September 29, 2005

Mr. M. R. Blevins
Senior Vice President
& Chief Nuclear Officer
TXU Power
ATTN: Regulatory Affairs
P. O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION (CPSES), UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS RE: REACTOR TRIP SYSTEM AND ENGINEERED SAFETY FEATURES ACTUATION SYSTEM INSTRUMENTATION (TAC NOS. MC6482 AND MC6483)

Dear Mr. Blevins:

The Commission has issued the enclosed Amendment No. 121 to Facility Operating License No. NPF-87 and Amendment No. 121 to Facility Operating License No. NPF-89 for CPSES, Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated March 24, 2005.

The amendments revise TS 3.3.1 entitled "Reactor Trip System (RTS) Instrumentation" and TS 3.3.2 entitled "Engineered Safety Feature Actuation System (ESFAS) Instrumentation" Required Action Notes to reflect the wording in Standard TSs (STSs) for plants with bypass capability as discussed in TS Task Force Traveler 418, Revision 2.

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

Sincerely,

***/RA/***

Mohan C. Thadani, Senior Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosures: 1. Amendment No. 121 to NPF-87
2. Amendment No. 121 to NPF-89
3. Safety Evaluation

cc w/encls: See next page

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TXU GENERATION COMPANY LP

COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 1

DOCKET NO. 50-445

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 121
License No. NPF-87

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

   A. The application for amendment by TXU Generation Company LP dated March 24, 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, as amended, 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 license 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-87 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 121, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated into this license. TXU Generation Company LP shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

***/RA/***

David Terao, Chief, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: September 29, 2005

TXU GENERATION COMPANY LP

COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 2

DOCKET NO. 50-446

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 121
License No. NPF-89

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

   A. The application for amendment by TXU Generation Company LP dated March 24, 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, as amended, 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 license 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-89 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 121, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated into this license. TXU Generation Company LP 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 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

***/RA/***

David Terao, Chief, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: September 29, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 121

TO FACILITY OPERATING LICENSE NO. NPF-87

AND AMENDMENT NO. 121

TO FACILITY OPERATING LICENSE NO. NPF-89

DOCKET NOS. 50-445 AND 50-446

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 | Insert |
|---|---|
| 3.3-3 | 3.3-3 |
| 3.3-4 | 3.3-4 |
| 3.3-6 | 3.3-6 |
| 3.3-22 | 3.3-22 |
| 3.3-23 | 3.3-23 |
| 3.3-25 | 3.3-25 |

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 121 TO

FACILITY OPERATING LICENSE NO. NPF-87

AND AMENDMENT NO. 121 TO

FACILITY OPERATING LICENSE NO. NPF-89

TXU GENERATION COMPANY LP

COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2

DOCKET NOS. 50-445 AND 50-446

## 1.0 INTRODUCTION

By application dated March 24, 2005, (Agencywide Documents and Access Management System Accession No. ML050910152), TXU Generation Company LP (the licensee), requested changes to the Technical Specifications (TSs) for Comanche Peak Steam Electric Station (CPSES), Units 1 and 2.

The proposed changes would revise TS 3.3.1 entitled "Reactor Trip System (RTS) Instrumentation" and TS 3.3.2 entitled "Engineered Safety Feature Actuation System (ESFAS) Instrumentation" Required Action Notes to reflect the wording in Standard TSs (STSs) for plants with channel bypass capability as discussed in TS Task Force Traveler 418, Revision 2.

In 1996, by License Amendment Nos. 47 and 33, the licensee added a Note to its TSs 3.3.1 and 3.3.2, incorporating the channel bypass capabilities of the CPSES, Unit 1 and Unit 2 protection systems. In 1999, the licensee converted to the STSs but the STSs did not address the provisions of channel bypass capabilities of the pressurized water reactors' (PWRs') protection systems. Consequently, the relaxations of channel bypass capabilities were not included in the CPSES TSs. The channel bypass capabilities of PWRs were later incorporated in the revised STS (NUREG-1431, Revision 3) for incorporation in the Westinghouse PWRs with channel bypass capabilities. In the proposed license amendment, the licensee intends to revise CPSES TSs 3.3.1 and 3.3.2 to incorporate the NRC approved relaxations and standard wording in the STSs, regarding the Required Action Notes for Westinghouse PWRs with channel bypass capabilities.

## 2.0 REGULATORY EVALUATION

In Attachment 1, Section 5.2, of the March 24, 2005, submittal, the licensee identified the following as the Applicable Regulatory Requirements/Criteria:

Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix A, General Design Criterion (GDC) 2, "Design bases for protection against natural phenomena," requires that structures, systems, and components important to safety shall be designed to withstand the effects of natural phenomena such as earthquakes, tornadoes, hurricanes, floods, tsunami, and seiches without loss of capability to perform their safety functions.

