

April 23, 2003

Mr. John T. Conway
Vice President Nine Mile Point
Nine Mile Point Nuclear Station, LLC
P. O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 1 - ISSUANCE OF
AMENDMENT RE: ADMINISTRATIVE CONTROLS (TAC NO. MB2441)

Dear Mr. Conway:

The Commission has issued the enclosed Amendment No. 181 to Facility Operating License No. DPR-63 for Nine Mile Point Nuclear Station, Unit No. 1 (NMP1). The amendment consists of changes to the Technical Specifications (TSs) in response to your application transmitted by letter dated October 26, 2001, as supplemented by letters dated June 7 and November 22, 2002.

The amendment revises Section 6.0, "Administrative Controls," to clarify existing requirements, make wording improvements, and make it consistent with the NMP2 TSs. The revised Section 6.0 is consistent with "Standard Technical Specifications for General Electric Plants, BWR [Boiling Water Reactor]/4" (NUREG-1433, Revision 2).

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/

Peter S. Tam, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-220

Enclosures: 1. Amendment No. 181 to DPR-63
2. Safety Evaluation

cc w/encls: See next page

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Accession Number: **ML031070552** (Letter), ML (TS(s)), ML (Package)

OFFICE	PDI-1\PM	PDI-1\LA	RORP\SC	IOLB\SC	OGC	PDI-1\SC
NAME	PTam	SLittle	RDennig*	KGibson*	CMarco	RLaufer**
DATE	4/1/03	3/31/03	2/21/03*	10/7/02	4/17/03	4/7/03

*SE transmitted by memo on the date shown. **PTam concurred for RLaufer.

OFFICIAL RECORD COPY

DATED: April 23, 2003

AMENDMENT NO. 181 TO FACILITY OPERATING LICENSE NO. DPR-63 NINE MILE POINT,
UNIT NO. 1

PUBLIC
PDI R/F
RLauffer
SLittle
PTam
SRichards
OGC
GHill (2)
WBeckner
RGiardina
ACRS
BPlatchek, RI

cc: Plant Service list

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Unit No. 1

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NINE MILE POINT NUCLEAR STATION, LLC (NMPNS)

DOCKET NO. 50-220

NINE MILE POINT NUCLEAR STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 181
License No. DPR-63

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Nine Mile Point Nuclear Station, LLC (the licensee) dated October 26, 2001, as supplemented by letters dated June 7 and November 22, 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-63 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, which is attached hereto, as revised through Amendment No. 181, is hereby incorporated into this license. Nine Mile Point Nuclear Station, LLC 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 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by P. Tam/

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

Attachment:
Changes to the Technical
Specifications

Date of Issuance: April 23, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 181

TO FACILITY OPERATING LICENSE NO. DPR-63

DOCKET NO. 50-220

Replace the following pages of 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

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376

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 181 TO FACILITY OPERATING LICENSE NO. DPR-63

NINE MILE POINT NUCLEAR STATION, LLC

NINE MILE POINT NUCLEAR STATION, UNIT NO. 1

DOCKET NO. 50-220

1.0 INTRODUCTION

By application dated October 26, 2001, from the Constellation Energy Group (the licensee) as supplemented by letters dated June 7, 2002 and November 22, 2002, proposed to convert the current Nine Mile Point Nuclear Station, Unit No. 1 (NMP1) Technical Specifications (TSs) Section 6.0 "Administrative Controls" to improved Technical Specifications. The conversion is based upon: NUREG-1443 "Standard Technical Specifications for General Electric Plants, BWR [Boiling Water Reactor]/4," Revision 2, dated April 2001; the Nuclear Regulatory Commission (NRC) "Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors," (Final Policy Statement), published on July 22, 1993 (58 FR 39132); 10 CFR 50.36, "Technical Specifications," as amended July 19, 1995 (60 FR 36953); and the Nine Mile Point Nuclear Station, Unit No. 2 (NMP2) improved Technical Specifications (ITS).

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 928). The licensee's June 7 and November 22, 2002, letters provided clarifying information that did not change the initial proposed no significant hazards consideration determination or expand the scope of the original Federal Register notice.

Hereafter, the proposed (or improved) TS are referred to as the PTS, the current TS are referred to as the CTS, and the standard TS, such as in NUREG-1433, are referred to as the STS.

In addition to basing PTS 6.0 on STS 5.0, the Final Policy Statement, the requirements in 10 CFR 50.36 and NMP2 ITS Section 5.0, the licensee retained portions of the CTS as a basis for the PTS. Plant-specific issues related to CTS which are being retained, including design features requirements and operating practices, were discussed with the licensee during a telephone conference call on August 22, 2002. These plant-specific deviations from the STS Section 5.0 and NMP2 ITS Section 5.0 are reflected in the PTS.

The NRC staff issued requests for additional information (RAIs) dated April 4, 2002, and August 30, 2002.

Consistent with the Final Policy Statement, the licensee proposed transferring some CTS requirements to licensee-controlled documents (such as the updated final safety analysis report

(UFSAR) for NMP1, for which changes to the documents by the licensee are controlled by a regulation such as 10 CFR 50.59 and may be changed without prior NRC approval). NRC-controlled documents, such as the TSs, may not be changed by the licensee without prior NRC approval. In addition, human factors principles were emphasized to add clarity to the CTS requirements being retained in the PTS, and to define more clearly the appropriate scope of the PTS.

