February 4, 2003

Mr. Jeffrey S. Forbes
Site Vice President
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 75
Monticello, MN 55362-9637

SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT - ISSUANCE OF AMENDMENT RE: LICENSE AMENDMENT REQUEST FOR CONVERSION TO OPTION B FOR CONTAINMENT LEAK RATE TESTING (TAC NO. MB4975)

Dear Mr. Forbes:

The Commission has issued the enclosed Amendment No. 132 to Facility Operating License No. DPR-22 for the Monticello Nuclear Generating Plant. The amendment consists of changes to the Technical Specifications (TSs) in response to your application dated April 25, 2002. The application was erroneously dated April 25, 2001, but was subsequently corrected by letter dated May 30, 2002.

The amendment changes TS 3.7/4.7, “Containment Systems,” to allow the use of 10 CFR Part 50, Appendix J, Option B, for Types B and C containment leak rate testing and adds a new TS Section 6.8.M, "Programs and Manuals - Primary Containment Leakage Rate Testing Program.”

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

Sincerely,

/RA/

Darl S. Hood, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-263

Enclosures: 1. Amendment No. 132 to DPR-22
2. Safety Evaluation

cc w/encls: See next page

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PUBLIC	OGC	SWeerakkody
PDIII-1 Reading	ACRS	JPulsipher
LRaghavan	WBeckner	RDennig
DHood	GHill(2)	
RBouling	BBurgess, RGN-III	

*Provided SE input by memo

OFFICE	PDIII-1/PM	PDIII-1/LA	SLPB/SC*	RORP/SC	OGC	PDIII-1/SC
NAME	DHood	RBouling ***/RA/ THarris***	SWeerakkody	RDennig	CBray	LRaghavan
DATE	01/21/03	01/21/03	11/20/02	01/23/03	01/29/03	01/31/03

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Monticello Nuclear Generating Plant

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NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-263

MONTICELLO NUCLEAR GENERATING PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 132
License No. DPR-22

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

   A. The application for amendment by Nuclear Management Company, LLC (the licensee), dated April 25, 2002[1], 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-22 is hereby amended to read as follows:

[1] The application was initially submitted to the Nuclear Regulatory Commission with an incorrect date of April 25, 2001. The Nuclear Management Company, LLC, subsequently submitted a letter dated May 30, 2002, correcting the date of the application as April 25, 2002.

Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 132, 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 its date of issuance and shall be implemented within 75 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

L. Raghavan, Chief, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: February 4, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 132

FACILITY OPERATING LICENSE NO. DPR-22

DOCKET NO. 50-263

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	INSERT
158	158
159	159
160	160
185	185
258	258
-	258a

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 132 TO FACILITY OPERATING LICENSE NO. DPR-22

NUCLEAR MANAGEMENT COMPANY, LLC

MONTICELLO NUCLEAR GENERATING PLANT

DOCKET NO. 50-263

1.0 INTRODUCTION

By application dated April 25, 2002[1], the Nuclear Management Company, LLC (the licensee), requested changes to the Technical Specifications (TSs) for the Monticello Nuclear Generating Plant. The proposed amendment would permit implementation of 10 CFR Part 50, Appendix J, Option B, "Performance Based Requirements," in accordance with the guidance contained in Regulatory Guide 1.163 (Reference 1), which specifies a method acceptable to the Nuclear Regulatory Commission (NRC) for complying with Option B. These changes relate only to Type B and C (local) leakage rate testing. The proposed amendment would also add a new TS 6.8.M, "Programs and Manuals - Primary Containment Leakage Rate Testing Program."

The licensee's letter dated May 30, 2002, corrected a typographical error in the submittal date of the application and did not change the NRC staff's initial proposed no significant hazards consideration published in the *Federal Register* (67 FR 56325, September 3, 2002).

2.0 REGULATORY EVALUATION

The licensee requested the proposed changes in accordance with 10 CFR Part 2, Section 2.101, "Filing of application," 10 CFR Part 50, Section 50.59, "Changes, tests, and experiments," and 10 CFR Part 50, Section 50.90, "Application for amendment of license or construction permit," of Title 10 of the *Code of Federal Regulations* (10 CFR) to implement the requirements of Option B for Type B and C (local) leak rate testing.

The primary regulatory requirements upon which the NRC staff based its review are those of 10 CFR Part 50, Appendix J, for Type B and C leak rate testing. The NRC staff has also reviewed the proposed changes using the guidance of Regulatory Guide 1.163, and NUREG-1493 (Reference 2). Additionally, the NRC staff has based its review upon Technical Specification Task Force (TSTF) Traveler TSTF-52, Revision 3 (Reference 3), and the General Electric (GE) Standard TSs, NUREG-1433 (Reference 4), since the licensee's application for a license amendment generally constitutes a request for TS changes, to the

[1] The application was initially submitted to the Nuclear Regulatory Commission with an incorrect date of April 25, 2001. The Nuclear Management Company, LLC, subsequently submitted a letter dated May 30, 2002, correcting the date of the application as April 25, 2002.

extent applicable to Monticello, that the NRC staff has previously approved generically for the GE Standard TSs, as modified by Revision 3 to TSTF-52.