Appendix A of 10 CFR Part 50, GDC 4, "Environmental and dynamic effects design bases," requires structures, systems, and components important to safety shall be designed to accommodate the effects of and to be compatible with the environmental conditions associated with normal operation, maintenance, testing, and postulated accidents, including loss-of-coolant accidents. These structures, systems, and components shall be appropriately protected against dynamic effects, including the effects of missiles, pipe whipping, and discharging fluids, that may result from equipment failures and from events and conditions outside the nuclear power unit. However, dynamic effects associated with postulated pipe ruptures in nuclear power units may be excluded from the design basis when analyses reviewed and approved by the Commission demonstrate that the probability of fluid system piping rupture is extremely low under conditions consistent with the design basis for the piping.

Appendix A of 10 CFR Part 50, GDC 13, "Instrumental and control," requires that instrumentation and control shall be provided to monitor variables and systems over their anticipated ranges for normal operation, for anticipated operational occurrences (AOOs), and for accident conditions as appropriate to assure adequate safety, including those variables and systems that can affect the fission process, the integrity of the reactor core, the reactor coolant pressure boundary, and the containment and its associated systems.

Appendix A of 10 CFR Part 50, GDC 20, "Protection system functions," requires that the protection system shall be designed (1) to initiate automatically the operation of appropriate systems including the reactivity control systems, to assure that specified acceptable fuel design limits are not exceeded as a result of AOOs and (2) to sense accident conditions and to initiate the operation of systems and components important to safety.

Appendix A of 10 CFR Part 50, GDC 21, "Protection system reliability and testability," requires that the protection system shall be designed for high functional reliability and testability.

Appendix A of 10 CFR Part 50, GDC 22, "Protection system independence," GDC 23, "Protection system failure modes," GDC24, "Separation of protection and control systems," GDC 25, "Protection system requirements for reactivity control malfunctions," and GDC 29, "Protection against anticipated operational occurrences," require various design attributes for the protection system(s), including independence, safe failure modes, separation from control systems, requirements for reactivity control malfunctions, and protection against AOOs.

Regulatory Guide 1.22 discusses an anticipated method of satisfying GDC 20 and GDC 21 regarding the periodic testing of protection system actuation functions. These periodic tests should duplicate, as closely as practicable, the performance for protection systems to assure they satisfy the single failure criterion.

The NRC staff used the Commission's regulatory requirements for TS changes set forth in 10 CFR 50.36 for this evaluation. Specifically, 10 CFR 50.36(c)(3) requires that the TS contain requirements to test, calibrate, or inspect to assure that the necessary quality of systems and

components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met.

## 3.0 TECHNICAL EVALUATION

Currently the Notes in the Required Action column for Conditions D, E, M, and O of TS 3.3.1, and the Notes in the same column for Conditions D, E, I, and K of TS 3.3.2, are not consistent with the discussion in TS Bases LCO 3.0.2, and do not reflect the wording in the STSs. The current statement for Condition D of TS 3.3.1 reads: "The inoperable channel or another channel may be bypassed for up to 12 hours for surveillance testing and setpoint adjustment of other channels." The current Notes for Conditions E, M, and O of TS 3.3.1, and Conditions D and I of TS 3.3.2 reads: "The inoperable channel or another channel may be bypassed for up to 12 hours for surveillance testing of other channels." The current Notes for Conditions E and K of TS 3.3.2 reads: "One additional channel may be bypassed for up to 12 hours for surveillance testing."

The proposed Notes for Condition D of TS 3.3.1 states, "One channel may be bypassed for up to 12 hours for surveillance testing and set point adjustment." The proposed Notes for Conditions E, M, and O of TS 3.3.1, and Conditions D, E, I, and K of TS 3.3.2 states, "One channel may be bypassed for up to 12 hours for surveillance testing." Both of these Notes are verbatim with STSs for plants with installed bypass capability.

The NRC staff has reviewed the licensee's request. The NRC staff finds that the current Notes in the CPSES TSs 3.3.1 and 3.3.2, which are quoted above, could be confusing, and are not consistent with the Notes in the STSs.

The NRC staff reviewed the proposed changes to the statements in the Required Action column for Conditions D, E, M, and O of TS 3.3.1 and for Conditions D, E, I, and K of TS 3.3.2 and the associated Bases and finds that the TSTF-418, Revision 2 (WCAP-14333) allowance of 12 hours test (bypass) time frame is unchanged with the proposed change to RTS and ESFAS Required Action Notice; and revising the current statements to conform with the previously approved version of STSs is consistent with TSTF-418. The NRC staff concludes that the proposed changes to TS 3.3.1 and TS 3.3.2 are acceptable.

## 4.0 STATE CONSULTATION

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

## 5.0 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 published April 26, 2005 (70 FR 21464). 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.

## 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 amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: S. Muzumdar

Date: September 29, 2005

Comanche Peak Steam Electric Station

cc:

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