

December 16, 2003

Mr. David A. Christian
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SUBJECT: SURRY POWER STATION UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS
RE: ADMINISTRATIVE CHANGES (TAC NOS. MB7037 AND MB7038)

Dear Mr. Christian:

The Commission has issued the enclosed Amendment No. 238 to Renewed Facility Operating License No. DPR-32 and Amendment No. 237 to Renewed Facility Operating License No. DPR-37 for the Surry Power Station, Unit Nos. 1 and 2, respectively. The amendments change the Technical Specifications (TS) in response to your application transmitted by letter dated December 19, 2002, as supplemented October 20, 2003.

These amendments revise the TS to make administrative changes to reflect revisions in regulations, to correct typographical and editorial errors made in previous TS revisions, and to correct TS references to corresponding Updated Final Safety Analysis Report (UFSAR) sections.

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

Sincerely,

/RA/

Christopher Gratton, Sr. Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-280 and 50-281

Enclosures:

1. Amendment No. 238 to DPR-32
2. Amendment No. 237 to DPR-37
3. Safety Evaluation

cc w/encls: See next page

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VIRGINIA ELECTRIC AND POWER COMPANY

DOCKET NO. 50-280

SURRY POWER STATION, UNIT NO. 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 238
Renewed License No. DPR-32

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Virginia Electric and Power Company (the licensee) dated December 19, 2002, as supplemented October 20, 2003, 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 3.B of Renewed Facility Operating License No. DPR-32 is hereby amended to read as follows:

(B) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 238, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

John A. Nakoski, Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: December 16, 2003

VIRGINIA ELECTRIC AND POWER COMPANY

DOCKET NO. 50-281

SURRY POWER STATION, UNIT NO. 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 237
Renewed License No. DPR-37

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Virginia Electric and Power Company (the licensee) dated December 19, 2002, as supplemented October 20, 2003, 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 3.B of Renewed Facility Operating License No. DPR-37 is hereby amended to read as follows:

(B) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 237, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

John A. Nakoski, Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: December 16, 2003

ATTACHMENT TO
LICENSE AMENDMENT NO. 238 TO
RENEWED FACILITY OPERATING LICENSE NO. DPR-32
LICENSE AMENDMENT NO. 237 TO
RENEWED FACILITY OPERATING LICENSE NO. DPR-37
DOCKET NOS. 50-280 AND 50-281

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

Remove Pages

TS 3.1-2
TS 3.8-5
TS 3.10-6a
TS 3.17-2
TS 3.17-3
TS 3.17-4
TS 4.0-2
TS 4.0-5
TS 4.1-8a
TS 4.1-9b
TS 4.4-2
TS 6.1-7
TS 6.1-8
TS 6.1-10
TS 6.4-3
TS 6.4-7
TS 6.6-2
TS 6.8-1

Insert Pages

TS 3.1-2
TS 3.8-5
TS 3.10-6a
TS 3.17-2
TS 3.17-3
TS 3.17-4
TS 4.0-2
TS 4.0-5
TS 4.1-8a
TS 4.1-9b
TS 4.4-2
TS 6.1-7
TS 6.1-8
TS 6.1-10
TS 6.4-3
TS 6.4-7
TS 6.6-2
TS 6.8-1

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 238 TO

RENEWED FACILITY OPERATING LICENSE NO. DPR-32

AND

AMENDMENT NO. 237 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-37

VIRGINIA ELECTRIC AND POWER COMPANY

SURRY POWER STATION, UNIT NOS. 1 AND 2

DOCKET NOS. 50-280 AND 50-281

1.0 INTRODUCTION

By letter dated December 19, 2002, as supplemented by letter dated October 20, 2003, Virginia Electric Power Company (VEPCO) requested changes to the Technical Specifications (TS) for Surry Power Station, Units 1 and 2 (SPS), pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.90. The supplement dated October 20, 2003, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on February 4, 2003 (68 FR 5684).

The proposed administrative changes reflect revisions in regulations, correct typographical and editorial errors made in previous TS revisions, and correct TS references to corresponding Updated Final Safety Analysis Report (UFSAR) sections.

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act of 1954, as amended (the "Act") requires applicants for nuclear power plant operating licenses to include TS as a part of the license. The TS ensure the operational capability of structures, systems, and components that are required to protect the health and safety of the public. The U.S. Nuclear Regulatory Commission's (NRC's or the Commission's) regulatory requirements that are related to the content of the TS are contained in 10 CFR 50.36. Section 50.36 of 10 CFR requires that the TS include items in the following specific categories: (1) safety limits, limiting safety system settings, and limiting control settings (50.36(c)(1)); (2) limiting conditions for operations (50.36(c)(2)); (3) surveillance requirements (50.36(c)(3)); (4) design features (50.36(c)(4)); and (5) administrative controls (50.36(c)(5)).

