

September 14, 2006

Mr. Karl W. Singer  
Chief Nuclear Officer and  
Executive Vice President  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2 AND 3 — ISSUANCE OF  
AMENDMENTS REGARDING THE INSTRUMENT SETPOINT PROGRAM  
(TAC NOS. MC9518, MC9519, AND MC9520) (TS-453)

Dear Mr. Singer:

The Commission has issued the enclosed Amendment Nos. 257, 296, and 254 to Renewed Facility Operating Licenses Nos. DPR-33, DPR-52 and DPR-68 for the Browns Ferry Nuclear Plant (BFN), Units 1, 2, and 3, respectively. These amendments are in response to your application of January 10, 2006, as supplemented by letters dated April 14, August 1, September 5 and 14, 2006.

This amendment specifies the methodology used for determining, setting, and evaluating as-found setpoints for drift susceptible instruments. Please revise the BFN Updated Final Safety Analysis Report (UFSAR) and the Technical Specification (TS) Bases to reflect these changes. These revisions should include the incorporation of a list of applicable setpoint design output documents in the UFSAR and a statement in the TS Bases that the Limiting Trip Setpoint is the Limiting Safety System Setting as described in the enclosed Safety Evaluation (SE). The NRC staff notes that the instrument setpoints incorporated by reference into the UFSAR can be changed under the provisions of 10 CFR 50.59, "Changes, tests, and experiments."

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

Sincerely,

/RA/

Margaret H. Chernoff, Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-259, 50-260 and 50-296

Enclosures: 1. Amendment No. 257 to DPR-33  
2. Amendment No. 296 to DPR-52  
3. Amendment No. 254 to DPR-68  
4. Safety Evaluation

cc w/enclosures: See next page

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Mr. Karl W. Singer  
Tennessee Valley Authority

**BROWNS FERRY NUCLEAR PLANT**

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TENNESSEE VALLEY AUTHORITY

DOCKET NO. 50-259

BROWNS FERRY NUCLEAR PLANT UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 257  
Renewed License No. DPR-33

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Tennessee Valley Authority (the licensee) dated January 10, 2006, as supplemented by letters dated April 14, August 1, September 5 and 14, 2006, 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-33 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 257, 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 its date of issuance and shall be implemented within 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

L. Raghavan, Chief  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: September 14, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 257

RENEWED FACILITY OPERATING LICENSE NO. DPR-33

DOCKET NO. 50-259

Replace Page 3 of Renewed Operating License DPR-33 with the attached Page 3.

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

3.3-7  
3.3-8  
3.3-42  
3.3-43  
3.3-44  
3.3-45  
3.3-46  
3.3-47  
3.3-51  
3.3-58

INSERT

3.3-7  
3.3-8  
3.3-42  
3.3-43  
3.3-44  
3.3-45  
3.3-46  
3.3-47  
3.3-51  
3.3-58

TENNESSEE VALLEY AUTHORITY

DOCKET NO. 50-260

BROWNS FERRY NUCLEAR PLANT, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 296  
Renewed License No. DPR-52

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Tennessee Valley Authority (the licensee) dated January 10, 2006, as supplemented by letters dated April 14, August 1, September 5 and 14, 2006, 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-52 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 296, 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 its date of issuance and shall be implemented within 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

L. Raghavan, Chief  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: September 14, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 296

RENEWED FACILITY OPERATING LICENSE NO. DPR-52

DOCKET NO. 50-260

Replace Page 3 of Renewed Operating License DPR-52 with the attached Page 3.

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

3.3-8  
3.3-9  
3.3-43  
3.3-44  
3.3-45  
3.3-46  
3.3-47  
3.3-48  
3.3-52  
3.3-59

INSERT

3.3-8  
3.3-9  
3.3-43  
3.3-44  
3.3-45  
3.3-46  
3.3-47  
3.3-48  
3.3-52  
3.3-59

TENNESSEE VALLEY AUTHORITY

DOCKET NO. 50-296

BROWNS FERRY NUCLEAR PLANT, UNIT 3

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 254  
Renewed License No. DPR-68

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Tennessee Valley Authority (the licensee) dated January 10, 2006, as supplemented by letters dated April 14, August 1, September 5 and 14, 2006, 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-68 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 254, 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 its date of issuance and shall be implemented within 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/  
L. Raghavan, Chief  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: September 14, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 254  
RENEWED FACILITY OPERATING LICENSE NO. DPR-68  
DOCKET NO. 50-296

Replace Page 3 of Renewed Operating License DPR-68 with the attached Page 3.

