FPL Energy
Seabrook Station

FPL Energy Seabrook Station
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December 20, 2002

Docket No. 50-443

NYN-02129

United States Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555-0001

Seabrook Station
Revised License Amendment Request 01-11
"Application for Technical Specification Change Regarding
Missed Surveillance and Adoption of a Technical Specifications
Bases Control Program Using the Consolidated Line Item Improvement Process"

FPL Energy Seabrook, LLC (FPLE Seabrook) has enclosed herein Revised License Amendment Request (LAR) 01-11. Revised License Amendment Request 01-11 is submitted pursuant to the requirements of 10 CFR 50.90 and 10 CFR 50.4, using the Consolidated Line Item Improvement Process (CLIIP). Revised LAR 01-11 supercedes the correspondences* associated with original LAR 01-11.

The proposed amendment would modify the Seabrook Station Technical Specification (TS) requirements for missed surveillances in Specification 4.0.3, and in conjunction with the proposed change; a revision to Specification 4.0.1 and inclusion of a TS requirement for a Bases Control Program consistent with the TS Bases Control Program presented in Section 5.5 of the improved Standard Technical Specifications (ITS) for Westinghouse Plants, NUREG-1431, Revision 2.

Revised LAR 01-11 Section I provides a description of the proposed changes, the requested confirmation of applicability, and plant-specific verifications. Section II provides the existing TS and Bases pages marked up to show the proposed changes. Section III provides revised (re-type) TS and Bases pages. Section IV provides a summary of the regulatory commitments made in this submittal. Section V provides the Proposed Schedule for License Amendment Issuance and Effectiveness. Section VI provides the proposed no significant hazards consideration determination (NSHCD) for the additional changes associated with Specification 4.0.1 and adoption of the incorporation of the TS Bases Control Program.

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* Original License Amendment Request 01-11, NYN-02023, dated March 22, 2002.
Correction to LAR 01-11, NYN-02052, dated May 13, 2002.
Supplement to LAR 01-11, NYN-02063, dated June 24, 2002.
Amendment to LAR 01-11, NYN-02076, dated July 29, 2002.

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As discussed in the enclosed Revised LAR, FPLE Seabrook has concluded that the proposed no significant hazards consideration determination (NSHCD) published in the Federal Register notice as part of the CLIIP is applicable to Seabrook Station and is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a). In addition, FPLE Seabrook has concluded that the staff's findings presented in the environmental evaluation included in the model safety evaluation are applicable to Seabrook Station and the evaluation is hereby incorporated by reference for this application.

A copy of this letter and the enclosed LAR has been forwarded to the New Hampshire State Liaison Officer pursuant to 10 CFR 50.91(b). FPLE Seabrook requests NRC Staff review of Revised LAR 01-11, and issuance of a license amendment by March 22, 2003 (see Section V enclosed).

Should you have any questions regarding this letter, please contact Mr. James M. Peschel, Manager - Regulatory Programs, at (603) 773-7194.

Very truly yours,

FPL Energy Seabrook, LLC.

Mark E. Warner

Mark E. Warner
Site Vice President
Seabrook Station

cc:

H. J. Miller, NRC Regional Administrator
R. D. Starkey, NRC Project Manager, Project Directorate I-2
G. T. Dentel NRC Senior Resident Inspector

Mr. Donald Bliss, Director
New Hampshire Office of Emergency Management
State Office Park South
107 Pleasant Street
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FPL Energy
Seabrook Station

SEABROOK STATION UNIT 1

Facility Operating License NPF-86
Docket No. 50-443

Revised License Amendment Request 01-11,
"Application for Technical Specification Change Regarding Missed Surveillance and Adoption of a Technical Specifications Bases Control Program Using the Consolidated Line Item Improvement Process"

FPL Energy Seabrook, LLC pursuant to 10 CFR 50.90 submits Revised License Amendment Request 01-11. The following information is enclosed in support of this License Amendment Request:

- **Section I - Description, Assessment, Regulatory Analysis and Environmental Evaluation for Proposed Changes**
- **Section II - Markup of Proposed Changes**
- **Section III - Retype of Proposed Changes**
- **Section IV - List of Regulatory Commitments**
- **Section V - Proposed Schedule for License Amendment Issuance and Effectiveness**
- **Section VI - No Significant Hazards Consideration Determination**

I, Mark E. Warner, Site Vice President of FPL Energy Seabrook, LLC hereby affirm that the information and statements contained within Revised License Amendment Request 01-11 are based on facts and circumstances which are true and accurate to the best of my knowledge and belief.

