

January 5, 2005

Mr. Michael Kansler  
President  
Entergy Nuclear Operations, Inc.  
440 Hamilton Avenue  
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SUBJECT: PILGRIM NUCLEAR POWER STATION - ISSUANCE OF AMENDMENT RE:  
REVISION TO THE REACTOR PRESSURE VESSEL MATERIAL  
SURVEILLANCE PROGRAM (TAC NO. MC1565)

Dear Mr. Kansler:

The Commission has issued the enclosed Amendment No. 209 to Facility Operating License No. DPR-35 for the Pilgrim Nuclear Power Station. This amendment is in response to Entergy Nuclear Operations, Inc.'s (Entergy's) application dated December 8, 2003.

This amendment removes the current facility Reactor Vessel Material Surveillance Program from the Technical Specifications for the Pilgrim Nuclear Power Station. The licensee will also revise the Updated Final Safety Analysis Report to reflect implementation of the Boiling Water Reactor Vessel and Internals Project reactor pressure vessel integrated surveillance program as the basis for demonstrating the compliance with the requirements of Appendix H, "Reactor Vessel Material Surveillance Program Requirements," to Title 10 of the *Code of Federal Regulations*, Part 50.

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

Sincerely,

*/RA/*

Robert J. Fretz, Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-293

Enclosures: 1. Amendment No. 209 to License No. DPR-35  
2. Safety Evaluation

cc w/encls: See next page

Pilgrim Nuclear Power Station

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Sincerely,  
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Robert J. Fretz, Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-293

Enclosures: 1. Amendment No. 209 to License No. DPR-35  
2. Safety Evaluation

cc w/encls: See next page

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ENERGY NUCLEAR GENERATION COMPANY

ENERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-293

PILGRIM NUCLEAR POWER STATION

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 209  
License No. DPR-35

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by the Entergy Nuclear Operations, Inc. (the licensee) dated December 8, 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;
  - 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 Facility Operating License No. DPR-35 is hereby amended to read as follows:

B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 209, 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 the date of issuance and shall be implemented within 60 days. The program description set out in the licensee's application dated December 8, 2003, as evaluated in the safety evaluation enclosed with this amendment shall be incorporated into the Updated Final Safety Analysis Report (UFSAR). The licensee shall submit the changes authorized by this amendment with the next update of the UFSAR in accordance with 10 CFR 50.71(e).

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Darrell J. Roberts, Chief, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: January 5, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 209

FACILITY OPERATING LICENSE NO. DPR-35

DOCKET NO. 50-293

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

3/4.6-2

3/4.6-13

B3/4.6-2

Insert

3/4.6-2

3/4.6-13

B3/4.6-2

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 209 TO FACILITY OPERATING LICENSE NO. DPR-35  
ENTERGY NUCLEAR GENERATION COMPANY  
ENTERGY NUCLEAR OPERATIONS, INC.  
PILGRIM NUCLEAR POWER STATION  
DOCKET NO. 50-293

## 1.0 INTRODUCTION

By letter dated December 8, 2003 (Reference 1), Entergy Nuclear Operations, Inc. (Entergy), the licensee for Pilgrim Nuclear Power Station (Pilgrim), submitted a request for Nuclear Regulatory Commission (NRC) review and approval of a license amendment to modify the basis for their compliance with the requirements of Appendix H to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Reactor Vessel Material Surveillance Program Requirements." In Reference 1, Entergy requested that it be allowed to implement the Boiling Water Reactor Vessel and Internals Project (BWRVIP) reactor pressure vessel (RPV) integrated surveillance program (ISP) as the basis for demonstrating the compliance of Pilgrim with the requirements of Appendix H to 10 CFR Part 50.

The BWRVIP RPV ISP was submitted for NRC staff review in Topical Report BWRVIP-86, "BWR Vessel and Internals Project, BWR Integrated Surveillance Program Implementation Plan" (Reference 2). Additional information necessary to establish the technical basis for, and proposed implementation of, the BWRVIP ISP was provided in a letter from the BWRVIP to the NRC dated May 30, 2001 (Reference 3). The NRC staff approved the proposed BWRVIP ISP in a safety evaluation (SE) which was provided to the BWRVIP by letter dated February 1, 2002 (Reference 4). The BWRVIP RPV ISP was approved by letter dated December 16, 2002, "NRC Staff Review of BWRVIP-86-A, BWR Vessel and Internals Project, Updated BWR Integrated Surveillance Program Implementation Plan" (Reference 5). However, the NRC staff's SE required that plant-specific information be provided by BWR licensees who wish to implement the BWRVIP ISP for their facilities. Reference 1 addressed the plant-specific information required by Reference 4.

