

September 27, 2005

Mr. Christopher M. Crane  
President and Chief Nuclear Officer  
Exelon Nuclear  
Exelon Generation Company, LLC  
200 Exelon Way, KSA 3-E  
Kennett Square, PA 19348

SUBJECT: LIMERICK GENERATING STATION, UNITS 1 AND 2 - ISSUANCE OF  
AMENDMENT RE: CHANGES TO CONTROL ROD REQUIREMENTS  
(TAC NOS. MC3847 AND MC3848)

Dear Mr. Crane:

The Commission has issued the enclosed Amendment No. 178 to Facility Operating License No. NPF-39 and Amendment No. 140 to Facility Operating License No. NPF-85 for the Limerick Generating Station, Units 1 and 2. These amendments consist of changes to the Technical Specifications (TSs) in response to your application dated July 22, 2004, as supplemented by letters dated December 3, 2004, and September 20, 2005.

These amendments revise the control rod (CR) operability and surveillance requirements specified in TS 3/4.1.3, "Control Rods." Specifically, the changes (1) exclude a fully inserted immovable CR from the shutdown action statement, and (2) limit the 24-hour exercise test of other CRs to a one-time occasion following detection of an immovable CR. The September 20, 2005, supplement withdrew the portion of your original request for changes to eliminate consideration of control rod drive water pressure in the action statement.

A copy of our safety evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

*/RA/*

Travis L. Tate, Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-352 and 50-353

Enclosures: 1. Amendment No. 178 to  
License No. NPF-39  
2. Amendment No. 140 to  
License No. NPF-85  
3. Safety Evaluation

cc w/encls: See next page

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Dear Mr. Crane:

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These amendments revise the control rod (CR) operability and surveillance requirements specified in TS 3/4.1.3, "Control Rods." Specifically, the changes (1) exclude a fully inserted immovable CR from the shutdown action statement, and (2) limit the 24-hour exercise test of other CRs to a one-time occasion following detection of an immovable CR. The September 20, 2005, supplement withdrew the portion of your original request for changes to eliminate consideration of control rod drive water pressure in the action statement.

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cc w/encls: See next page

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EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-352

LIMERICK GENERATING STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 178  
License No. NPF-39

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Exelon Generation Company, LLC (the licensee) dated July 22, 2004, as supplemented by letters dated December 3, 2004, and September 20, 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. NPF-39 is hereby amended to read as follows:

Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 178, are hereby incorporated in the license. Exelon Generation Company 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 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Darrell J. Roberts, Chief, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the  
Technical Specifications

Date of Issuance: September 27, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 178

FACILITY OPERATING LICENSE NO. NPF-39

DOCKET NO. 50-352

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

3/4 1-3

3/4 1-5

Insert

3/4 1-3

3/4 1-5

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-353

LIMERICK GENERATING STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 140  
License No. NPF-85

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Exelon Generation Company, LLC (the licensee) dated July 22, 2004, as supplemented by letters dated December 3, 2004, and September 20, 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. NPF-85 is hereby amended to read as follows:

Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 140, are hereby incorporated in the license. Exelon Generation Company 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 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Darrell J. Roberts, Chief, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the  
Technical Specifications

Date of Issuance: September 27, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 140

FACILITY OPERATING LICENSE NO. NPF-85

DOCKET NO. 50-353

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

3/4 1-3

3/4 1-5

Insert

3/4 1-3

3/4 1-5

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 178 AND 140 TO FACILITY OPERATING

LICENSE NOS. NPF-39 AND NPF-85

EXELON GENERATION COMPANY, LLC

LIMERICK GENERATING STATION, UNITS 1 AND 2

DOCKET NOS. 50-352 AND 50-353

1.0 INTRODUCTION

By application dated July 22, 2004, as supplemented by letters dated December 3, 2004, and September 20, 2005, Exelon Generation Company, LLC (Exelon or the licensee) requested changes to the technical specifications (TSs) for Limerick Generating Station, Units 1 and 2 (LGS). The supplement dated September 20, 2005, withdrew a portion of the original request from consideration by the Nuclear Regulatory Commission (NRC or the Commission).