Sworn and Subscribed
before me this

20th day of December, 2002

James W. Connolly
Notary Public

JAMES W. CONNOLLY
MY COMMISSION EXPIRES SEPT. 2007
NOTARY PUBLIC NEW HAMPSHIRE

Mark E. Warner
Mark E. Warner
Site Vice President

SECTION I

DESCRIPTION, ASSESSMENT, REGULATORY ANALYSIS AND ENVIRONMENTAL EVALUATION FOR PROPOSED CHANGES

1.0 DESCRIPTION

The proposed amendment would modify Technical Specifications (TS) Requirements for missed surveillances in Specification 4.0.3 and its associated Bases. In conjunction with the proposed change, Specification 4.0.1 and its associated Bases are revised to be similar to the Improved Standard Technical Specifications (STS) for Westinghouse Plants, NUREG-1431, Revision 2. Additionally, a new administrative control TS will be added to make FPLE Seabrook's current TS Bases Control Program a TS requirement; consistent with the TS Bases Control Program requirement as described in Section 5.5 of the Improved Standard Technical Specifications (STS) for Westinghouse Plants, NUREG-1431, Revision 2.

The changes are consistent with Nuclear Regulatory Commission (NRC) approved Industry/Technical Specification Task Force (TSTF) STS Change Traveler TSTF-358 Revision 6 (Revision 5, as modified by Federal Register Notice 66FR32400, of June 14, 2001, and in response to public comments). 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 (CLIIP).

2.0 ASSESSMENT

2.1 Applicability of Published Safety Evaluation

FPLE Seabrook has reviewed the NRC safety evaluation dated June 14, 2001, as well as the Notice of Availability dated September 28, 2001, as part of the CLIIP. This review included a review of the NRC staff's evaluation, as well as the supporting information provided to support TSTF-358. FPLE Seabrook has concluded that the justifications presented in the TSTF proposal and the safety evaluation prepared by the NRC staff are applicable to Seabrook Station and justify this amendment for the incorporation of the changes to the Seabrook Station TS.

2.2 Optional Changes and Variations

FPLE Seabrook is not proposing any variations or deviations from the TS changes described in TSTF-358 Revision 6 (the fully modified TSTF-358 Revision 5) or the NRC staff's model safety evaluation dated June 14, 2001. However, by accepting the TS changes described in TSTF-358 Revision 6, FPLE Seabrook must modify Seabrook Station's current Specifications 4.0.1 and 4.0.3 and their associated Bases to incorporate the elements of Surveillance Requirements (SRs) 3.0.1 and 3.0.3 contained in the improved Standard Technical Specifications (ITS) - Westinghouse Plants, NUREG-1431, Revision 2. By adopting these changes, other minor editorial changes are required. The adoption of ITS SRs 3.0.1 and 3.0.3 wording would be essentially verbatim except the terms Conditions, Frequency, Completion Times, and Required Actions, used in ITS SRs 3.0.1 and 3.0.3 will be changed to the corresponding terms as used in Seabrook Station's current TS.

The proposed changes to modify Specifications 4.0.1 and 4.0.3 and their associated Bases to incorporate ITS wording (as modified by TSTF-358 Revision 6), as well as editorial changes in term usage, and making the current FPLE Seabrook TS Bases Control Program a TS requirement (as noted in Section 1.0 of the CLIIP), are not considered a significant variation or deviation from the intention of the CLIIP.

3.0 REGULATORY ANALYSIS

3.1 No Significant Hazards Consideration Determination

FPLE Seabrook has reviewed the proposed no significant hazards consideration determination (NSHCD) published in the *Federal Register* as part of the CLIIP. FPLE Seabrook has concluded that the proposed NSHCD presented in the Federal Register notice for adoption of changes associated with Specification 4.0.3 is applicable to Seabrook Station and is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

In addition, Revised LAR 01-11 provides a separate no significant hazards consideration determination for adoption of ITS wording for Specification 4.0.1 and the Technical Specification (TS) Bases Control Program, which the CLIIP did not directly address.

3.2 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:

FPLE Seabrook has established TS Bases for Specification 4.0.3 which state that use of the delay period established by Specification 4.0.3 is a flexibility which 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 Specification 4.0.3 that provide details on how to implement the new requirements. The Bases changes 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 state that FPLE Seabrook is expected to perform a missed surveillance test at the first reasonable opportunity, taking into account appropriate considerations, such as the impact on plant risk and accident analysis assumptions, consideration of unit conditions, planning, availability of personnel, and the time required to perform the surveillance. The Bases 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 Risks Before Maintenance Activities at Nuclear Power Plants," and that the missed surveillance should be treated as an emergent condition, as discussed in Regulatory Guide 1.182. In addition, the Bases state that the degree of depth and rigor of the evaluation should be commensurate with the importance of the component and that missed surveillances for important components should be analyzed quantitatively. The Bases also state that the results of the risk evaluation determine the

safest course of action. In addition, the Bases state that all missed surveillances will be placed in the Corrective Action Program.

