Docket file

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

June 28, 1999

Mr. C. Lance Terry
Senior Vice President & Principal Nuclear Officer
TU Electric
Attn: Regulatory Affairs Department
P. O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS RE: EXIGENT LICENSE AMENDMENTS - CHANGE TO THE TECHNICAL SPECIFICATIONS ASSOCIATED WITH BATTERY SERVICE TESTING (TAC NOS. MA5543 AND MA5544)

Dear Mr. Terry:

The Commission has issued the enclosed Amendment No. 65 to Facility Operating License No. NPF-87 and Amendment No. 65 to Facility Operating License No. NPF-89 for the Comanche Peak Steam Electric Station, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated May 27, 1999, as supplemented by letter dated May 28, 1999.

These amendments are the result of a Notice of Enforcement Discretion (NOED) that you requested in your letter dated May 26, 1999. The NOED, No. 99-06-05, was granted orally on May 27, 1999, and, subsequently, by our letter dated June 2, 1999. Follow-up license amendments for NOEDs should be issued within 4 weeks of the issuance of the NOED unless otherwise justified by any special circumstances.

The amendments add a footnote to TS 4.8.2.1e, "D.C. Sources - Operating," which would, on a one-time basis for Unit 1 Battery BT1ED2, allow TU Electric to substitute a performance discharge test "...in lieu of the battery service test required by Specification 4.8.2.1d, twice within a 60 month interval." The footnote further states that "[t]his one time exception expires prior to entry into MODE 4 following the next Unit 1 outage of sufficient duration to perform a service test." The amendments also add a footnote to the comparable Improved TS (ITS) that was issued by the NRC staff as License Amendments 64 and 64 to the CPSES, Units 1 and 2, Facility Operating Licenses on February 26, 1999, but not as yet implemented by the licensee. In this regard, ITS Surveillance Requirement 3.8.4.7 would receive the same footnote, as added to TS 4.8.2.1e, with a minor grammatical change.

These amendments supersede NOED No. 99-06-05.

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

Sincerely,

ORIGINAL SIGNED BY

David H. Jaffe, Senior Project Manager, Section 1
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosures:
1. Amendment No. 65 to NPF-87
2. Amendment No. 65 to NPF-89
3. Safety Evaluation

cc w/encls: See next page

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Comanche Peak Steam Electric Plant

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

TEXAS UTILITIES ELECTRIC COMPANY

COMANCHE PEAK STEAM ELECTRIC STATION, UNIT 1

DOCKET NO. 50-445

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 65
License No. NPF-87

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by Texas Utilities Electric Company (TU Electric, the licensee) dated May 27, 1999, as supplemented by letter dated May 28, 1999, 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, as amended, 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 license 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-87 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 65 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Robert A. Gramm, Chief, Section 1
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: June 28, 1999

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

TEXAS UTILITIES ELECTRIC COMPANY

COMANCHE PEAK STEAM ELECTRIC STATION, UNIT 2

DOCKET NO. 50-446

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 65
License No. NPF-89

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by Texas Utilities Electric Company (TU Electric, the licensee) dated May 27, 1999, as supplemented by letter dated May 28, 1999, 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, as amended, 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 license 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-89 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 65 , and the Environmental Protection Plan contained in Appendix B, are hereby incorporated into this license. TU Electric shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

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

FOR THE NUCLEAR REGULATORY COMMISSION

Robert A. Gramm, Chief, Section 1
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: June 28, 1999

ATTACHMENT TO LICENSE AMENDMENT NO. 65

TO FACILITY OPERATING LICENSE NOS. NPF-87 AND NPF-89

DOCKET NOS. 50-445 AND 50-446

Replace the following page of the current Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove	Insert
3/4 8-12	3/4 8-12

SURVEILLANCE REQUIREMENTS (Continued)

b. At least once per 92 days and within 7 days after a battery discharge with battery terminal voltage below 110 volts, or battery overcharge with battery terminal voltage above 150 volts, by verifying that:

1) The parameters in Table 4.8-2 meet the Category B limits,

2) There is no visible corrosion at either terminals or connectors, or the connection resistance of these items is less than 150×10^{-6} ohm, and

3) The average electrolyte temperature of 12 connected cells is above 70°F.

c. At least once per 18 months by verifying that:

1) The cells, cell plates, and battery racks show no visual indication of physical damage or abnormal deterioration,

2) The cell-to-cell and terminal connections are clean, tight, and coated with anticorrosion material,

3) The resistance of each cell-to-cell and terminal connection is less than or equal to 150×10^{-6} ohm, and

4) The battery charger will supply at least 300* amperes at greater than or equal to 130 volts for at least 8 hours.

