

December 17, 2002

Mr. Michael R. Kansler
Senior Vice President and
Chief Operating Officer
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NO. 2 - AMENDMENT RE:
ADMINISTRATIVE CONTROLS TO REFLECT SITE INTEGRATION
(TAC NO. MB5256)

Dear Mr. Kansler:

The Commission has issued the enclosed Amendment No. 235 to Facility Operating License No. DPR-26 for the Indian Point Nuclear Generating Unit No. 2. The amendment consists of changes to the Technical Specifications (TSs) in response to your application transmitted by letter dated May 30, 2002, as supplemented on October 31, 2002.

The amendment revises the requirements in several administrative programs in TS Section 6.0, "Administrative Controls." Specifically, the proposed amendment: (1) replaces the specific management titles for several organizational positions with generic titles, (2) replaces the title of the Quality Assurance Program Description with a reference to the quality assurance program described or referenced in the Updated Final Safety Analysis Report, and (3) deletes the functions of the Station Nuclear Safety and the Nuclear Facilities Safety Committees and the Vice President-Nuclear Power since their duties and responsibilities are described in the Quality Assurance Program Description. The proposed changes reflect the organizational integration at the Indian Point Energy Center.

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

Sincerely,

/RA/

Patrick D. Milano, Sr. Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-247

Enclosures: 1. Amendment No. 235 to DPR-26
2. Safety Evaluation

cc w/encls: See next page

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DATE	12/06/02	12/06/02	12/06/02	12/13/02	12/16/02

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DATED: December 17, 2002

AMENDMENT NO. 235 TO FACILITY OPERATING LICENSE NO. DPR-26 INDIAN POINT
UNIT 2

PUBLIC

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ENTERGY NUCLEAR INDIAN POINT 2, LLC

ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-247

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 235
License No. DPR-26

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Entergy Nuclear Operations, Inc. (the licensee) dated May 30, 2002, as supplemented on October 31, 2002, 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-26 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 235, 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 the date of its issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Richard J. Laufer, Chief, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: December 17, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 235

FACILITY OPERATING LICENSE NO. DPR-26

DOCKET NO. 50-247

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 Pages

vi
6-1
6-2
6-3
6-4
6-5
6-11
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Insert Pages

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6-1
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6-3
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6-5
6-11
6-13
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 235 TO FACILITY OPERATING LICENSE NO. DPR-26

ENTERGY NUCLEAR OPERATIONS, INC.

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

DOCKET NO. 50-247

1.0 INTRODUCTION

By letter dated May 30, 2002, as supplemented on October 31, 2002, Entergy Nuclear Operations, Inc. (the licensee) submitted a request for changes to the Indian Point Nuclear Generating Unit No. 2 (IP2) Technical Specifications (TSs). The requested changes would revise the requirements in several administrative programs in TS Section 6.0, "Administrative Controls." Specifically, the proposed amendment would: (1) replace the specific management titles for several organizational positions with generic titles, (2) replace the title of the Quality Assurance Program Description with a reference to the quality assurance program described or referenced in the Updated Final Safety Analysis Report (UFSAR), and (3) delete the functions of the Station Nuclear Safety Committee (SNSC) and the Nuclear Facilities Safety Committee (NFSC) and the Vice President-Nuclear Power since their duties and responsibilities are described in the Quality Assurance Program Description. The proposed changes reflect the organizational integration at the Indian Point Energy Center. The October 31 supplemental letter provided clarifying information that did not enlarge the scope of the amendment as noticed in the original *Federal Register* notice or change the initial proposed no significant hazards consideration determination.

2.0 REGULATORY EVALUATION

The U.S. Nuclear Regulatory Commission (NRC) staff finds that the licensee in its May 30 submittal identified the applicable regulatory requirements. The regulatory requirements and NRC guidance for which the staff based its acceptance are:

1. Section 50.34(b), "Final safety analysis report [FSAR]," of Title 10 of the *Code of Federal Regulations* (10 CFR 50.34(b)) discusses the information that shall be included in the FSAR. The information regarding facility operation is described in 10 CFR 50.34(b)(6). The required information, in part, includes: (i) the applicant's organizational structure, allocations or responsibilities and authorities, and personnel qualifications requirements, and (ii) managerial and administrative controls used to assure safe operation as set forth in Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Processing Plants."

2. 10 CFR 50.54, "Conditions of licenses," states, in part, that each licensee subject to the quality assurance criteria in Appendix B to 10 CFR Part 50 shall implement the quality assurance program described in the FSAR, including changes to that report (i.e., Updated FSAR (UFSAR)).
3. NRC Administrative Letter (AL) 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995, provides guidance on relocating requirements to an NRC-approved quality assurance plan.

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support of its proposed license amendment described in the May 30 application, as supplemented on October 31, 2002. The detailed evaluation below will support the conclusions 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.

3.1 Use of Generic Management Titles

3.1.1 Proposed TS Changes

In its May 30 application, the licensee proposed to change: (1) TS Section 6.1.2, "Responsibility," and TS Section 6.2.1, "Facility Management and Technical Support," to remove the capitalization of the title Plant Manager, (2) TS Section 6.2.2, "Facility Staff," to remove the capitalization of the titles Operations Manager and Assistant Operations Manager, and (3) TS Section 6.3, "Facility Staff Qualifications," to remove the capitalization of the titles Plant Manager, Operations Manager, Assistant Operations Manager, and Radiation Protection Manager.