Compliance with 10 CFR Part 50, Appendix J, provides assurance that the primary containment, including those systems and components that penetrate the primary containment, do not exceed the allowable leakage rate specified in the TSs and TS Bases. The allowable leakage rate is determined so that the leakage rate assumed in the safety analyses is not exceeded.

As a part of a planned initiative to eliminate requirements that are marginal to safety, but which impose a significant regulatory burden, the NRC staff undertook a study of possible changes to 10 CFR Part 50, Appendix J. The study examined the previous performance history of domestic containment structures and examined the effect on risk of a revision to the requirements of Appendix J. The results of this study are reported in NUREG-1493. On the basis of the results of this study, the NRC staff developed a performance-based approach to containment leakage rate testing and added Option B to 10 CFR Part 50, Appendix J, to allow licensees to voluntarily replace the prescriptive testing requirements of 10 CFR Part 50, Appendix J, with testing requirements based upon both overall and individual component leakage rate performance.

Regulatory Guide 1.163 describes a method acceptable to the NRC staff for implementing Option B. This regulatory guide states that the Nuclear Energy Institute (NEI) guidance document NEI 94-01 (Reference 5) provides methods acceptable to the NRC staff for complying with Option B, with four exceptions which are described therein.

Option B requires that Regulatory Guide 1.163, or another implementation document used by a licensee to develop a performance-based leakage testing program, must be included, by general reference, in the plant's TSs. The licensee for Monticello has referenced Regulatory Guide 1.163 in the proposed changes to the TSs.

Regulatory Guide 1.163 specifies that Type A tests may be extended up to a maximum interval of 10 years based upon two consecutive successful tests. Type B tests may be extended up to a maximum interval of 10 years based upon completion of two consecutive successful tests. Type C tests may be extended up to 5 years based on two consecutive successful tests.

By letter dated October 20, 1995, NEI proposed TSs to implement Option B. After some discussion, the NRC staff and NEI agreed on final TSs, which the NRC staff sent to NEI in a letter dated November 2, 1995. These TSs served as a model for licensees to develop plant-specific TSs in preparing amendment requests to implement Option B. However, the Standard Technical Specifications have subsequently been revised in accordance with the TSTF generic change traveler TSTF-52, Revision 3, and this is now used as the standard for TSs related to Option B.

In order for a licensee to determine the performance of each component, factors that are indicative of or affect performance, such as an administrative leakage limit, must be established. The administrative limit is selected to be indicative of the potential onset of component degradation. Although these limits are subject to NRC inspection to assure that they are selected in a reasonable manner, they are not TS requirements. Failure to meet an administrative limit requires the licensee to return to the minimum value of the test interval.

Option B requires that a licensee maintain records to show that the criteria for Type A, B, and C tests have been met. In addition, a licensee must maintain comparisons of the performance of the overall containment system and the individual components to show that the test intervals are adequate. These records are subject to NRC inspection.

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support of the proposed license amendment as described in Exhibit A of the licensee's April 25, 2002, application. 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 to the health and safety of the public.

By Amendment No. 95, dated April 3, 1996, the Monticello TSs were previously revised to incorporate the requirements of Option B for the Type A tests. The Type B and C tests were still performed under the requirements of Option A. In its April 25, 2002, application, the licensee proposes to perform the Type B and C tests using the requirements of Option B.

3.1 Addition of TS 6.8.M

The licensee proposes to add a new TS 6.8.M to consolidate the requirements for the Primary Containment Leakage Rate Testing Program into one program. This program establishes the leakage rate testing limits of the containment, as required by 10 CFR 50.54(o) and Option B, as modified by approved exemptions. This program is to be in accordance with the guidance contained in Regulatory Guide 1.163, and formatted to be consistent with the NRC-approved guidance provided in Option B of the Primary Containment Leakage Rate Testing Program included in NUREG-1433. On the basis of conformance with these applicable regulations and guidance, the NRC staff finds the proposed additions to be acceptable.

3.2 Associated Administrative Changes

To implement the addition of new TS 6.8.M, several TS sections would undergo administrative revisions such as reformatting, rearranging, relocating, rewording, renumbering, and deletions. The following sections describe the proposed changes in detail.

3.2.1 Changes to TS SR 4.7.A.2.a

TS SR 4.7.A.2.a currently addresses Type A and Type B testing requirements to demonstrate primary containment integrity.

TS SR 4.7.A.2.a would be reworded to state:

> Perform required visual examinations and leakage rate testing, except for primary containment airlock testing, in accordance with the Primary Containment Leakage Rate Testing Program.

Additionally, the requirements of TS SR 4.7.A.2.a would be relocated to new TS SR 6.8.M.2, and the leakage rate limit currently specified by TS SR 4.7.A.2 would be relocated to new TS SR 6.8.M.4.a.

The proposed TS changes are in support of the conversion of the Monticello TSs to the requirements of Option B and would consolidate Type A, B, and C containment leakage rate testing under TS SR 4.7.A.2.a.

