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Docket Number 50-346

10CFR50.90

License Number NPF-3

Serial Number 2812

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United States Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555-0001

Subject: Davis-Besse Nuclear Power Station: License Amendment Application to Revise Station Review Board Name and Revise Regulatory Guide 1.33 Version Reference in Technical Specifications 6.0, Administrative Controls
(License Amendment Request No. 02-0007)

Ladies and Gentlemen:

Pursuant to 10 CFR 50.90, the FirstEnergy Nuclear Operating Company (FENOC) hereby requests NRC approval of the enclosed application to amend the Davis-Besse Nuclear Power Station, Unit 1 (DBNPS) Operating License Number NPF-3, Appendix A, Technical Specifications (TS). The proposed amendment would revise Technical Specification (TS) 6.7, Safety Limit Violation or Protective Limit Violation; TS 6.8, Procedures and Programs; TS 6.14, Process Control Program (PCP); and TS 6.15, Offsite Dose Calculation Manual. Enclosure 1 to this letter contains the technical justification for these proposed changes and the proposed no significant hazards consideration determination.

These TS changes are administrative in nature and change the name of the "Station Review Board" (SRB) to "Plant Operations Review Committee" (PORC) to be consistent with the name for this type of onsite review committee that is used at other FENOC plants. Additionally, an administrative change is proposed to update the version of Regulatory Guide 1.33, "Quality Assurance Program Requirements (Operation)," referenced in TS 6.8. These changes reflect FENOC procedure NOP-LP-4006, Plant Operations Review Committee, and the FENOC Quality Assurance Program Manual that will be used to implement these requirements in the future.

Approval of the proposed amendment is requested by April 30, 2003. Once approved, the amendment will be implemented within 120 days.

A001

This proposed amendment has been prepared using the Nuclear Energy Institute guideline "Standard Format for Operating License Amendment Requests from Commercial Reactor Licensees."

The proposed changes have been reviewed by the DBNPS onsite review committee and offsite review committee.

Should you have any questions or require additional information, please contact Mr. Patrick J. McCloskey, Manager - Regulatory Affairs, at (419) 321-8450.

Very truly yours,

KAS
Enclosures

cc: J. E. Dyer, Regional Administrator, NRC Region III
J. B. Hopkins, NRC/NRR Senior Project Manager
D. J. Shipley, Executive Director, Ohio Emergency Management Agency, State of Ohio (NRC Liaison)
C. S. Thomas, NRC Region III, DB-1 Senior Resident Inspector
Utility Radiological Safety Board

APPLICATION FOR AMENDMENT

TO

FACILITY OPERATING LICENSE NUMBER NPF-3

DAVIS-BESSE NUCLEAR POWER STATION

UNIT NUMBER 1

Attached are proposed changes to the Davis-Besse Nuclear Power Station, Unit Number 1 Facility Operating License Number NPF-3.

The proposed changes concern:

Appendix A, Technical Specifications (TS):

TS 6.7, "Safety Limit Violation or Protective Limit Violation,"
TS 6.8, "Procedures and Programs,"
TS 6.14, "Process Control Program (PCP)," and
TS 6.15, "Offsite Dose Calculation Manual (ODCM)."

I, declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/20/02

By: Lew W. Myers

Lew W. Myers, Chief Operating Officer

Docket Number 50-346
License Number NPF-3
Serial Number 2812
Enclosure 1

DAVIS-BESSE NUCLEAR POWER STATION
EVALUATION
FOR
LICENSE AMENDMENT REQUEST NUMBER 02-0007

(15 pages follow)

DAVIS-BESSE NUCLEAR POWER STATION
EVALUATION
FOR
LICENSE AMENDMENT REQUEST NUMBER 02-0007

Subject: Revise Station Review Board Name and Regulatory Guide 1.33 Version Referenced in Technical Specifications 6.0, Administrative Controls

1.0 DESCRIPTION

This is a request to amend the Davis-Besse Nuclear Power Station (DBNPS), Unit Number 1 Facility Operating License Number NPF-3, Appendix A, Technical Specifications.

The proposed changes would revise the Operating License Technical Specification (TS) 6.7, Safety Limit Violation or Protective Limit Violation; TS 6.8, Procedures and Programs; TS 6.14, Process Control Program (PCP); and TS 6.15, Offsite Dose Calculation Manual (ODCM).