Finally, to link Specification 4.0.3 with Specification 4.0.1, FPLE Seabrook will adopt the ITS wording for Specification 4.0.1, and its associated Bases as applicable to Seabrook Station. Adoption of ITS wording provides more clarity and ease of usage for station personnel. In addition, a new administrative control TS is proposed to be added to TS to make Seabrook Station's current TS Bases Control Program a TS requirement. The new administrative control TS proposed is consistent with the TS Bases Control Program requirement as described in Section 5.5 of the improved Standard Technical Specifications for Westinghouse Plants, NUREG-1431, Revision 2.

4.0 ENVIRONMENTAL EVALUATION

FPLE Seabrook has reviewed the environmental evaluation included in the model safety evaluation dated June 14, 2001 as part of the CLIIP. FPLE Seabrook has concluded that the staff's findings presented in that evaluation are applicable to Seabrook Station and the evaluation is hereby incorporated by reference for this application.

SECTION II

MARKUP OF THE PROPOSED CHANGES

The attached markup reflects the currently issued revision of the Technical Specifications. Pending Technical Specification changes or Technical Specification changes issued subsequent to this submittal are not reflected in the enclosed markup.

The following Technical Specifications are included in the attached markup:

Technical Specification	Title	Page(s)
4.0.1	Applicability Surveillance Requirements	3/4 0-2
4.0.3	Applicability Surveillance Requirements	3/4 0-2
B 4.0.1	Applicability Bases	B 3/4 0-4
B 4.0.3	Applicability Bases	B 3/4 0-5
6.7.6	Administrative Controls	6-14D

4.0.1 Surveillance Requirements shall be met during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement. INSERT (A)

4.0.2 Each Surveillance Requirement shall be performed within the specified surveillance interval with a maximum allowable extension not to exceed 25 percent of the specified surveillance interval.

~~4.0.3 Failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by Specification 4.0.2, shall constitute noncompliance with the OPERABILITY requirements for a Limiting Condition for Operation. The time limits of the ACTION requirements are applicable at the time it is identified that a Surveillance Requirement has not been performed. The ACTION requirements may be delayed for up to 24 hours to permit the completion of the surveillance when the allowable outage time limits of the ACTION requirements are less than 24 hours. Surveillance Requirements do not have to be performed on inoperable equipment.~~ INSERT (B)

4.0.4 Entry into an OPERATIONAL MODE or other specified condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation has been performed within the stated surveillance interval or as otherwise specified. This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION requirements.

4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:

a. Inservice inspection of ASME Code Class 1, 2, and 3 components shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(g)(6)(i).

   Inservice testing of ASME Code Class 1, 2, and 3 components shall be performed in accordance with the Code for Operation and Maintenance of Nuclear Power Plants (ASME OM Code) and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(f), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(f)(6)(i).

Specification 4.0.1 establishes the requirement that surveillances must be performed during the OPERATIONAL MODES or other conditions for which the requirements of the Limiting Conditions for Operation apply unless otherwise stated in an individual Surveillance Requirement. The purpose of this specification is to ensure that surveillances are performed to verify the operational status of systems and components and that parameters are within specified limits to ensure safe operation of the facility when the plant is in a MODE or other specified condition for which the associated Limiting Conditions for Operation are applicable. Surveillance Requirements do not have to be performed when the facility is in an OPERATIONAL MODE for which the requirements of the associated Limiting Condition for Operation do not apply unless otherwise specified. The Surveillance Requirements associated with a Special Test Exception are only applicable when the Special Test Exception is used as an allowable exception to the requirements of a specification.

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Specification 4.0.2 establishes the limit for which the specified time interval for Surveillance Requirements may be extended. It permits an allowable extension of the normal surveillance interval to facilitate surveillance scheduling and consideration of plant operating conditions that may not be suitable for conducting the surveillance; e.g., transient conditions or other ongoing surveillance or maintenance activities. It also provides flexibility to accommodate the length of a fuel cycle for surveillances that are performed at each refueling outage and are specified with an 18-month surveillance interval. It is not intended that this provision be used repeatedly as a convenience to extend surveillance intervals beyond that specified for surveillances that are not performed during refueling outages. The limitation of Specification 4.0.2 is based on engineering judgement and the recognition that the most probable result of any particular surveillance being performed is the verificatin of conformance with the Surveillance Requirements. This provision is sufficient to ensure that the reliability ensured through surveillance activities is not significantly degraded beyond that obtained from the specified surveillance interval.