The proposed changes would revise the operability and surveillance requirements (SRs) in TS 3/4.1.3, "Control Rods." Specifically, the proposed changes would revise the Limiting Condition for Operation (LCO) action statement in TS 3.1.3.1.a and the SRs in TS 4.1.3.1.2.b. The proposed changes would (1) exclude a fully inserted immovable control rod (CR) from the shutdown action statement, and (2) limit the 24-hour exercise test of other CRs to a one-time occasion following detection of an immovable CR.

In the original July 22, 2004, application, Exelon requested a change to TS 3.1.3.1.b.1.b, which would eliminate consideration of control rod drive (CRD) water pressure in the action statement. By letter dated December 3, 2004, Exelon provided additional justification for its proposed change in response to the NRC's request for additional information (RAI) dated October 8, 2004. Following further discussions with the NRC staff, by letter dated September 20, 2005, Exelon requested that the proposed change to TS 3.1.3.1.b.1.b be withdrawn from staff consideration. A discussion of the proposed change to TS 3.1.3.1.b.1.b is provided in Section 3.3 below.

2.0 REGULATORY EVALUATION

Appendix A to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "General Design Criteria (GDC) for Nuclear Power Plants," establishes minimum requirements for the principal design criteria for water-cooled nuclear power plants. The CRD System is designed to satisfy the requirements of Criterion 26, "Reactivity control system redundancy and capability"; Criterion 27, "Combined reactivity control systems capability"; Criterion 28, "Reactivity limits"; and Criterion 29, "Protection against anticipated operational occurrences," of the GDC. GDC 26 requires that two independent reactivity control systems of different design principles be provided. Further, GDC 26 requires that one of the systems use CRs capable of reliably

controlling reactivity changes to assure that under conditions of normal operation, including anticipated operational occurrences (AOOs), and with appropriate margin for malfunctions such as stuck CRs, specified acceptable fuel design limits are not exceeded. GDC 27 requires that reactivity control systems be designed to have a combined capability, in conjunction with poison addition by the emergency core cooling system, of reliably controlling reactivity changes to assure that under postulated accident conditions and with appropriate margin for stuck rods, the capability to cool the core is maintained. GDC 28 requires that reactivity control systems be designed with appropriate limits on the potential amount and rate of reactivity increase to assure that the effects of postulated reactivity accidents can neither (1) result in damage to the reactor coolant pressure boundary greater than limited local yielding, nor (2) sufficiently disturb the core, its support structures or other reactor pressure vessel internals to impair significantly the capability to cool the core. GDC 29 requires the protection and reactivity control systems be designed to assure an extremely high probability of accomplishing their safety functions in the event of AOOs.

NUREG-1433, Rev. 3, "Standard Technical Specifications, General Electric Plants, BWR [boiling water reactor]/4," (STS) contains the improved STSs for General Electric plants. This publication is the result of extensive public technical meetings and discussions among the NRC staff and various nuclear power plant licensees, Nuclear Steam Supply System Owners Groups, and the Nuclear Energy Institute. The improved STS were developed based on the criteria in the Final Commission Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors, dated July 22, 1993 (58 FR 39132), which was subsequently codified by changes to 10 CFR 50.36 (60 FR 36953). The improved STSs are used as the basis for developing improved plant-specific TSs and support the review of requests made in accordance with this regulatory guide. Licensees adopting portions of the improved STSs to existing TSs should adopt all related requirements as applicable, to achieve a high degree of standardization and consistency.

CRs are components of the CRD system, which is the primary reactivity control system for the reactor. In conjunction with the reactor protection system, the CRD system provides the means for the reliable control of reactivity changes to ensure under conditions of normal operation, including AOOs, that specified acceptable fuel design limits are not exceeded. In addition, the CRs provide the capability to hold the reactor core subcritical under all conditions and to limit the potential amount and rate of reactivity increase caused by a malfunction in the CRD System.

### 3.0 TECHNICAL EVALUATION

#### 3.1 Proposed TS Changes

In its application, the licensee proposed the following changes to the LGS TSs.

##### Change 1

Revise TS 3.1.3.1.a action statement as follows:

- Insert "withdrawn" before "control rod" in TS action statement 3.1.3.1.a, and
- Insert "withdrawn" before "control rod" and "control rods" in TS action statement 3.1.3.1.a.1.a, and

- Delete “if withdrawn” from TS action statement 3.1.3.1.a.1.a, and
- Insert “withdrawn” before “control rod” in TS action statement 3.1.3.1.a.2.