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

3.3-8  
3.3-9  
3.3-43  
3.3-44  
3.3-45  
3.3-46  
3.3-47  
3.3-48  
3.3-52  
3.3-59

INSERT

3.3-8  
3.3-9  
3.3-43  
3.3-44  
3.3-45  
3.3-46  
3.3-47  
3.3-48  
3.3-52  
3.3-59

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 257 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-33

AMENDMENT NO. 296 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-52

AMENDMENT NO. 254 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-68

TENNESSEE VALLEY AUTHORITY

BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2, AND 3

DOCKET NOS. 50-259, 50-260, AND 50-296

1.0 INTRODUCTION

By letter dated January 10, 2006, as supplemented by letters dated April 14, August 1, September 5 and 14, 2006, the Tennessee Valley Authority (TVA, the licensee) submitted a request for changes to the Browns Ferry Nuclear Plant (BFN), Units 1, 2, and 3 Technical Specifications (TSs). The requested changes would specify the methodology used for determining, setting, and evaluating as-found instrument setpoints for drift-susceptible instruments. The licensee states that the application includes instruments that are either necessary to ensure compliance with a Safety Limit (SL) or critical in ensuring the fuel peak cladding temperature acceptance criterion of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.46, "Acceptance criteria for emergency core cooling system for light water nuclear power reactors," is met.

The supplements dated April 14, August 1, September 5 and 14, 2006, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the U.S. Nuclear Regulatory Commission (NRC) staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on March 8, 2006 (71 FR 15487).

2.0 REGULATORY EVALUATION

The following regulatory bases and guidance documents are applicable to the systems discussed in the license amendment application.

Criterion 13, "Instrumentation and Control," of Appendix A, "General Design Criteria for Nuclear Power Plants," to 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," requires, among other things, that instrumentation be provided to monitor variables and systems and that controls be provided to maintain these variables and systems within prescribed operating ranges.

Criterion 20, "Protection System Functions," of Appendix A to 10 CFR Part 50 requires, among other things, that the protection system be designed to initiate operation of appropriate systems to ensure that specified acceptable fuel design limits are not exceeded.

Paragraph (c) (1)(i)(A) of 10 CFR 50.36, "Technical Specifications," defines safety limits as limits on important process variables that are found to be necessary to reasonably protect the integrity of the physical barriers that guard against the uncontrolled release of radioactivity.

Paragraph (c)(1)(ii)(A) of 10 CFR 50.36, "Technical Specifications," requires that the TSs include Limiting Safety System Settings (LSSSs). This paragraph specifies, among other things, that "Where a limiting safety system setting is specified for a variable on which a safety limit has been placed, the setting must be so chosen that automatic protective action will correct the abnormal situation before a safety limit is exceeded." Accordingly, limits for instrument channels that initiate protective functions must be included in the TSs.

Regulatory Guide 1.105, "Setpoints for Safety-Related Instrumentation," describes a method acceptable to the NRC staff for complying with the NRC's regulations for ensuring that setpoints for safety-related instrumentation are initially within and remain within the technical specification limits.

For the purposes of this safety evaluation, the NRC staff is using the following definitions of *limiting trip setpoint*, and *allowable value*:

Limiting trip setpoint (LSP)

The LSP is the limiting setting for the channel trip setpoint (TSP) considering all credible instrument errors associated with the instrument channel.

The LSP is the limiting value to which the channel must be reset at the conclusion of periodic testing to ensure the safety limit (SL) will not be exceeded if a design basis event occurs before the next periodic surveillance or calibration.

Allowable value (AV)

An AV is a limiting value of an instrument's as-found trip setting used during surveillances.

Analytical Limit (AL)

The AL is the limit of the process variable at which a safety action is initiated, as established by the safety analysis, to ensure that a SL is not exceeded.

Any automatic protection action that occurs on or before reaching the AL, therefore, ensures that the SL is not exceeded

### 3.0 DESCRIPTION OF CHANGE

Section 50.36 of 10 CFR requires the TS to contain the LSSSs, which is defined by the regulation as:

. . . settings for automatic protective devices related to those variables having significant safety functions. Where a limiting safety system setting is specified

for a variable on which a safety limit has been placed, the setting must be so chosen that automatic protective action will correct the abnormal situation before a safety limit (SL) is exceeded.

As described in letters dated March 31, August 23 and September 7, 2005, to the Nuclear Energy Institute (ADAMS Accession Nos. ML050870008, ML051660447, and ML052500004), the NRC staff expressed concerns regarding licensees' setpoint methodology to ensure compliance with 10 CFR 50.36, "Technical Specifications." It was determined that many licensees have TSs that specify an AV as the LSSSs. During periodic TS surveillances, no actions are required by TSs (e.g., resetting) as long as the results indicate that the as-found TSP is conservative with respect to the AV. However, if the instrument TSP is not left at a value that is conservative with respect to the LSP, then there may not be assurance that the SL will be protected until the next periodic surveillance because instrument drift and other changes in setpoint can occur. Therefore, the instrument TSP may drift enough over the course of the surveillance interval such that upon a valid signal the instrument will not trip in sufficient time to allow the automatic protective action to correct the abnormal situation. This could result in exceeding the safety limits that protect the integrity of the physical barriers that guard against the uncontrolled release of radioactivity.

