June 28, 2005

Mr. C. J. Gannon
Vice President
Brunswick Steam Electric Plant
Carolina Power & Light Company
Post Office Box 10429
Southport, North Carolina 28461

SUBJECT: BRUNSWICK STEAM ELECTRIC PLANT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENT ON TECHNICAL SPECIFICATION 3.4.5, REACTOR COOLANT SYSTEM LEAKAGE DETECTION INSTRUMENTATION (TAC NOS. MC7216 AND MC7217)

Dear Mr. Gannon:

The Commission has issued the enclosed Amendment No. 237 to Facility Operating License No. DPR-71 and Amendment No. 265 to Facility Operating License No. DPR-62 for Brunswick Steam Electric Plant, Units 1 and 2. These amendments revise the Technical Specifications (TS) in response to your application dated May 17, 2005.

The amendments revise the TS to replace the existing requirement of TS 3.4.5, "RCS Leakage Detection Instrumentation," Required Action D. 1, to enter Limiting Condition for Operation (LCO) 3.0.3 if required leakage detection systems are inoperable with the requirement to be in Mode 3 within 12 hours and Mode 4 within 36 hours.

A copy of the related Safety Evaluation is also enclosed.

Sincerely,

/RA/

Brenda L. Mozafari, Senior Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-325
and 50-324

Enclosures:
1. Amendment No. 237 to License No. DPR-71
2. Amendment No. 265 to License No. DPR-62
3. Safety Evaluation

cc w/enclosures: See next page

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ADAMS Accession No.: ML051590501 Package: ML051730286
Enclosure 1: ML051800155 Enclosure 2: ML051800162 *NLO NRR-058

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SUBJECT: BRUNSWICK STEAM ELECTRIC PLANT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENT ON TECHNICAL SPECIFICATION 3.4.5, REACTOR COOLANT SYSTEM LEAKAGE DETECTION INSTRUMENTATION (TAC NOS. MC7216 AND MC7217)

Dated: June 28, 2005

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CAROLINA POWER & LIGHT COMPANY

DOCKET NO. 50-325

BRUNSWICK STEAM ELECTRIC PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 237
License No. DPR-71

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment filed by Carolina Power & Light Company (the licensee), dated May 17, 2005, 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. DPR-71 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 237, are hereby incorporated in the license. Carolina Power & Light Company 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 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Michael L. Marshall, Jr., 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: June 28, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 237

FACILITY OPERATING LICENSE NO. DPR-71

DOCKET NO. 50-325

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	Insert Page
3.4-10	3.4-10

CAROLINA POWER & LIGHT COMPANY

DOCKET NO. 50-324

BRUNSWICK STEAM ELECTRIC PLANT, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 265
License No. DPR-62

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment filed by Carolina Power & Light Company (the licensee), dated May 17, 2005, 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. DPR-62 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. , are hereby incorporated in the license. Carolina Power & Light Company 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 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Michael L. Marshall, Jr., 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: June 28, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 265

FACILITY OPERATING LICENSE NO. DPR-62

DOCKET NO. 50-324

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	Insert Page
3.4-10	3.4-10

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 237 TO FACILITY OPERATING LICENSE NO. DPR-71

AND AMENDMENT NO. 265 TO FACILITY OPERATING LICENSE NO. DPR-62

CAROLINA POWER & LIGHT COMPANY

BRUNSWICK STEAM ELECTRIC PLANT, UNITS 1 AND 2

DOCKET NOS. 50-325 AND 50-324

1.0 INTRODUCTION

By application dated May 17, 2005 [ADAMS Accession No. ML051440310], Carolina Power & Light Company (the licensee), also doing business as Progress Energy Carolinas, Inc., submitted a request for changes to the Brunswick Steam Electric Plant (BSEP), Units 1 and 2, Technical Specifications (TS). The proposed change would replace the existing requirement of Technical Specification (TS) 3.4.5, Required Action D.1, to enter limiting condition for operation (LCO) 3.0.3 if required reactor coolant system (RCS) leakage detection systems are inoperable. In lieu of entry into LCO 3.0.3, the unit will be placed in Mode 3 within 12 hours and in Mode 4 within 36 hours.

