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Docket Number 50-346

10CFR50.90

License Number NPF-3

Serial Number 2959

August 2, 2004

United States Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555-0001

Subject: Davis-Besse Nuclear Power Station  
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  
(License Amendment Request No. 03-0011)

Ladies and Gentlemen:

In accordance with the provisions of 10 CFR 50.90, FirstEnergy Nuclear Operating Company (FENOC) is submitting a request for an amendment to the Operating License Appendix A Technical Specifications (TS) for the Davis-Besse Nuclear Power Station (DBNPS).

The proposed amendment would delete TS 6.8.4.c, "Post-Accident Sampling," and thereby eliminate the requirements to have and maintain the post accident sampling system at the DBNPS. The changes are consistent with NRC-approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification 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).

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

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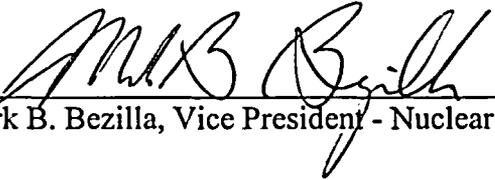
Approval of the proposed amendment is requested by August 1, 2005, to support reduced regulatory burden. Once approved, the amendment shall be implemented within 120 days.

The proposed changes have been reviewed by the DBNPS onsite and offsite review committees.

Should you have any questions or require additional information, please contact Mr. Gregory A. Dunn, Manager - Regulatory Affairs, at (419) 321-8450.

The statements contained in this submittal, including its associated enclosures, are true and correct to the best of my knowledge and belief. I am authorized by the FirstEnergy Nuclear Operating Company to make this submittal. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 8/2/04

By:   
Mark B. Bezilla, Vice President - Nuclear

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Enclosures

cc: J. L. Caldwell, Regional Administrator, NRC Region III  
J. B. Hopkins, NRC/NRR Senior Project Manager  
D. J. Shipley, Executive Director, Ohio Emergency Management Agency,  
State of Ohio (NRC Liaison)  
C. S. Thomas, NRC Region III, DB-1 Senior Resident Inspector  
Utility Radiological Safety Board

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Enclosure 1

**DAVIS-BESSE NUCLEAR POWER STATION  
EVALUATION  
FOR  
LICENSE AMENDMENT REQUEST NUMBER 03-0011**

(8 pages follow)

**DAVIS-BESSE NUCLEAR POWER STATION  
EVALUATION  
FOR  
LICENSE AMENDMENT REQUEST NUMBER 03-0011**

**Subject:** 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

**1.0 DESCRIPTION**

**2.0 ASSESSMENT**

**2.1 Applicability of Published Safety Evaluation**

**2.2 Optional Changes and Variations**

**3.0 REGULATORY ANALYSIS**

**3.1 No Significant Hazards Determination**

**3.2 Verification and Commitments**

**4.0 ENVIRONMENTAL EVALUATION**

## 1.0 DESCRIPTION

The proposed License amendment deletes the program requirements of Technical Specification (TS) 6.8.4.c, "Post-Accident Sampling."

The changes are consistent with NRC-approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-442. 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

FirstEnergy Nuclear Operating Company (FENOC) 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). FENOC has concluded that the information presented in the TSTF proposal and the safety evaluation prepared by the NRC staff are applicable to the Davis-Besse Nuclear Power Station (DBNPS) and support this amendment for the incorporation of the changes to the DBNPS Technical Specifications.

### 2.2 Optional Changes and Variations

FENOC is not proposing any variations or deviations from the TS changes described in TSTF-442 or the NRC staff's model safety evaluation (SE) published on March 3, 2003, with the exception of minor wording and numbering differences between the existing DBNPS TS 6.8.4.c and NUREG-1430, "Standard Technical Specification - Babcock and Wilcox Plants," Section 5.5.3. These minor variations have no material effect on the proposed change. Additionally, requirements for installing the PASS were included in a confirmatory order for DBNPS issued on March 14, 1983 (DBNPS Log Number 1245). This amendment request includes superseding the requirements imposed by that confirmatory order for the PASS.

## 3.0 REGULATORY ANALYSIS

### 3.1 No Significant Hazards Determination

FENOC has reviewed the proposed no significant hazards consideration determination published on March 3, 2003 (68 FR 10052) as part of the CLIIP.

FENOC has concluded that the proposed determination presented in the notice is applicable to the DBNPS 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 SE published in Federal Register on March 3, 2003 for this TS improvement, plant-specific verifications were performed as follows:

1. FENOC shall develop contingency plans for obtaining and analyzing highly radioactive samples from the Reactor Coolant System (RCS), containment sump, and containment atmosphere. The contingency plans will be contained in DBNPS Chemistry Program implementing 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 shall be established for the DBNPS at radioactivity levels of 300  $\mu\text{Ci}/\text{gram}$  dose equivalent iodine. This capability will be described in the DBNPS 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. FENOC shall develop an ability to assess radioactive iodines released to offsite environs. The capability for monitoring iodines will be maintained within the DBNPS Emergency Plan Implementing Procedures. Implementation of this commitment will be completed with the implementation of the License amendment. The capability to monitor radioactive iodines is considered a regulatory commitment.

### **4.0 ENVIRONMENTAL EVALUATION**

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

LAR 03-0011  
Attachment 1

**PROPOSED MARK-UP  
OF  
TECHNICAL SPECIFICATION PAGES**

(2 pages follow)

## ADMINISTRATIVE CONTROLS

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### 6.8 PROCEDURES AND PROGRAMS (Continued)

- c. Surveillance and test activities of safety related equipment.
- d. Industrial Security Plan implementation.
- e. Davis-Besse Emergency Plan implementation.
- f. Fire Protection Program implementation.
- g. The radiological environmental monitoring program.
- h. The Process Control Program.
- i. Offsite Dose Calculation Manual implementation.

