

August 15, 2002

Mr. J. V. Parrish
Chief Executive Officer
Energy Northwest
P.O. Box 968 (Mail Drop 1023)
Richland, WA 99352-0968

SUBJECT: COLUMBIA GENERATING STATION - ISSUANCE OF AMENDMENT RE:
TECHNICAL SPECIFICATION BASES CONTROL PROGRAM (TAC NO.
MB5076)

Dear Mr. Parrish:

The Commission has issued the enclosed Amendment No. 177 to Facility Operating License No. NPF-21 for the Columbia Generating Station. The amendment consists of changes to the Technical Specifications (TS) in response to your application dated April 19, 2002.

The amendment revises Technical Specification (TS) 5.5.10, "Technical Specification (TS) Bases Control Program," to provide consistency with the changes to 10 CFR 50.59 as published in the *Federal Register* (64 FR 53582) dated October 4, 1999, that became effective March 13, 2001. The changes to TS 5.5.10 are made to incorporate the change made in 10 CFR 50.59 to remove the phrase "unreviewed safety question."

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

Sincerely,

/RA/

Brian Benney, Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosures: 1. Amendment No. 177 to NPF-21
2. Safety Evaluation

cc w/encls: See next page

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Brian Benney, Project Manager, Section 2
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Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosures: 1. Amendment No. 177 to NPF-2
2. Safety Evaluation

cc w/encls: See next page

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Columbia Generating Station

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ENERGY NORTHWEST

DOCKET NO. 50-397

COLUMBIA GENERATING STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.177
License No. NPF-21

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the Energy Northwest (licensee) dated April 19, 2002, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's 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-21 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. 177 and the Environmental Protection Plan contained in Appendix B, 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

/RA/

Stephen Dembek, Chief, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: August 15, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 177

FACILITY OPERATING LICENSE NO. NPF-21

DOCKET NO. 50-397

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains vertical lines indicating the areas of change. The corresponding overleaf page is also provided to maintain document completeness.

REMOVE

5.5-10

INSERT

5.5-10

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 177 TO FACILITY OPERATING LICENSE NO. NPF-21

ENERGY NORTHWEST

COLUMBIA GENERATING STATION

DOCKET NO. 50-397

1.0 INTRODUCTION

By application dated April 19, 2002, Energy Northwest (the licensee) requested changes to the Technical Specifications (Appendix A to Facility Operating License No. NPF-21) for the Columbia Generating Station. The proposed changes would revise TS 5.5.10, "Technical Specification (TS) Bases Control Program," to be consistent with the Nuclear Energy Institute (NEI) Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-364 Revision 0, "Revision to TS Bases Control Program to Incorporate Changes to 10 CFR 50.59." The approval of TSTF-364, Revision 0, was documented in a Nuclear Regulatory Commission (NRC) letter to Mr. James Davis, Director, Operations Department - NEI dated June 16, 2000.

2.0 EVALUATION

The current TS 5.5.10 for the Columbia Generating Station currently reads as follows:

- 5.5.10.b Licensees may make changes to Bases without prior NRC approval provided the changes do not involve either of the following:
1. a change in the TS incorporated in the license; or
 2. a change to the FSAR [Final Safety Analysis Report] or Bases that involves an unreviewed safety question as defined in 10 CFR 50.59.

On October 4, 1999, the NRC amended 10 CFR 50.59 (64 FR 53582) to clarify the specific types of changes, tests, and experiments conducted at a licensed facility or by a certificate holder that require evaluation, and revise the criteria that licensees and certificate holders must use to determine when NRC approval is needed before such changes, tests, or experiments can be implemented. As part of this change, the term "unreviewed safety question," which was previously used to identify those changes, tests, or experiments that required prior NRC review and approval, was eliminated. While the amended 10 CFR 50.59 provides new criteria identifying those changes, tests, or experiments that must receive prior NRC review and approval, no similar term was included to identify these criteria.

TSTF-364, Revision 0, is an industry generated document that provides guidance to upgrade TSs to implement the amended requirements of 10 CFR 50.59. Specifically, TSTF-364 includes the following changes for facilities having Bases Control Programs with the pre-1999 10 CFR 50.59 references:

1. With respect to TS 5.5.10.b.1, the phrase "do not involve" is replaced with "do not require."
2. With respect to TS 5.5.10.b.2, the phrase "involves an unreviewed safety question as defined in 10 CFR 50.59" is replaced with "requires NRC approval pursuant to 10 CFR 50.59."

Therefore, the licensee has proposed modifying TS 5.5.10.b to read as follows:

- 5.5.10.b Licensees may make changes to Bases without prior NRC approval provided the changes do not require either of the following:
1. a change in the TS incorporated in the license; or
 2. a change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.

As previously stated, the staff endorsed the above modifications included in TSTF-364 in a letter to NEI dated June 16, 2000. The staff considers the proposed change to TS 5.5.10.b.1 to be editorial in nature and acceptable. The proposed change to TS 5.5.10.b.2 removes the reference to the outdated term "unreviewed safety question," provides the appropriate reference to the amended 10 CFR 50.59, and corrects the reference to the FSAR to refer to the updated FSAR. Therefore, the staff finds this proposed change acceptable.

3.0 STATE CONSULTATION

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

4.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10)(ii). 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. 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 42821).

5.0 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: John Hickman, NRR

Date: August 15, 2002