

August 20, 2004

Mr. James J. Sheppard
President and Chief Executive Officer
STP Nuclear Operating Company
South Texas Project Electric
Generating Station
P. O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS
RE: REMOTE SHUTDOWN SYSTEM (TAC NOS. MC1246 AND MC1247)

Dear Mr. Sheppard:

The Commission has issued the enclosed Amendment No. 163 to Facility Operating License No. NPF-76 and Amendment No. 152 to Facility Operating License No. NPF-80 for the South Texas Project (STP), Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated November 4, 2003, as supplemented by letter dated June 29, 2004.

The amendments revise the STP, Units 1 and 2 TSs for the Remote Shutdown System to reflect requirements consistent with those in NUREG-1431, "Standard Technical Specifications - Westinghouse Plants." The changes increase the allowed outage time for inoperable Remote Shutdown System components to a time that is more consistent with their safety significance and relocate the description of the required components to the Bases where it will be directly controlled by the licensee.

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

Sincerely,

/RA/

David H. Jaffe, Senior Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

Enclosures: 1. Amendment No. 163 to NPF-76
2. Amendment No. 152 to NPF-80
3. Safety Evaluation

cc w/encls: See next page

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STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-498

SOUTH TEXAS PROJECT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 163
License No. NPF-76

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by STP Nuclear Operating Company* acting on behalf of itself and for Texas Genco, LP, the City Public Service Board of San Antonio (CPS), AEP Texas Central Company, and the City of Austin, Texas (COA) (the licensees), dated November 4, 2003, as supplemented by letter dated June 29, 2004, 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, as amended, 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 license 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.

*STP Nuclear Operating Company is authorized to act for Texas Genco, LP, the City Public Service Board of San Antonio, AEP Texas Central Company, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

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-76 is hereby amended to read as follows:

- (2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 163, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The STP Nuclear Operating Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Robert A. Gramm, Chief, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: August 20, 2004

STP NUCLEAR OPERATING COMPANY

DOCKET NO. 50-499

SOUTH TEXAS PROJECT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 152
License No. NPF-80

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by STP Nuclear Operating Company* acting on behalf of itself and for Texas Genco, LP, the City Public Service Board of San Antonio (CPS), AEP Texas Central Company, and the City of Austin, Texas (COA) (the licensees), dated November 4, 2003, as supplemented by letter dated June 29, 2004, 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, as amended, 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 license 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.

*STP Nuclear Operating Company is authorized to act for Texas Genco, LP, the City Public Service Board of San Antonio, AEP Texas Central Company, and the City of Austin, Texas, and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

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-80 is hereby amended to read as follows:

- (2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 152, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The STP Nuclear Operating Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Robert A. Gramm, Chief, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: August 20, 2004

ATTACHMENT TO LICENSE AMENDMENT NOS. 163 AND 152

FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80

DOCKET NOS. 50-498 AND 50-499

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

vi
3/4 3-61
3/4 3-62
3/4 3-63
3/4 3-64
3/4 3-65
3/4 3-66

INSERT

vi
3/4 3-61
3/4 3-62
3/4 3-63
3/4 3-64
3/4 3-65
3/4 3-66

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NOS. 163 AND 152 TO
FACILITY OPERATING LICENSE NOS. NPF-76 AND NPF-80
STP NUCLEAR OPERATING COMPANY, ET AL.
SOUTH TEXAS PROJECT, UNITS 1 AND 2
DOCKET NOS. 50-498 AND 50-499

1.0 INTRODUCTION

By application dated November 4, 2003 (Accession No. ML033140308), as supplemented by letter dated June 29, 2004 (Accession No. ML041890388), STP Nuclear Operating Company (the licensee), requested changes to the Technical Specifications (TSs) for South Texas Project (STP), Units 1 and 2. The supplement dated June 29, 2004, 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 November 25, 2003 (68 FR 66140).