Specification 4.0.3 establishes the failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by the provisions of Specification 4.0.2, as a condition that constitutes a failure to meet the OPERABILITY requirements for a Limiting Conditions for Operation. Under the provisions of this specification, systems and components are assumed to be OPERABLE when Surveillance Requirements have been satisfactorily performed within the specified time interval. However, nothing in this provision is to be construed as implying that systems or components are OPERABLE when they are found or known to be inoperable although still meeting the Surveillance Requirements. This specification also clarifies that the ACTION requirements are applicable when Surveillance Requirements have not been completed within the allowed surveillance interval and that the time limits of the ACTION requirements apply from the point in time it is identified that a surveillance has not been performed and not at the time that the allowed surveillance interval was exceeded. Completion of the Surveillance Requirement within the allowable outage time limits of the ACTION requirements restores compliance with the requirements of Specification 4.0.3. However, this does not negate the fact that the failure to have performed the surveillance within the allowed surveillance interval, defined by the provisions of Specification 4.0.2, was a violation of the OPERABILITY requirements of a Limiting Condition for Operation that is subject to enforcement action.

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BASES

Further, the failure to perform a surveillance within the provisions of Specification 4.0.2 is a violation of a Technical Specification requirement and is, therefore, a reportable event under the requirements of 10 CFR 50.73(a)(2)(i)(B) because it is a condition prohibited by the plant's Technical Specifications.

If the allowable outage time limits of the ACTION requirements are less than 24 hours or a shutdown is required to comply with ACTION requirements, e.g., Specification 3.0.3, a 24-hour allowance is provided to permit a delay in implementing the ACTION requirements. This provides an adequate time limit to complete Surveillance Requirements that have not been performed. The purpose of this allowance is to permit the completion of a surveillance before a shutdown is required to comply with ACTION requirements or before other remedial measures would be required that may preclude completion of a surveillance. The basis for this allowance includes consideration for plant conditions, adequate planning, availability of personnel, the time required to perform the surveillance, and the safety significance of the delay in completing the required surveillance. This provision also provides a time limit for the completion of Surveillance Requirements that become applicable as a consequence of MODE changes imposed by ACTION requirements and for completing Surveillance Requirements that are applicable when an exception to the requirements of Specification 4.0.4 is allowed. If a surveillance is not completed within the 24-hour allowance, the time limits of the ACTION requirements are applicable at that time. When a surveillance is performed within the 24-hour allowance and the Surveillance Requirements are not met, the time limits of the ACTION requirements are applicable at the time that the surveillance is terminated.

Surveillance Requirements do not have to be performed on inoperable equipment because the ACTION requirements define the remedial measures that apply. However, the Surveillance Requirements have to be met to demonstrate that inoperable equipment has been restored to OPERABLE status.

Specification 4.0.4 establishes the requirement that all applicable surveillances must be met before entry into an OPERATIONAL MODE or other condition of operation specified in the Applicability statement. The purpose of this specification is to ensure that system and component OPERABILITY requirements or parameter limits are met before entry into a MODE or condition for which these systems and components ensure safe operation of the facility. This provision applies to changes in OPERATIONAL MODES or other specified conditions associated with plant shutdown as well as startup.

Under the provisions of this specification, the applicable Surveillance Requirements must be performed within the specified surveillance interval to ensure that the Limiting Conditions for Operation are met during initial plant startup or following a plant outage.

When a shutdown is required to comply with ACTION requirements, the provisions of Specification 4.0.4 do not apply because this would delay placing the facility in a lower MODE of operation.

NOTE: 4.0.4 & 4.0.5. WILL OVERFLOW TO NEW PAGE B 3/4 0-7

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6.8 REPORTING REQUIREMENTS

ROUTINE REPORTS

6.8.1 In addition to the applicable reporting requirements of Title 10, Code of Federal Regulations, the following reports shall be submitted to the Regional Administrator of the Regional Office of the NRC unless otherwise noted.

STARTUP REPORT

6.8.1.1 A summary report of station startup and power escalation testing shall be submitted following: (1) receipt of an Operating License, (2) amendment to the license involving a planned increase in power level, (3) installation of fuel that has a different design or has been manufactured by a different fuel supplier, and (4) modifications that may have significantly altered the nuclear, thermal, or hydraulic performance of the station.

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Surveillance requirements do not have to be performed when the facility is in an OPERATIONAL MODE or other specified conditions for which the requirements of the associated Limiting Condition for Operation do not apply unless otherwise specified. The Surveillance Requirements associated with a Special Test Exception are only applicable when the Special Test Exception is used as an allowable exception to the requirements of a specification.

