

10 CFR 50.90

April 23, 2004  
5928-04-20095

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555-0001

Three Mile Island Nuclear Station, Unit 1  
Facility Operating License No. DPR-50  
NRC Docket No. 50-289

Subject: Technical Specification Change Request No. 321 – Application for Technical Specification Improvement to Eliminate Requirements for Post Accident Sampling System for Babcock and Wilcox Reactors Using the Consolidated Line Item Improvement Process

In accordance with 10 CFR 50.90, "Application for amendment of license or construction permit," AmerGen Energy Company, LLC (AmerGen) proposes changes to Appendix A, Technical Specifications (TS), of the Three Mile Island Nuclear Station, Unit 1 (TMI Unit 1), Facility Operating License. The proposed change deletes TS Section 6.16, "Post-Accident Sampling Programs NUREG 0737 (II.B.3, II.F.1.2)," and thereby eliminates the requirement to have and maintain the Post Accident Sampling System (PASS) at TMI Unit 1. The change is consistent with NRC approved Industry/TS Task Force (TSTF) Standard TS Change Traveler, TSTF-442, "Elimination of Requirements for a Post Accident Sampling System (PASS)." The availability of this TS improvement was announced in the Federal Register, Volume 68, Number 92, "Notice of Availability of Model Application Concerning Technical Specification Improvement To Eliminate Post Accident Sampling Requirements for Babcock and Wilcox Reactors Using the Consolidated Line Item Improvement Process," Pages 25664-25667, on May 13, 2003. This change is consistent in approach with other Exelon/AmerGen and industry applications for the elimination of requirements for Post Accident Sampling Systems.

This proposed amendment request is subdivided as follows.

1. Enclosure 1 provides a description of the proposed change, the requested confirmation of applicability, and plant-specific verifications.
2. Enclosure 2 provides the existing TS pages marked-up to show the proposed change.
3. Enclosure 3 provides a summary of the regulatory commitments made in this submittal.

Using the standards in 10 CFR 50.92, AmerGen has concluded that these proposed changes do not constitute a significant hazards consideration, as described in the enclosed analysis performed in accordance with 10 CFR 50.91(a)(1). Pursuant to 10 CFR 50.91(b)(1), a copy of this Technical Specification Change Request is provided to the designated official of the Commonwealth of Pennsylvania, Bureau of Radiation Protection, as well as the chief executives of the township and county in which the facility is located.

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We request approval of the proposed change by April 23, 2005, with the amendment being implemented within 180 days of issuance.

These proposed changes have been reviewed by the Plant Operations Review Committee and approved by the Nuclear Safety Review Board.

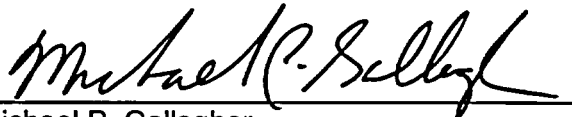
If you have any questions or require additional information, please contact David J. Distel at (610) 765-5517.

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

Respectfully,

Executed on

04-23-04



Michael P. Gallagher  
Director, Licensing and Regulatory Affairs  
AmerGen Energy Company, LLC

- Enclosures:
- 1) TMI Unit 1 Technical Specification Change Request No. 321  
Description and Assessment
  - 2) TMI Unit 1 Technical Specification Change Request No. 321  
Markup of Proposed Technical Specification Page Changes
  - 3) TMI Unit 1 Technical Specification Change Request No. 321  
List of Regulatory Commitments

cc: H. J. Miller, Administrator, USNRC Region I  
D. M. Kern, USNRC Senior Resident Inspector, TMI Unit 1  
D. M. Skay, USNRC Senior Project Manager, TMI Unit 1  
D. Allard, Director, Bureau of Radiation Protection – PA Department of Environmental Resources  
Chairman, Board of County Commissioners of Dauphin County  
Chairman, Board of Supervisors of Londonderry Township  
File No. 03060

**ENCLOSURE 1**

**TMI Unit 1 Technical Specification Change Request No. 321**

**Description and Assessment**

## ENCLOSURE 1

### DESCRIPTION AND ASSESSMENT

#### 1.0 DESCRIPTION

In accordance with 10 CFR 50.90, "Application for amendment of license or construction permit," AmerGen Energy Company, LLC (AmerGen) proposes changes to Appendix A, Technical Specifications (TS), for the Three Mile Island Nuclear Station, Unit 1 (TMI Unit 1).