## 2.0 REGULATORY REQUIREMENTS AND STAFF POSITIONS

The NRC staff finds that Entergy identified the applicable regulatory requirements in Reference 1. The regulatory requirements for which the NRC staff based its acceptance are described below.

Pursuant to 10 CFR 50.36, Technical Specifications (TSs) 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; (3) surveillance requirements (SRs); (4) design features; and (5) administrative controls. Section 50.36(c)(3) states “[s]urveillance requirements are requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met.” As a result, SRs that do not satisfy the criteria of 10 CFR 50.36(c)(3) may be proposed for relocation from the TSs to other licensee-controlled documents.

Nuclear power plant licensees are required by Appendix H to 10 CFR Part 50 to implement RPV surveillance programs to “monitor changes in the fracture toughness properties of ferritic materials in the reactor vessel beltline region...which result from exposure of these materials to neutron irradiation and the thermal environment.” The regulations provide two specific alternatives, with regard to the design of a facility’s RPV surveillance program, which may be used to address the requirements of Appendix H to 10 CFR Part 50.

The first alternative is the implementation of a plant-specific RPV surveillance program consistent with the requirements of American Society for Testing and Materials (ASTM) Standard Practice E 185, “Standard Practice for Conducting Surveillance Tests for Light-Water Cooled Nuclear Power Reactor Vessels.” In the design of a plant-specific RPV surveillance program, a licensee may use the edition of ASTM Standard Practice E 185 which was current on the issue date of the American Society of Mechanical Engineers Boiler Pressure and Vessel Code (ASME Code) to which the reactor vessel was purchased, or later editions through the 1982 edition.

The second alternative provided in Appendix H to 10 CFR Part 50 is the implementation of an ISP. An ISP is defined in Appendix H to 10 CFR Part 50 as occurring when “the representative materials chosen for surveillance for a reactor are irradiated in one or more other reactors that have similar design and operating features.” Five specific criteria are stated in Appendix H to 10 CFR Part 50 which must be met to support approval of an ISP:

- a. The reactor in which the materials will be irradiated and the reactor for which the materials are being irradiated must have sufficiently similar design and operating features to permit accurate comparisons of the predicted amount of radiation damage.
- b. Each reactor must have an adequate dosimetry program.
- c. There must be adequate arrangement for data sharing between plants.
- d. There must be a contingency plan to assure that the surveillance program for each reactor will not be jeopardized by operation at reduced power level or by an extended outage of another reactor from which data are expected.
- e. There must be substantial advantages to be gained, such as reduced power outages or reduced personnel exposure to radiation, as a direct result of not requiring surveillance capsules in all reactors in the set.

Reference 4 documents the NRC staff's evaluation approving the proposed BWRVIP ISP. In Reference 4, all of the criteria cited above for approval of an ISP were addressed either completely or partially. For those criteria which could not be fully addressed in Reference 4, plant-specific information was required. The NRC staff identified in Reference 4 the specific information which would be required from licensees who wished to implement the BWRVIP for their facilities. As stated in Reference 4:

[L]icensees who wish to participate in the BWR ISP must provide, for NRC staff review and approval, information which defines how they will determine RPV and/or surveillance capsule fluences based on the dosimetry data which will be available for their facilities. This information must be submitted concurrently with each licensee's submittal to replace their existing plant-specific surveillance program with the BWR ISP as part of their facility's licensing basis. The information submitted must be sufficient for the staff to determine that:

- (1) RPV and surveillance capsule fluences will be established as based on the use of an NRC-approved fluence methodology that will provide acceptable results based on the available dosimetry data,
- (2) if one methodology is used to determine the neutron fluence values for a licensee's RPV and one or more different methodologies are used to establish the neutron fluence values for the ISP surveillance capsules which "represent" that RPV in the ISP, the results of these differing methodologies are compatible (i.e., within acceptable levels of uncertainty for each calculation).