Unplanned events may satisfy the requirements (including applicable acceptance criteria) for a given Surveillance Requirement. In this case, the unplanned event may be credited as fulfilling the performance of the Surveillance Requirement. This allowance includes those Surveillance Requirement(s) whose performance is normally precluded in a given MODE or other specified condition.

Surveillance Requirements, including Surveillances invoked by ACTION requirements, do not have to be performed on inoperable equipment because the ACTIONS define the remedial measures that apply. Surveillances have to be met and performed in accordance with Specification 4.0.2, prior to returning equipment to OPERABLE status.

Upon completion of maintenance, appropriate post maintenance testing is required to declare equipment OPERABLE. This includes ensuring applicable Surveillances are not failed and their most recent performance is in accordance with Specification 4.0.2. Post maintenance testing may not be possible in the current MODE or other specified conditions in the Applicability due to the necessary unit parameters not having been established. In these situations, the equipment may be considered OPERABLE provided testing has been satisfactorily completed to the extent possible and the equipment is not otherwise believed to be incapable of performing its function. This will allow operation to proceed to a MODE or other specified condition where other necessary post maintenance tests can be completed. An example of this process:

Emergency feedwater (EFW) pump turbine maintenance during refueling that requires testing at steam pressure > 500 psig. However, if other appropriate testing is satisfactorily completed, the AFW System can be considered OPERABLE. This allows startup and other necessary testing to proceed until the plant reaches the steam pressure required to perform the testing.

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<u>Specification 4.0.3</u> 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 interval. A delay period of up to 24 hours or up to the limit of the specified surveillance interval, whichever is greater, applies from the point in time that it is discovered that the Surveillance has not been performed in accordance with Specification 4.0.2, and not at the time that the specified frequency was not met.

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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 ACTION requirements or other remedial measures that might preclude completion of the Surveillance.

The basis for this delay period includes consideration of 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 interval based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., prior to entering MODE 1 after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed when specified, Specification 4.0.3 allows for the full delay period of up to the specified surveillance interval to perform the Surveillance. However, since there is not a time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.

Specification 4.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of MODE changes imposed by ACTION requirements.

Failure to comply with the specified surveillance intervals for Surveillance Requirements is expected to be an infrequent occurrence. Use of the delay period established by Specification 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 interval 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 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 may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component.

Missed Surveillances 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 Corrective Action Program.

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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 entry into the ACTION requirements for the applicable Limiting Condition for Operation conditions 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 entry into the ACTION requirements for the applicable Limiting Condition for Operation conditions begin immediately upon the failure of the Surveillance.

Completion of the Surveillance within the delay period allowed by this Specification, or within the Allowed Outage time of the ACTIONS, restores compliance with Specification 4.0.1.

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PROCEDURES AND PROGRAMS

6.7.6 (continued)

j. Technical Specification (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.

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 (UFSAR) or Bases that requires NRC approval pursuant to 10 CFR 50.59.

c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the UFSAR.

d. Proposed changes that meet the criteria of Specification 6.7.6j.b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).

SECTION III

RETYPE OF THE PROPOSED CHANGES

The attached retype reflects the currently issued version of the Technical Specifications. Pending Technical Specification changes or Technical Specification changes issued subsequent to this submittal are not reflected in the enclosed retype. The enclosed retype should be checked for continuity with the Technical Specifications prior to issuance.

4.0.1 Surveillance Requirements shall be met during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement. Failure to meet a Surveillance, whether such failure is experienced during the performance of the Surveillance or between performances of the Surveillance, shall be failure to meet the Limiting Condition for Operation. Failure to perform a Surveillance within the specified surveillance interval shall be failure to meet the Limiting Condition for Operation except as provided in Specification 4.0.3. Surveillances do not have to be performed on inoperable equipment or variables outside specified limits.

4.0.2 Each Surveillance Requirement shall be performed within the specified surveillance interval with a maximum allowable extension not to exceed 25 percent of the specified surveillance interval.

4.0.3 If it is discovered that a Surveillance was not performed within its specified surveillance interval, then compliance with the requirement to declare the Limiting Condition for Operation not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified surveillance interval, 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 impact shall be managed.

If the Surveillance is not performed within the delay period, the Limiting Condition for Operation 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 Limiting Condition for Operation must immediately be declared not met, and the applicable ACTION(s) must be entered.

4.0.4 Entry into an OPERATIONAL MODE or other specified condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation has been performed within the stated surveillance interval or as otherwise specified. This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION requirements.

4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:

a. Inservice inspection of ASME Code Class 1, 2, and 3 components shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(g)(6)(i).