The overall objective of the proposed amendment, consistent with the Final Policy Statement, is to rewrite, reformat, and streamline Section 6.0 TS for NMP1 to be in accordance with 10 CFR 50.36.

Since the licensee prepared the October 26, 2001, application, a number of amendments to the NMP1 operating license were approved. The table below provides the subjects of the amendments and the dates of issuance. The licensee has incorporated these amendments, as appropriate, into the PTS.

Amendment No.	Description of Change	Date
173	Relocation of Inservice Inspection and Testing Requirements to Section 6.0	08/05/02
174	Elimination of Post Accident Sampling System	08/26/02
176	Relocation of Radiological Technical Specifications out of Technical Specifications	09/11/02

During its review, the NRC staff relied on the Final Policy Statement, 10 CFR 50.36, the STS, and NMP2 ITS as guidance for acceptance of CTS changes. This safety evaluation (SE) provides a summary for the NRC staff's conclusion that the licensee has developed PTS Section 6.0 based on STS Section 5.0 and NMP2 ITS Section 5.0, as modified by plant-specific changes, and that the use of PTS Section 6.0 is acceptable. This SE also explains the NRC staff's conclusion that PTS Section 6.0, which is based on the STS Section 5.0 and NMP2 ITS Section 5.0, as modified by plant-specific changes, is consistent with the NMP1 current licensing basis and the requirements of 10 CFR 50.36.

The NRC staff also acknowledges that it is acceptable that PTS Section 6.0 differs from the STS Section 5.0, and NMP2 ITS Section 5.0 to reflect the current licensing basis for NMP1. The NRC staff approves the licensee's changes to the CTS with modifications documented in the licensee's supplemental June 6 and November 22, 2002, submittals.

For the reasons stated in this SE, the NRC staff finds that the PTS issued with this license amendment comply with Section 182a of the Atomic Energy Act, 10 CFR 50.36, and the guidance in the Final Policy Statement, and that they are in accordance with the common defense and security and provide adequate protection of the health and safety of the public.

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act requires that applicants for nuclear power plant operating licenses will state:

[S]uch technical specifications, including information of the amount, kind, and source of special nuclear material required, the place of the use, the specific characteristics of the facility, and such other information as the Commission may, by rule or regulation, deem necessary in order to enable it to find that the utilization ... of special nuclear material will be in accord with the common defense and security and will provide adequate protection to the health and safety of the public. Such technical specifications shall be a part of any license issued.

In 10 CFR 50.36, the Commission established its regulatory requirements related to the content of TS. In doing so, the Commission placed emphasis on those matters related to the prevention of accidents and the mitigation of accident consequences; the Commission noted that applicants were expected to incorporate into their TS “those items that are directly related to maintaining the integrity of the physical barriers designed to contain radioactivity,” as set forth in the Statement of Consideration, “Technical Specifications for Facility Licenses; Safety Analysis Reports” (33 FR 18610, December 17, 1968). Pursuant to 10 CFR 50.36, TS are required to include items in the following five specific categories related to station operation: (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation (LCOs); (3) surveillance requirements (SRs) ; (4) design features; and (5) administrative controls. However, the rule does not specify the particular requirements to be included in a plant’s TS.

NRC and industry representatives have developed guidelines for improving the content and quality of nuclear power plant TS. On February 6, 1987, the Commission issued an interim policy statement on TS improvements, “Interim Policy Statement on Technical Specification Improvements for Nuclear Power Reactors” (52 FR 3788). During the period from 1989 to 1992, the owners groups and the NRC staff developed improved STS, such as NUREG-1433, that would establish models of the Commission’s policy for each primary reactor type. In addition, the NRC staff, licensees, and owners groups developed generic administrative and editorial guidelines in the form of a “Writer’s Guide” for preparing TS, which gives greater consideration to human factors principles and was used through the development of licensee-specific improved PTS.

In April 2001, the Commission issued NUREG-1433, Revision 2, which was developed using the guidance and criteria contained in the Commission’s Interim Policy Statement. The STS in NUREG-1433 were established as a model for developing the PTS for General Electric BWR/4 plants in general. The STS reflect the results of a detailed review of the application of the interim policy statement criteria to generic system functions, which were published in a “Split Report” issued to the nuclear steam system supplier owners groups in May 1988. The STS also reflect the results of extensive discussions concerning various drafts of the STS, so that the application of the TS criteria and the Writer’s Guide would consistently reflect detailed system configurations and operating characteristics for all reactor designs. As such, the generic Bases presented in NUREG-1433 provide an abundance of information regarding the extent to which the STS present requirements are necessary to protect public health and safety. STS Section 5.0 in NUREG-1433 applies to the proposed NMP1 amendment.

