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March 14, 2005

U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

ATTENTION: Document Control Desk

SUBJECT: Duke Energy Corporation
Oconee Nuclear Station Units 1, 2 and 3
Docket Nos. 50-269, 50-270, and 50-287
Application For Technical Specification Improvement To Eliminate Requirements For Post-Accident Sampling Systems (PASS) for Babcock and Wilcox Reactors Using The Consolidated Line Item Improvement Process
Technical Specification Change (TSC) 2003-10

Pursuant to 10CFR50.90, attached is a Duke Energy Corporation ("Duke") license amendment request (LAR) for the Oconee Nuclear Station Facility Operating License and Technical Specifications.

The proposed amendment would remove the programmatic requirements for the Post Accident Sampling System from the Oconee Technical Specification (TS). This change is in partial agreement with NRC approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Traveler, TSTF-442, "Elimination of Requirements for a Post Accident Sampling System (PASS)." In order to satisfy the requirement of the emergency operating procedures, Oconee will continue to collect and analyze reactor coolant system (RCS) and containment sump boron samples as the principle means of verifying adequate shutdown margin during design basis accident conditions.

The availability of this technical specification improvement was announced in the Federal Register on May 13, 2003 [68FR25664] as part of the Consolidated Line Item Improvement Process (CLIIP).

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The contents of this amendment package are as follows:

Attachment 1 provides a description of the proposed changes, the requested confirmation of applicability, and plant-specific verifications.

Attachment 2 provides a marked copy of the existing Technical Specifications for Oconee Units 1, 2, and 3. This marked copy shows the proposed change.

Attachment 3 contains reprinted pages of the affected TS page for Oconee.

Attachment 4 provides a summary of the regulatory commitments made in this submittal.

Duke requests an implementation period of 180 days following receipt of NRC approval of the proposed License Amendment Request.

Implementation of this LAR in the Facility Operating Licenses and Technical Specifications will impact the Oconee Updated Final Safety Analysis Report (UFSAR) and Site Emergency Plan. Permanent changes to the UFSAR and Emergency Plan will be made in accordance with 10CFR50.71(e) and 10CFR50.54(q), respectively.

In accordance with Duke administrative procedures and the Quality Assurance Program Topical Report, the changes contained in this LAR have been reviewed and approved by the Oconee Plant Operations Review Committee and the Duke Nuclear Safety Review Board.

Pursuant to 10CFR50.91, a copy of this proposed amendment is being sent to the appropriate State of South Carolina official. Inquiries on this matter should be directed to Reene' Gambrell at (864) 885-3364.

Very truly yours,

R. A. Jones
Vice President
Oconee Nuclear Site

R. A. Jones, being duly sworn, affirms that he is the person who subscribed his name to the foregoing statement, and that all matters and facts set forth herein are true and correct to the best of his knowledge.

R. A. Jones, Vice President, Oconee Nuclear Site

Subscribed and sworn to me: March 14, 2005
Date

Sheila A. Smith, Notary Public

My commission expires: 6/12/2013

SEAL

xc w/Attachments:

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U. S. Nuclear Regulatory Commission
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Attachment 1

Oconee Units 1, 2, and 3 Technical Specifications
and
Description and Assessment

1.0 DESCRIPTION

The proposed License Amendment removes the program requirements of Technical Specification (5.5.4) "Post Accident Sampling."

The changes are in partial agreement with NRC approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Traveler, TSTF-442, "Elimination of Requirements for a Post Accident Sampling System (PASS)." In order to satisfy the requirement of the emergency operating procedures, Oconee will continue to collect and analyze reactor coolant system (RCS) and containment sump boron samples as the principle means of verifying adequate shutdown margin during design basis accident conditions.

The availability of this technical specification improvement was announced in the Federal Register on May 13, 2003 [68FR25664] as part of the consolidated line item improvement process (CLIIP).

2.0 ASSESSMENT

2.1 Applicability of Published Safety Evaluation

Duke has reviewed the safety evaluation published on March 3, 2003 [68FR10052] as part of the Consolidated Line Item Improvement Process (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). Duke has concluded that the justifications presented in the TSTF proposal and the safety evaluation prepared by the NRC staff justify this amendment request.

2.2 Optional Changes and Variations

Requirements for installing and maintaining PASS were included in a confirmatory order for Oconee issued on March 18, 1983. This amendment request includes superseding the requirements imposed by that confirmatory order.

Duke will continue to collect and analyze reactor coolant system (RCS) and containment sump boron samples as the principle means of verifying adequate shutdown margin during design basis accident conditions in order to satisfy the requirement of the emergency operating procedures. During accident conditions

requiring letdown isolation, Duke may rely upon portions of the PASS system to collect boron samples. These actions will be controlled through station procedures.

There are no underlying reliability issues associated with the deletion of the programmatic requirements for the PASS system from the Oconee TS, nor will any safety functions be adversely affected by the implementation of the requested change. Programmatic requirements for sampling and analysis are controlled in accordance with applicable Oconee administrative procedures.

3.0 REGULATORY ANALYSIS

3.1 No Significant Hazards Determination

Duke has reviewed the proposed no significant hazards consideration determination published on March 3, 2003 [68FR10052] as part of the CLIIP. Duke has concluded that the proposed determination presented in the notice is applicable to the Oconee Nuclear Station and the determination is hereby incorporated by reference to satisfy the requirements of 10CFR50.91(a).