#### Change 2

Delete “by drive water pressure within the normal operating range” from TS action statement 3.1.3.1.b.1.b.

#### Change 3

Revise TS 4.1.3.1.2.b surveillance requirements by replacing “At least once per 24 hours when any” with “Within 24 hours from discovery that a”

### 3.2 TS 3.1.3.1.a

The NRC staff has reviewed the proposed changes to TS 3.1.3.1.a. The proposed changes would modify the LCO by removing the required actions for fully-inserted CRs that are inoperable due to being immovable. Additionally, the proposed changes would modify the LCO by removing the required action to restore a fully-inserted CR that is inoperable to OPERABLE status within 48 hours or be in at least HOT SHUTDOWN within the next 12 hours. The staff reviewed other CR requirements in the LGS TSs that are not part of the proposed changes to determine the required actions for inoperable CRs that are fully inserted. The staff identified that TS 3.1.3.1.b.2 provides the required actions for inoperable CRs that are inserted. In this condition, TS 3.1.3.1.b.2 requires, within 1 hour, to disarm the associated directional control valves either electrically or hydraulically by closing the drive water and exhaust water isolation valves. Otherwise, the required action is to be in at least HOT SHUTDOWN within the next 12 hours. There are no required actions to restore inoperable CRs that are fully inserted. However, TS 3.1.3.1.c requires the plant to be in at least HOT SHUTDOWN within 12 hours with more than eight CRs inoperable.

Based on the discussion above, the staff determined that the overall impact of the proposed changes on the CR operability LCOs are that the required actions to restore inoperable CRs to OPERABLE within 48 hours or be in HOT SHUTDOWN within the next 12 hours is excluded for inoperable CRs that are fully inserted. The staff finds that the proposed changes remove an overly-restrictive requirement to shut down the plant or restore the CR operability since an inoperable CR that is fully inserted is in a position of maximum contribution to shut down reactivity and has satisfied its safety function. The staff also finds that the proposed changes are similar to the CR operability LCOs in the STS. In addition, the corresponding requirements in the STS do not have a restoration or shutdown action for inoperable CRs that are fully inserted. Therefore, the staff finds the proposed changes to TS 3.1.3.1.a are acceptable.

### 3.3 TS 3.1.3.1.b.1.b

In its application dated July 22, 2004, the licensee proposed a change to TS 3.1.3.1.b.1.b. Specifically, the licensee proposed to delete the words, “by drive water pressure within the normal operating range” from TS 3.1.3.1.b.1.b. The proposed change would eliminate the requirement to maintain drive water pressure within the normal operating range during CR insertion capability testing upon discovery of a CR that is inoperable but “trippable.” The licensee stated that, “the proposed change will not impede the ability of the surveillance

requirements to detect control rod degradation, nor inhibit the control rod drive system from performing its designed safety function.” The licensee also stated that the proposed change is consistent with the STSs.

The staff reviewed the licensee’s proposed change to TS 3.1.3.1.b.1.b. During the review, the staff determined that additional information was needed. By letter dated October 8, 2004, the staff requested that the licensee provide an explanation for why the use of a higher CRD pressure is not an indicator of a condition that inhibits the safety function of the CR. The staff also requested that the licensee provide a justification for why the use of a higher CRD pressure, in addition to a condition that results in a CR being declared inoperable, is not the result of CRD degradation that prohibits CR insertion capability. Further, the staff requested that the licensee provide an explanation of the criteria used to declare an inoperable CR as “trippable,” including the impact of the proposed change on the criteria. In the RAI, the staff noted that the LGS TSs and Bases do not define the criteria used to define the term “trippable.” On November 2, 2004, the NRC staff held a conference call with Exelon representatives to further clarify the staff’s RAI. Subsequently, Exelon responded to the staff’s request in a supplement to the original application dated December 3, 2004.

