

October 1, 2004

Mr. James Scarola, Vice President
Shearon Harris Nuclear Power Plant
Carolina Power & Light Company
Post Office Box 165, Mail Code: Zone 1
New Hill, North Carolina 27562-0165

SUBJECT: SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1 - ISSUANCE OF
AMENDMENT RE: SURVEILLANCE REQUIREMENT 4.0.5.a AND USE OF ASME
OM CODE FOR VISUAL EXAMINATION OF SNUBBERS (TAC NO. MC3165)

Dear Mr. Scarola:

The Nuclear Regulatory Commission has issued Amendment No. 117 to Facility Operating License No. NPF-63 for the Shearon Harris Nuclear Power Plant, Unit 1 (HNP). This amendment changes the Technical Specifications in response to your application dated May 5, 2004, as supplemented by letter dated August 6, 2004.

The amendment adds a reference to the American Society of Mechanical Engineers (ASME) *Code for Operation and Maintenance of Nuclear Power Plants* (OM Code) in Technical Specification Surveillance Requirement (SR) 4.0.5.a for the snubbers. These changes reflect the fact that the snubber requirements previously contained in Subsection IWF of the ASME *Boiler and Pressure Vessel* (BPV) Code, Section XI, have been replaced by requirements in Subsection ISTD of the ASME OM Code.

In addition to the license amendment, you also requested our approval to use a portion of the 1995 Edition with 1996 Addenda of the OM code, Subsection ISTD for the visual examination of snubbers at HNP, pursuant to 10 CFR 50.55a(g)(4)(iv). The applicable Code of record for inservice testing and examination of snubbers at HNP is the 1989 Edition of the ASME *BPV Code*, Section XI, Subsection IWF-5000.

The NRC staff has concluded that the use of the 1995 Edition including the 1996 Addenda of the OM Code, Subsection ISTD as they relate to visual examination requirements in the ISTD in place of the requirements in the 1989 Edition of the ASME Code, Section XI, paragraph IWF-5000 is consistent with the requirements in 10 CFR 50.55a as modified by 10 CFR 50.55a(b)(3)(v). Therefore, with the approval of SR 4.0.5.a, no specific approval is required pursuant to 10 CFR 50.55a(g)(4)(iv). Preservice and inservice examination must be performed using the VT-3 visual examination method defined in IWA-2213.

A copy of the related Safety Evaluation is enclosed. Notice of Issuance will be included in the Commission's regular bi-weekly Federal Register notice.

Sincerely,

/RA/

Chandu P. Patel, Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-400

Enclosures:

1. Amendment No. 117 to NPF-63
2. Safety Evaluation

cc w/enclosures:

See next page

October 1, 2004

A copy of the related Safety Evaluation is enclosed. Notice of Issuance will be included in the Commission's regular bi-weekly Federal Register notice.

Sincerely,
/RA/

Chandu P. Patel, Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
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Docket No. 50-400

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cc w/enclosures: See next page
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CAROLINA POWER & LIGHT COMPANY, et al.

DOCKET NO. 50-400

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 117
License No. NPF-63

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Carolina Power & Light Company, (the licensee), dated May 5, 2004, as supplemented by letter dated August 6, 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-63 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 117, are hereby incorporated into this license. Carolina Power & Light Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

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

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Michael L. Marshall, Acting Chief, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: October 1, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 117

FACILITY OPERATING LICENSE NO. NPF-63

DOCKET NO. 50-400

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 Page

3/4 0-2

Insert Page

3/4 0-2

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO 117 TO FACILITY OPERATING LICENSE NO. NPF-63

CAROLINA POWER & LIGHT COMPANY

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1

DOCKET NO. 50-400

1.0 INTRODUCTION

By letter dated May 5, 2004, as supplemented by letter dated August 6, 2004, the Carolina Power & Light Company (the licensee) submitted a request for changes to the Shearon Harris Nuclear Power Plant, Unit 1 (HNP), Technical Specifications (TS). The requested change would revise TS Surveillance Requirement (SR) 4.0.5.a.