On July 22, 1993, the Commission issued its Final Policy Statement, expressing the view that satisfying the guidance in the policy statement also satisfies Section 182a of the Act and 10 CFR 50.36 (58 FR 39132). The Final Policy Statement described the safety benefits of the STS, and encouraged licensees to use the STS as the basis for plant-specific TS amendments

and for complete conversions based on the STS. Further, the Final Policy Statement gave guidance for evaluating the required scope of the TS and defined four guidance criteria to be used in determining which of the LCOs and associated SRs should remain in the TS. The Commission noted that, in allowing certain items to be relocated to licensee-controlled documents while requiring that other items be retained in the TS, it was adopting the qualitative standard enunciated by the Atomic Safety and Licensing Appeal Board in *Portland General Electric Co.* (Trojan Nuclear Plant), ALAB-531, 9 NRC 263, 273 (1979). There, the Appeal Board observed :

[T]here is neither a statutory nor a regulatory requirement that every operational detail set forth in an applicant's safety analysis report (or equivalent) be subject to a technical specification, to be included in the license as an absolute condition of operation which is legally binding upon the licensee unless and until changed with specific Commission approval. Rather, as best we can discern it, the contemplation of both the Act and the regulations is that technical specifications are to be reserved for those matters as to which the imposition of rigid conditions or limitations upon reactor operation is deemed necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety.

By this approach, existing LCO requirements that fall within or satisfy any of the criteria in the Final Policy Statement should be retained in the TS; those LCO requirements that do not fall within or satisfy these criteria may be relocated to licensee-controlled documents. The Commission codified the four criteria set out in the Final Policy Statement in 10 CFR 50.36 (60 FR 36953, July 19, 1995). The four criteria are as follows:

Criterion 1

Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary.

Criterion 2

A process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.

Criterion 3

A structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.

Criterion 4

A structure, system, or component which operating experience or probabilistic safety assessment has shown to be significant to public health and safety.

Section 3.0 (below) of this SE provides the basis for the NRC staff's conclusion that the conversion of NMP1 CTS Section 6.0 to PTS Section 6.0, based on the STS and the NMP2 ITS as modified by plant-specific changes, is consistent with the NMP1 current licensing bases and the requirements and guidance of the Final Policy Statement and 10 CFR 50.36.

3.0 TECHNICAL EVALUATION

The NRC staff's PTS review evaluates changes to the CTS that fall into four categories defined by the licensee, and includes an evaluation of whether existing regulatory requirements are adequate for controlling future changes to requirements removed from the CTS and placed in licensee-controlled documents. This evaluation also discusses the NRC staff's plans for monitoring the licensee's implementation of these controls.

In reviewing the initial application of October 26, 2001, the NRC staff identified the need for clarifications and additions to the application in order to establish an appropriate regulatory basis for translation of current TS requirements into the PTS. Each change proposed in the amendment request is identified as either a discussion of change (DOC) to CTS or a justification for deviation from STS. The NRC staff comments were documented as RAIs and issued to the licensee by NRC letters dated April 4, and August 30, 2002. The licensee responded by letters dated June 7 and November 22, 2002. The licensee's letters clarified and revised the licensee's basis for translating CTS requirements into PTS. The NRC staff finds that the licensee's submittals provide sufficient detail to allow the NRC staff to reach a conclusion regarding the adequacy of the licensee's proposed changes.

The licensee's amendment application was organized such that changes were included in each of the following CTS change categories, as appropriate:

- (1) Administrative Changes, (A), i.e., non-technical changes in the presentation of existing requirements;
- (2) Technical Changes - More Restrictive, (M), i.e., new or additional CTS requirements;
- (3) Technical Changes - Less Restrictive (Specific), (L), i.e., changes, deletions and relaxations of existing TS requirements; and
- (4) Technical Changes - Less Restrictive (Generic), (LA), i.e., deletion of existing TS requirements by movement of information and requirements from existing specifications (that are otherwise being retained) to licensee-controlled documents, including TS Bases;

These general categories of changes are discussed in more detail in the following subsections.

3.1 Types of Changes to the TS

3.1.1 Administrative Changes

Administrative (non-technical) changes are intended to incorporate human factors principles into the form and structure of the PTS so that plant operations personnel can use them more easily; making the TS more easily understood through editorial changes, clarifications of TS requirements, and format changes, without changing the technical content. These changes are editorial in nature or involve the reorganization or reformatting of CTS requirements without affecting technical content or operational restrictions. Every section of the PTS Section 6.0 reflects this type of change. In order to ensure consistency, the NRC staff and the licensee have used STS and NMP2 ITS as guidance to reformat and make other administrative changes. Among the changes proposed by the licensee and found acceptable by the NRC staff are:

- (1) providing the appropriate numbers, etc., for STS bracketed information that must be supplied on a plant-specific basis and that may change from plant to plant);
- (2) identifying plant-specific wording for system names, etc.;
- (3) changing the wording of specification titles in STS to conform to existing plant practices;
- (4) splitting up requirements currently grouped under a single current specification to more appropriate locations in two or more specifications of PTS;
- (5) combining related requirements currently presented in separate specifications of the CTS into a single specification of PTS;
- (6) presentation changes that involve rewording or reformatting for clarity (including moving existing requirements to another location within the TS) that do not involve a change in requirements;
- (7) wording changes and additions that are consistent with current interpretation and practice, and that more clearly or explicitly state existing requirements; and
- (8) deletion of redundancies that are unnecessary since the requirements exist elsewhere in the TS.

Table A lists the administrative changes proposed in PTS Section 6.0. Table A is organized by the corresponding PTS section DOC, and provides a summary description of the administrative change that was made, and CTS and PTS references. The NRC staff reviewed all of the administrative and editorial changes proposed by the licensee and finds them acceptable, because they are compatible with the *Writer's Guide*, STS and NMP2 ITS, do not result in any substantive change in operating requirements and are consistent with the Commission's regulations.