On May 13, 2005, the licensee submitted a written notice of enforcement discretion (NOED) request to waive compliance with Required Action D.1 of TS 3.4.5 for Unit 1. The need for the NOED arose when emergency bus E1 tripped unexpectedly, ultimately resulting in inoperability of the RCS leakage detection systems. The requested NOED waived compliance with Required Action D.1 of TS 3.4.5. In lieu of the requirements of TS 3.4.5, Required Action D.1, the licensee proposed Unit 1 continue to adhere to the requirements of TS 3.8.7, "Distribution Systems - Operating," which required the unit to be in Mode 3 within 12 hours and Mode 4 within 36 hours. The verbal NOED was granted by the NRC on May 12, 2005, in response to the licensee's May 12, 2005, verbal NOED request. On May 12, 2005, Unit 1 restored operability to the RCS leakage detection systems and exited TS 3.4.5. In the May 13, 2005, written NOED request, the licensee committed to submit a follow-up exigent amendment request by May 17, 2005, addressing the existing Required Action D.1 of TS 3.4.5. This exigent amendment request dated May 17, 2005, fulfills the requirement for the request for exigent processing of the proposed amendment as indicated in NRC Inspection Manual Part 9900, "Operations - Notices of Enforcement Discretion."

2.0 REGULATORY EVALUATION

The BSEP design was reviewed for construction under the "General Design Criteria for Nuclear Power Plant Construction" issued for comment by the Atomic Energy Commission in July 1967, and the licensee is committed to meet the intent of the General Design Criteria (GDC), published in the *Federal Register* on May 21, 1971, as Appendix A to Title 10 of the *Code of*

Federal Regulations (10 CFR) Part 50. Criterion 30, "Quality of reactor coolant pressure boundary," requires that means be provided for detecting and, to the extent practical, identifying the location of the source of reactor coolant leakage.

Regulatory Guide (RG) 1.45, "Reactor Coolant Pressure Boundary Leakage Detection Systems,"
describes acceptable methods of implementing this requirement with regard to the selection of leakage detection systems for the reactor coolant boundary. The position of RG 1.45 is that at least three different detection methods should be employed. Two of these methods should be: (1) sump level and flow monitoring, and (2) airborne particulate radioactivity monitoring. The third method may involve either monitoring of condensate flow rate from air coolers or monitoring of gaseous radioactivity. The regulatory guide recommends that the sensitivity and response time of each leakage detection system employed for unidentified leakage should be adequate to detect a leakage rate or its equivalent of 1 gallon per minute (gpm) in less than 1 hour.

Section 5.2.5, "Detection of Leakage Through Reactor Coolant System Boundary," of the BSEP Updated Final Safety Analysis Report (UFSAR) provides details associated with the leakage detection systems in use at BSEP. TS 3.4.5 establishes LCOs for three of these systems: (1) the
drywell floor drain sump flow monitoring system, (2) the primary containment atmosphere particulate monitoring system, and (3) the primary containment atmosphere gaseous monitoring system. Each of the TS 3.4.5-required leakage detection systems is designed with the capability
of detecting leakage less than the leakage rate limits established in TS 3.4.4, "RCS Operational Leakage," and providing appropriate alarm and/or indication of excess leakage in the control room.

As discussed in the UFSAR, drywell pressure, drywell temperature, cooling water temperature to
and from the primary containment atmosphere coolers, and reactor water level also provide a means for detecting leaks within the primary containment.

