an SR 3.0.4 restriction to changing MODES or other specified conditions of the Applicability. However, since the LCO is not met in this instance, LCO 3.0.4 will govern any restrictions that may (or may not) apply to MODE or other specified condition changes.

The provisions of SR 3.0.4 shall not prevent changes in MODES or other specified conditions in the Applicability that are required to comply with ACTIONS. In addition, the provisions of LCO 3.0.4 shall not prevent changes in MODES or other specified conditions in the Applicability that result from any unit shutdown.

The precise requirements for performance of SRs are specified such that exceptions to SR 3.0.4 are not necessary. The specific time frames and conditions necessary for meeting the SRs are specified in the Frequency, in the Surveillance, or both.

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BASES

SR 3.0.4
(continued)

This allows performance of Surveillances when the prerequisite condition(s) specified in a Surveillance procedure require entry into the MODE or other specified condition in the Applicability of the associated LCO prior to the performance or completion of a Surveillance. A Surveillance that could not be performed until after entering the LCO Applicability, would have its Frequency specified such that it is not "due" until the specific conditions needed are met. Alternately, the Surveillance may be stated in the form of a Note as not required (to be met or performed) until a particular event, condition, or time has been reached. Further discussion of the specific formats of SRs' annotation is found in Section 1.4, Frequency.

SR 3.0.4 is only applicable when entering MODE 4 from MODE 5, MODE 3 from MODE 4, Mode 2 from MODE 3, or MODE 1 from MODE 2. Furthermore, SR 3.0.4 is applicable when entering any other specified condition in the Applicability only while operating in MODES 1, 2, 3, or 4. The requirements of SR 3.0.4 do not apply in MODES 5 and 6, or in other specified conditions of the Applicability (unless in MODES 1, 2, 3, or 4) because the ACTIONS of individual Specifications sufficiently define the remedial measures to be taken.