The proposed changes would revise the requirements for the Remote Shutdown System in TS 3/4.3.3.5. Specifically, the proposed changes would:

1. Revise TS 3.3.3.5 Limiting Condition for Operation (LCO) to state "The Remote Shutdown System Functions shall be OPERABLE." Delete references to transfer switches, power, controls and monitoring instrumentation channels shown in Table 3.3-9. Current TS 3.3.3.5 Table 3.3-9 lists the Readout Location, Transfer Switch Locations, and Controls Location for remote shutdown instrumentation. The proposed change will relocate these requirements to licensee-controlled documents.
2. Revise TS 3.3.3.5 ACTION a. to delete the references to transfer switches, power or controls and monitoring instrumentation as shown in the associated Table 3.3-9. The ACTION will be simplified to state the entry condition for the action as "With one or more required channels of one or more Remote Shutdown System Functions inoperable, restore the inoperable Function(s) to OPERABLE status within 30 days, or be in HOT STANDBY within the next 6 hours and in HOT SHUTDOWN within the following 6 hours." Add a note to, "Separate condition entry is allowed for each Function."
3. Delete TS 3.3.3.5 ACTION b. for the current TS. This eliminates the action to prepare a Special Report if a channel of Remote Shutdown System Function is inoperable for more than 60 days.
4. Re-letter current TS 3.3.3.5 ACTION c. as ACTION b.

5. Delete TS Table 3.3-9 and relocate the list of required Remote Shutdown System equipment to the Bases.
6. Revise the requirements for decay heat removal in the information relocated to the Bases to allow the use of auxiliary feedwater (AFW) flow or steam generator (SG) level instead of both as in current TS Table 3.3-9. This proposal was withdrawn by letter dated June 29, 2004.
7. Change the format of the information in Bases Table B 3.3.5-1. Simplify the Remote Shutdown System information relocated to the Bases to show only the list of required functions, instruments and control parameters, and the required number of channels.
8. Revise Surveillance Requirement (SR) 4.3.3.5.1 to apply the channel check only to normally energized Remote Shutdown System instrumentation and delete the reference to the channel calibration (moved to new SR 4.3.3.5.3). Reference to TS Table 4.3-6 would be deleted and the Table would be deleted.
9. Add SR 4.3.3.5.3 for channel calibration and add a note that the neutron detectors and reactor trip breaker indications are excluded from channel calibration.
10. Revise TS Index page vi to reflect the deletion of TS Tables 3.3-9 and 4.3-6.

2.0 REGULATORY EVALUATION

The NRC staff finds that the licensee in Section 5.2 of its November 4, 2003, submittal identified the applicable regulatory requirements. The regulatory requirements on which the NRC staff based its acceptance are Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Section 50.36(c), "Technical Specifications," and 10 CFR Part 50, Appendix A, General Design Criterion (GDC)-19, "Control room."

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support of its proposed license amendment which are described in Sections 5.0 and 4.0 of the licensee's November 4, 2003, application.

3.1 Description of the Remote Shutdown System and Proposed Changes to TS

The STP Remote Shutdown System uses an auxiliary shutdown panel (ASP) outside the control room to control and maintain the plant in a safe shutdown condition, when temporary evacuation of the control room is required. Both Class 1E and non-Class 1E controls and indicators are provided at the ASP. Electrical separation is maintained between separation groups within the panel. The controls on the ASP are electrically isolated from those in the control room by transfer switches located on the transfer switch panels. A safety-related display is provided by the qualified display process system (QDPS) via redundant plasma display units located on the ASP. The ASP is intended for use following an evacuation of the control room. No actions from the ASP are anticipated during normal plant operations. The transfer of control from the control room to the ASP is alarmed and indicated in the control room. Access to the ASP is administratively controlled.