3.1.2 Technical Changes - More Restrictive

The licensee, in electing to implement the specifications of STS Section 5.0 and NMP2 ITS Section 5.0, proposed a number of requirements more restrictive than those in the CTS. PTS requirements in this category include requirements that are either new, more conservative than corresponding requirements in the CTS, or that have additional restrictions that are not in the CTS but are in the STS and NMP2 ITS. Examples of more restrictive requirements are adding additional qualification and position descriptions to plant personnel specifications and adding new programs. Table M lists all the more restrictive changes proposed in the PTS. Table M is organized by the corresponding PTS section DOC, and provides a summary description of each of the more restrictive change that was adopted, and CTS and PTS references. These changes are additional restrictions on plant operation that enhance safety, and are acceptable.

3.1.3 Technical Changes - Less Restrictive (Specific)

Less restrictive requirements include changes, deletions, and relaxations to portions of CTS requirements that are not being retained in the PTS. When requirements have been shown to give little or no safety benefit, their removal from the TS may be appropriate. In most case, relaxations previously granted to individual plants on a plant-specific basis were the result of (1) generic NRC actions, (2) new staff positions that have evolved from technological advancements and operating experience, or (3) resolution of the Owners Groups comments on the STS. The NRC staff reviewed generic relaxations contained in the STS and found them acceptable because they are consistent with current licensing practices and the Commission's regulations.

A significant number of changes to the CTS involved changes, deletions, and relaxations to portions of CTS requirements evaluated as Categories I or II as follows:

Category I - Relaxation of the Administrative Requirements

Category II - Elimination of CTS Reporting Requirements

The following discussions address why various technical specifications within each of the categories of information or specific requirements are not required to be included in PTS Section 6.0.

Relaxation of the Administrative Requirements (Category I)

The CTS currently provides a description of the individuals or specifies the individual by title who can be designated by the plant manager to approve various plant documents. The proposed change would replace the description of the individual or individual title with a more generic phrase, i.e. "a designee.) This change provides additional flexibility while maintaining plant manager control over the designation of personnel performing these activities. This is consistent with CTS Subsection 6.1.1, which states that the plant manger is responsible for overall unit operation, and which allows the plant manager to designate an individual to take over this responsibility during the plant manager's absence. Since the plant manger is still maintaining this control, the removal of a specific titled individual description to whom the plant manager delegates

responsibility does not impact plant safety. These changes are consistent with the STS and changes specified as Category I are acceptable.

Elimination on CTS Reporting Requirement (Category II)

The reporting of safety and relief valve failures and challenges is based on the guidance in NUREG-0694, "TMI-Related Requirements for New Operating Licensees." The guidance of NUREG-0694 states: "Assure that any failure of a PORV [pilot-operated relief valve] or safety valve to close will be reported to the NRC promptly. All changes to the PORVs or safety valves should be documented in the annual report." NRC Generic Letter 97-02, "Revised Contents of the Monthly Operating Report," requests the submittal of less information in the monthly operating report. The generic letter identifies what needs to be reported to support the NRC Performance Indicator Program, and availability and capacity statistics. The generic letter does not specifically identify the need to report challenges to the safety and relief valves. The NRC staff concludes that this information is not required for the Performance Indicator Program and therefore would not need to be reported. Based on this information, it is acceptable to delete the requirement to provide documentation of all challenges to safety relief valves or safety valves.

Table L lists all CTS requirements that have been relaxed and which pertain to Category I and II changes discussed above. Table L is organized by PTS Section and includes: the section designation, followed by the DOC identifier; a summary description to the change; CTS and PTS references; and a reference to the applicable change categories as discussed above.

For the reasons presented above, these less restrictive requirements are acceptable because they will not affect the safe operation of the plant. The TS requirements that remain are consistent with current licensing practices, and operating experience, and provide reasonable assurance that public health and safety will be protected.

3.1.4 Technical Changes Less Restrictive (Generic)

When requirements have been shown to give little or no benefit, their removal from the TS may be appropriate. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of (1) generic NRC actions, (2) new staff positions that have evolved from technological advancements and operating experience, or (3) resolution of the Owners Group comments on STS. The NRC staff reviewed generic relaxations contained in the STS and found them acceptable because they are consistent with current licensing practices and the Commission's regulations. A significant number of changes to the CTS involved the removal of specific requirements and detailed information from individual specifications evaluated to be Types 1 and 2 that follow:

Type 1 - Procedural Details for Meeting TS Requirements and Related Reporting Requirements

Type 2 - Relocated Administrative Controls Requirements

The following discussions address why each of the two types of information or specific requirements are not required to be included in PTS.

Procedural Details for Meeting TS and Related Reporting Requirements (Type I)

Details for performing action and administrative requirements are more appropriately specified in the plant procedures required by PTS 6.4.1 and the UFSAR. Prescriptive procedural information in an action or administrative requirement is unlikely to contain all procedural considerations necessary for the plant operators to complete the actions required, and referral to plant procedures is therefore required in any event.