Many licensees rely on administrative controls to reset the instrument TSP to the LSP or to a value more conservative than LSP at the conclusion of periodic testing, but these controls are given in documents that are not required to be implemented. As these uncertainties are accounted for in the calculation of the LSP, it is the NRC staff's position that the LSP protects the SL. To ensure that the TS surveillance tests ensure instrument TSP meets the requirements of 10 CFR 50.36, TVA proposed a methodology for determining, setting, and evaluating as-found setpoints for these instruments.

The proposed change adds a footnote that specifies the actions to be taken for the applicable as-found instrument setpoints and references a discussion of the licensee's setpoint methodology.

The proposed footnote is applicable to the following TS functions:

- A. TS 3.3.1.1, "Reactor Protection System (RPS) Instrumentation"
  - Table 3.3.1.1-1, "Reactor Protection System Instrumentation"
  - Function 3. "Reactor Vessel Steam Dome Pressure - High"
  - Function 4. "Reactor Vessel Water Level - Low, Level 3"
  - Function 9. "Turbine Control Valve Fast Closure, Trip Oil Pressure - Low"
  
- B. TS 3.3.5.1, "Emergency Core Cooling System (ECCS) Instrumentation,"
  - Table 3.3.5.1-1, "Emergency Core Cooling System Instrumentation,"
  - Function 1. "Core Spray System"
    - a. Reactor Vessel Water Level - Low Low Low, Level 1
    - b. Drywell Pressure - High
    - c. Reactor Steam Dome Pressure - Low (Injection Permissive and ECCS Initiation)



Function 2. "Low Pressure Coolant Injection (LPCI) System"

- a. Reactor Vessel Water Level - Low Low Low, Level 1
- b. Drywell Pressure - High
- c. Reactor Steam Dome Pressure - Low (Injection Permissive and ECCS Initiation)
- d. Reactor Steam Dome Pressure - Low (Recirculation Discharge Valve Permissive)

Function 3. "High Pressure Coolant Injection (HPCI) System"

- a. Reactor Vessel Water Level Low Low, Level 2
- b. Drywell Pressure - High

Function 4. "Automatic Depressurization System (ADS) Trip System A"

- a. Reactor Vessel Water Level - Low Low Low, Level 1
- b. Drywell Pressure - High; and
- d. Reactor Vessel Water Level - Low, Level 3

Function 5. "Automatic Depressurization System (ADS) Trip System B"

- a. Reactor Vessel Water Level - Low Low Low, Level 1
- b. Drywell Pressure - High
- c. Reactor Vessel Water Level - Low, Level 3

C. TS 3.3.5.2, "Reactor Core Isolation Cooling (RCIC) System Instrumentation,"  
Table 3.3.5.2-1, "Reactor Core Isolation Cooling System Instrumentation,"  
Function 1. "Reactor Vessel Water Level - Low Low, Level 2."

D. TS 3.3.6.1, "Primary Containment Isolation Instrumentation,"  
Table 3.3.6.1-1, "Primary Containment Isolation Instrumentation,"  
Function 1. "Main Steam Line Isolation"  
b. Main Steam Line Pressure - Low.

The footnote will state:

During instrument calibrations, if the As Found channel setpoint is conservative with respect to the Allowable Value but outside its acceptable As Found band as defined by its associated Surveillance Requirement procedure, then there shall be an initial determination to ensure confidence that the channel can perform as required before returning the channel to service in accordance with the Surveillance. If the As Found instrument channel setpoint is not conservative with respect to the Allowable Value, the channel shall be declared inoperable.

Prior to returning a channel to service, the instrument channel setpoint shall be calibrated to a value that is within the acceptable As Left tolerance of the setpoint; otherwise, the channel shall be declared inoperable.

The nominal Trip Setpoint shall be specified on design output documentation which is incorporated by reference in the Updated Final Safety Analysis Report. The methodology used to determine the nominal Trip Setpoint, the predefined As Found Tolerance, and the As Left Tolerance band, and a listing of the setpoint design output documentation shall be specified in Chapter 7 of the Updated Final Safety Analysis Report.

#### 4.0 TECHNICAL EVALUATION

The NRC staff reviewed the information submitted, the proposed and current TSs and Bases. As stated previously, the AL is the limit of the process variable at which a safety action is initiated, as established by the safety analysis, to ensure that a SL is not exceeded. Any automatic protection action that occurs on or before reaching the AL, therefore, ensures that the SL is not exceeded.