The licensee stated in its November 4, 2003, application that the proposed changes in this license amendment request (LAR) will increase the allowed outage time (AOT) for inoperable Remote Shutdown System components to a time that is more consistent with their safety significance. It will also relocate the description of the required components to the Bases where it will be directly controlled by the licensee. The current TS allow unlimited operation with one less than the total number of channels; the only requirement is to submit a special report if an inoperable function is not restored within 60 days. Deletion of the requirement to submit a Special Report has no effect on the safety of the plant. Not specifying the total number of channels in the TS has no effect on the design of the functions. The functions, including the total number of channels associated with a function, are described in the STP Updated Final Safety Analysis Report (UFSAR). The description in the UFSAR is part of the design basis of the facility as required by GDC-19 when the plant was licensed. The NRC staff finds that the design basis and the configuration of the STP Remote Shutdown System as required by GDC-19 would not be affected by the proposed changes in the TS.

3.2 Revision to TS 3.3.3.5 LCO for the Remote Shutdown System

The licensee has requested a revision to TS 3.3.3.5 LCO to state that the Remote Shutdown System Functions shall be OPERABLE. The revision would delete references to transfer switches, power, controls and monitoring instrumentation channels shown in Table 3.3-9. Current TS 3.3.3.5 Table 3.3-9 lists the Readout location, Transfer Switch location, and Controls location for remote shutdown instrumentation. The proposed change would relocate these requirements to licensee-controlled documents.

GDC-19 requires that remote shutdown capability be provided. The Remote Shutdown System Functions are described in the UFSAR. The definition of OPERABLE in NUREG-1431 states that a system shall be OPERABLE or have OPERABILITY when it is capable of performing its specified safety function(s) and when all necessary attendant instrumentation, controls, electrical power, cooling and seal water, lubrication, and other auxiliary equipment that are required for the system to perform its specified safety function(s) are also capable of performing their related support function. This definition provides adequate guidance for determining what instrumentation and controls are necessary for a particular remote shutdown function. The ability to transfer control of a function from the main control room to the ASP is a required support function by the TS definition of OPERABLE. Therefore, listing specific instrumentation and controls is unnecessary and may lead to needless expenditure of licensee and NRC resources processing license amendments to revise the Remote Shutdown System details in TS Table 3.3-9. These details are not necessary to describe the actual regulatory requirements. Therefore, they can be relocated to TS Bases Table B3.3.5-1 without a significant impact on safety. SR 4.3.3.5.2 still requires the local panel transfer function to be tested which is sufficient to assure that the system will be operable. Relocation of the list of variables to the TS Bases is acceptable because the TS Bases are consistent with the design basis as described in the UFSAR. Changes to the Bases are evaluated in accordance with 10 CFR 50.59 requirements. In addition, precedent for the relocation has been established with TS Task Force (TSTF)-266 and Revision 2 of NUREG-1431 that incorporated TSTF-266 into the Improved TS. Moreover, relocation of the subject list of variables to the TS Bases is acceptable because its inclusion in the TS does not fall within the criteria for mandatory inclusion in the TS in 10 CFR 50.36(c)(2)(ii). The NRC staff finds that sufficient regulatory controls exist under the regulations to maintain the effect of the provisions in these Bases.

Based on the above evaluation, the NRC staff finds that the proposed change and method for controlling future changes to the Bases lists of instrumentation and controls is acceptable.

3.3 Revision to TS 3.3.3.5 Action a.

The licensee has proposed a revision to TS 3.3.3.5 ACTION a. to delete the references to transfer switches, power or controls and monitoring instrumentation as shown in the associated Table 3.3-9. The ACTION will be simplified to state the entry condition for the action as "With one or more required channels of one or more Remote Shutdown System Functions inoperable, restore the inoperable Function(s) to OPERABLE status within 30 days, or be in HOT STANDBY within the next 6 hours and in HOT SHUTDOWN within the following 6 hours." A note would be added to permit "Separate condition entry is allowed for each Function."