In addition to the license amendment, the licensee also requested Nuclear Regulatory Commission (NRC) approval to use a portion of the 1995 Edition with 1996 Addenda of the American Society of Mechanical Engineers (ASME) *Code for Operation and Maintenance of Nuclear Power Plants* (OM Code), Subsection ISTD for the visual examination of dynamic restraints (snubbers) at HNP, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) paragraph 50.55a(g)(4)(iv). The applicable Code of record for inservice testing (IST) and examination of snubbers at HNP is the 1989 Edition of the ASME *Boiler and Pressure Vessel* (B&PV) Code, Section XI, Subsection IWF-5000.

The proposed TS change adds a reference to the ASME OM Code in TS SR 4.0.5.a for snubbers at HNP. This change reflects the fact that the snubber requirements previously contained in Subsection IWF of the ASME B&PV Code, Section XI have been replaced by requirements in Subsection ISTD of the ASME OM Code.

The August 6, 2004, letter provided clarifying information that did not change the scope of the proposed amendment as described in the original notice of proposed action published in the *Federal Register* and did not change the initial proposed no significant hazards consideration determination.

2.0 REGULATORY EVALUATION

The *Code of Federal Regulations*, 10 CFR 50.55a(f)(5)(ii) and (g)(5)(ii), requires that, if a revised IST or inservice inspection (ISI) program for a facility conflicts with the TS for the facility, the licensee shall apply to the Commission for amendment of the TS to conform the TS to the revised program. The licensee shall submit this application, as specified in 10 CFR 50.4, at least 6 months before the start of the period during which the provisions become applicable, as determined by 10 CFR 50.55(f)(4) or (g)(4).

The *Code of Federal Regulations*, 10 CFR 50.55a(g)(4)(iv), requires that inservice examination of components and system pressure tests may meet the requirements set forth in subsequent editions and addenda that are incorporated by reference in paragraph (b) of this section, subject to the limitations and modifications listed in paragraph (b) of this section, and subject to Commission approval. Portions of editions or addenda may be used provided that all related requirements of the respective editions or addenda are met.

3.0 TECHNICAL EVALUATION

3.1 Specific Request for Changing TS SR 4.0.5.a

TS SR 4.0.5.a is being revised to reflect the applicability of ASME Section XI to the conduct of ISI and IST activities, and to allow use of the ASME OM Code for the visual examination of snubbers. The change will be accomplished by referencing the applicable Code and Addenda for these activities as required by 10 CFR 50.55a.

The revised TS SR 4.0.5.a is as follows (proposed changes are underlined):

Inservice inspection of ASME Code Class 1, 2, and 3 components (including supports and attachments) and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(f) or (g) as modified by 10 CFR 50.55a(b)(3)(v), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(f)(6)(i) or Section 50.55a(g)(6)(i).

The licensee is proposing a TS amendment to TS SR 4.0.5.a in order to use the ASME OM Code for the visual examination of snubbers pursuant to 10 CFR 50.55a(b)(3)(v). The current TS SR 4.0.5.a directs that IST activities be conducted in accordance with ASME Section XI. Therefore, revision of TS SR 4.0.5.a is requested to reflect the applicable test Codes specified in 10 CFR 50.55a(b)(3)(v).

3.1.1 Evaluation of TS SR 4.0.5.a Amendment

The existing TS SR 4.0.5a is related to ISI of ASME Code Class 1, 2, and 3 components (including supports) and IST of ASME Code Class 1, 2, and 3 pumps and valves. SR 4.0.5a states that IST shall be performed in accordance with Section XI of the ASME B&PV Code and applicable addenda as required by 10 CFR 50.55(a).

The proposed change to TS SR 4.0.5a states “inservice inspection of ASME Code Class 1, 2, and 3 components (including supports and attachments) and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(f) or (g) as modified by 10 CFR 50.55a(b)(3)(v), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(f)(6)(i) or Section 50.55a(g)(6)(i).”

The addition of the wording “including supports and attachment” for ISI associated with components and changing the wording from “as required by 10 CFR 50.55a” to “as required by

10 CFR 50.55a, Section 50.55a(f) or (g) as modified by 10 CFR 50.55a(b)(3)(v),” does not change the meaning or purpose of TS SR 4.0.5a and does not relinquish the licensee of its responsibility to perform ISI and IST as required by TS and the Code. The wording change is to allow the licensee to use the ASME OM Code for the visual examination of snubbers.

