November 16, 1995

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Mr. Donald C. Shelton
Acting Vice President Nuclear - Perry
Centerior Service Company
P. O. Box 97, A200
Perry, OH 44081

SUBJECT: AMENDMENT NO. 74 TO FACILITY OPERATING LICENSE NO. NPF-58 - PERRY NUCLEAR POWER PLANT, UNIT NO. 1 (TAC NO. M92190)

Dear Mr. Shelton:

The Commission has issued the enclosed Amendment No. 74 to Facility Operating License No. NPF-58 for the Perry Nuclear Power Plant, Unit No. 1. This amendment revises the Operating License in response to your application dated April 28, 1995.

This amendment removes the license conditions for the Transamerica Delaval, Inc. Emergency Diesel Generators specified by paragraph 2.C.(9) and defined in Attachment 2 to the Operating License.

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

Sincerely,
Original signed by:

Jon B. Hopkins, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-440

Enclosures: 1. Amendment No. 74 to License No. NPF-58
2. Safety Evaluation

cc w/encls: See next page

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

November 16, 1995

Mr. Donald C. Shelton
Acting Vice President Nuclear - Perry
Centerior Service Company
P. O. Box 97, A200
Perry, OH 44081

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2. Safety Evaluation

cc w/encls: See next page

Mr. Donald C. Shelton
Centerior Service Company

Perry Nuclear Power Plant
Unit Nos. 1 and 2

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The Honorable Lawrence Logan
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Perry, Ohio 44081

The Honorable Robert V. Orosz
Mayor, Village of North Perry
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, ET AL.

DOCKET NO. 50-440

PERRY NUCLEAR POWER PLANT, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 74
License No. NPF-58

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

   A. The application for amendment by The Cleveland Electric Illuminating Company, Centerior Service Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company, and Toledo Edison Company (the licensees) dated April 28, 1995, 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 as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-58 is hereby amended to read as follows:

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(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 74 are hereby incorporated into this license. The Cleveland Electric Illuminating Company 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 and shall be implemented not later than 90 days after issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Jon B. Hopkins, Senior Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Attachment: Changes to the Operating License

Date of issuance: November 16, 1995

ATTACHMENT TO LICENSE AMENDMENT NO. 74

FACILITY OPERATING LICENSE NO. NPF-58

DOCKET NO. 50-440

Replace the following pages of the Operating License with the attached pages. The revised pages are identified by Amendment number and contain vertical lines indicating the area of change.

Remove	Insert
5	5
Attachment 2	Attachment 2

(7) Detailed Control Room Design Review (Section 18, SSER #10)

CEICO shall implement the remaining activities to complete the Detailed Control Room Design Review and correct all human engineering discrepancies (HED's) identified in Attachment 1. Attachment 1 is hereby incorporated into this license.

(8) Emergency Planning (Section 13.3, SSER #10)

In the event that the NRC finds that the lack of progress in completion of the procedures in the Federal Emergency Management Agency's final rule (44 CFR Part 350) indicates that a major substantive problem exists in achieving or maintaining an adequate state of emergency preparedness, the provisions of 10 CFR 50.54(s)(2) will apply.

(9) Deleted

D. CEICO is exempted from: 1) the requirements of Section III.D.2(b)(ii), containment airlock testing requirements, Appendix J to 10 CFR Part 50, due to the special circumstance described in Section 6.2.6 of SER Supplement No. 7 authorized by 10 CFR 50.12(a)(2)(iii); and 2) the requirements of Section IV.F., Full Participation Exercise, of Appendix E to 10 CFR Part 50, due to the special circumstance described in the Exemption, dated November 6, 1986. These exemptions are authorized by law, will not present an undue risk to the public health and safety and are consistent with the common defense and security. The exemptions are hereby granted pursuant to 10 CFR 50.12. With the granting of these exemptions, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

E. CEICO shall fully implement and maintain in effect all provisions of the physical security, guard training and qualification, and safeguards contingency plans previously approved by the Commission and all amendments and revisions to such plans made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Perry Nuclear Power Plant Security Plan", with revisions submitted through May 15, 1986; "Perry Nuclear Power Plant Security Force Training and Qualification Plan", with revisions submitted through August 12, 1986; and "Perry Nuclear Power Plant Safeguards Contingency Plan" (Chapter 8 of the Security Plan), with revisions submitted through May 15, 1986.