The NRC staff commented that the use of the terms "function" and "channel" in the proposed TS were not clear and the application of the TS might not be clear to the operator. In response to the NRC staff's comment, in the licensee's supplement dated June 29, 2004, the licensee states that the wording can be clarified. Consequently, the proposed TS 3.3.3.5 ACTION a. wording has been revised.

The proposed deletion of the references to transfer switches, power or controls and monitoring instrumentation is acceptable for the reasons discussed in Section 3.2, herein. With regard to adding a note of "Separate condition entry is allowed for each Function," the current TS would permit separate entry into the required action should more than one function be inoperable. Without the proposed note, the proposed new wording could be interpreted not to allow separate entry for each function; thus, entry into the required actions for an inoperable channel of a second function would result in a plant shutdown per LCO 3.0.3. The proposed note is consistent with NUREG-1431. The NRC staff finds the proposed note acceptable.

The proposed change in action time from 7 days to 30 days is based on operating experience and the low probability of an event occurring that would require the control room to be evacuated. It is also supported by the STP probabilistic risk assessment. In addition, precedent for the extending the AOT to 30 days has been established with TSTF-266 and Revision 2 of NUREG-1431 that incorporated TSTF-266 into the Improved TS. The NRC staff finds that this proposed change is acceptable.

3.4 Deletion of TS 3.3.3.5 Action b.

The licensee's proposed deletion of TS 3.3.3.5 ACTION b. would eliminate the requirement to prepare a Special Report if a channel of a Remote Shutdown System Function is inoperable for more than 60 days.

Deletion of this requirement will not decrease the safety of the plant and reports will be submitted when required by applicable regulations. The Licensee Event Report system (10 CFR 50.73) requires that any significantly degraded plant safety condition be reported to the NRC. This requirement would include inoperability of a channel of a Remote Shutdown System Function. In addition, the precedent for absence of a Special Report requirement if a channel of Remote Shutdown System Function is inoperable for more than 60 days has been established with TSTF-266 and Revision 2 of NUREG-1431 that incorporated TSTF-266 into the Improved TS. The NRC staff finds that this proposed change is acceptable.

3.5 Re-lettering TS 3.3.3.5 Action c. as Action b.

Since the NRC staff concludes that TS 3.3.3.5 Action b. should be deleted, TS 3.3.3.5 Action c should be re-lettered as Action b. to maintain continuity within the TS. This change is editorial in nature and has no other effect on the requirements for the Remote Shutdown System in the TS. Accordingly, this proposed change is acceptable.

3.6 Deletion of TS Table 3.3.9 from the TS and Relocation of the Information to the TS Bases.

The licensee has proposed that TS Table 3.3-9 be deleted and the list of required Remote Shutdown System equipment be contained, in the TS Bases Table 3.3.5-1. The deletion of TS Table 3.3-9 is acceptable for reasons presented in Section 3.2, herein.

3.7 Revise the Requirements for Decay Heat Removal in the Information Relocated to the Bases to Allow the Use of AFW Flow or SG Level Instead of Both as in Current TS Table 3.3-9

The licensee has proposed a revision to the requirements for decay heat removal in the information relocated to the TS Bases to allow the use of AFW flow or SG level instead of both as in current TS TABLE 3.3-9. By letter dated June 29, 2004, the licensee withdrew the proposed, requested change. The proposed Bases page has been revised accordingly.

3.8 Change the Format of the Information in Bases Table B 3.3.5-1 and Simplify the Remote Shutdown System Information Relocated to the Bases to Show Only the List of Required Functions, Instruments and Control Parameters, and the Required Number of Channels

The licensee has proposed a change to the format of the information in Bases Table B 3.3.5-1 to simplify the Remote Shutdown System information relocated to the Bases in order to show only the list of required functions, instruments and control parameters, and the required number of channels.