3.2 Verification and Commitments

As discussed in the model safety evaluation published in the Federal Register on March 3, 2003 for this technical specification improvement, plant-specific verifications were performed and commitments are made as follows:

1. Oconee will develop and maintain contingency plans for obtaining and analyzing highly radioactive samples of reactor coolant, containment sump, and containment atmosphere. The contingency plans will be contained in chemistry and radiation protection procedures and implemented 180 days after amendment approval consistent with the overall implementation schedule for this LAR. The establishment of these contingency plans is considered a regulatory commitment.

2. Oconee has established and will maintain the capability to classify fuel damage events at the Alert level threshold at radioactivity levels ≥300 μCi/ml dose equivalent iodine. This capability is described in the Oconee emergency plan and applicable implementing procedures. The capability for classifying fuel damage events is considered a regulatory commitment.

3. Oconee has verified that it has the ability to assess radioactive iodines released to offsite environs. The capability for monitoring iodines will be maintained within the Oconee emergency plan and applicable emergency procedures. The capability to monitor radioactive iodines is considered a regulatory commitment.

4.0 ENVIRONMENTAL EVALUATION

Duke has reviewed the environmental evaluation included in the model safety evaluation published on March 3, 2003 [68FR10052] as part of the CLIIP. Duke has concluded that the staff's findings presented in that evaluation are applicable to the Oconee Nuclear Station and the evaluation is hereby incorporated by reference for this application.

Attachment 2

Oconee Units 1, 2, and 3 Technical Specifications

Marked Copy

5.5 Programs and Manuals (continued)

5.5.3 Primary Coolant Sources Outside Containment

This program provides controls to minimize leakage from those portions of systems outside containment that could contain highly radioactive fluids during a serious transient or accident to levels as low as practicable. These systems include High Pressure Injection, Low Pressure Injection, Reactor Building Spray, Gaseous Waste Disposal, Makeup and Purification, Chemical Addition and Sampling, and Coolant Treatment. The program shall include the following:

a. Preventive maintenance and periodic visual inspection requirements; and

b. Integrated leak test requirements for each system at refueling cycle intervals or less.

5.5.4 Post Accident Sampling DELETED

This program provides controls that ensure the capability to obtain and analyze reactor coolant, radioactive iodines and particulates in plant gaseous effluents, containment atmosphere samples and airborne iodine concentrations in vital areas under accident conditions. The program shall include the following:

a. Training of personnel;

b. Procedures for sampling and analysis; and

c. Provisions for maintenance of sampling and analysis equipment.

5.5.5 Radioactive Effluent Controls Program

This program conforms to 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 shall be contained in UFSAR Chapter 16, shall be implemented by procedures, and shall include remedial actions to be taken whenever the program limits are exceeded. The program shall include the following elements:

a. Limitations on the functional capability of radioactive liquid and gaseous monitoring instrumentation including surveillance tests and setpoint determination in accordance with the methodology in the ODCM;

b. Limitations on the concentrations of radioactive material released in liquid effluents to unrestricted areas, conforming to ten times 10 CFR Part 20.1001 - 20.2401, Appendix B, Table 2, Column 2;

Attachment 3

Oconee Units 1, 2, and 3 Technical Specifications

Reprinted Version

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5.5 Programs and Manuals (continued)

5.5.3 Primary Coolant Sources Outside Containment

This program provides controls to minimize leakage from those portions of systems outside containment that could contain highly radioactive fluids during a serious transient or accident to levels as low as practicable. These systems include High Pressure Injection, Low Pressure Injection, Reactor Building Spray, Gaseous Waste Disposal, Makeup and Purification, Chemical Addition and Sampling, and Coolant Treatment. The program shall include the following:

a. Preventive maintenance and periodic visual inspection requirements; and

b. Integrated leak test requirements for each system at refueling cycle intervals or less.

5.5.4 DELETED

5.5.5 Radioactive Effluent Controls Program

This program conforms to 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 shall be contained in UFSAR Chapter 16, shall be implemented by procedures, and shall include remedial actions to be taken whenever the program limits are exceeded. The program shall include the following elements:

a. Limitations on the functional capability of radioactive liquid and gaseous monitoring instrumentation including surveillance tests and setpoint determination in accordance with the methodology in the ODCM;

b. Limitations on the concentrations of radioactive material released in liquid effluents to unrestricted areas, conforming to ten times 10 CFR Part 20.1001 - 20.2401, Appendix B, Table 2, Column 2;

Attachment 4

List of Regulatory Commitments

The following table identifies those actions committed to by Duke in this document. Any other statements in this submittal are provided for informational purposes and are not considered to be regulatory commitments. Please direct questions regarding these commitments to Reene' Gambrell at (864) 885-3364.

REGULATORY COMMITMENTS	Due Date/Event
Oconee will develop and maintain contingency plans for obtaining and analyzing highly radioactive samples of reactor coolant, containment sump, and containment atmosphere. The contingency plans will be contained in chemistry and radiation protection procedures and implemented 180 days after amendment approval consistent with the overall implementation schedule for this LAR. The establishment of these contingency plans is considered a regulatory commitment.	180 days from date of approval
Oconee has established and will maintain the capability for classifying fuel damage events at the Alert level threshold at the radioactivity levels of ≥300 μCi/ml dose equivalent iodine. This capability is described in the Oconee emergency plan and applicable implementing procedures. The capability for classifying fuel damage events is considered a regulatory commitment.	Complete
Oconee has established and will maintain the capability to monitor radioactive iodines that have been released to offsite environs. This capability is described in the Oconee emergency plan and applicable emergency procedures. The capability to monitor radioactive iodines is considered a regulatory commitment.	Complete