Regulatory Guide (RG) 1.190, "Calculational and Dosimetry Methods for Determining Pressure Vessel Neutron Fluence," describes methods and assumptions acceptable to the NRC staff for determining the pressure vessel neutron fluence. The guide is intended to ensure the accuracy and reliability of the fluence determination required by General Design Criteria 14, 30, and 31 of Appendix A, "General Design Criteria for Nuclear Power Plants," to 10 CFR Part 50.

This plant-specific information is required by the NRC staff to ensure that criterion (b) for an ISP from Appendix H to 10 CFR Part 50 could be met by each facility and to confirm that data which would be shared as part of the BWRVIP ISP could be effectively utilized by each licensee for the monitoring of RPV embrittlement for their facility.

### 3.0 TECHNICAL EVALUATION

In Reference 1, Entergy submitted information for Pilgrim which addressed the information requested in Reference 4. Entergy provided proposed changes to the TS Surveillance and Bases as follows:

[...] TS Surveillance 4.6.A.2: The first paragraph on page 3/4.6-2, "Test specimens of the reactor vessel base... .. NDT [nondestructive testing] temperature irradiation shifts," is deleted.

TS Table 4.6-3 (page 3/4.6-13): Table 4.6-3, "Reactor Vessel Material Surveillance Program Withdrawal Schedule" is deleted and the page is marked as, "This page is intentionally left blank."

Attachment 1 [to Entergy's December 8, 2003, submittal] provides the mark-up of the above-proposed TS changes. Also included for information is the mark-up of TS Bases page B3/4.6-2, which will be implemented following approval of the proposed TS changes. [...]

The above TS items are deleted because they will no longer be applicable after the adoption of the BWRVIP ISP.

In addition, Entergy provided a revised Section 2.3.1, "Reactor Vessel Materials Surveillance Program," of the Pilgrim UFSAR, Appendix M:

Pilgrim will provide future fluence calculations and P-T curves based upon the NRC approved methodology following the guidance in RG 1.190, RG 1.99, Rev. 2, and dosimetry data obtained from BWRVIP ISP/SSP.

The NRC staff has concluded that the inclusion of this statement in the Pilgrim UFSAR is sufficient to address both items (1) and (2) from Reference 4. Regarding item (1), the licensee's use of a methodology for determining Pilgrim RPV neutron fluence values that is consistent with the attributes of RG 1.190 and has been approved by the NRC staff will provide acceptable results based upon the available dosimetry data. Regarding item (2), RPV surveillance capsules tested under the BWRVIP ISP will have their fluences determined by the use of a methodology that is consistent with the attributes of RG 1.190 and has been approved by the NRC staff. The NRC staff has concluded that any two (or more) different fluence methodologies will provide "compatible" (as defined in Reference 4) results provided that each methodology is consistent with the attributes of RG 1.190 and has been approved by the NRC staff. In addition, Entergy provided an additional commitment, in Reference 1, regarding when they will perform and update RPV fluence analysis for the Pilgrim RPV:

[...] Pilgrim is participating in the BWRVIP Integrated Surveillance/Supplemental Surveillance programs. These programs will provide new surveillance data to verify adjustments to the Pressure-Temperature (P-T) curves for vessel heat-up and cooldown applications. Pilgrim intends to perform new neutron transport calculations using R.G.1.190 methodology and develop revised P-T curves for operation beyond cycle 16 using R.G. 1.99, Rev. 2 methodology and submit revised P-T curves in 2006, as explained in [Entergy Letter 2.02.100 dated December 4, 2002].

The NRC staff found this commitment by Entergy to be acceptable since the current RPV fluence calculations for the Pilgrim RPV are expected to remain conservative with respect to the actual, accumulated RPV neutron fluence through cycle 16 of operation for the facility.

This action was submitted as a license amendment, consistent with the NRC staff's understanding of the decision given in Commission Memorandum and Order CLI-96-13.

