

July 7, 2005

Mrs. Mary G. Korsnick
Vice President
R. E. Ginna Nuclear Power Plant, LLC
1503 Lake Road
Ontario, NY 14519

SUBJECT: R. E. GINNA NUCLEAR POWER PLANT - AMENDMENT RE: REVISION TO
DIESEL FUEL OIL REQUIREMENTS (TAC NO. MC5440)

Dear Mrs. Korsnick:

The Commission has issued the enclosed Amendment No. 91 to Renewed Facility Operating License No. DPR-18 for the R. E. Ginna Nuclear Power Plant. This amendment is in response to your application dated December 20, 2004.

This amendment revises the sampling and testing requirements in Technical Specification 5.5.12, "Diesel Fuel Oil Testing Program," which verify the acceptability of new diesel oil for use, prior to addition to the storage tanks, and to stored fuel oil.

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

Sincerely,

/RA/

Patrick D. Milano, Sr. Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-244

Enclosures: 1. Amendment No. 91 to Renewed License No. DPR-18
2. Safety Evaluation

cc w/encls: See next page

R.E. Ginna Nuclear Power Plant

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Accession Number: ML051590030

OFFICE	PDI-1\PM	PDI-1\LA	EMCG\SC	OGC	PDI-1\SC
NAME	PMilano	SLittle	LLund	KKannler	JBoska for RLaufer
DATE	6/20/05	6/20/05	05/09/05	7/06/05	7/06/05

Official Record Copy

DATED: July 7, 2005

AMENDMENT NO. 91 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-18 GINNA
NUCLEAR POWER PLANT

PUBLIC
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T. Boyce
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G. Hill (2)
ACRS

cc: Plant Service list

R.E. GINNA NUCLEAR POWER PLANT, LLC

DOCKET NO. 50-244

R. E. GINNA NUCLEAR POWER PLANT

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 91
Renewed License No. DPR-18

1. The Nuclear Regulatory Commission (the Commission or the NRC) has found that:
 - A. The application for amendment filed by the R.E. Ginna Nuclear Power Plant, LLC (the licensee) dated December 20, 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 Renewed Facility Operating License No. DPR-18 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 91, 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 its issuance and shall be implemented within 90 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by JBoska for/

Richard J. Laufer, Chief, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: July 7, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 91

RENEWED FACILITY OPERATING LICENSE NO. DPR-18

DOCKET NO. 50-244

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

5.5-1
5.5-2
5.5-3
5.5-4
5.5-5
5.5-6
5.5-7
5.5-8
5.5-9
5.5-10

Insert

5.5-1
5.5-2
5.5-3
5.5-4
5.5-5
5.5-6
5.5-7
5.5-8
5.5-9
5.5-10

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 91 TO RENEWED FACILITY

OPERATING LICENSE NO. DPR-18

R. E. GINNA NUCLEAR POWER PLANT, INC.

R. E. GINNA NUCLEAR POWER PLANT

DOCKET NO. 50-244

1.0 INTRODUCTION

By letter dated December 20, 2004 (Agencywide Document Access and Management System (ADAMS) Accession No. ML043630376), R. E. Ginna Nuclear Power Plant, LLC (the licensee) submitted a request for changes to the R. E. Ginna Nuclear Power Plant Technical Specifications (TSs) for the emergency diesel generator (EDG). These requested changes would revise the fuel oil sampling and testing requirements in TS 5.5.12, "Diesel Fuel Oil Testing Program," which verify the acceptability of new diesel oil for use, prior to addition to the storage tanks, and to stored fuel oil.

2.0 REGULATORY EVALUATION

The regulatory requirements for which the Nuclear Regulatory Commission (NRC) staff based its acceptance are:

The Ginna Updated Final Safety Analysis Report (UFSAR) states that the minimum permissible onsite inventory is 10,000 gallons. This minimum inventory is maintained to ensure that both EDGs can operate at their design ratings for 24 hours. This also ensures that both EDGs can carry the design loads of engineered safeguards equipments for any loss-of-coolant accident for at least 40 hours. Each EDG is provided with fuel by a 350-gallon day tank. Each day tank is normally supplied from its 6000 gallon underground storage tank. The fuel oil storage and transfer system surveillance tests and conditions are provided in the TSs.

Section 3.1.2 of the Ginna UFSAR describes the conformance of the Ginna Station to certain criteria in the 1972 version of the General Design Criteria (GDC), as set forth in Appendix A to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR). GDC 17, "Electric Power Systems," in Appendix A to 10 CFR Part 50 in part requires the provision for an onsite electric power system to permit the functioning structures, systems, and components important to safety. The safety function of the onsite electric power system is to provide sufficient capacity and capability to: (1) prevent exceeding fuel design limits and design conditions of the reactor coolant pressure boundary in the event of anticipated operational occurrences; and (2) maintain

core cooling and containment integrity and other vital functions in the event of postulated accidents. Typically, the EDG system is the alternating current power system relied upon to meet the onsite emergency electrical power requirements. The diesel fuel oil storage and transfer system is integral to the support of the EDG system.