ATTACHMENT 2

TO NPF-58

TRANSAMERICA DELAVAL, INC. (TDI) DIESEL ENGINE REQUIREMENTS

(THIS ATTACHMENT DELETED)

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 74 TO FACILITY OPERATING LICENSE NO. NPF-58

THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, ET AL.

PERRY NUCLEAR POWER PLANT, UNIT NO. 1

DOCKET NO. 50-440

1.0 INTRODUCTION

By letter dated April 28, 1995, the Cleveland Electric Illuminating Company, et al. (licensees), proposed a change to the Operating License for the Perry Nuclear Power Plant, Unit No. 1 (Perry). The requested changes would remove License Condition 2.C.(9) from Facility Operating Licensee NPF-58. This licensing condition was imposed due to the Design Review/Quality Revalidation (DR/QR) program for Transamerica Delaval Inc. (TDI), as endorsed by NUREG-1216, "Safety Evaluation Report Related to the Operability and Reliability of Emergency Diesel Generators Manufactured by Transamerica Delaval, Inc.," dated August 1986. The issues leading to the imposition of this condition have been resolved and the license condition is no longer warranted and may be deleted.

2.0 EVALUATION

The TDI diesel generators Owners' Group submitted a proposal on December 8, 1992, on behalf of a number of plants with TDI emergency diesel generators (EDG) including the Perry plant. The Owner's Group proposed removal of diesel generator related licensing conditions. These conditions were imposed as part of a technical resolution to address concerns regarding the reliability of the TDI EDGs following the crankshaft failure at Shoreham in August 1983. The technical resolution involved implementation of Phase I and Phase II programs as identified in NUREG-1216. The Phase I program focused on the resolution of known engine component problems that had potential generic implications, while the Phase II program focused on the design review of a large set of important engine components to ensure their adequacy from a manufacturing standpoint, as well as operational performance. At that time, the staff concluded that these components merited special emphasis in the area of load restrictions and/or maintenance and surveillance. The 16 major components which were identified included connecting rods, crankshafts, cylinder blocks, cylinder heads, piston skirts, and turbochargers. Engine load restrictions were addressed in the plant specific Technical Specifications, license conditions, engine operating procedures and operator training, as appropriate, for five of these components. The most critical periodic maintenance/surveillance actions for these components were incorporated as license conditions.

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On the basis of substantial operational data and inspection results, the Owners' Group provided information in its submittals of November 1992 and December 1993 to demonstrate that the special concerns of NUREG-1216 were no longer warranted. The Owners' Group stated that the TDI EDGs should be treated on a par with other EDGs within the nuclear industry and subjected to the same standard regulations, without the special requirements of NUREG-1216. In addition, the Owners' Group stated that this action will improve availability of the engines for service, especially during outages, while maintaining current reliability levels.

The NRC staff and its consultant, Pacific Northwest Laboratories, have completed a review of the operational data and inspection results contained in the Owners' Group submittal relative to the individual components. On the basis of the review, the staff concluded that there is adequate justification for removing the present component-based licensing conditions. The staff's evaluation of the Owners' Group submittals is reported in a letter to Mr. R. C. Day, TDI Diesel Generators Owners' Group Clearinghouse, dated March 17, 1994.

The NRC staff has reviewed the licensee's submittal of April 28, 1995, with respect to whether or not the staff's findings from its review of the Owners' Group submittals are applicable to the Perry plant. Appendix D of the Safety Evaluation of the Owners' Group submittals identifies the specific license condition components that may be deleted as a result of the review. These condition components encompass and are consistent with those in the Perry operating license. The NRC staff concludes that the license condition is not needed to ensure diesel generator reliability and that the licensee's proposal is consistent with the staff's Safety Evaluation on the Owners' Group submittals. Therefore, License Condition 2.C.(9) may be deleted.

3.0 STATE CONSULTATION

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

4.0 ENVIRONMENTAL CONSIDERATION

This amendment involves a change to a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 or a change to a surveillance requirement. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluent 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 this amendment involves no significant hazards consideration and there has been no public comment on such finding (60 FR 29889). 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.

5.0 CONCLUSION

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

Principal Contributors: J. Rajan
G. Wunder

Date: November 16, 1995