The removal of these kinds of procedural details from the CTS is acceptable because they will be adequately controlled in the UFSAR and other Licensee controlled documents, as appropriate. This approach provides an effective level of regulatory control and provides for a more appropriate change control process. Similarly, removal of reporting requirements from the CTS is appropriate because PTS Section 6.6, 10 CFR 50.36, and 10 CFR 50.73 already imposed requirements deemed to be necessary (for details see section 6.6 of Table LA).

Relocated Administrative Controls Requirements (Type 2)

A number of CTS requirements specify a level of detail beyond what is required by 10 CFR 50.36 to be specified in the TS to ensure that the plant is operated in a safe manner. The details are administrative in nature and therefore do not effect the safe operation of the plant. This type of information is not necessary to be included in the TS to provide adequate protection of public health and safety, because these types of administrative details are contained in controlled programs and maintained pursuant to 10 CFR 50.54, 10 CFR 50.59, and 10 CFR Part 50 Appendix B, which ensure that the changes are properly evaluated. The removal of these kinds of administrative details from the CTS is acceptable because they will be adequately controlled and this approach provides an effective level of regulatory control and provides for a more appropriate change control process.

Table LA lists the CTS specifications and detailed information removed from individual CTS Section 6.0 specifications that are relocated to licensee-controlled documents in the PTS. Table LA is organized by PTS section and includes: the section designation followed by the DOC identifier, CTS reference; a summary description of the change; the name of the document that retains the CTS requirements; the method for controlling future change to relocated requirements; a characterization of the change; and a reference to the specific change type, as discussed above, for not including the information or specific requirements in the PTS.

3.2 Summary of Technical Evaluation

The NRC staff concluded that these types of detailed information and specific requirements are not necessary to ensure the effectiveness of PTS to adequately protect the health and safety of the public. Accordingly, these requirements may be moved to one of the following licensee-controlled documents for which changes are adequately governed by a regulatory or TS requirement: (1) UFSAR controlled by 10 CFR 50.59; (2) Site Emergency Plan controlled by 10 CFR 50.59(q), and (3) the quality assurance (QA) plans as approved by the NRC and referenced in the UFSAR and controlled by 10 CFR Part 50, Appendix B, and 10 CFR 50.54(a). For each of these changes, Table LA also lists the licensee-controlled documents and the TS or regulatory requirements governing changes to those documents.

To the extent that requirements and information have been relocated to licensee-controlled documents, such information and requirements are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. Further, where such information and requirements are contained in LCOs and associated requirements in CTS Section 6.0, the NRC staff has concluded that they do not fall within any of the four criteria of 10 CFR 50.36 (discussed in Part 2.0 of this SE). Accordingly, existing detailed information and specific requirements, such as generally described above, may be deleted from the CTS.

The improved NMP1 Section 6.0 TS provide clearer, more readily understandable requirements to ensure safe operation of the plant. The NRC staff concludes that they satisfy the guidance in the Commission's Policy Statement with regard to the content of TSs, and conform to the model provided in NUREG-1433 with appropriate modifications for plant-specific considerations. The NRC staff further concludes that the proposed NMP1 Section 6.0 TS satisfy Section 182a of the Atomic Energy Act, 10 CFR 50.36 and other applicable standards. On this basis, the NRC staff concludes that the proposed NMP1 Section 6.0 TS are acceptable.

The NRC staff has also reviewed the plant-specific changes to CTS as described in this evaluation. On the basis of the evaluations described herein for each of the changes, the NRC staff concludes that these changes are 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. 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 staff 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: R. Giardina

Date: April 23, 2003

TABLE A - ADMINISTRATIVE CHANGES

DOC #	SUMMARY	PTS SECTION	CTS SECTION
Table of Contents			
A.1	Editorial changes, reformatting, and revised numbering.	N/A	N/A
2.1.1 Safety Limit			
A.1	Not Used	N/A	N/A
A.2	Details of the minimum shift crew requirements located in CTS 6.2.2.b are proposed to be relocated to the UFSAR. The reference to CTS 6.2.2.b in CTS 2.1.1 is replaced by stating the CTS 6.2.2.b requirement; i.e., that at least one license Operator be in the control room when fuel is in the reactor shift crew.	2.1.1	2.1.1
6.1 Responsibility			
A.1	Editorial changes, reformatting, and revised numbering.	6.1	6.1, 6.5
A.2	Moves the requirements of CTS 6.5.2.3 and 6.5.2.5 to PTS 6.1.1. Removes the phrase “and their safety evaluations” from the CTS requirements regarding Plant Manager reviews and approvals of proposed tests, experiments, and modifications to systems or equipment that affect nuclear safety, since approval of the safety evaluation is inherent in the approval of the modification, test, or experiment.	6.1.1	6.5.2.3, 6.5.2.5
A.3	Adds the acronym “SSS” for the Station Shift Supervisor-Nuclear position title.	6.1.2	6.1.2
A.4	Deletes the requirement for a management directive to be reissued annually to all personnel stating that the Station Shift Supervisor - Nuclear is responsible for the control room command function.	N/A	6.1.2
6.2 Organization			
A.1	Editorial changes, reformatting, and revised numbering.	6.2	6.2
A.2	Replaces the phrase “qualified in” with “qualified to implement” as it relates to radiation protection procedures.	6.2.2.c	6.2.2.d

