

October 2, 2003

Mr. Lew W. Myers  
Chief Operating Officer  
FirstEnergy Nuclear Operating Company  
Davis-Besse Nuclear Power Station  
5501 North State Route 2  
Oak Harbor, OH 43449-9760

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1 - ISSUANCE OF  
AMENDMENT RE: ADMINISTRATIVE CHANGES TO TECHNICAL  
SPECIFICATIONS (TAC NO. MB7204)

Dear Mr. Myers:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 260 to Facility Operating License No. NPF-3 for the Davis-Besse Nuclear Power Station, Unit 1. The amendment revises the Technical Specifications (TSs) in response to your application dated December 20, 2002.

The amendment updates the title of the onsite review committee in TS Sections 6.7, 6.14, and 6.15, and updates the version of Regulatory Guide 1.33 referenced in TS Section 6.8.

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

Sincerely,

*/RA/*

Carl F. Lyon, Project Manager, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosures: 1. Amendment No. 260 to  
License No. NPF-3  
2. Safety Evaluation

cc w/encls: See next page

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Package: ML032760373 Amendment: ML032400168, TS(s): ML032751607

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NAME	FLyon	THarris	EWeiss	CSchulten for TBoyce	RWeisman	AMendiola
DATE	09/09/03	09/03/03	09/09/03	09/17/03	09/26/03	10/01/03

OFFICIAL RECORD COPY

Davis-Besse Nuclear Power Station, Unit 1

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FIRSTENERGY NUCLEAR OPERATING COMPANY

DOCKET NO. 50-346

DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 260  
License No. NPF-3

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by the FirstEnergy Nuclear Operating Company (the licensee) dated December 20, 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. NPF-3 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 260, are hereby incorporated in the license. FirstEnergy Nuclear Operating Company shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of issuance and shall be implemented within 120 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Anthony J. Mendiola, Chief, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: October 2, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 260

FACILITY OPERATING LICENSE NO. NPF-3

DOCKET NO. 50-346

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

6-13  
6-22

Insert

6-13  
6-22

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 260 TO FACILITY OPERATING LICENSE NO. NPF-3  
FIRSTENERGY NUCLEAR OPERATING COMPANY  
DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1  
DOCKET NO. 50-346

1.0 INTRODUCTION

By application dated December 20, 2002, FirstEnergy Nuclear Operating Company (FENOC, or the licensee) requested changes to the Technical Specifications (TSs) for the Davis-Besse Nuclear Power Station, Unit 1 (Davis-Besse). The staff's proposed no significant hazards consideration determination was published in the *Federal Register* on March 4, 2003 (68 FR 10279).

The proposed changes would update the title of the onsite review committee in TS Sections 6.7, 6.14, and 6.15, and update the version of Regulatory Guide (RG) 1.33, "Quality Assurance Program Requirements (Operations)," referenced in TS Section 6.8. Specifically, the proposed changes would revise:

1.1 TS 6.7.1.c

TS 6.7.1.c states, in part,

"A Safety Limit Violation Report shall be prepared. The report shall be reviewed by the SRB [Station Review Board]."

The licensee proposes to revise the wording to read,

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

1.2 TS 6.7.2.c

TS 6.7.2.c states, in part,

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

The licensee proposes to revise the wording to read,

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

1.3 TS 6.8.1.a

TS 6.8.1 states, in part,

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

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

The licensee proposes to revise the reference to read,

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

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

1.4 TS 6.14.b

TS 6.14 states, in part,

“Changes to the PCP [Process Control Program]:

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

The licensee proposes to revise the wording to read,

“Changes to the PCP:

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

1.5 TS 6.15.b

TS 6.15 states, in part,

“Changes to the ODCM [Offsite Dose Calculation Manual]:

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

The licensee proposes to revise the wording to read,

“Changes to the ODCM:

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



## 2.0 REGULATORY EVALUATION

The staff finds that the licensee in Section 5.2 of its submittal identified the applicable regulatory requirements. The regulatory requirements which the staff considered in its review are 10 CFR 50.36(c)(5) and 10 CFR Part 50, Appendix B, Criterion II, "Quality Assurance Program."

## 3.0 TECHNICAL EVALUATION

The staff has reviewed the licensee's regulatory and technical analyses in support of its proposed license amendment which are described in Sections 4.0 and 5.0 of the licensee's submittal. The staff's evaluation is provided below:

### 3.1 Change to Title of Onsite Review Committee

The proposed changes to TS Sections 6.7, 6.14, and 6.15 only change the name of the onsite review committee to be consistent with that used at other FENOC plants and are administrative in nature. Therefore, the changes are acceptable.

### 3.2 Change to Referenced Version of RG 1.33

The proposed change to TS 6.8.1.a reflects the licensee's updated commitment from RG 1.33, November 1972, to RG 1.33, February 1978, as documented in the FENOC Quality Assurance Program (QAP) Manual, Rev. 3, Table 1, "Regulatory Commitments." The 1978 version of RG 1.33 is currently endorsed by the Nuclear Regulatory Commission. The licensee stated that utilizing the 1978 version would not be a reduction in commitment, based on the requirements of 10 CFR 50.54(a), and would not have any impact on the related implementing procedures at Davis-Besse. Changes to the QAP are subject to the requirements of 10 CFR 50.54(a). Since the change is not a reduction in commitment and makes the TSs consistent with the QAP Manual, the proposed change is acceptable.

## 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Ohio 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. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

## 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: F. Lyon

Date: October 2, 2003