3.0 TECHNICAL EVALUATION

The existing TS 3.4.5, Required Action D.1, places the plant in Mode 2 within 7 hours, Mode 3 within 13 hours, and Mode 4 within 37 hours (i.e., the LCO 3.0.3 shutdown completion times) if all required leakage detection systems are inoperable. The proposed change would place the plant in Mode 3 within 12 hours and Mode 4 within 36 hours under the same conditions. This is essentially the same completion times as currently exist, with the exception of eliminating the 7 hours to Mode 2 requirement. The net effect would be to allow a unit to operate for five additional hours in Mode 1 (i.e., 12 hours to be in Mode 3 versus 7 hours to be in Mode 2) with no operable TS-required leakage detection systems. Additionally, the Modes of Applicability for TS 3.4.5 are Modes 1, 2,
and 3. The proposed change results in exiting the Modes of Applicability for RCS leakage detection instrumentation 1 hour earlier (i.e., 36 hours to be in Mode 4 versus 37 hours per the existing TS 3.4.5, Required Action D.1).

The proposed shutdown requirements and completion times for inoperability of the TS 3.4.5-required leakage detection systems will remain as conservative as those currently imposed by TS 3.4.4 for actual RCS operational leakage in excess of TS requirements. TS 3.4.4, Required
Action A.1, allows 8 hours to reduce RCS leakage to within limits if actual leakage occurs in excess of the established TS limits. If this is not accomplished or if pressure boundary leakage exists, the plant must be brought to Mode 3 within 12 hours and Mode 4 within 36 hours in

accordance with TS 3.4.4, Required Actions B.1 and B.2. The Bases for Required Actions B.1 and B.2 state that allowed completion times are reasonable, based on operating experience, to reach the required plant conditions from full-power conditions in an orderly manner and without challenging plant safety systems.

The Basis for TS 3.4.5, Required Action D.1, states that with all required RCS leakage detection
monitors inoperable, no required automatic means of monitoring leakage are available, and immediate plant shutdown in accordance with LCO 3.0.3 is required. However, loss of all TS-required RCS leakage monitoring capability is clearly a less degraded condition than experiencing actual RCS leakage in excess of TS-established limits. In addition, although not required by TS, drywell pressure, drywell temperature, cooling water temperature to and from the primary containment atmosphere coolers, and reactor water level also provide a means for detecting leaks within the primary containment. In the unlikely event of increased RCS leakage, abnormal operating procedure 0AOP-014, "Abnormal Primary Containment Conditions," provides direction to control room operators regarding response to symptoms such as increased drywell temperature and pressure. In addition, emergency core cooling system (ECCS), reactor protection system (RPS) and primary and secondary containment isolation automatic actuations all occur based on high drywell pressure and/or low vessel water level. These systems continue to be available to mitigate the consequences of a loss-of-coolant event.

In summary, the proposed change eliminates the unnecessarily restrictive shutdown requirements
of entering LCO 3.0.3 when all TS-required leakage detection systems are inoperable while maintaining the existing level of safety by imposing shutdown requirements that are as conservative as those currently imposed by TS 3.4.4 for actual RCS operational leakage in excess of TS requirements. The net effect of this change is to allow a unit to operate for 5 additional hours in Mode 1 while exiting the Modes of Applicability for RCS leakage detection instrumentation 1 hour earlier (i.e., 36 hours to be in Mode 4 versus 37 hours per the existing TS 3.4.5, Required Action D.1). Elimination of the intermediate 7 hours to Mode 2 requirement, imposed by LCO 3.0.3, allows the unit to reach the Mode 3 from full-power conditions in an orderly manner and without challenging plant safety systems.

Based on the low probability of an event occurring during the defined completion time associated with this condition, the proposed change maintains the necessary safety features and is, therefore, acceptable to the NRC staff.

The licensee stated that associated changes to the Bases Section for TS 3.4.5 will be made in accordance with the Bases Control Program defined by TS 5.5.11. The NRC staff agrees that the TS Bases Control Program is the appropriate process for updating the affected TS Bases pages.

