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August 16 , 2002

U.S. Nuclear Regulatory Commission
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SUBJECT: Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station
Docket No. 50-293
License No. DPR-35

Request for Amendment to the Technical Specifications
Consolidated Line Item Improvement Process (CLIIP)
Implementation of TSTF-358 – Missed Surveillance Requirements

REFERENCE: NUREG 1433, Standard Technical Specifications for General
Electric Plants, BWR/4

LETTER NUMBER: 2.02.073

Dear Sir or Madam:

In accordance with the provisions of 10 CFR 50.90, Entergy Nuclear Operations, Inc. (Entergy) is submitting a request for an amendment to the Technical Specifications (TS) for Pilgrim Nuclear Power Station. The proposed license amendment would add TS requirements for missed TS required surveillances.

The Enclosure provides a description of the proposed change, the requested confirmation of applicability, and plant-specific verifications. Attachment 1 provides a mark-up of the new proposed TS and associated bases changes. The bases changes are provided for information purposes only.

Entergy has reviewed the proposed amendment in accordance with 10 CFR 50.92 and concludes it does not involve a significant hazards consideration.

Entergy requests approval of this change as soon as possible. Once approved, the amendment will be implemented within 60 days.

A001

If you have any questions or require additional information, please contact Mr. Bryan Ford, Licensing Manager, at (508) 830-8403.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 16th of August 2002.

Sincerely,



Robert M. Bellamy

Enclosure: Evaluation of the Proposed Changes -4 pages

Attachment 1: Mark-up of Proposed Technical Specifications and Bases - 4 pages
2: List of Regulatory Commitments – 1 page

cc:

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ENCLOSURE

Evaluation Of The Proposed Changes

**Subject: Consolidated Line Item Improvement Process (CLIIP)
Implementation of TSTF-358 – Missed Surveillance Requirements**

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1. **DESCRIPTION**

Entergy Nuclear Operations, Inc. (Entergy) proposes to amend the Technical Specifications (TS) to add a requirement for missed TS required surveillances.

The changes are consistent with NRC approved Industry Technical Specification Task Force (TSTF) Standard Technical Specifications (STS) change TSTF-358 Revision 5, as modified by Federal Register Notice 66FR32400, of June 14, 2001. The availability of this TS improvement was published in the Federal Register on September 28, 2001, as part of the consolidated line item improvement process (CLIP).

2. **PROPOSED CHANGES**

Insert new sections 3.0, "Limiting Condition for Operation (LCO) Applicability," and 4.0, "Surveillance Requirement (SR) Applicability," into the TS. Identify sections 3.0, 4.0.1, and 4.0.2 as "Not Used." Add the following as section 4.0.3:

"If it is discovered that a Surveillance was not performed within its specified Surveillance 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 Surveillance Frequency, whichever is 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 shall be managed.

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

Also, included for information in Attachment 1 are the associated Bases changes to be implemented.

3. **BACKGROUND**

The purpose of STS SR 3.0.3 as modified by TSTF-358 and endorsed in the Federal Register on September 28, 2001 is to establish 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 Surveillance Frequency.

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

Failure to comply with specified Frequencies for surveillance intervals is expected to be an infrequent occurrence. Use of the delay period established by STS 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 Surveillance Frequency is provided to perform the missed Surveillance, it is expected that the missed Surveillance will be performed at the first reasonable opportunity.

Pilgrim Nuclear Power Station's (PNPS) TS predate the establishment of the STS and do not contain the allowances of STS SR 3.0.3. Having this allowance could prevent unnecessary plant transients and would be a significant benefit

4. TECHNICAL ANALYSIS

A. Applicability of Published Safety Evaluation

Entergy Nuclear Operations, Inc. (Entergy) has reviewed the NRC safety evaluation dated September 28, 2001, as part of the CLIP. This review included a review of the NRC staff's evaluation, as well as the supporting information provided to support TSTF-358. Entergy has concluded that the justifications presented in the TSTF proposal and the safety evaluation prepared by the NRC staff are applicable to PNPS and justify this amendment for incorporation into the PNPS TSs.

B. Optional Changes and Variations

Entergy proposes adding a section 4.0.3 to the PNPS TS. The PNPS TS have a different format and terminology than the STS and the proposed change has been modified to reflect these

differences. The proposed TS changes are consistent with the modified TSTF – 358 Revision 5 and the NRC staff's model safety evaluation dated September 28, 2001.