d. At least once per 18 months, during shutdown, by verifying that the battery capacity is adequate to supply and maintain in OPERABLE status all of the actual or simulated emergency loads for the design duty cycle when the battery is subjected to a battery service test;

e. At least once per 60 months, during shutdown, by verifying that the battery capacity is at least 80% of the manufacturer's rating when subjected to a performance discharge test. Once** per 60-month interval this performance discharge test may be performed in lieu of the battery service test required by Specification 4.8.2.1d.; and

f. At least once per 18 months, during shutdown, by giving performance discharge tests of battery capacity to any battery that shows signs of degradation or has reached 85% of the service life expected for the application. Degradation is indicated when the battery capacity drops more than 10% of rated capacity from its average on previous performance tests, or is below 90% of the manufacturer's rating.

*225 amperes for Unit 2 until replacement of the battery charger during the 3rd refueling outage for Unit 2.
**On a one time basis, for battery BT1ED2, this performance discharge test may be performed in lieu of the battery service test required by Specification 4.8.2.1d, twice within a 60 month interval. This one time exception expires prior to entry into MODE 4 following the next Unit 1 outage of sufficient duration to perform a service test.

ATTACHMENT TO LICENSE AMENDMENT NO 65

TO FACILITY OPERATING LICENSE NOS. NPF-87 AND NPF-89

DOCKET NOS. 50-445 AND 50-446

Replace the following page of the Improved Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove	Insert
3.8-26	3.8-26

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE		FREQUENCY
SR 3.8.4.6	Verify each battery charger supplies ≥ 300 amps at ≥ 130 V for ≥ 8 hours.	18 months
SR 3.8.4.7	----------NOTES---------- 1. The modified performance discharge test in SR 3.8.4.8 may be performed in lieu of the service test in SR 3.8.4.7 once per 60 months*. 2. Verify requirement during MODES 3, 4, 5, 6 or with core off-loaded. ---------- Verify battery capacity is adequate to supply, and maintain in OPERABLE status, the required emergency loads for the design duty cycle when subjected to a battery service test.	18 months

(continued)

*On a one time basis, for battery BT1ED2, a performance discharge test may be performed in lieu of the battery service test required by Specification 3.8.4.7, twice within a 60 month interval. This one time exception expires prior to entry into MODE 4 following the next Unit 1 outage of sufficient duration to perform a service test.

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 65 TO

FACILITY OPERATING LICENSE NO. NPF-87

AND AMENDMENT NO. 65 TO

FACILITY OPERATING LICENSE NO. NPF-89

TEXAS UTILITIES ELECTRIC COMPANY

COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2

DOCKET NOS. 50-445 AND 50-446

1.0 INTRODUCTION

By application dated May 27, 1999, as supplemented by letter dated May 28, 1999, Texas Utilities Electric Company (TU Electric/the licensee) requested changes to the Technical Specifications for the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2. The proposed changes would revise the Technical Specifications (TSs) to add a footnote to TS 4.8.2.1e, "D.C. Sources - Operating," which would, on a one-time basis for Unit 1 Battery BT1ED2, allow the licensee to substitute a performance discharge test "in lieu of the battery service test required by Specification 4.8.2.1d, twice within a 60 month interval." The footnote further states that "[t]his one time exception expires prior to entry into MODE 4 following the next Unit 1 outage of sufficient duration to perform a service test." The amendments also add a footnote to the comparable Improved TS (ITS) that were issued by the NRC staff as License Amendments 64 and 64 to the CPSES, Units 1 and 2, Facility Operating Licenses on February 26, 1999, but not as yet implemented by the licensee. In this regard, ITS Surveillance Requirement (SR) 3.8.4.7 would receive the same footnote, as added to TS 4.8.2.1e, with a minor grammatical change.

The May 28, 1999, letter provided additional information that did not change the scope of the original application and the initial proposed no significant hazards consideration determination.

2.0 BACKGROUND

During the process of conducting reviews of battery surveillance testing, the NRC staff discovered that for CPSES Unit 1 Battery BT1ED2, credit had been taken for a performance discharge test, in lieu of a service test, more frequently than permitted by TS 4.8.2.1e, which states, in part:

> Once per 60 month interval this performance discharge test may be performed in lieu of the battery service test required by TS 4.8.2.1d.

Performance discharge testing is required by TS 4.8.2.1e once per 60 months. When the battery reaches 85 percent of the service life expected for the application or if the battery shows signs of degradation, TS 4.8.2.1f requires that the performance discharge test be performed once per 18 months.