Regulatory Guide (RG) 1.9, "Selection, Design, Qualification, and Testing of Emergency Diesel Generator Units Used as Class 1E Onsite Electric Power Systems at Nuclear Power Plants," and RG 1.137 Fuel-Oil Systems for Standby Diesel Generators provide regulatory positions with regard to EDG engines and fuel oil system design criteria and features applicable to GDC 17 compliance.

3.0 TECHNICAL EVALUATION

3.1 Background

The acceptability of the diesel fuel oil is tested to determine whether new or stored fuel oil has been contaminated with substances that would have an immediate, detrimental impact on engine combustion. TS Surveillance Requirement (SR) 3.8.3.3 verifies that the fuel oil properties of new and stored fuel oil are tested in accordance with, and maintained within the limits of, the diesel fuel oil testing program.

3.2 Proposed Changes to TS 5.5.12

In its December 20, 2004, application, the licensee proposed the following changes in the sampling and testing requirements, and acceptance criteria, for both new and stored fuel oil in TS 5.5.12.

- a. TS 5.5.12.a provides requirements for determining the acceptability of new fuel oil for use prior to addition to storage tanks. In particular, TS 5.5.12.a.3 currently requires that the fuel oil to have "a clear and bright appearance with proper color."

The licensee proposes to revise TS 5.5.12.a.3 to state: "a clear and bright appearance with proper color or a water and sediment content within limits."

- b. TS 5.5.12 does not currently include a stored fuel oil requirement to test for particulate contamination.

The licensee proposes to add a new TS 5.5.12.c that will state: "Total particulate concentration of the fuel oil is #10 mg/l when tested every 92 days."

- c. TS 5.5.12 does not currently include a discussion of surveillance exceptions.

The licensee proposes to revise TS 5.5.12 by adding "The provisions of SR 3.0.2 and SR 3.0.3 are applicable to the Diesel Fuel Oil Testing Program test frequencies."

3.3 Staff Evaluation

The licensee proposed three changes to the administrative controls in TS 5.5.12, which contains a description of the Diesel Fuel Oil Test Program. The proposed changes will include sampling and testing requirements and acceptance criteria for fuel oil in accordance with applicable American Society for Testing and Materials (ASTM) standards. In the first TS change, the licensee's proposed change provides the option of, in addition to the clear and bright appearance test, performing a water and sediment content test to verify the acceptability of new diesel fuel oil for use following addition to the storage tanks. The proposed change will modify the method for testing new fuel oil by permitting the acceptability of the fuel oil to be determined based on its water and sediment content rather than by performing a visual inspection to confirm a "clear and bright" appearance as described in ASTM D-2276. Diesel fuel oil has a high sulfur content and is dyed in accordance with Environmental Protection Agency (EPA) requirements. The presence of this dye does not permit use of the color scale in the "clear and bright" visual test. For this reason, an alternate method of testing for water and sediment, such as a centrifuge, is necessary. This method of testing will yield more meaningful information regarding the fuel oil quality. The licensee has determined that ASTM D2709 ("Test Method for Water and Sediment in Distillate Fuels by Centrifuge") or ASTM D1796 ("Standard Method for Water and Sediment in Fuel Oils by the Centrifuge Method, Laboratory Procedure") are acceptable standards for the water and sediment test.

In the second change, the licensee proposed the inclusion of a test for particulate concentration of the stored fuel oil. The proposed requirement states that total particulate concentration of the fuel oil is to be #10 mg/l when tested every 92 days. The proposed frequency of 92 days is consistent with the frequency previously approved by the NRC staff in a safety evaluation for the Millstone Power Station, Unit 2, dated July 25, 2003 (ADAMS Accession No. ML031640541).

The licensee proposed a third change to TS 5.5.12 to add a statement that would apply the provisions of SR 3.0.2 and SR 3.0.3 to the diesel fuel oil testing frequencies. SR 3.0.2 establishes the requirement for meeting a surveillance frequency and any required action with a completion time that required the periodic performance of the required action on a "once per..." interval. SR 3.0.3 establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits when a surveillance has not been completed within the specified frequency. This addition is consistent with the NRC-approved Revision 3 to NUREG-1431, "Standard Technical Specifications Westinghouse Plants."

Currently, the licensee's Diesel Fuel Oil Testing Program is in TS 5.0, "Administrative Controls" section. The NRC staff finds that the changes to TS 5.5.12 proposed by the licensee are consistent with NUREG-1431, except for the 92 days frequency of the particulate concentration test. Although this frequency is not consistent with NUREG-1431, it had been approved by the NRC in a previous license amendment for the Millstone Power Station because the frequency of this test takes into consideration fuel oil degradation trends that indicate that particulate concentration is unlikely to change significantly between surveillance intervals. Therefore, the NRC staff finds that the proposed changes are acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York 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 installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and 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 (70 FR 19117). 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: Y. Diaz-Castillo

Date: July 7, 2005