The proposed change deletes TS Section 6.16, "Post-Accident Sampling Programs NUREG 0737 (II.B.3, II.F.1.2)," and thereby eliminates the requirement to have and maintain the Post Accident Sampling System (PASS) at TMI Unit 1. The change is consistent with NRC approved Industry/TS Task Force (TSTF) Standard TS Change Traveler, TSTF-442, "Elimination of Requirements for a Post Accident Sampling System (PASS)." The availability of this TS improvement was announced in the Federal Register on May 13, 2003, as part of the Consolidated Line Item Improvement Process (CLIIP).

#### 2.0 ASSESSMENT

##### 2.1 *Applicability of Published Safety Evaluation*

AmerGen has reviewed the safety evaluation published on March 3, 2003 (68 FR 10052) as part of the CLIIP. This verification included a review of the NRC staff's evaluation as well as the supporting information provided to support TSTF-442 (*i.e.*, BAW-2387, "Justification for the Elimination of the Post Accident Sampling System (PASS) from the Licensing Basis of Babcock and Wilcox-Designed Plants," which was submitted to the NRC on June 25, 2001, and the associated NRC safety evaluation dated November 14, 2002). AmerGen has concluded that the justifications presented in the TSTF proposal and the safety evaluation prepared by the NRC staff are applicable to TMI Unit 1 and justify this amendment for the incorporation of the changes to the TMI Unit 1 Technical Specifications.

##### 2.2 *Optional Changes and Variations*

AmerGen is not proposing any variations or deviations from the technical specification changes described in TSTF-442 or the NRC staff's model safety evaluation published on March 3, 2003.

Requirements for installing and maintaining PASS were included in NUREG-0680, Supplement No. 3, "TMI-1 Restart," dated April 1981, and NRC Generic Letter 83-37. This amendment request includes superseding the requirements imposed by NUREG-0680, Supplement No. 3 associated with the TMI Unit 1 PASS, and NRC Generic Letter 83-37.

### 3.0 REGULATORY ANALYSIS

#### 3.1 No Significant Hazards Determination

AmerGen has reviewed the proposed no significant hazards consideration determination published on March 3, 2003 (68 FR 10052) as part of the CLIIP. AmerGen has concluded that the proposed determination presented in the notice is applicable to TMI Unit 1 and the determination is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

#### 3.2 Verification and Commitments

As discussed in the model safety evaluation published in the Federal Register on March 3, 2003 for this technical specification improvement, plant-specific verifications were performed as follows:

1. AmerGen will develop and maintain contingency plans for obtaining and analyzing highly radioactive samples from the RCS, containment sump, and containment atmosphere. The contingency plans will be contained in the TMI Unit 1 chemistry procedures and implementation will be completed with the implementation of the License amendment. Establishment and maintenance of contingency plans is considered a regulatory commitment.
2. The capability for classifying fuel damage events at the Alert level threshold will be established for TMI Unit 1 at radioactivity levels of 300 micro Ci/cc dose equivalent iodine. This capability will be described in the TMI Unit 1 emergency plan and emergency plan implementing procedures and implementation will be completed with the implementation of the License amendment. The capability for classifying fuel damage events is considered a regulatory commitment.
3. AmerGen has established the capability to assess radioactive iodines released to offsite environs. The capability for monitoring iodines will be maintained within the TMI Unit 1 emergency plan and emergency plan implementing procedures. Implementation of this commitment is complete. The capability to monitor radioactive iodines is considered a regulatory commitment.

### 4.0 ENVIRONMENTAL EVALUATION

AmerGen has reviewed the environmental evaluation included in the model safety evaluation published on March 3, 2003 (68 FR 10052) as part of the CLIIP. AmerGen has concluded that the staff's findings presented in that evaluation are applicable to TMI Unit 1 and the evaluation is hereby incorporated by reference for this application.