TABLE A - ADMINISTRATIVE CHANGES

DOC #	SUMMARY	PTS SECTION	CTS SECTION
A.3	Replaces the term “health physics” with “radiation protection” and replaces the term “Health Physicists” with “key radiation protection personnel.”	6.2.1.d, 6.2.2.d	6.2.1.d, 6.2.2.h
A.4	Moves the requirements for unlicensed operating personnel from CTS Table 6.2-1 to PTS 6.2.2.a, clarifies the requirements for unlicensed operators when the process computer is out of service for greater than 8 hours, and replaces the term “unlicensed” with “non-licensed.”	6.2.2.a	Table 6.2-1 including Notes (2) and (3)
A.5	Moves the requirement that allows the shift crew composition to be less than the minimum requirements from CTS Table 6.2-1 to PTS 6.2.2.b, and replaces references to Table 6.2-1 with references to PTS 6.2.2.a and 10 CFR 50.54(m)(2)(i).	6.2.2.b	Table 6.2-1 including Note (6)
A.6	Deletes note that specifically disallows any shift crew position to be unmanned upon shift change because an oncoming shift crewman scheduled to come on duty is late or absent, since the requirement of this note is covered by the wording of PTS 6.2.2.b.	6.2.2.b	Table 6.2-1 Note (6)
A.7	Deletes statement that more operators can be assigned if needed, since the requirements of the minimum shift crew composition are specified and thus it is not necessary to specify whether the requirements may be exceeded.	N/A	Table 6.2-1 Note (1)
A.8	Incorporates the qualification requirements of the Shift Technical Advisor from CTS 6.3.1, and modifies those requirements to reference the Commission Policy Statement on Engineering Expertise on Shift.	6.2.2.f	6.3.1
A.9	Replaces the person to whom the STA provides advisory technical support with a more generic statement; i.e, the term “Shift Supervisor” has been replaced with “shift supervision.”	6.2.2.f	N/A
6.3 Unit Staff Qualification			
A.1	Editorial changes, reformatting, and revised numbering.	6.3	6.3

TABLE A - ADMINISTRATIVE CHANGES

DOC #	SUMMARY	PTS SECTION	CTS SECTION
A.2	Moves the qualification requirements for the Shift technical Advisor to PTS 6.2.	6.2.2.f	6.3.1
6.4 Procedures			
A.1	Editorial changes, reformatting, and revised numbering.	6.4	6.8
A.2	Moves the requirement relating to Regulatory Guide 1.33 to a separate sub-item within PTS 6.4.1, and identifies the specific revision of the regulatory guide.	6.4.1.a	6.8.1
6.5 Programs and Manuals			
A.1	Editorial changes, reformatting, and revised numbering.	4.2.7.b, 4.3.3.a, 6.5	4.2.7.b, 4.3.3.a, 6.11, 6.12, 6.14, 6.16, 6.17, 6.18, 6.19
A.2	Incorporates wording changes consistent with the changes to 10 CFR 50.59 published in the Federal Register (Volume 64, Number 191) dated October 4, 1999.	6.5.6	N/A
A.3	Provides a more descriptive paragraph for the Primary Coolant Sources Outside Containment program (previously CTS 6.14, Systems Integrity) that outlines program elements and identifies applicable systems.	6.5.2	6.14
A.4	Adds a statement of applicability of TS 4.0.1 to CTS 6.14 (PTS 6.5.2).	6.5.2	6.14
A.5	Incorporates a note indicating that the specification requirements apply to the Radioactive Gaseous Effluent Monitoring System (RAGEMS) as long as it is a potential leakage path, consistent with an NRC-approved change.	6.5.2	6.14
6.6 Reporting Requirements			
A.1	Editorial changes, reformatting, and revised numbering.	6.6	1.31, 6.9.1, 6.9.2, 6.9.3

TABLE A - ADMINISTRATIVE CHANGES

DOC #	SUMMARY	PTS SECTION	CTS SECTION
A.2	Delete the references to three topical reports, since all of the methods reviewed and approved by the NRC for Loss of Coolant Accident analysis and Stability analysis are now contained in a single report, NEDE-24011-P-A.	6.6.5.b	6.9.1.f
A.3	Deletes duplicate statements and unnecessary details regarding submittal of reports in accordance with 10 CFR 50.4.	6.6	6.9, 6.9.1.c, 6.9.1.f, 6.9.3
A.4	Adds an item for Accident Monitoring Instrumentation Reports.	6.6.6	3.6.11.a
6.7 High Radiation Area			
A.1	Editorial changes, reformatting, and revised numbering.	6.7	6.12
Current Specification 6.4., Training			
None	None	None	None
Current Specification 6.5, Review and Audit			
A.1	Moves the requirements of CTS 6.5.2.3 and 6.5.2.5 to PTS 6.1.1.	6.1.1	6.5.2.3, 6.5.2.5
Current Specification 6.6, Reportable Occurrence Action			
A.1	Removes Reportable Event notification requirements from the Technical Specifications, since these requirements are contained in 10 CFR 50.72 and 10 CFR 50.73	N/A	6.6.1.a
Current Specification 6.7, Safety Limit Violation			
A.1	Removes the Safety Limit Violation requirements as they relate to NRC notification, since the requirements are contained in and based upon the requirements located in 10 CFR 50.36(c)(1), 10 CFR 50.72, and 10 CFR 50.73.	N/A	6.7.1.a, 6.7.1.b, 6.7.1.c, 6.7.1.d
Current Specification 6.10 Record Retention			