The modification in 10 CFR 50.55a(b)(3)(v) states that licensees may use Subsection ISTD, 1995 Edition through the latest edition and addenda incorporated by reference in paragraph (b)(3) of 10 CFR 50.55a (i.e., the 2000 Addenda at the time of issuance of this safety evaluation) in place of the requirements for snubbers in Section XI, IWF-5200(a) and (b) and IWF-5300(a) and (b) by making appropriate changes to their TS or licensee-controlled documents. However, the modification in paragraph 10 CFR 50.55a(b)(3)(v) also states that the preservice and inservice examinations must be performed using the VT-3 visual examination method described in IWA-2213 of ASME Code, Section XI.

Therefore, these proposed changes are acceptable to the NRC staff.

3.1.2 Use of ASME OM Code Subsection ISTD (1995 Edition with 1996 Addenda) in lieu of OM-4 Code (1987 Edition with 1988 Addenda) for visual examination of snubbers.

The licensee requested to perform visual examination of snubbers in accordance with the 1995 Edition through the 1996 Addenda of the OM Code, Subsection ISTD as an alternative to the requirements of the OM-4 Standard (1987 Edition through the 1988 Addenda). The licensee states that HNP will use all related requirements of the respective edition and addenda in the ASME OM Code 1995 Edition through the 1996 Addenda.

The licensee requested NRC approval to use a portion of a more recent edition and addenda of the ASME OM Code for IST and examination of dynamic restraints (snubbers) pursuant to 10 CFR 50.55a(g)(4)(iv). The applicable Code of record for the IST and examination of snubbers at HNP is the 1989 Edition of the ASME B&PV Code, Section XI, Subsection IWF-5000. The 1989 ASME Code, Section XI states in part that inservice examinations shall be performed in accordance with ASME/ANSI OM-1987, Part 4. The licensee requested approval to use the 1995 Edition up to and including the 1996 Addenda of the ASME OM Code, Subsection ISTD, "Preservice and Inservice Examination and Testing of Dynamic Restraints (Snubbers) in Light Water Reactor Power Plants."

The regulation in 10 CFR 50.55a(g)(4)(iv) states that inservice examination of components and system pressure tests may meet the requirements set forth in subsequent editions and addenda that are incorporated by reference in 10 CFR 50.55a(b), subject to NRC approval. Portions of editions or addenda may be used provided that all related requirements of the respective editions or addenda are met. The 1995 Edition and 1996 Addenda to the ASME OM Code was incorporated by reference into 10 CFR 50.55a(b) on September 22, 1999 (64 FR 51370) and became effective on November 22, 1999. In this amended rulemaking, a modification was added in 10 CFR 50.55a(b)(3)(v) to allow the use of Subsection ISTD in lieu of the requirements for snubbers in Section XI, IWF-5200 (a) and (b) and IWF-5300 (a) and (b), by making appropriate changes to the TS or licensee-controlled documents. The modification further required that the preservice and inservice examinations must be performed using the VT-3 visual examination method described in IWA-2213 of ASME Code, Section XI.

Consistent with the provisions of 50.55a(g)(4)(iv) as modified by 50.55a(b)(3)(v), no specific approval is required by the NRC to use Subsection ISTD, and the licensee may use the 1995 Edition up to and including the 1996 Addenda of the ASME OM Code, Subsection ISTD.

The NRC staff concludes that the use of the 1995 Edition including the 1996 Addenda of the OM Code, Subsection ISTD in place of the requirements in the 1989 Edition of the ASME Code, Section XI, paragraph IWF-5000 is consistent with the requirements in 10 CFR 50.55a as modified by 10 CFR 50.55a(b)(3)(v). The preservice and inservice examinations must be performed using the VT-3 visual examination method described in IWA-2213 of ASME Code, Section XI, as required by 10 CFR 50.55a(b)(3)(v).

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a surveillance requirement. 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 34697). 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: G. S. Bedi

Date: October 1, 2004

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