6.8.2 Each procedure of 6.8.1 above, and changes thereto, shall be reviewed and approved prior to implementation as set forth in 6.5.3 above.

6.8.3 (deleted)

6.8.4 The following programs shall be established, implemented and maintained:

a. Primary Coolant Sources Outside Containment

A program to reduce leakage from those portions of systems outside containment that could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. The systems include makeup, letdown, seal injection, seal return, low pressure injection, containment spray, high pressure injection, waste gas, primary sampling and reactor coolant drain systems. The program shall include the following:

- (i) Preventive maintenance and/or periodic visual inspection requirements, and
- (ii) Integrated leak test requirements for each system at refueling cycle intervals or less.

b. In-Plant Radiation Monitoring

A program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following:

- (i) Training of personnel,
- (ii) Procedures for monitoring, and
- (iii) Provisions for maintenance of sampling and analysis equipment.

## ADMINISTRATIVE CONTROLS

### 6.8.4 (Continued)

#### c. Deleted Post-Accident Sampling

~~A program which will ensure the capability to obtain and analyze reactor coolant, radioactive iodines and particulates in plant gaseous effluents, and containment atmosphere samples under accident conditions. The program shall include the following:~~

- ~~(i) Training of personnel;~~
- ~~(ii) Procedures for sampling and analysis;~~
- ~~(iii) Provisions for maintenance of sampling and analysis equipment.~~

#### d. Radioactive Effluent Controls Program

A program shall be provided conforming with 10 CFR 50.36a for the control of radioactive effluents and for maintaining the doses to MEMBERS OF THE PUBLIC from radioactive effluents as low as reasonably achievable. The program (1) shall be contained in the ODCM, (2) shall be implemented by operating procedures, and (3) shall include remedial actions to be taken whenever the program limits are exceeded. The program shall include the following elements:

- 1) Limitations on the operability of radioactive liquid and gaseous monitoring instrumentation including surveillance tests and setpoint determination in accordance with the methodology in the ODCM.
- 2) Limitations on the concentrations of radioactive material released in liquid effluents to UNRESTRICTED AREAS conforming to 10 CFR Part 20, Appendix B, Table II, Column 2,
- 3) Monitoring, sampling, and analysis of radioactive liquid and gaseous effluents in accordance with 10 CFR 20.1302 and with the methodology and parameters in the ODCM.
- 4) Limitations on the annual and quarterly doses or dose commitment to a MEMBER OF THE PUBLIC from radioactive materials in liquid effluents released from each unit to UNRESTRICTED AREAS conforming to Appendix I to 10 CFR Part 50,
- 5) Determination of cumulative and projected dose contributions from radioactive effluents for the current calendar quarter and current calendar year in accordance with the methodology and parameters in the ODCM at least every 31 days.

**PROPOSED RETYPED  
TECHNICAL SPECIFICATION PAGES**

(1 page follows)

## ADMINISTRATIVE CONTROLS

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### 6.8.4 (Continued)

c. Deleted

d. Radioactive Effluent Controls Program

A program shall be provided conforming with 10 CFR 50.36a for the control of radioactive effluents and for maintaining the doses to MEMBERS OF THE PUBLIC from radioactive effluents as low as reasonably achievable. The program (1) shall be contained in the ODCM, (2) shall be implemented by operating procedures, and (3) shall include remedial actions to be taken whenever the program limits are exceeded. The program shall include the following elements:

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- 3) Monitoring, sampling, and analysis of radioactive liquid and gaseous effluents in accordance with 10 CFR 20.1302 and with the methodology and parameters in the ODCM.
- 4) Limitations on the annual and quarterly doses or dose commitment to a MEMBER OF THE PUBLIC from radioactive materials in liquid effluents released from each unit to UNRESTRICTED AREAS conforming to Appendix I to 10 CFR Part 50,
- 5) Determination of cumulative and projected dose contributions from radioactive effluents for the current calendar quarter and current calendar year in accordance with the methodology and parameters in the ODCM at least every 31 days.

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Enclosure 2

### COMMITMENT LIST

The following list identifies those actions committed to by the Davis-Besse Nuclear Power Station (DBNPS) in this document. Any other actions discussed in the submittal represent intended or planned actions by the DBNPS. They are described only for information and are not regulatory commitments. Please notify the Manager – Regulatory Affairs (419-321-8450) at the DBNPS of any questions regarding this document or any associated regulatory commitments.

<b>COMMITMENTS</b>	<b>DUE DATE</b>
1. FENOC shall develop contingency plans for obtaining and analyzing highly radioactive samples from the RCS, containment sump, and containment atmosphere. The contingency plans will be contained in DBNPS Chemistry Program implementing procedures.	With the implementation of the License amendment.
2. The capability for classifying fuel damage events at the Alert level threshold shall be established for the DBNPS at radioactivity levels of 300 $\mu$ Ci/gram dose equivalent iodine. This capability will be described in the DBNPS Emergency Plan Implementing Procedures .	With the implementation of the License amendment.
3. FENOC shall develop an ability to assess radioactive iodines released to offsite environs. The capability for monitoring iodines will be maintained within the DBNPS Emergency Plan Implementing Procedures.	With the implementation of the License amendment.