## 5.0 REFERENCES

1. Industry/Technical Specifications Task Force Standard Technical Specification Change Traveler TSTF-442, "Elimination of Requirements for a Post Accident Sampling System (PASS)."
2. Federal Register, Volume 68, Number 41, "Notice of Opportunity To Comment on Model Safety Evaluation on Technical Specification Improvement To Eliminate Post Accident Sampling Requirements for Babcock & Wilcox Reactors Using the Consolidated Line Item Improvement Process," Pages 10052-10057, on March 3, 2003.
3. Babcock & Wilcox Owners Group (BWOG) Topical Report BAW-2387, "Justification for the Elimination for the Post Accident Sampling Stations (PASS) from the Licensing Basis of Babcock & Wilcox Plants," submitted to the NRC on June 25, 2001.
4. Volume 68, Number 92, "Notice of Model Application Concerning Technical Specification Improvement To Eliminate Post Accident Sampling Requirements for Babcock & Wilcox Reactors Using the Consolidated Line Item Improvement Process," Pages 25664-25667, on May 13, 2003.
5. NUREG-0680, Supplement No. 3, "TMI-1 Restart," dated April 1981.
6. NRC Generic Letter No. 83-37, "NUREG-0737 Technical Specifications," dated November 1, 1983.

**ENCLOSURE 2**

**TMI Unit 1 Technical Specification Change Request No. 321**

**Markup of Proposed Technical Specification Page Changes**

**Revised TS Pages**

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## 6.14 OFFSITE DOSE CALCULATION MANUAL (ODCM)

### 6.14.1 Licensee initiated changes to the ODCM:

1. Shall be submitted to the NRC in the Annual Radioactive Effluent Release Report for the period in which the changes were made. This submittal shall contain:
  - a. sufficiently detailed information to justify the changes without benefit of additional or supplemental information;
  - b. a determination that the changes did not reduce the accuracy or reliability of dose calculations or setpoint determinations; and
  - c. documentation that the changes have been reviewed and approved pursuant to 6.8.2.
2. Shall become effective upon review and approval by licensee management.

## 6.15 DELETED

6.16

DELETED

### POST-ACCIDENT SAMPLING PROGRAMS NUREG 0737 (II.B.3, II.F.1.2)

Program which will ensure the capability to accurately sample and analyze vital areas under accident conditions have been implemented.

The following programs have been established:

1. Iodine and Particulate Sampling
2. Reactor Coolant System
3. Containment Atmosphere Sampling

Each program shall be maintained and shall include the following:

1. Training of personnel,
2. Procedures, and
3. Provisions for maintenance of sampling and analysis equipment.

### ENCLOSURE 3

#### TMI Unit 1 Technical Specification Change Request No. 321

##### List of Regulatory Commitments

The following table identifies those actions committed to by AmerGen Energy Company, LLC (AmerGen) in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments.

COMMITMENT	Due Date/Event
AmerGen will develop and maintain contingency plans for obtaining and analyzing highly radioactive samples from the RCS, containment sump, and containment atmosphere. The contingency plans will be contained in the TMI Unit 1 chemistry procedures and implementation will be completed with the implementation of the License amendment. Establishment and maintenance of contingency plans is considered a regulatory commitment.	Implemented with the implementation of the license amendment
The capability for classifying fuel damage events at the Alert level threshold will be established for TMI Unit 1 at radioactivity levels of 300 micro Ci/cc dose equivalent iodine. This capability will be described in the TMI Unit 1 emergency plan and emergency plan implementing procedures and implementation will be completed with the implementation of the License amendment. The capability for classifying fuel damage events is considered a regulatory commitment.	Implemented with the implementation of the license amendment
AmerGen has verified that it has established the ability to assess radioactive iodines released to offsite environs. The capability for monitoring iodines will be maintained within the TMI Unit 1 emergency plan and emergency plan implementing procedures. Implementation of this commitment is complete. The capability to monitor radioactive iodines is considered a regulatory commitment.	Complete, capability currently exists