   Inservice testing of ASME Code Class 1, 2, and 3 components shall be performed in accordance with the Code for Operation and Maintenance of Nuclear Power Plants (ASME OM Code) and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(f), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(f)(6)(i).

Specification 4.0.1 establishes the requirement that surveillances must be met during the OPERATIONAL MODES or other conditions for which the requirements of the Limiting Conditions for Operation apply unless otherwise stated in an individual Surveillance Requirement. The purpose of this specification is to ensure that surveillances are performed to verify the OPERABILITY of systems and components and that parameters are within specified limits to ensure safe operation of the facility when the plant is in a MODE or other specified condition for which the associated Limiting Conditions for Operation are applicable. Failure to meet a Surveillance within the specified surveillance interval, in accordance with Specification 4.0.2, constitutes a failure to meet a Limiting Condition for Operation.

Systems and components are assumed to be OPERABLE when the associated Surveillance Requirements have been met. Nothing in this Specification, however, is to be construed as implying that systems or components are OPERABLE when either:

a. The systems or components are known to be inoperable, although still meeting the Surveillance Requirements or

b. The requirements of the Surveillance(s) are known to be not met between required Surveillance performances.

Surveillance requirements do not have to be performed when the facility is in an OPERATIONAL MODE or other specified conditions for which the requirements of the associated Limiting Condition for Operation do not apply unless otherwise specified. The Surveillance Requirements associated with a Special Test Exception are only applicable when the Special Test Exception is used as an allowable exception to the requirements of a Specification.

Unplanned events may satisfy the requirements (including applicable acceptance criteria) for a given Surveillance Requirement. In this case, the unplanned event may be credited as fulfilling the performance of the Surveillance Requirement. This allowance includes those Surveillance Requirement(s) whose performance is normally precluded in a given MODE or other specified condition.

Surveillance Requirements, including Surveillances invoked by ACTION requirements, do not have to be performed on inoperable equipment because the ACTIONS define the remedial measures that apply. Surveillances have to be met and performed in accordance with Specification 4.0.2, prior to returning equipment to OPERABLE status.

Upon completion of maintenance, appropriate post maintenance testing is required to declare equipment OPERABLE. This includes ensuring applicable Surveillances are not failed and their most recent performance is in accordance with Specification 4.0.2. Post maintenance testing may not be possible in the current MODE or other specified conditions in the Applicability due to the necessary unit parameters not having been established. In these situations, the equipment may be considered OPERABLE provided testing has been satisfactorily completed to the extent possible and the equipment is not otherwise believed to be incapable of performing its function. This

will allow operation to proceed to a MODE or other specified condition where other necessary post maintenance tests can be completed. An example of this process:

Emergency feedwater (EFW) pump turbine maintenance during refueling that requires testing at steam pressure > 500 psig. However, if other appropriate testing is satisfactorily completed, the AFW System can be considered OPERABLE. This allows startup and other necessary testing to proceed until the plant reaches the steam pressure required to perform the testing.

Specification 4.0.2 establishes the limit for which the specified time interval for Surveillance Requirements may be extended. It permits an allowable extension of the normal surveillance interval to facilitate surveillance scheduling and consideration of plant operating conditions that may not be suitable for conducting the surveillance; e.g., transient conditions or other ongoing surveillance or maintenance activities. It also provides flexibility to accommodate the length of a fuel cycle for surveillances that are performed at each refueling outage and are specified with an 18-month surveillance interval. It is not intended that this provision be used repeatedly as a convenience to extend surveillance intervals beyond that specified for surveillances that are not performed during refueling outages. The limitation of Specification 4.0.2 is based on engineering judgement and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the Surveillance Requirements. This provision is sufficient to ensure that the reliability ensured through surveillance activities is not significantly degraded beyond that obtained from the specified surveillance interval.

Specification 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 interval. A delay period of up to 24 hours or up to the limit of the specified surveillance interval, whichever is greater, applies from the point in time that it is discovered that the Surveillance has not been performed in accordance with Specification 4.0.2, and not at the time that the specified 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 ACTION requirements or other remedial measures that might preclude completion of the Surveillance.

The basis for this delay period includes consideration of 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 interval based not on time intervals, but upon specified unit conditions, operating situations, or requirements of regulations (e.g., prior to entering MODE 1 after each fuel loading, or in accordance with 10 CFR 50, Appendix J, as modified by approved exemptions, etc.) is discovered to not have been performed

when specified, Specification 4.0.3 allows for the full delay period of up to the specified surveillance interval to perform the Surveillance. However, since there is not a time interval specified, the missed Surveillance should be performed at the first reasonable opportunity.