As described below, these TS requirement changes being proposed are administrative in nature and change the name of the Station Review Board (SRB) to Plant Operations Review Committee (PORC) to be consistent with the terminology for this type of onsite review committee used at other FirstEnergy Nuclear Operating Company plants. Another administrative change is proposed to update the version of Regulatory Guide 1.33, "Quality Assurance Program Requirements (Operation)," referenced in TS 6.8.

2.0 PROPOSED CHANGE

The proposed changes are shown on the marked-up TS pages in Attachment 1.

The changes being proposed would revise the following TS requirements:

- Revise TS 6.7.1.c, "Safety Limit Violation or Protective Limit Violation," which states, in part:

  > "A Safety Limit Violation Report shall be prepared. The report shall be reviewed by the SRB."

  to read (changes in *italics*):

  > "A Safety Limit Violation Report shall be prepared. The report shall be reviewed by the *Plant Operations Review Committee (PORC).*"

- Revise TS 6.7.2.c, "Safety Limit Violation or Protective Limit Violation," which states, in part:

  > "A Protective Limit Violation Report shall be prepared. The report shall be reviewed by the SRB."

  to read (changes in *italics*):

  > "A Protective Limit Violation Report shall be prepared. The report shall be reviewed by the *PORC.*"

- Revise TS 6.8.1.a, "Procedures and Programs," which states:

"Written procedures shall be established, implemented and maintained covering the activities referenced below:

a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, November, 1972."

to read (changes in *italics*):

"Written procedures shall be established, implemented and maintained covering the activities referenced below:

a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, *February, 1978.*"

- Revise TS 6.14.b, "Process Control Program, which states:

"Changes to the PCP:

b. Shall become effective after review and acceptance by the SRB and the approval of the Plant Manager."

to read (changes in *italics*):

"Changes to the PCP:

b. Shall become effective after review and acceptance by the *PORC* and the approval of the Plant Manager."

- Revise TS 6.15.b, "Offsite Dose Calculation Manual (ODCM)," which states:

"Changes to the ODCM:

b. Shall become effective after review and acceptance by the SRB and the approval of the Plant Manager."

to read (changes in *italics*):

"Changes to the ODCM:

b. Shall become effective after review and acceptance by the *PORC* and the approval of the Plant Manager."

3.0 BACKGROUND

The proposed changes affect the requirements for the administrative controls section of the TS. The function of the Operating License, Appendix A, Technical Specifications is to impose those

conditions or limitations upon reactor operation necessary to preserve the validity of the results of USAR design bases accidents. The function of the TS Section 6.0, "Administrative Controls," as stated in 10 CFR 50.36(c)(5) is to provide provisions relating to organization and management, procedures, record keeping, review, audit, and reporting necessary to assure plant operation in a safe manner.

4.0 TECHNICAL ANALYSIS

FUNCTION:

The following discusses the function of each subsection in TS Section 6.0 in more detail:

TS 6.7, Safety Limit Violation or Protective Limit Violation:

The function of TS 6.7, "Safety Limit Violation or Protective Limit Violation," is to describe the shutdown and reporting actions to be taken in the event of a safety limit or protective limit violation at the DBNPS.

TS 6.8, Procedures and Programs:

The function of TS 6.8, "Procedures and Programs," is to describe the activities for which procedures and programs are required to be established, implemented, and maintained.

TS 6.14, Process Control Program (PCP):

The function of TS 6.14, "Process Control Program (PCP)," is to delineate requirements for how changes are made to the PCP.

TS 6.15, Offsite Dose Calculation Manual (ODCM):

The function of TS 6.15, "Offsite Dose Calculation Manual (ODCM)," is to delineate requirements for how changes are made to the ODCM.

EFFECT ON FUNCTION:

Specific discussion on the proposed changes (in *italics*) and their effect on the function described above follows:

TS 6.7, Safety Limit Violation or Protective Limit Violation:

The wording in TS section 6.7.1.c will be revised to "The report shall be reviewed by the *Plant Operations Review Committee (PORC).*" The wording in TS section 6.7.2.c will be revised to "The report shall be reviewed by the *PORC.*"

These proposed changes to TS 6.7.1.c and TS 6.7.2.c only change the name of the onsite review committee and are administrative in nature. Accordingly, these changes do not adversely affect the TS function or nuclear safety.

TS 6.8, Procedures and Programs:

Typical procedures for Pressurized Water Reactors are recommended in Appendix A of Regulatory Guide 1.33.