Entergy provided a revised Section 2.3.1 of the Pilgrim UFSAR, Appendix M, which documented the licensee's incorporation of the BWRVIP ISP into the Pilgrim licensing basis:

[...] Pilgrim is a participant in the BWRVIP ISP/SSP program. BWRVIP ISP/SSP is an alternative to individual plant-specific RPV surveillance program within the scope of paragraph III.C of Appendix H of 10 CFR 50. NRC has approved BWRVIP ISP/SSP (References 1 and 2 to Entergy's December 8, 2003 submittal) for plant-specific use. Under the NRC approved program, the two remaining Pilgrim specimens in the Pilgrim vessel are deferred and representative specimens from host plants are selected to provide the required data for compliance with Appendix G and H requirements. The Pilgrim representative samples and withdrawal schedules are described in BWRVIP-86-A, BWR Vessel and Internal Project Updated BWR Integrated Surveillance Program (ISP) Implementation Plan". Pilgrim will continue to follow the BWRVIP ISP/SSP program to demonstrate fracture toughness requirements and P-T limits to comply with Appendices G and H of 10 CFR 50. [...]

The NRC staff has concluded that the information provided in the revised Pilgrim UFSAR is adequate to document the licensee's commitment to appropriately implement the updated BWRVIP ISP, Reference 6, as the method for demonstrating the compliance of Pilgrim with the requirements of Appendix H to 10 CFR Part 50.

As submitted by Reference 1, deleting TS SR 4.6.A.2 and TS Table 4.6-3 from the Pilgrim TSs, is acceptable since TS SR 4.6.A.2 and TS Table 4.6-3 do not meet the minimum requirements of 10 CFR 50.36(c)(3), "Surveillance requirements," for inclusion in the TSs. The TS SR pertains to RPV material test specimens and the associated program for monitoring RPV embrittlement.

The NRC staff noted that Reference 1, TS Bases, page B3/4.6-2, was modified to delete information concerning the amount and the withdrawal schedules of the surveillance capsules. The changes made are consistent with the requirements of Reference 6, therefore, the NRC staff has no objection to the licensee's changes to the TS Bases concerning surveillance capsules.

#### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Massachusetts State Official was notified of the proposed issuance of the amendment. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes surveillance 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. 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 (69 FR 7521). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). 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 amendment will not be inimical to the common defense and security or to the health and safety of the public.

## 7.0 REFERENCES

1. M. Balduzzi (Entergy) to U.S. NRC Document Control Desk, "Proposed License Amendment: Changes to the Reactor Vessel Material Surveillance Program, Technical Specification Surveillance 4.6.A.2," dated December 8, 2003. (ADAMS Accession Number ML033530385)
2. C. Terry (BWRVIP) to U.S. NRC Document Control Desk, "Project No. 704 - BWRVIP - 86: BWR Vessel and Internals Project, BWR Integrated Surveillance Program Implementation Plan," EPRI Technical Report 1000888, December 22, 2000. (ADAMS Accession Number ML003780862)
3. C. Terry (BWRVIP) to U.S. NRC Document Control Desk, "PROJECT NO. 704 - BWRVIP Response to Second NRC Request for Additional Information on the BWR Integrated Surveillance Program," May 30, 2001. (ADAMS Accession Number ML011560296)
4. W.H. Bateman (USNRC) to C. Terry, "Safety Evaluation Regarding EPRI Proprietary Reports BWR Vessel and Internals Project, BWR Integrated Surveillance Program Plan (BWRVIP-78) and "BWRVIP-86: BWR Vessel and Internals Project, BWR Integrated Surveillance Program Implementation Plan," February 1, 2002. (ADAMS Accession Number ML020380691)
5. W. H. Bateman (USNRC) to C. Terry, "NRC Staff Review of BWRVIP-86-A, "BWR Vessel and Internals Project, Updated BWR Integrated Surveillance Program (ISP) Implementation Plan," December 16, 2002. (ADAMS Accession Number ML023500309)

6. C. Terry (BWRVIP) to U.S. NRC Document Control Desk, "Project No. 704 - BWRVIP - 86: BWR Vessel and Internals Project, Updated BWR Integrated Surveillance Program (ISP) Implementation Plan" November 12, 2002. (ADAMS Accession Number ML023190487)

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Date: January 5, 2005