3.1.2 Evaluation of Change

As a basis for the proposed changes, the licensee stated that the replacement of a specific title for an organizational position with a generic title does not alter the authority or responsibility assigned to the position. Therefore, removing the capitalization from the title would not reduce continued compliance with any regulatory requirements.

The NRC staff finds that the corporate management organization and functional responsibilities as they relate to IP2 are described in the UFSAR Section 12.1, "Organization and Responsibility," and in Section A.2, "Organization," of the quality assurance program manual. Since the functional responsibilities are not being revised, the staff finds the proposed change removes the specificity in the position titles but does not reduce the regulatory commitments for these positions. Thus, the NRC staff finds that the changes are acceptable.

3.2 References to Title of the Quality Assurance Program Description (QAPD)

3.2.1 Proposed TS Changes

The licensee proposed to change: (1) TS Section 6.2.1, "Facility Management and Technical Support," TS Section 6.8, "Procedures and Programs," and TS Section 6.10, "Record Retention," by replacing the document title QAPD with quality assurance program manual described or referenced in the UFSAR, and (2) TS Section 6.8 by rewording sentences as required to reflect contents of the quality assurance program.

3.2.2 Evaluation of Change

The licensee stated that the regulatory controls for changes to the quality assurance program are specified in 10 CFR 50.54(b)(3) and (4) and do not require license amendments. The licensee is required to implement any changes to the quality assurance program described or referenced in the UFSAR because it is a license condition controlled by 10 CFR 50.54 and these changes do not require redundant description in the TS. The changes will simplify the administration of IP2. The effectiveness of the licensee's organization to ensure compliance with the IP2 license is not affected.

The NRC staff finds that the requirements in the quality assurance program description are not changed. Thus, the proposed change is acceptable.

3.3 Duties and Responsibilities Described in the Quality Assurance Program Manual

3.3.1 TS Section 6.5.1, "Review and Audit"

3.3.1.1 Proposed TS Change

The licensee proposed to delete TS Section 6.5.1, including the statement that the review and audit functions of the Station Nuclear Safety Committee (SNSC) and the Nuclear Facilities Safety Committee (NFSC) are described in QAPD.

3.3.1.2 Evaluation of Change

The implementation of, and any changes to, the quality assurance program described or referenced in the UFSAR is a license condition controlled by 10 CFR 50.54 and does not require redundant description in the TS. The deletion of redundant controls will simplify the administration of IP2 for both the licensee and the NRC. The effectiveness of the licensee's organization to ensure compliance with the IP2 license is not affected. This is consistent with the guidance in NUREG-1431, "Standard Technical Specifications Westinghouse Plants." In addition, these requirements are not required to be in the TSs under 10 CFR 50.36.

The NRC staff finds that the requirements related to review and audit are located in Section A.2.f and A.7 of Revision 7 to the Quality Assurance Program Manual, controlled in accordance with 10 CFR 50.54(a) and, therefore, is acceptable.

3.3.2 TS Section 6.6, "Reportable Event Action"

3.3.2.1 Proposed TS Change

Renumbered Section 6.6.1 to include subsection 6.6.1.a and deleted subsection 6.6.1.b, which requires each Licensee Event Report submitted to the Commission to be submitted to the NFSC Chairman and the Vice President-Nuclear Power and be reviewed by the SNSC.

3.3.2.2 Evaluation of Change

The duties and responsibilities of the onsite and offsite review committees and corporate officers are functions of the quality assurance program as implemented by each licensee. The implementation of, and any changes to, the quality assurance program described or referenced in the UFSAR is a license condition controlled by 10 CFR 50.54 and does not require a redundant description in the TS. The change deletes redundant controls that will simplify the administration of IP2. The effectiveness of the licensee's organization to ensure compliance with the IP2 license is not affected. Therefore, the NRC staff finds the change acceptable.

3.3.3 TS Section 6.7, "Safety Limit Violation"

3.3.3.1 Proposed TS Change

Deleted references to the Vice President-Nuclear Power, the onsite review committee (SNSC) and the offsite review committee (NFSC) from each subsection where the reference occurs.

3.3.3.2 Evaluation of Change

The duties and responsibilities of the onsite and offsite review committees and corporate officers are functions of the quality assurance program as implemented by each licensee. The implementation of, and any changes to, the quality assurance program manual described or referenced in the UFSAR is a license condition controlled by 10 CFR 50.54 and does not require redundant description in the TS. The change deletes redundant administrative controls that are in the licensee-controlled quality assurance program. The effectiveness of the licensee's organization to ensure compliance with the IP2 license is not affected. Therefore, the NRC staff finds the change acceptable.

3.3.4 TS Section 6.14, "Process Control Program," Section 6.15, Offsite Dose Calculation Manual," and IP2 TS Section 6.16, "Major Changes To Radioactive Liquid, Gaseous And Solid Waste Systems"

3.3.4.1 Proposed TS Changes

Deleted "by the SNSC" from the statements regarding review or acceptance of changes to the subjects of the sections.

3.3.4.2 Evaluation of Change

As discussed in the evaluation of the proposed changes to Section 6.5.1, the review and audit functions of the onsite safety review committee (currently designated as SNSC) are controlled

by the quality assurance program as described or referenced in the UFSAR. The content, implementation, and change control of this program are specified in 10 CFR 50.54. The removal of specific review or audit functions for the onsite safety review committee from the IP2 TS will simplify the implementation of the 10 CFR Part 50 Appendix B criteria without reducing the required regulatory controls. Therefore, the NRC staff finds the changes acceptable.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes recordkeeping, reporting, or administrative procedures or 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 42824). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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.

Principal Contributor: K. Naidu

Date: December 17, 2002