4.0 STATEMENT OF EXIGENT CIRCUMSTANCES

In order to fulfill the NRC's requirement for the request for exigent processing of the proposed amendment as indicated in NRC Inspection Manual Part 9900, "Operations - Notices of Enforcement Discretion," following NRC's granting of a verbal NOED on May 12, 2005, (documented in a letter to the NRC on May 13, 2005), the licensee requested exigent processing of the license amendment request in its application dated May 17, 2005. The application constituted a timely submittal for the amendments according to the NRC's NOED process. However, to meet the licensee's requested date in accordance with the NRC's NOED policy, a 14-day public comment period was provided in accordance with the provisions of 10 CFR 50.91(a)(6): where the Commission finds that exigent circumstances exist, in that a licensee and the Commission must act quickly and that time does not permit the Commission to publish a *Federal Register* notice (FRN) allowing 30 days for prior public comment, and it also determines that the amendment involves no significant hazards considerations, it may issue an FRN providing notice of an opportunity for hearing and allowing at least 2 weeks from the date of the notice for prior public comment. The NRC staff issued an exigent proposed no significant hazards consideration determination, which was published in the *Federal Register* on June 13, 2005 (70 FR 34161).

5.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission's regulations of 10 CFR 50.92 state that the Commission may make a final determination that a license amendment involves no significant hazards considerations, if operation of the facility, in accordance with the proposed amendment would not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated, (2) create the possibility of a new or different kind of accident from any previously evaluated, or (3) involve a significant reduction in the margin of safety.

These amendments have been evaluated by the licensee against the standards in 10 CFR 50.92(c) as follows:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

   Response: No

   The proposed change replaces the existing requirement of TS 3.4.5, Required Action D.1 to enter LCO 3.0.3 if required leakage detection systems are inoperable with the requirement to be in Mode 3 within 12 hours and Mode 4 within 36 hours. This is accomplished by deleting Condition D and including the "all required leakage detection systems inoperable" statement in Condition C.

The proposed change does not involve physical changes to any plant structure, system, or component. As a result, no new failure modes of the RCS leakage detection systems are being introduced. Additionally, the RCS leakage detection systems have no impact on any initiating event frequency. Therefore, the proposed change cannot increase ... the probability [of] a previously evaluated accident.

The consequences of a previously analyzed accident are dependent on the initial conditions assumed for the analysis, the behavior of the fuel during the analyzed accident, the availability and successful functioning of the equipment assumed to operate in response to the analyzed event, and the setpoints at which these actions are initiated. The RCS leakage detection systems do not perform an accident mitigating function. ECCS, RPS, and primary and secondary containment isolation actuations all occur based on high drywell pressure and/or low vessel water level. The proposed change has no impact on any setpoints or functions related to these actuations. Therefore, the proposed change cannot increase ... the consequences [of] a previously evaluated accident.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

   Response: No

   The proposed change eliminates the unnecessarily restrictive shutdown requirements of entering LCO 3.0.3 when all TS required leakage detection systems are inoperable. No installed equipment is being operated in a different manner. There is no alteration to the parameters within which the plant is normally operated or in the setpoints that initiate protective or mitigative actions. As a result no new failure modes are being introduced. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

   Response: No

   The proposed change maintains the existing level of safety by imposing shutdown requirements that are as conservative as those currently imposed by TS 3.4.4 for actual RCS operational leakage in excess of TS requirements. The net effect of this change is to allow a unit to operate for five additional hours in Mode 1 with no operable TS required leakage detection systems, while exiting the Mode of Applicability for RCS leakage detection instrumentation 1 hour earlier (i.e., 36 hours to be in Mode 4 versus 37 hours per the existing TS 3.4.5, Required Action D.1). Elimination of the intermediate 7 hours to Mode 2 requirement, imposed by LCO 3.0.3, allows the unit to reach the Mode 3 from full power conditions in an orderly manner and without challenging plant safety systems. Therefore, the proposed change does not result in a significant reduction in the margin of safety.

Based on the NRC staff's analysis of the licensee's review, the NRC staff has determined that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff concludes that these amendments involve no significant hazards consideration.

6.0 STATE CONSULTATION

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

7.0 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 (70 FR 34161). 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.

8.0 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 Contributors: Brenda Mozafari

Date: June 28, 2005

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