3.2.2 Changes to TS LCO 3.7.A.2.b

TS LCO 3.7.A.2.b currently addresses leakage rate limits when primary containment integrity is required and provides the shutdown requirement.

TS LCO 3.7.A.2.b would be deleted because the leakage rate limit requirements would be relocated to new TS 6.8.M and the shutdown requirement is already included in proposed TS LCO 3.7.A.2.a.(4). This proposed change would consolidate Type A, B, and C leakage rate limits and the primary containment air lock leakage rate limits into one TS program.

3.2.3 Changes to TS SR 4.7.A.2.b

TS SR 4.7.A.2.b currently addresses leakage rate testing requirements in accordance with Option A for Type B and Type C tests, and Option B for Type A tests.

TS SR 4.7.A.2.b would be deleted because all Type A, B, and C containment leakage rate testing will be performed under proposed TS SR 4.7.A.2.a and in accordance with new TS 6.8.M.1.

3.2.4 Changes to TS LCO 3.7.A.2.c.1 and TS LCO 3.7.A.2.c.2

TS LCO 3.7.A.2.c.2 currently addresses primary containment air lock leakage requirements when Primary Containment Integrity is required.

TS LCO 3.7.A.2.c.2 would be deleted because the air lock leakage requirements are being relocated to new TS 6.8.M.4.b as part of the Primary Containment Leakage Rate Testing Program. The air lock testing acceptance criteria would be reflected in new TS 6.8.M.4.b.

TS LCO 3.7.A.2.c.1 would be part of TS LCO 3.7.A.2.c because of the deletion of TS LCO 3.7.A.2.c.2.

3.2.5 Changes to TS SR 4.7.A.2.c

TS SR 4.7.A.2.c currently requires that the primary containment air lock be demonstrated to be operable. This TS SR would be revised to consist of two parts, TS SR 4.7.A.2.c.(1) and TS SR 4.7.A.2.c.(2). An evaluation of the changes proposed to the individual subparagraphs of TS SR 4.7.A.2.c is provided below.

3.2.5.1 Changes to TS SR 4.7.A.2.c.1

TS SR 4.7.A.2.c.(1) currently requires primary containment air lock leakage rate testing in accordance with 10 CFR Part 50, Appendix J, as modified by approved exemptions.

TS SR 4.7.A.2.c.(1) would be reworded to state:

> Perform required primary containment air lock leakage rate testing in accordance with the Containment Leakage Rate Testing Program.(*)(**)
>
> * An inoperable air lock door does not invalidate the previous successful performance of the overall air lock leakage test.
>
> ** Results shall be evaluated against acceptance criteria applicable to SR 4.7.A.2.a.

As noted above, TS SR 4.7.A.2.c.1 would be reworded to specify that the primary containment air lock leakage rate testing must be performed in accordance with the Containment Leakage Rate Testing Program and the results evaluated against the acceptance criteria applicable to TS SR 4.7.A.2.a.

3.2.5.2 Changes to TS SR 4.7.A.2.c.(2) and TS SR 4.7.A.2.c.(3)

TS SR 4.7.A.2.c.(2) was deleted by a previous license amendment. TS SR 4.7.A.2.c.(3) would be renumbered as TS SR 4.7.A.2.c.(2) and reworded to state:

> Once per 24 months, verify that only one door in the primary containment airlock can be opened at a time.

TS SR 4.7.A.2.c.3 currently requires the licensee to verify, every 6 months, that only one door can be opened at a time, but if the air lock has not been used since the last test, this test is not required. The presence of this caveat allows operation during a complete cycle if the air lock is not opened during that time. The revised wording provides an essentially equivalent amount of time between verifications (24 months) that the air lock is operable. This is because, during refueling outages, the air lock will be used for ingress and egress to the drywell and, upon completion of the outage when primary containment integrity is required, the air lock will be required to be verified operable as specified in TS SR 4.7.A.2.c.1.

3.2.6 Addition of TS 6.8.L

TS 6.8.L would be added to the TSs without any accompanying text and reserved for future use.

3.2.7 Conclusion

The TS changes discussed in Sections 3.2.1 thru 3.2.6 above are administrative in nature and do not give rise to a safety issue. Therefore, the NRC staff finds these changes acceptable

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Minnesota 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 the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. 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 56325). 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.

7.0 REFERENCES

1. Regulatory Guide 1.163, "Performance-Based Containment Leak Test Program," dated September 1995.

2. NUREG-1493, "Performance-Based Leak-Test Program Report," dated September 1995.

3. Technical Specification Task Force, Generic Change Traveler, TSTF-52, Revision 3.

4. NUREG-1433, Volume 1, Revision 2, "Standard Technical Specifications General Electric Plants, BWR/4," dated June 2001.

5. NEI 94-01, Rev. 0, "Industry Guideline for Implementing Performance-Based Option of 10 CFR Part 50, Appendix J," dated July 26, 1995.

Principal Contributor: J. Pulsipher

Date: February 4, 2003