The version of Regulatory Guide 1.33 in TS 6.8 will be revised from "The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, November, 1972." to "The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, *February, 1978.*"

Prior to the creation of the FENOC Quality Assurance Program Manual (QAPM), the quality assurance program description of Section 17.2 of the Davis-Besse Updated Safety Analysis Report (USAR) committed to Regulatory Guide 1.33, November 1972. In developing the FENOC QAPM with the Perry Nuclear Power Plant, the decision was made to commit to Regulatory Guide 1.33, February, 1978. This decision was based on three factors: 1) Perry's QA Program description at the time committed to the 1978 version, 2) the 1978 version is currently endorsed by the Nuclear Regulatory Commission (NRC), and 3) a reconciliation between the two versions concluded that utilizing the 1978 version would not be a reduction in commitment (based on the provisions of 10CFR50.54(a)) nor have any impact to the related implementing procedures at the DBNPS.

Accordingly, the proposed change to TS 6.8.1.a is administrative in nature and this change does not adversely affect the TS function or nuclear safety.

TS 6.14, Process Control Program:

The wording in TS 6.14.b, "Changes to the PCP," will be revised to "[Changes to the PCP] Shall become effective after review and acceptance by the *PORC* and the approval of the Plant Manager."

This proposed change to TS 6.14 only changes the name of the onsite review committee and is administrative in nature. Accordingly, this change does not adversely affect the TS function or nuclear safety.

TS 6.15, Offsite Dose Calculation Manual (ODCM):

The wording in TS 6.14.b, "Changes to the ODCM," will be revised from "[Changes to the ODCM] Shall become effective after review and acceptance by the SRB and the approval of the Plant Manager," to "Shall become effective after review and acceptance by the *PORC* and the approval of the Plant Manager."

This proposed change to TS 6.15 only changes the name of the onsite review committee and is administrative in nature. Accordingly, this change does not adversely affect the TS function or nuclear safety.

5.0 REGULATORY SAFETY ANALYSIS

5.1 No Significant Hazards Consideration

FENOC has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of Amendment," as discussed below:

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

   Response: No.

   The administrative changes do not affect any existing limits, and accident initial conditions, probability, and assumptions remain as previously analyzed. The proposed change to the name of the onsite review committee or the version of the Regulatory Guide will have no significant effect on accident initiation frequency. The proposed changes do not invalidate the assumptions used in evaluating the radiological consequences of any accident. Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

   Response: No.

   The proposed changes are administrative and do not introduce any new or different accident initiators. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

   Response: No.

   The proposed changes are administrative and will not have a significant effect on any margin of safety. Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

Based on the above, FENOC concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

5.2 Applicable Regulatory Requirements/Criteria

The overall regulatory basis of the Operating License, Appendix A, Technical Specifications is to impose those conditions or limitations upon reactor operation necessary to preserve the validity of the results of USAR design bases accidents. The function of the TS Section 6.0, "Administrative Controls," as stated in 10 CFR 50.36(c)(5) is to provide provisions relating to organization and management, procedures, record keeping, review, audit, and reporting necessary to assure plant operation in a safe manner.

10 CFR 50, Appendix B, Criterion II, "Quality Assurance Program," requires the establishment of a quality assurance program. The FENOC Quality Assurance Program Manual (QAPM) fulfills this regulatory requirement. The FENOC QAPM commits to Regulatory Guide (RG) 1.33, February 1978, "Quality Assurance Program Requirements (Operation)," (with one alternative). RG 1.33, February 1978 states it is a method acceptable to the NRC staff for complying with the NRC regulations with regards to overall quality assurance requirements for the operation phase of nuclear power plants. Accordingly, revising TS 6.8.1.a to reference the February 1978 version of RG 1.33 will continue to meet the NRC regulatory requirements.

The FENOC QAPM also commits to the requirements of ANSI N18.7-1976/ANS-3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants," (with clarifications). RG 1.33, February 1978 references ANSI N18.7-1976/ANS-3.2 as acceptable. ANSI N18.7-1976/ANS 3.2 discusses the responsibilities of the onsite review committee. Changing the name of the onsite review committee from "Station Review Board" to "Plant Operations Review Committee" does not affect the committee's responsibilities and, therefore, the NRC regulatory requirements will continue to be met.

In conclusion, based on the considerations discussed above, (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 NRC'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.

6.0 ENVIRONMENTAL CONSIDERATION

The proposed amendment is confined to (i) changes to surety, insurance, and/or indemnity requirements, or (ii) changes to recordkeeping, reporting, or administrative procedures or requirements.