Pursuant to 10 CFR 50.90, a licensee may apply for an amendment to its license, including the TS incorporated into the license. Within the general framework of Section 50.36, licensees may

revise their current TS provided that a plant-specific review supports a finding of continued adequate safety because: (1) the change is editorial, administrative, or produces clarification (i.e., no requirements are materially altered); (2) the change is more restrictive than the licensee's current requirement; or (3) the change is less restrictive than the licensee's current requirement but continues to afford adequate assurance of safety when judged against current regulatory standards.

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support of its proposed license amendment. The detailed evaluation below will support the conclusion that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

3.1 Changes Due to Revisions in Regulations

As the NRC revises its regulations, inconsistencies are created between SPS TS that reference sections of the regulations and the revised regulations. The licensee has proposed the following administrative changes to the SPS TS to address these inconsistencies.

3.1.1 TS 4.0.5.a

Currently, TS 4.0.5.a states that inservice inspection (ISI) and inservice testing (IST) requirements shall be performed in accordance with 10 CFR 50.55a(g). A previous revision to 10 CFR 50.55a separated ISI and IST requirements into regulation sections 10 CFR 50.55a(f) and 10 CFR 50.55a(g), respectively. The licensee proposed to revise TS 4.0.5.a to reference 10 CFR 50.55a(f) for IST and 10CFR 50.55a(g) for ISI to reflect the change in the regulations.

3.1.2 TS 6.1.C.1.f.1.b, TS 6.1.C.1.g.2, TS 6.1.C.2.g.2, TS 6.1.C.2.g.3, and TS 6.4.C

The licensee stated that several administrative TS currently discuss reviews related to changes in the plant performed in accordance with 10 CFR 50.59. However, 10 CFR 50.59 has been revised and includes different terminology and requirements than previously used in the regulation. These changes also affected the associated SPS TS for performing changes, tests, and experiments to the plant without prior NRC review. The licensee has proposed to make several changes to complement the revisions to 10 CFR 50.59. In the supplement dated October 20, 2003, the licensee provided additional clarification for the terms used in the proposed TS changes.

3.1.3 NRC Staff Evaluation: Changes Due to Revisions in Regulations

The licensee has proposed changes to the TS that reflect associated changes to various sections of 10 CFR Part 50. The NRC verified that the proposed changes accurately reflect changes made to the referenced portions of the regulations. The NRC staff reviewed the proposed changes against the current TS requirements and concluded that the changes are administrative in nature, do not materially alter the current requirements, and are therefore acceptable.

3.2 Editorial Changes

As the TS are revised, editorial errors, such as typographical errors and inaccurate references, sometimes occur. The licensee has proposed the following changes to correct these types of errors:

3.2.1 Amendment 230/230 References

TS 3.1.a.1.d.1(b), TS 3.1.A.1.d.2, TS 3.17.4.b.1, TS 3.17.4.c.3, TS 3.17.5.a.2, TS 3.17.5.c.2, and TS 3.17.5.d.1 are being revised to correct references to TS 3.10.A items that were renumbered in TS Amendments 230/230, dated March 8, 2002. TS 3.10 Basis page 3.10-6a was also changed to reflect changes implemented in TS Amendment 230/230. Since the Bases are not part of the TS, the NRC staff reviewed the change only to assure consistency with the proposed change. The NRC staff is not approving the Bases change, but is including the revised Bases pages for completeness.

3.2.2 Amendment 228/228

In Item 32.a of TS Table 4.1-1, Remark 1 is being revised to reflect the surveillance frequency of "quarterly" rather than "monthly." The change to the surveillance frequency was approved in TS Amendments 228/228, dated August 31, 2001; however, the associated description in Remark 1 of Item 32.a of TS Table 4.1-1 was never modified.

3.2.3 Numbering Error

TS Amendments 229/229, dated December 18, 2001, introduced a typographical error into TS 6.4.L. TS 6.4.L includes a numerical list of items with two number "2" items. The licensee proposed to correct the typographical error by correcting the numbered list.

3.2.4 Footnote Error

On page TS 6.6-2, there is a Note that states footnotes are located on page TS 6.6-12. However, TS Amendment 208/208, dated April 18, 1998, relocated the footnotes from page TS 6.6-12 to page TS 6.6-11. The licensee proposed to revise the note to correct the reference to the appropriate page.

3.2.5 Relocation of TS 6.5.B.12

On July 15, 1997, TS Amendments 211/211 authorized the relocation of TS 6.5.B.12 to the VEPCO Operational Quality Assurance Program in Chapter 17 of the UFSAR. TS 6.8.A.1 and TS 6.8.B.1 currently reference TS 6.5.B.12 and are being revised to correct this reference error.