Specification 4.0.3 provides a time limit for, and allowances for the performance of, Surveillances that become applicable as a consequence of MODE changes imposed by ACTION requirements.

Failure to comply with the specified surveillance intervals for Surveillance Requirements is expected to be an infrequent occurrence. Use of the delay period established by Specification 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 interval 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 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 may use quantitative, qualitative, or blended methods. The degree of depth and rigor of the evaluation should be commensurate with the importance of the component. Missed Surveillances 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 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 entry into the ACTION requirements for the applicable Limiting Condition for Operation conditions 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 entry into the ACTION requirements for the applicable Limiting Condition for Operation conditions begin immediately upon the failure of the Surveillance.

Completion of the Surveillance within the delay period allowed by this Specification, or within the Allowed Outage time of the ACTIONS, restores compliance with Specification 4.0.1.

Specification 4.0.4 establishes the requirement that all applicable surveillances must be met before entry into an OPERATIONAL MODE or other condition of operation specified in the Applicability statement. The purpose of this specification is to ensure that system and component OPERABILITY requirements or parameter limits are met before entry into a MODE or condition for which these systems and components ensure safe operation of the facility. This provision applies to changes in OPERATIONAL MODES or other specified conditions associated with plant shutdown as well as startup.

Under the provisions of this specification, the applicable Surveillance Requirements must be performed within the specified surveillance interval to ensure that the Limiting Conditions for Operation are met during initial plant startup or following a plant outage.

When a shutdown is required to comply with ACTION requirements, the provisions of Specification 4.0.4 do not apply because this would delay placing the facility in a lower MODE of operation.

Specification 4.0.5 establishes the requirement that inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with a periodically updated version of Section XI of the ASME Boiler and Pressure Vessel Code and the ASME OM Code including applicable Addenda as required by 10 CFR 50.55a. These requirements apply except when relief has been provided in writing by the Commission.

This specification includes a clarification of the frequencies for performing the inservice inspection and testing activities required by Section XI of the ASME Boiler and Pressure Vessel Code and the ASME OM Code including applicable Addenda. This clarification is provided to ensure consistency in surveillance intervals throughout the Technical Specifications and to remove any ambiguities relative to the frequencies for performing the required inservice inspection and testing activities.

Under the terms of this specification, the more restrictive requirements of the Technical Specifications take precedence over the ASME Boiler and Pressure Vessel Code and the ASME OM Code including applicable Addenda. The requirements of Specification 4.0.4 to perform surveillance activities before entry into an OPERATIONAL MODE or other specified condition takes precedence over the ASME OM Code provision which allows pumps that can only be tested during plant operation to be tested within 1 week following plant startup.

PROCEDURES AND PROGRAMS

6.7.6 (Continued)

j. Technical Specification (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

a. Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.

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 (UFSAR) or Bases that requires NRC approval pursuant to 10 CFR 50.59.

c. The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the UFSAR.

d. Proposed changes that meet the criteria of Specification 6.7.6j.b above shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).

6.8 REPORTING REQUIREMENTS

ROUTINE REPORTS

6.8.1 In addition to the applicable reporting requirements of Title 10, Code of Federal Regulations, the following reports shall be submitted to the Regional Administrator of the Regional Office of the NRC unless otherwise noted.

STARTUP REPORT

6.8.1.1 A summary report of station startup and power escalation testing shall be submitted following: (1) receipt of an Operating License, (2) amendment to the license involving a planned increase in power level, (3) installation of fuel that has a different design or has been manufactured by a different fuel supplier, and (4) modifications that may have significantly altered the nuclear, thermal, or hydraulic performance of the station.

SECTIONS IV & V

LIST OF REGULATORY COMMITMENTS
AND
PROPOSED SCHEDULE FOR LICENSE AMENDMENT ISSUANCE AND EFFECTIVENESS

IV. LIST OF REGULATORY COMMITMENTS

The following table identifies those actions committed to by FPLE Seabrook in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments. Please direct questions regarding these commitments to Mr. James M. Peschel, Manager - Regulatory Programs.

REGULATORY COMMITMENTS	Due Date/Event
FPLE Seabrook's current licensee-controlled TS Bases Control Program will be a TS requirement. Thus, the Technical Specification (TS) Bases Control Program for all TS Bases changes, including Specifications 4.0.1 and 4.0.3 as adopted with the applicable license amendment will be controlled by TS.	To be implemented within 90 days following issuance of the license amendment.