By letter dated June 29, 2004, the licensee clarified the new format of the simplified Remote Shutdown System information in TS Bases. The required number of channels in Bases Table B3.3.5-1 is based on the minimum channels operable requirements from the current TS. This is consistent with the current licensing basis requirement for shutdown action as required in the existing ACTION a. The Bases state that ACTION a. is to address "...the situation where one or more required Functions of the Remote Shutdown System are inoperable." If the required number of functions listed in the table are met, STP can achieve safe shutdown from outside the control room in accordance with regulatory requirements and the Remote Shutdown System is OPERABLE.

The NRC staff commented that the use of the terms "function" and "channel" were not clear in the proposed Bases wording and the application of the Bases might not be clear to the operator. In response to the NRC staff's comment, the licensee states that the wording can be clarified. Consequently, in the supplement dated June 29, 2004, the headings of the columns of Table B 3.3.5-1 were revised to "Function" and "Required Number of Channels."

With the above clarification, the NRC staff finds that the proposed change is acceptable.

- 3.9 Revise SR 4.3.3.5.1 to Apply the Channel Check Only to Normally Energized Remote Shutdown System Instrumentation and to Delete the Reference to the Channel Calibration (Moved to New SR 4.3.3.5.3). References to Table 4.3-6 Would be Deleted and TS Table 4.3-6 Would be Deleted

The licensee has proposed a revision to SR 4.3.3.5.1 to apply the channel check only to normally energized Remote Shutdown System instrumentation and to delete the reference to the channel calibration (moved to new SR 4.3.3.5.3). References to TS Table 4.3-6 would be deleted and TS Table 4.3-6 would be deleted.

By letter dated June 29, 2004, the licensee stated that STP included the "normally energized" provision because it is accepted in NUREG-1431. However, none of the STP remote shutdown instrumentation is normally de-energized. The provision would probably be commonly applied to source range neutron flux for Westinghouse plants. STP's design uses extended range neutron flux instrumentation which is not de-energized; monthly channel checks are performed on these instruments. STP proposes to retain the provision to allow flexibility for any future design change. STP does not anticipate any changes to existing surveillance test requirements upon implementation of this proposed change. With the above clarification, the NRC staff finds that the proposed change is acceptable.

With regard to TS Table 4.3-6, the surveillance frequencies would be incorporated in TS 4.3.3.5.1 and new TS 4.3.3.5.3. Accordingly, the reference to TS Table 4.3.3.5.1 in TS 4.3.3.5.1 is no longer needed and the reference and the Table may be deleted.

- 3.10 Add SR 4.3.3.5.3 for Channel Calibration and Add a Note That the Neutron Detectors and Reactor Trip Breaker Indication Are Excluded from Channel Calibration

The licensee has proposed the addition of SR 4.3.3.5.3 for channel calibration and to add a note that the neutron detectors and reactor trip breaker indication are excluded from channel calibration.

The licensee stated that removing the channel calibration requirement from SR 4.3.3.5.1 and inserting it in SR 4.3.3.5.3 is an administrative change. The note makes the Remote Shutdown System TS consistent with the requirements already established for neutron detectors and the reactor trip breakers in current TS Table 4.3-1. Excluding the neutron detectors from channel calibration is consistent with NUREG-1431. The NRC staff finds the proposed changes to the TS acceptable.

- 3.11 Revise TS Index Page vi to Reflect the Deletion of the TS Tables 3.3-9 and 4.3-6

The licensee has proposed a revision to TS Index page vi to reflect the deletion of the TS Tables 3.3-9 and 4.3-6. This change is being made for consistency, does not affect any requirements associated with the Remote Shutdown System, and is acceptable.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve 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 amendments involve no significant hazards consideration, and there has been no public comment on such finding published November 25, 2003 (68 FR 66140). Accordingly, the amendments meet 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 amendments.

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: H. Li
C. Schulten
D. Jaffe

Date: August 20, 2004

South Texas Project, Units 1 & 2

cc:

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