Accordingly, the proposed amendment meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(10). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the proposed amendment.

7.0 REFERENCES

1. DBNPS Operating License NPF-3, Appendix A Technical Specifications through Amendment 253.

2. DBNPS Updated Safety Analysis Report through Revision 22.

3. 10 CFR 50.36, "Technical Specifications."

4. ANSI N18.7-1976/ANS-3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants."

5. FirstEnergy Nuclear Operating Company Quality Assurance Program Manual, Revision 3.

6. Regulatory Guide 1.33, February 1978, "Quality Assurance Program Requirements (Operation)."

ATTACHMENTS

1. Proposed Technical Specification Changes (Mark Up)

2. Proposed Technical Specification Changes (Retyped)

LAR 02-0007
Attachment 1

PROPOSED
TECHNICAL SPECIFICATION CHANGES (MARK UP)

(2 pages follow)

ADMINISTRATIVE CONTROLS

6.7 SAFETY LIMIT VIOLATION OR PROTECTIVE LIMIT VIOLATION

6.7.1 The following actions shall be taken in the event a Safety Limit is violated:

a. The facility shall be placed in at least HOT STANDBY within one hour.

b. The Safety Limit violation shall be reported to the NRC Operations Center by telephone as soon as possible and in all cases within one hour. In addition the Vice President, Nuclear and the CNRB shall be notified within 24 hours.

c. A Safety Limit Violation Report shall be prepared. The report shall be reviewed by the Plant Operations Review Committee (PORC) ~~SRB~~. This report shall describe (1) applicable circumstances preceding the violation, (2) effects of the violation upon facility components, systems or structures, and (3) corrective action taken to prevent recurrence.

d. The Safety Limit Violation Report shall be submitted to the Commission, the CNRB and the Vice President, Nuclear within 14 days of the violation.

6.7.2 The following actions shall be taken in the event the Protective Limit of Specification 2.1.2 is violated:

a. The facility shall be placed in at least HOT STANDBY within one hour.

b. The Protective Limit violation shall be reported to the NRC Operations Center by telephone as soon as possible and in all cases within one hour. In addition the Vice President, Nuclear and the CNRB shall be notified within 24 hours.

c. A Protective Limit Violation Report shall be prepared. The report shall be reviewed by the PORC ~~SRB~~. This report shall describe (1) applicable circumstances preceding the violation, (2) effects of the violation upon facility components, systems or structures, and (3) corrective action taken to prevent recurrence.

d. The Protective Limit Violation Report shall be submitted to the CNRB and the Vice President, Nuclear within 14 days of the violation.

6.8 PROCEDURES AND PROGRAMS

6.8.1 Written procedures shall be established, implemented and maintained covering the activities referenced below:

a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, February, 1978. ~~November, 1972.~~

b. Refueling operations.

ADMINISTRATIVE CONTROLS

6.14 PROCESS CONTROL PROGRAM (PCP)

Changes to the PCP:

a. Shall be documented and records of reviews performed shall be retained as required by the USAR Chapter 17 Quality Assurance Program. This documentation shall contain:

   1) Sufficient information to support the change together with the appropriate analyses or evaluations justifying the change(s), and

   2) A determination that the change will maintain the overall conformance of the solidified waste product to existing requirements of Federal, State, or other applicable regulations.

b. Shall become effective after review and acceptance by the PORC ~~SRB~~ and the approval of the Plant Manager.

6.15 OFFSITE DOSE CALCULATION MANUAL (ODCM)

Changes to the ODCM:

a. Shall be documented and records of reviews performed shall be retained as required by the USAR Chapter 17 Quality Assurance Program. This documentation shall contain:

   1) Sufficient information to support the change together with the appropriate analyses or evaluations justifying the change(s), and

   2) A determination that the change will maintain the level of radioactive effluent control required by 10 CFR 20.1302, 40 CFR Part 190, 10 CFR 50.36a, and Appendix I to 10 CFR Part 50 and not adversely impact the accuracy or reliability of effluent, dose or setpoint calculations.

b. Shall become effective after review and acceptance by the PORC ~~SRB~~ and the approval of the Plant Manager.

c. Shall be submitted to the Commission in the form of a complete, legible copy of the entire ODCM as part of or concurrent with the Radioactive Effluent Release Report for the period of the report in which any change to the ODCM was made. Each change shall be identified by markings in the margin of the affected pages, clearly indicating the area of the page that was changed, and shall indicate the date (e.g., month/year) the change was implemented.