V. PROPOSED SCHEDULE FOR LICENSE AMENDMENT ISSUANCE AND EFFECTIVENESS

FPLE Seabrook requests NRC review of Revised License Amendment Request 01-11 and issuance of a license amendment by March 22, 2003, having immediate effectiveness within 90 days following issuance of the License Amendment. The requested issuance date is based on the original LAR dated March 22, 2002. However, issuance of a license amendment earlier than the requested date would afford FPLE Seabrook operational flexibility during Cycle 10 operation to potentially avert a plant shutdown and potential transient should a missed surveillance be discovered during operation.

SECTION VI

NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

Revised License Amendment Request (LAR) 01-11 proposes administrative changes that would modify Technical Specifications (TS) Requirements for missed surveillances in Specification 4.0.3 and its associated Bases. In conjunction with the proposed change: a revision to Specification 4.0.1 and its associated Bases to be consistent with the improved Standard Technical Specifications (ITS) for Westinghouse Plants, NUREG-1431, Revision 2; and inclusion of a TS requirement for a Bases Control Program consistent with the Bases Control Program presented in ITS Section 5.5.

The changes are consistent with the intent of Nuclear Regulatory Commission (NRC) approved Industry/Technical Specification Task Force (TSTF) STS Change Traveler TSTF-358 Revision 6 (Revision 5 as modified by Federal Register Notice 66FR32400, of June 14, 2001, and in response to public comments). 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 (CLIIP).

As discussed in Revised LAR 01-11, FPLE Seabrook has concluded that the proposed no significant hazards consideration determination (NSHCD) published in the Federal Register notice as part of the CLIIP for the modification Specification 4.0.3 is applicable to Seabrook Station and is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

In addition, FPLE Seabrook has concluded that the proposed changes to adopt the ITS wording for Specification 4.0.1 and formally adopt a TS Bases Control Program do not involve a significant hazards consideration (SHC) in accordance with 10 CFR 50.92. The basis for the conclusion of the no significant hazards consideration determination is as follows:

1. **The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.**

   The proposed changes to adopt the ITS wording for Specification 4.0.1 and formally adopt a Technical Specifications (TS) Bases Control Program are administrative in nature and do not adversely affect accident initiators or precursors nor alter the design assumptions, conditions, configuration of the facility or the manner in which it is operated. The proposed changes do not alter or prevent the ability or structures, systems, or components to perform their intended function to mitigate the consequences of an initiating event within the acceptance limits assumed in the Seabrook Station Updated Final Safety Analysis Report (UFSAR).

   Future changes to the TS Bases will continue to be administratively controlled pursuant to the provisions of 10 CFR 50.59. The TS Bases is a licensee-controlled document that contains bases information for the Technical Specifications. Future changes to the information contained in the TS Bases will be reviewed and approved in accordance with the FPLE Seabrook Regulatory Compliance Manual and TS Section 6.7.6j (TS Bases Control Program) of the Seabrook Station Technical Specifications. Therefore, the

proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. **Create the possibility of a new or different kind of accident from any accident previously evaluated.**

The proposed changes do not alter the design assumptions, conditions, or configuration of the facility or the manner in which the plant is operated. There are no changes to the source term or radiological release assumptions used in evaluating the radiological consequences in the Seabrook Station UFSAR. The proposed changes have no adverse impact on component or system interactions. The proposed changes will not adversely degrade the ability of systems, structures and components important to safety to perform their safety function nor change the response of any system, structure or component important to safety as described in the UFSAR. The proposed changes are administrative in nature and do not change the level of programmatic and procedural details of assuring operation of the facility in a safe manner. Since there are no changes to the design assumptions, conditions, configuration of the facility, or the manner in which the plant is operated and surveilled, the proposed changes do not create the possibility of a new or different kind of accident from any previously analyzed.

3. **Involve a significant reduction in a margin of safety.**

There is no adverse impact on equipment design or operation and there are no changes being made to the Technical Specification required safety limits or safety system settings that would adversely affect plant safety. The proposed changes are administrative in nature and do not reduce the level of programmatic or procedural controls associated with the activities presently performed via the aforementioned surveillance requirements.

Future changes to the TS Bases information will be reviewed and approved in accordance with Seabrook Station Technical Specifications, Section 6.7, and as outlined in North Atlantic's Regulatory Compliance programs. Specifically, changes to the Seabrook Station Technical Specification Bases require an evaluation pursuant to the provisions of 10 CFR 50.59 and review and approval by the Station Operation Review Committee (SORC) prior to implementation.

Therefore, formal adoption of a TS-required TS Bases Control Program and adoption of ITS wording for Specification 4.0.1 do not involve a significant reduction in the margin of safety provided in the existing specifications.

Based on the above evaluation, FPLE Seabrook concludes that the proposed change does not constitute a significant hazard.