The NRC has previously approved the application of TSTF – 358 with changes to reflect the specific plant's differences from the STS for Monticello (Reference 1).

5. REGULATORY ANALYSIS

1. No Significant Hazards Consideration

Entergy has reviewed the proposed no significant hazard consideration determination published in the *Federal Register* as part of the CLIP. Entergy has concluded that the proposed no significant hazard consideration determination presented in the Federal Register notice is applicable to the Pilgrim Nuclear Power Station, and is hereby incorporated by reference to satisfy the requirements of 10 FR 50.91(a).

2. Verification and Commitments

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

Entergy will establish TS Bases for 4.0.3 which will state that use of the delay period established by Surveillance Requirement 4.0.3 is a flexibility that 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 4.0.3 that 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 will state that Entergy is expected to perform a missed surveillance at the first reasonable opportunity, taking into account appropriate considerations, such as impact on plant risk and analysis assumptions, consideration of unit conditions, planning, availability of personnel, and the time required to perform the surveillance. The Bases will 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 Risk Before Maintenance Activities at Nuclear Power Plants." The missed surveillance

should be treated as an emergent condition, as discussed in Regulatory Guide 1.182. In addition, the Bases will state that the degree of depth and rigor of the evaluation should be commensurate with the importance of the component and that missed surveillance for important components should be analyzed quantitatively. The Bases will also state that the results of the risk evaluation will determine the safest course of action. In addition, the Bases will state that all missed surveillances will be placed in the licensee's Corrective Action Program. Finally, Entergy has a Bases Control Program consistent with Section 5.5 of the Standard Technical Specifications.

6. ENVIRONMENTAL CONSIDERATION

Entergy Nuclear Operations, Inc has reviewed the environmental evaluation in the model safety evaluation dated September 28, 2001, as part of the CLIP. Entergy has concluded that the staff's findings presented in the evaluation are applicable and the evaluation is hereby incorporated by reference for this application.

7. REFERENCES

1. NRC letter to Monticello Nuclear Generating Plant, Monticello Nuclear Generating Plant – Issuance of Amendment 127 dated May 31, 2002 Re: Missed Surveillances (TAC MB4275)

ATTACHMENT 1

Proposed Technical Specification and Bases Changes

3.0 Limiting Condition For Operation (LCO) Applicability

Not Used

4.0 SURVEILLANCE REQUIREMENT (SR) APPLICABILITY

4.0.1 Not Used

4.0.2 Not Used

4.0.3 If it is discovered that a Surveillance was not performed within its specified Surveillance 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 Surveillance Frequency, whichever is 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 shall be managed.

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

Bases:

3.0 Limiting Condition For Operation (LCO) Applicability

Not Used

4.0 Surveillance Requirement (SR) Applicability

4.0.1 Not Used

4.0.2 Not Used

4.0.3 TS 4.0.3 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 Surveillance Frequency. A delay period of up to 24 hours or up to the limit of the specified Surveillance Frequency, whichever is greater, applies from the point in time that it is discovered that the Surveillance has not been performed in accordance with the definition of "Surveillance Frequency" and not at the time that the specified Surveillance Frequency was not met.

This delay period provides adequate time to complete Surveillances that have been missed. 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 the 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 Surveillance Frequency based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed when specified, TS 4.0.3 allows for the full delay period of up to the specified Surveillance Frequency to perform the Surveillance. However, since there is no time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.

TS 4.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of reactor MODE changes imposed by required Actions.

Bases:

Failure to comply with specified Frequencies for surveillance intervals is expected to be an infrequent occurrence. Use of the delay period established by TS 4.0.3 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 Surveillance 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 the Surveillance as well as any plant configuration changes required or shutting the plant down to perform the Surveillance) and impact on any (continued) 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 should be commensurate with the importance of the component. Missed Surveillance 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 or the required actions for the applicable LCO Actions 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 Actions 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 "Surveillance Frequency."

ATTACHMENT 2

LIST OF REGULATORY COMMITMENTS

List of Regulatory Commitments

The following table identified those actions committed to by Pilgrim in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments.

REGULATORY COMMITMENT	DUE DATE
Implement changes to the Technical Specifications within 60 days of approval.	60 days following approval of the amendment.