TABLE A - ADMINISTRATIVE CHANGES

DOC #	SUMMARY	PTS SECTION	CTS SECTION
None	None	None	None
Current Specification 6.13, Fire Protection Inspection			
None	None	None	None
Current Specification 6.15, Iodine Monitoring			
None	None	None	None

TABLE M - MORE RESTRICTIVE CHANGES

DOC #	SUMMARY	PTS SECTION	CTS SECTION
6.1 Responsibility			
M.1	More clearly specifies the qualifications of the individual designated to assume the control room command function in the absence of the Station Shift Supervisor-Nuclear.	6.1.2	6.1.2
6.2 Organization			
M.1	Add description of the duties of the Shift Technical Advisor	6.2.2.f	N/A
6.3 Unit Staff Qualifications			
M.1	Clarifies the qualification requirements for licensed Senior Reactor Operators and license Reactor Operators to ensure that there is no misunderstanding when complying with 10 CFR 55.4 requirements.	6.3.2	N/A
6.4 Procedures			
M.1	Adds requirement that there be written procedures for activities involving the emergency operating procedures, qualified assurance for radioactive effluent and radiological environmental monitoring, and the programs listed in PTS 6.5.	6.4.1.b, 6.4.1.c, 6.4.1.e	N/A
6.5 Programs and Manuals			
M.1	Adds a new program, the Technical Specifications Bases Control program.	6.5.6	N/A
6.6 Reporting Requirements			
None	None	None	None
6.7 High Radiation Area			
None	None	None	None
Current Specification 6.4, Training			

TABLE M - MORE RESTRICTIVE CHANGES

DOC #	SUMMARY	PTS SECTION	CTS SECTION
None	None	None	None
Current Specification 6.5 Review and Audit			
None	None	None	None
Current Specification 6.6, Reportable Occurrence Action			
None	None	None	None
Current Specification 6.7, Safety Limit Violation			
None	None	None	None
Current Specification 6.10, Record Retention			
None	None	None	None
Current Specification 6.15, Iodine Monitoring			
None	None	None	None

TABLE L - LESS RESTRICTIVE CHANGES

DOC #	SUMMARY	PTS SECTION	CTS SECTION	CHANGE TYPE
6.1 Responsibility				
L.1	CTS provides the title of the individual designated by the Plant Manger to approve modifications to structures, systems, and components, and approve proposed tests and experiments. The PTS will not specify this individual, but will require the person to be designated by the plant manger.	6.1.1	6.5.2.3, 6.5.2.5	1
6.2 Organization				
L.1	CTS provides a description of the individuals who can be designated by the Plant Manger to approve modifications to overtime requirements. The PTS will not provide this description, but will require the person to be designated by the plant manager.	6.2.2.d	6.2.2.h	1
6.3 Unit Staff Qualifications				
None	None	None	None	None
6.4 Procedures				
None	None	None	None	None
6.5 Programs and Manuals				
None	None	None	None	None
6.6 Reporting Requirements				
L.1	Removes the requirements to include documentation of challenges to the safety relief valves or safety valves in the monthly operating report.	N/A	6.9.1.c	2
6.7 High Radiation Area				
None	None	None	None	None
Current Specification 6.4 Training				

TABLE L - LESS RESTRICTIVE CHANGES

DOC #	SUMMARY	PTS SECTION	CTS SECTION	CHANGE TYPE
None	None	None	None	None
Current Specification 6.5 Review and Audit				
None	None	None	None	None
Current Specification 6.6 Reportable Occurrence Action				
None	None	None	None	None
Current Specification, 6.7 Safety Limit Violation				
None	None	None	None	None
Current Specification 6.10 Record Retention				
None	None	None	None	None
Current Specification 6.13 Fire Protection Inspection				
None	None	None	None	None
Current Specification 6.15 Iodine Monitoring				
None	None	None	None	None

CHANGE TYPE

1. Relaxation of the administrative requirement.
2. Elimination of CTS reporting requirement.

TABLE LA -RELOCATED SPECIFICATIONS AND REMOVAL OF DETAILS

PTS SECTION AND DOC #	CTS SECTION	SUMMARY	LOCATION	CHANGE CONTROL PROCESS	CHANGE TYPE
6.1 Responsibility					
6.1 - LA.1	6.1.1, 6.5.2.3, 6.5.2.5	Replaces the specific title "Plant Manger" with the generic title "plant manager" and relocates the specific title.	UFSAR	10 CFR 50 Appendix B programs	2
6.2 Organization					
6.2 - LA.1	6.2.1.b, 6.2.1.c, 6.2.2.h	Replaces the specific title "Plant Manger" with the generic title "plant manager, " replaces the specific title "Chief Nuclear Officer" with the generic title "a specified corporate officer," and relocates the specific titles.	UFSAR	10 CFR 50 Appendix B programs	2
6.2 - LA.2	6.2.2.a, 6.2.2.b, 6.2.2.e, Table 6.2-1	Details of the minimum shift crew requirements.	UFSAR	10 CFR 50 Appendix B programs	2
6.2 - LA.3	6.2.2.c, Table 6.2-1 including Note (4)	Requirements for at least two licensed Operators in the control room during reactor startup, scheduled reactor shutdown, and during recovery from reactor trips; two licensed Operators in hot shutdown; and only one Senior Operator and one Operator for cold shutdown and refueling conditions	UFSAR	10 CFR 50 Appendix B programs	2
6.2 - LA.4	6.2.2.e, Table 6.2-1 Note (7)	Staffing requirements during power operations or hot shutdown and when the emergency plan is activated.	Site Emergency Plan	10 CFR 50.54(q)	2