LAR 02-0007
Attachment 2

PROPOSED
TECHNICAL SPECIFICATION CHANGES (RETYPED)

(2 pages follow)

6.7 SAFETY LIMIT VIOLATION OR PROTECTIVE LIMIT VIOLATION

6.7.1 The following actions shall be taken in the event a Safety Limit is violated:

a. The facility shall be placed in at least HOT STANDBY within one hour.

b. The Safety Limit violation shall be reported to the NRC Operations Center by telephone as soon as possible and in all cases within one hour. In addition the Vice President, Nuclear and the CNRB shall be notified within 24 hours.

c. A Safety Limit Violation Report shall be prepared. The report shall be reviewed by the Plant Operations Review Committee (PORC) . This report shall describe (1) applicable circumstances preceding the violation, (2) effects of the violation upon facility components, systems or structures, and (3) corrective action taken to prevent recurrence.

d. The Safety Limit Violation Report shall be submitted to the Commission, the CNRB and the Vice President, Nuclear within 14 days of the violation.

6.7.2 The following actions shall be taken in the event the Protective Limit of Specification 2.1.2 is violated:

a. The facility shall be placed in at least HOT STANDBY within one hour.

b. The Protective Limit violation shall be reported to the NRC Operations Center by telephone as soon as possible and in all cases within one hour. In addition the Vice President, Nuclear and the CNRB shall be notified within 24 hours.

c. A Protective Limit Violation Report shall be prepared. The report shall be reviewed by the PORC . This report shall describe (1) applicable circumstances preceding the violation, (2) effects of the violation upon facility components, systems or structures, and (3) corrective action taken to prevent recurrence.

d. The Protective Limit Violation Report shall be submitted to the CNRB and the Vice President, Nuclear within 14 days of the violation.

6.8 PROCEDURES AND PROGRAMS

6.8.1 Written procedures shall be established, implemented and maintained covering the activities referenced below:

a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, February, 1978.

b. Refueling operations.

ADMINISTRATIVE CONTROLS

6.14 PROCESS CONTROL PROGRAM (PCP)

Changes to the PCP:

a. Shall be documented and records of reviews performed shall be retained as required by the USAR Chapter 17 Quality Assurance Program. This documentation shall contain:

1) Sufficient information to support the change together with the appropriate analyses or evaluations justifying the change(s), and

2) A determination that the change will maintain the overall conformance of the solidified waste product to existing requirements of Federal, State, or other applicable regulations.

b. Shall become effective after review and acceptance by the PORC and the approval of the Plant Manager.

6.15 OFFSITE DOSE CALCULATION MANUAL (ODCM)

Changes to the ODCM:

a. Shall be documented and records of reviews performed shall be retained as required by the USAR Chapter 17 Quality Assurance Program. This documentation shall contain:

1) Sufficient information to support the change together with the appropriate analyses or evaluations justifying the change(s), and

2) A determination that the change will maintain the level of radioactive effluent control required by 10 CFR 20.1302, 40 CFR Part 190, 10 CFR 50.36a, and Appendix I to 10 CFR Part 50 and not adversely impact the accuracy or reliability of effluent, dose or setpoint calculations.

b. Shall become effective after review and acceptance by the PORC and the approval of the Plant Manager.

c. Shall be submitted to the Commission in the form of a complete, legible copy of the entire ODCM as part of or concurrent with the Radioactive Effluent Release Report for the period of the report in which any change to the ODCM was made. Each change shall be identified by markings in the margin of the affected pages, clearly indicating the area of the page that was changed, and shall indicate the date (e.g., month/year) the change was implemented.

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Enclosure 2

COMMITMENT LIST

THE FOLLOWING LIST IDENTIFIES THOSE ACTIONS COMMITTED TO BY THE DAVIS-BESSE NUCLEAR POWER STATION (DBNPS) IN THIS DOCUMENT. ANY OTHER ACTIONS DISCUSSED IN THE SUBMITTAL REPRESENT INTENDED OR PLANNED ACTIONS BY THE DBNPS. THEY ARE DESCRIBED ONLY FOR INFORMATION AND ARE NOT REGULATORY COMMITMENTS. PLEASE NOTIFY THE MANAGER – REGULATORY AFFAIRS (419-321-8450) AT THE DBNPS OF ANY QUESTIONS REGARDING THIS DOCUMENT OR ANY ASSOCIATED REGULATORY COMMITMENTS.

COMMITMENTS	DUE DATE
None	N/A