Battery BT1ED2 reached 85 percent of its expected service life in April 1996 just prior to CPSES, Unit 1, Refueling Outage 5 (1RF05). During this refueling, a performance discharge test was performed on this battery; similarly, a performance discharge test was performed in 1998 during 1RF06. The licensee mistakenly assumed that each performance discharge test could be credited for a service test. Since TS 4.8.2.1e permits the substitution only once per 60-month interval and the two refuelings were in the same 60-month interval, this substitution was not valid.

3.0 EVALUATION

The licensee has requested, on a one-time basis, the use of the performance discharge test in lieu of the service test by adding the following footnote to TS 4.8.2.1e:

> On a one time basis, for battery BT1ED2, this performance discharge test may be performed in lieu of the battery service test required by Specification 4.8.2.1d, twice within a 60 month interval. This one time exception expires prior to entry into MODE 4 following the next Unit 1 outage of sufficient duration to perform a service test.

The performance discharge and the service tests are complementary to each other to confirm that the battery has the capacity and the capability to perform its safety functions. At CPSES, Unit 1, the load requirements of the first minute is approximately 506 amps (A) while the procedure for the service test requires the test to be carried at 550A for 1 minute. The performance 8-hour discharge rate test as recommended by the manufacturer is 243A. The performance discharge test does not envelop the service test requirements; thus, the two tests are required in the TSs.

The licensee is requesting the crediting of the performance discharge test, for a second time in the 60-month period, in lieu of the required service test.

The staff reviewed the results of previous performance and service tests, and found the following:

(a) The cell connection tests performed in IRF04, IRF05, and IRF06 concluded that there are no signs of degradation of the connections.

(b) The performance discharge test capacities were 97.2 percent and 95.4 percent for 1RF05 and 1RF06, respectively, showing sufficient margin to ensure that the battery has enough capacity to power the required loads.

(c) The last service tests of the BT1ED2 battery were performed during IRF02 and IRF04. The measured end voltages of the battery were 115.6 and 115.3 volts, respectively, compared to a minimum specified 105 volts. The margin is over 10 volts. Comparing

the end voltages between IRF02 and IRF04, the staff noted that the degradation is minimal (0.3V). The preceding results indicate that the battery would have passed the service tests if they had been performed in IRF05 or IRF06.

Based upon the preceding evaluation, the NRC staff concludes that, on a one-time basis for battery BT1ED2, the performance discharge test may be performed in lieu of the battery service test required by Specification 4.8.2.1d, twice within a 60-month interval. This one-time exception expires prior to entry into Mode 4 following the next Unit 1 outage of sufficient duration to perform a service test. Accordingly, the proposed changes to TS 4.8.2.1e and ITS SR 3.8.4.7 are acceptable.

4.0 EXIGENT CIRCUMSTANCES

In the licensee's letter dated May 28, 1999, the licensee explained the exigent circumstances associated with its May 27, 1999, application. The licensee noted that the normal 30-day Federal Register notice period could not be utilized because the application results from the licensee's request that the NRC exercise enforcement discretion. The NRC responded to the licensee's May 26, 1999, request for enforcement discretion by issuing a Notice of Enforcement Discretion (NOED) on June 2, 1999. The staff finds that, by submitting the application only 1 day after it requested issuance of the NOED, the licensee used its best efforts to file a timely application. The subject NOED indicated that the NRC staff plans to complete its review of the application within 4 weeks of the date of the NOED, which is less time than permitted by the normal 30-day Federal Register notice period. Accordingly, the staff finds that the amendment involves exigent circumstances in that the Commission and the licensee must act quickly and that time does not permit publication of a notice allowing 30 days for comment.

5.0 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 considerations if operation of the facility, in accordance with a 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. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented, as follows:

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

   Crediting the battery performance discharge test in lieu of the required service test will not impact the ability of the battery to perform its safety functions. Therefore, this change will not increase the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

   Crediting the performance discharge test in lieu of the required service test will not create a new or different kind of accident.

3. Do the proposed changes involve a significant reduction in a margin of safety?

   Crediting the performance discharge test in lieu of the required service test does not create any new failure scenarios and no margin is expected to be reduced. As such, there is no reduction in any margin of safety.

Based upon the preceding considerations, the NRC staff concludes that the amendments meet the three criteria of 10 CFR 50.92. Therefore, the staff has made a final determination that the proposed amendments do not involve a significant hazards consideration.

6.0 STATE CONSULTATION

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

7.0 ENVIRONMENTAL CONSIDERATION

The amendments change surveillance requirements. The NRC staff has determined that the amendments involve 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 amendments involve no significant hazards consideration, and there has been no public comment on such finding (64 FR 31881 dated June 14, 1999). Accordingly, the amendments meet 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 amendments.

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

Principal Contributors: S. Saba
D. Jaffe

Date: June 28, 1999