

June 5, 2002

Mr. Michael R. Kansler
Senior Vice President and
Chief Operating Officer
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NO. 2 - AMENDMENT RE:
FUEL STORAGE BUILDING AIR FILTRATION SYSTEM (TAC NO. MB3920)

Dear Mr. Kansler:

The Commission has issued the enclosed Amendment No. 229 to Facility Operating License No. DPR-26 for the Indian Point Nuclear Generating Unit No. 2. The amendment consists of changes to the Technical Specifications (TSS) in response to your application transmitted by letter dated January 8, 2002.

The amendment revises TS 3.8, "Refueling, Fuel Storage and Operations with the Reactor Vessel Head Bolts Less Than Fully Tensioned," and TS 4.5.F, "Fuel Storage Building Air Filtration System," by deleting the requirements for the Fuel Storage Building Air Filtration System. The amendment also revises the associated Basis sections.

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

Sincerely,

/RA/

Patrick D. Milano, Sr. Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-247

Enclosures: 1. Amendment No. 229 to DPR-26
2. Safety Evaluation

cc w/encls: See next page

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Accession Number: ML021440074

*See previous concurrence

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DATE	06/05/02	06/5/02	05/28/02	05/30/02	06/04/02	06/5/02

Official Record Copy

DATED: June 5, 2002

AMENDMENT NO. 229 TO FACILITY OPERATING LICENSE NO. DPR-26 INDIAN POINT
UNIT 2

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ENERGY NUCLEAR INDIAN POINT 2, LLC

ENERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-247

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 229
License No. DPR-26

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Entergy Nuclear Operations, Inc. (the licensee) dated January 8, 2002, 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. DPR-26 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 229, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment:
Changes to the Technical
Specifications

Date of Issuance: June 5, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 229

FACILITY OPERATING LICENSE NO. DPR-26

DOCKET NO. 50-247

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 Pages

iv
3.8-3
3.8-6
4.5-4
4.5-5
4.5-6
4.5-9
4.5-11

Insert Pages

iv
3.8-3
3.8-6
4.5-4
4.5-5
4.5-6
4.5-9
4.5-11

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 229 TO FACILITY OPERATING LICENSE NO. DPR-26
ENTERGY NUCLEAR OPERATIONS, INC.
INDIAN POINT NUCLEAR GENERATING UNIT NO. 2
DOCKET NO. 50-247

1.0 INTRODUCTION

By letter dated January 8, 2002, Entergy Nuclear Operations, Inc. (the licensee) submitted a request for changes to the Indian Point Nuclear Generating Unit No. 2 (IP2) Technical Specifications (TSs). The requested changes would revise TS 3.8, "Refueling, Fuel Storage and Operations with the Reactor Vessel Head Bolts Less Than Fully Tensioned," and TS 4.5.F, "Fuel Storage Building Air Filtration System," to delete the requirements for the Fuel Storage Building Air Filtration System (FSBAFS). The amendment would also revise the associated Basis sections.

2.0 REGULATORY EVALUATION

The U.S. Nuclear Regulatory Commission (NRC) staff finds that the licensee in its January 8 submittal identified the applicable regulatory requirements. The regulatory requirements on which the staff based its acceptance are 10 CFR 50.67, "Accident source term," Criterion 19, "Control room," of Appendix A to 10 CFR Part 50, and 10 CFR 50.36, "Technical specifications."

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support of its proposed license amendment, which is described in the January 8, 2002, submittal. The detailed evaluation below will support the conclusion 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 the health and safety of the public.

On July 27, 2000, the NRC issued Amendment No. 211 to the Facility Operating License No. DPR-26 for IP2, which implemented the alternative source term pursuant to 10 CFR 50.67. In support of the license amendment, the licensee re-analyzed the radiological consequences of the design basis fuel-handling accident (FHA) at the exclusion area boundary (EAB), in the low population zone (LPZ), and in the control room. In its FHA radiological consequence re-analysis, the licensee determined that IP2 will still provide assurance that the total radiological

consequences of the postulated FHA at the EAB, in the LPZ, and in the control room will be well within the dose criteria specified in 10 CFR 50.67 without crediting fission product removal by the FSBAFS.

During its review of Amendment 211, the NRC staff performed an independent confirmatory analysis for the design basis FHA and also concluded that the radiological consequences resulting from a design basis FHA would be well within the dose criteria specified in 10 CFR 50.67 without crediting fission product removal by the FSBAFS.

10 CFR 50.36 provides the requirements that define when a TS limiting condition for operation (LCO) and associated surveillance requirements must be established. Those LCO requirements that do not fall within or satisfy these criteria may be relocated to licensee-controlled documents. The four criteria are as follows:

Criterion 1

Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary.

Criterion 2

A process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.

Criterion 3

A structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.

Criterion 4

A structure, system, or component which operating experience or probabilistic risk assessment has shown to be significant to public health and safety.

The 10 CFR 50.36 criteria that specify the items that must remain in TS no longer apply to the FSBAFS during fuel handling activities, since it is no longer part of the "primary success path" for, nor functions or actuates to mitigate, the postulated design basis FHA.

The staff further determined that the proposed deletion of the operating and testing requirements of the FSBAFS does not invalidate assumptions made in the IP2 probabilistic risk assessment (PRA) since the FSBAFS is excluded from the IP2 PRA risk model. The FSBAFS is not involved in the initiation of any reactor accident nor does it function to prevent any accident. It was originally designed to be an accident mitigating system.

Based on the above evaluation and the information provided by the licensee, the staff concludes that the proposed deletion of the operating and testing requirements of the FSBAFS

from the IP2 TS is acceptable. Specifically, the staff's bases for acceptance of the proposed changes are that: (1) the radiological consequence of the postulated design basis FHA will still be well within the dose acceptance criteria specified in 10 CFR 50.67 without crediting any fission product removal by the FSBAFS and (2) the 10 CFR 50.36 criteria that specify the items that must remain in TS no longer apply to the FSBAFS, since it is no longer part of the "primary success path" for the postulated design basis FHA. The staff also finds the changes to the Basis section to be consistent with the other TS changes and, therefore, acceptable.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The 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. The NRC 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 (67 FR 10013). 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.

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

Principal Contributor: J. Lee

Date: June 5, 2002