3.2.6 Deletion of Fire Protection Surveillance Requirement, Item 9 of TS Table 4.1-2A

Generic Letter (GL) 86-10, "Implementation of Fire Protection Requirements," requested that licensees incorporate their NRC-approved Fire Protection (FP) Program into their UFSARs. Upon completing the relocation of the FP program requirements to the UFSAR, GL 86-10 also encouraged licensees to apply for an amendment to their operating licenses to remove any unnecessary fire protection-related TS. The NRC staff later issued GL 88-12, "Removal of Fire

Protection Requirements from Technical Specifications,” to provide licensees with additional guidance regarding the relocation of FP requirements.

On September 12, 1996, VEPCO submitted a license amendment to relocate the FP program requirements to the UFSAR consistent with the guidance in GL 86-10 and GL 88-12. In identifying the appropriate TS sections to be removed, consistent with the guidance in the GLs, the licensee inadvertently excluded the FP pump and power supply test frequency specified in Item 9 of TS Table 4.1-2A. Although it was the licensee’s intent to remove all of the FP requirements from the TS, the amendment did not include this surveillance (Item 9 of TS Table 4.1-2A) as part of the TS amendment.

During its review of the 1996 amendment application, the NRC staff verified that the licensee had addressed the six elements discussed in GL 88-12, elements that should be included in a license amendment requesting removal of FP requirements from the TS. One of these elements was the acknowledgment that the surveillance requirements associated with fire suppression systems would be relocated from the TS to the UFSAR.

The NRC staff approved this amendment on December 16, 1998. In approving the amendment, the NRC staff considered that both the FP program specifications that discuss the features required to prevent or mitigate a fire, and the surveillance requirements for FP equipment, would be deleted from the TS in their entirety. The NRC staff did not recognize at that time that the licensee had inadvertently kept the FP pump surveillance in the TSs.

The licensee subsequently relocated the FP program requirements from the UFSAR to the Technical Requirements Manual (TRM). The licensee stated in its letter dated October 20, 2003, that the FP program described in the TRM includes a surveillance that fulfills the function of Item 9 of TS Table 4.1-2A. The licensee considers the omission of Item 9 of TS Table 4.1-2A from the September 12, 1996, amendment request an editorial error in that the surveillance requirement should have been included as part of those requirements proposed to be removed from the TS as part of the process delineated in GL 86-10 and GL 88-12.

3.2.7 NRC Staff Evaluation: Editorial Changes

The licensee proposed the correction of editorial errors identified in Sections 3.2.1 - 3.2.6 above. The NRC staff has reviewed the proposed changes against the current TS requirements and concluded that the corrections are editorial in nature, do not materially alter the current requirements, and are therefore acceptable.

3.3 Bases Changes

3.3.1 TS 3.8 and TS 4.4 Bases

The TS Bases include references to associated UFSAR sections. Revisions to the UFSAR often involve section numbering changes. As section numbers change, the associated TS references become obsolete. The following sections of the TS contain references to obsolete UFSAR sections. The licensee proposed the following corrections to these obsolete references in the TS Bases.

The licensee proposed to revise the TS 3.8 Basis reference (on Page TS 3.8-5) for the "Reactor Coolant Pump" from "UFSAR Section 4.3.2" to "UFSAR Section 4.2.2.4"; for "Isolation Design" from "UFSAR Section 5.5.2" to "UFSAR Section 5.2.2"; and "Containment Vent System" from "UFSAR Section 6.3.2" to "UFSAR Section 5.3.4." The licensee also proposed to revise the TS 4.4 Basis reference (on page TS 4.4-2) for "Containment Tests and Inspections" from "UFSAR Section 5.4" to "UFSAR Section 5.5."

3.3.2 TS 4.0.3 Basis

TS 4.0.3 Basis, in part, discusses reporting requirements for missed surveillances in accordance with 10 CFR 50.73. The NRC revised 10 CFR 50.73, adding exceptions to the reporting requirements for missed surveillances. The TS 4.0.3 Basis is being revised to reflect the changes to 10 CFR 50.73(a)(2)(i)(B).

3.3.3 NRC Staff Evaluation: Bases Changes

The NRC staff has reviewed the Bases changes and found them to be consistent with the proposed TS changes and the current regulations. The NRC staff does not approve Bases changes, but includes the revised Bases pages for completeness.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Virginia State official was notified of the proposed issuance of the amendments. The State official had no comment.

5.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32, and 51.35, an environmental assessment and a finding of no significant impact has been prepared and published in the *Federal Register* on December 16, 2003 (68 FR 70050). Accordingly, based on the environmental assessment, the staff has determined that the issuance of the amendments will not have a significant effect on the quality of the human environment.

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 these amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: B. Grimmel

Date: December 16, 2003

Mr. David A. Christian
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