

October 7, 2004

Mr. William T. O'Connor, Jr.
Vice President - Nuclear Generation
Detroit Edison Company
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: FERMI 2 - ISSUANCE OF AMENDMENT RE: TECHNICAL SPECIFICATION
3.3.6.2, "SECONDARY CONTAINMENT ISOLATION INSTRUMENTATION"
(TAC NO. MC2321)

Dear Mr. O'Connor:

The Commission has issued the enclosed Amendment No. 161 to Facility Operating License No. NPF-43 for the Fermi 2 facility. The amendment consists of changes to the Technical Specifications (TSs) in response to your application dated January 30, 2004.

The amendment revises TS 3.3.6.2, "Secondary Containment Isolation Instrumentation", Condition C, to add the words "not met" to the end of the phrase, "Required Action and associated Completion Time." The omission of the words "not met" was an oversight during the change to Improved Standard TSs (NUREG 1433).

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

Sincerely,

/RA/

David P. Beaulieu, Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-341

Enclosures: 1. Amendment No. 161 to NPF-43
2. Safety Evaluation

cc w/encls: See next page

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Fermi 2

cc:

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December 2002

DETROIT EDISON COMPANY

DOCKET NO. 50-341

FERMI 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 161
License No. NPF-43

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the Detroit Edison Company (DECo) dated January 30, 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, 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 2.C.(2) of Facility Operating License No. NPF-43 is hereby amended to read as follows:

Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 161, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. DECo shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

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

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

L. Raghavan, Chief, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: October 7, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 161

FACILITY OPERATING LICENSE NO. NPF-43

DOCKET NO. 50-341

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

REMOVE

3.3-60

INSERT

3.3-60

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 161 FACILITY OPERATING LICENSE NO. NPF-43

DETROIT EDISON COMPANY

FERMI 2

DOCKET NO. 50-341

1.0 INTRODUCTION

By application dated January 30, 2004, the Detroit Edison Company requested changes to the Technical Specifications (TSs) for Fermi 2. The proposed change would revise TS 3.3.6.2, "Secondary Containment Isolation Instrumentation, Condition C, to add the words "not met" to the end of the phrase, "Required Action and associated Completion Time." The words "not met" were inadvertently omitted during TS Amendment No. 134, dated September 30, 1999, that implemented Improved Standard Technical Specification (ISTS), NUREG 1433. This proposed change would correct the statement.

2.0 REGULATORY EVALUATION

The technical content of TS 3.3.6.2 would not be changed as a result of this proposed amendment. Adding the words "not met" to the phrase in TS 3.3.6.2, Condition C, is considered an improvement which corrects an omission that occurred during implementation of the ISTS. Although these words "not met" are implied in Condition C, this proposed amendment would clarify the meaning of this phrase and is judged to have no impact on regulatory requirements or regulatory criteria.

3.0 TECHNICAL EVALUATION

During implementation of the ISTS, the words "not met" were inadvertently omitted from TS 3.3.6.2, Condition C. TS 3.3.6.2 addresses secondary containment isolation instrumentation whose function is to automatically initiate closure of appropriate secondary containment isolation valves, trip the reactor building heating ventilation and air conditioning system, and start the standby gas treatment system to limit fission product release during and following a postulated design-basis accident. The initiation signals are reactor vessel low water level, drywell high pressure, fuel pool ventilation exhaust high radiation, and manual initiation.

The proposed change corrects the omission error by adding the words "not met," to TS 3.3.6.2, Condition C, so that the revised Condition C would read "Required Action and associated Completion Time not met." The revised Condition C wording is the same wording used in ISTS, NUREG 1433. This proposed change will not impact the technical content or implementation of TS 3.3.6.2.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The 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 34698). 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.

Principal Contributor: D. Beaulieu

Date: October 7, 2004