The staff determined that the actions of TS 3.1.3.1.b.1.b. would be required to be performed on CRs that are inoperable due to one or more of the following reasons: a scram time > 7 seconds, the scram accumulator pressure is indicating < 955 psig, the CR is uncoupled from the CRD, a loss of CR position indication, and/or average scram time compliance issues. In accordance with TS 3.1.3.1.b, a CR that could not be inserted using normal drive water pressure would have to be inserted and disabled. The staff also determined that the existing TS 3.1.3.1.b.1.b. requirements in which an inoperable but “trippable” CR maintains the ability to be inserted at least one notch using normal drive water pressure provides reasonable assurance that the CRD piston seals are not degraded and that the CR would perform its intended safety function. In the RAI response, the licensee stated that “a control rod is considered trippable if it is capable of fully inserting upon receipt of a scram signal.” Also, the licensee’s RAI response indicated that the proposed change has no impact on the criteria used to determine whether a CR is “trippable.”

Based on its review of the application and the supplemental information, the staff finds that the licensee’s response did not provide the criteria used to declare inoperable CRs as “trippable” since the response did not explain the criteria used to assure that CRs in this condition are capable of fully inserting. Based on this information, the staff determined that it is not able to assess whether the proposed change impacts the ability of the TSs to provide reasonable assurance that CRs would continue to perform the intended safety function. The staff also determined that the proposed change would leave an inoperable but “trippable” CR in a condition that is not defined by the TSs.

On September 8, 2005, the NRC staff held a conference call with Exelon representatives to discuss the staff’s evaluation of the proposed change. During the call, the licensee indicated that industry operating experience has not indicated that CRs with known problems cannot meet their intended safety function. The licensee also indicated that the CR SRs do not provide restrictions on drive water pressure. The staff indicated that to continue the review of the proposed change based on the information provided, additional information would be needed which includes: (1) operational scram time data for worst case conditions, (2) evaluation of proposed changes against original license basis, (3) criteria used to define CR’s as inoperable,

but “trippable” (or a definition of “normal operating range”).

By letter dated September 20, 2005, the licensee provided a supplement to its application requesting the NRC to withdraw from consideration the proposed change to TS 3.1.3.1.b.1.b. Accordingly, the staff has removed the proposed change from consideration for amendment.

#### 3.4 SR 4.1.3.1.2.b

The staff has reviewed the licensee’s proposed change to SR 4.1.3.1.2.b. Currently, SR 4.1.3.1.2.b requires demonstration of the operability of withdrawn CRs that are immovable as a result of excessive friction or mechanical interference by moving each CR at least one notch every 24 hours. The proposed change would relax the SR by reducing the number of times a CR in this condition is required to be demonstrated as OPERABLE. In accordance with the proposed change, the surveillance would only require the CRs to be moved once within 24 hours from discovery. Once insertion capability is demonstrated, the surveillance would then be performed at least once per seven days instead of every 24 hours. If the surveillance fails, the requirements of TS 3.1.3.1.a would be in effect.

Based on the above discussion, the staff determined that the overall impact of the proposed change is that the surveillance completion time for an immovable CR would be changed to once per seven days instead of every 24 hours following performance of the initial surveillance. Based on operating experience related to changes in CRD performance and the ease of performing notch testing for fully-withdrawn CRs, the staff finds the seven day frequency acceptable. In addition, the proposed change is consistent with the SRs in the STSs. Therefore, the staff finds the proposed change to SR 4.1.3.1.2.b acceptable.

#### 3.5 Conclusion

Based on the discussion above in Sections 3.1, 3.2, and 3.4, the staff concludes that the proposed changes to the LGS TSs 3.1.3.1.a and 4.1.3.1.2.b are acceptable since the proposed changes do not change requirements such that the impact of the change impedes the ability of the LGS TSs to provide reasonable assurance that CRs would perform the intended design safety function. In addition, the staff determined that the proposed changes to TSs 3.1.3.1.a and 4.1.3.1.2.b are consistent with the requirements in the STSs.

In accordance with the licensee’s request by letter dated September 20, 2005, the staff withdrew from consideration the proposed changes to TS 3.1.3.1.b.1.b.

#### 4.0 STATE CONSULTATION

In accordance with the Commission’s regulations, the Pennsylvania State official was notified of the proposed issuance of the amendments. 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 (70 FR 29794). 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 Contributors: J. Hardy  
A. Attard

Date: September 27, 2005