TABLE LA -RELOCATED SPECIFICATIONS AND REMOVAL OF DETAILS

PTS SECTION AND DOC #	CTS SECTION	SUMMARY	LOCATION	CHANGE CONTROL PROCESS	CHANGE TYPE
6.2 - LA.5	6.2.2.f	Details that required all Core Alterations to be supervised by either a licensed Senior Reactor Operator or Senior Reactor Operator Limited to Fuel Handling; and the details that require all fuel move be directly monitored by a member of the reactor analyst group.	UFSAR	10 CFR 50 Appendix B programs	2
6.2 - LA.6	6.2.2.h	Details of working hour limits for personnel who perform safety-related functions.	Administrative Procedures	10 CFR 50 Appendix B programs	2
6.2 - LA.7	6.2.2.i	Details of the operator license requirements for the specific positions of station Shift Supervisor Nuclear and Assistant Station Shift Supervisor Nuclear, and the CTS requirement that only license individuals may direct licensed activities.	UFSAR	10 CFR 50 Appendix B programs	2
6.3 Units Staff Qualifications					
6.3 - LA.1	6.3.1	Replaces the specific title "Manager Radiation Protection" with the generic title "radiation protection manager" and relocates the specific title.	UFSAR	10 CFR 50 Appendix B programs	2
6.4 Procedures					
6.4 - LA.1	6.8.1, 6.8.2, 6.8.3	The details of procedure reviews and approvals including temporary changes.	Quality Assurance Topical Report (USAR Appendix B)	10 CFR 50.54(a)	1

TABLE LA -RELOCATED SPECIFICATIONS AND REMOVAL OF DETAILS

PTS SECTION AND DOC #	CTS SECTION	SUMMARY	LOCATION	CHANGE CONTROL PROCESS	CHANGE TYPE
6.5 Programs and Manuals					
None	None	None	None	None	None
6.6 Reporting Requirements					
6.6 - LA.1	6.9.1.a	The details associated with the Startup Report Specification.	UFSAR	10 CFR50.59	1
6.6 - LA.2	6.9.1.e	The details regarding changes to the Process Control Program.	UFSAR	10 CFR 50.59	1
6.6 - LA.3	6.9.2	The details contained in CTS 6.9.2, "Fire Protection Program Reports,"	UFSAR	Operating License Paragraph 2.D(7)	1
6.7 High Radiation Area					
None	None	None	None	None	None
Current Specification 6.4 Training					
None - LA.1	6.4.1	The details on training and replacements training for the facility staff.	UFSAR	10 CFR 50 Appendix B programs	2
None - LA.2	6.4.2	The details of the Fire Brigade training program.	UFSAR	10 CFR 50 Appendix B programs	2
Current Specification 6.5 Review and Audit					

TABLE LA -RELOCATED SPECIFICATIONS AND REMOVAL OF DETAILS

PTS SECTION AND DOC #	CTS SECTION	SUMMARY	LOCATION	CHANGE CONTROL PROCESS	CHANGE TYPE
None - LA.1	6.5	The details of the Review and Audit specification.	Quality Assurance Topical Report (UFSAR Appendix B)	10 CFR 50.54(a)	2
Current Specification 6.6 Reportable Occurrence Action					
None - LA.1	6.6.1.b	The requirements of CTS 6.6.1.b; Reportable Events review by SORC and submittal of the results of the reviews to the SRAB and the Vice President - Nuclear Generation.	Quality Assurance Topical Report (UFSAR Appendix B)	10 CFR 50.54(a)	2
Current Specification 6.7 Safety Limit Violation					
None - LA.1	6.7.1.b, 6.7.1.c, 6.7.1.d	The requirement for notification of the Vice President - Nuclear Generation and the SRAB in the event of a Safety Limit violation, the requirement for SORC to review the Safety Limit Violation Report, and the requirement to submit the Safety Limit Violation Report to the SRAB and the Vice President - Nuclear Generation.	Quality Assurance Topical Report (UFSAR Appendix B)	10 CFR 50.54(a)	2
Current Specification 6.10 Record Retention					
None - LA.1	6.10	The details contained in the Record Retention specification.	Quality Assurance Topical Report (UFSAR Appendix B)	10 CFR 50.54(a)	2
Current Specification 6.13 Fire Protection Inspection					

None - LA.1	6.13	The details contained in the Fire Protection Inspection specification.	Quality Assurance Topical Report (UFSAR Appendix B)	10 CFR 50.54(a)	2
Current Specification 6.15 Iodine Monitoring					
None - LA.1	6.15	The details contained in the Iodine Monitoring specification.	UFSAR	10 CFR 50.59	2

CHANGE TYPE

1. Procedure details for meeting TS requirements and related reporting requirements.
2. Relocated administrative controls requirement.