For BFN, TVA stated that the actual TSPs for automatic protective devices must be chosen to be more conservative than the AL to account for instrument loop uncertainties related to the setting at which the automatic protective action would actually occur. The TSP accounts for uncertainties in setting the device (e.g., calibration), uncertainties in how the device might actually perform (e.g., repeatability), changes in the point of action of the devices over time (e.g., drift during surveillance intervals), and any other factors that may influence its actual performance (e.g., harsh accident environments). In this manner, the TSP ensures that SLs are not exceeded.

The licensee prepared the setpoint methodology and its calculations utilize the ALs to establish the nominal TSP, Acceptable As Left (AAL) band, Acceptable As Found (AAF) band and the AV. According to the licensee's setpoint methodology, the AAL band is usually based on the reference accuracy of the device. The AAF band accounts for the instrument drift, reference accuracy, and other uncertainties which may be present at the time of testing. The LSP is determined by subtracting the total loop uncertainties from the AL. The licensee normally adds additional margin to establish the nominal TSP, which provides more conservatism to ensure that the instrument will perform its function before the AL is exceeded.

During TS surveillance testing, should an instrument setpoint be found outside the AAF band, but conservative with respect to the AL, the licensee shall evaluate it to determine why its performance is outside of the AAF band. The initial evaluation, which is performed prior to returning the instrument to operation, would be performed to show that the instrument is not degrading such that it might not function as designed during the next interval of operation. To ensure the channel conforms with the assumptions of the supporting instrument setpoint and scaling calculation, the channel setpoint is required to be reset to a value that is within AAL tolerance after any instrument calibration. Instruments that perform outside the AVs during surveillance testing may not be able to perform as designed during a transient or an accident; thus, such instruments would be declared inoperable until the licensee takes actions to ensure the channel will perform as designed.

According to the September 7, 2005, letter from P. Hiland, NRC, to M. Schoppman, Nuclear Energy Institute Setpoint Methods Task Force, design basis documents such as the TS Bases need to indicate that the Limiting TSP is the LSSS required by 10 CFR 50.36.

For BFN, TS Bases 3.3.1.1 define the LSSSs as the AVs, which, in conjunction with the Limiting Conditions for Operation (LCOs), establish the threshold for protective system action to prevent exceeding acceptable limits, including SLs during design basis accidents. In the January 10, 2006, submittal, the licensee states that protection functions are designed to initiate appropriate responses from systems to ensure that SLs are maintained in the event of a design basis accident or transient. This is achieved by specifying LSSSs, as well as LCO on other reactor system parameters, and equipment performance. The proposed TS footnote references a new section that will be included in the Updated Final Safety Analysis Report (UFSAR) prior to implementation of the proposed TS change. This section will summarize the methodology used for determining, setting and evaluating as-found instrument setpoints and incorporate by reference the setpoint design output documentation containing the affected setpoints. The associated TS Bases, consistent with the licensee's Bases Control Program, will be updated to reflect this change in the licensing basis of BFN and to state that the Limiting TSP is the LSSS. The NRC staff notes that the instrument setpoints incorporated by reference into the UFSAR can be changed under the provisions of 10 CFR 50.59, "Changes, tests and experiments."

Additional requirements contained in 10 CFR 50.36(c)(1)(ii)(A) are for a general class of LSSSs, which are related to variables having significant safety functions but which do not protect SLs. For instrument functions determined to be nonsafety limit related, the same instrument setpoint methodology is used except no footnotes are added in the TSs. The operability determination will be based on the plant procedures, which contain similar requirements covered by the proposed footnote. For these instruments, the licensee stated, in a letter dated April 14, 2006, that the TVA procedure requires the technician to reset these instruments within their AAL band after each test. If the instrument is inoperable by TS or is degraded (test shows instrument setpoint beyond AAF band but within AV), the licensee's procedure requires the technician to inform Operations, take corrective actions to fix the problem, and also document the problem for trending purposes.

Based on the above discussion, the NRC staff has determined the licensee's proposal to modify the TSs by the inclusion of a footnote for instrument functions that protect the SL meets the regulation required by 10 CFR 50.36 to demonstrate the operability of the instruments and therefore, is acceptable. In the amendment, the licensee states that the scope of the application includes instruments that are either necessary to ensure compliance with a SL or critical in ensuring the fuel peak cladding temperature acceptance criterion of 10 CFR 50.46 is met. The acceptability of future footnote applications to other instrument functions will be evaluated in future amendment requests on a case-by-case basis. Additionally, the NRC staff finds that the licensee's program for determining, setting and evaluating as-found instrument setpoints provides appropriate programmatic requirements to ensure that the instrument initiates automatic safety system actuation under the appropriate conditions as required by 10 CFR 50.36.

## 5.0 STATE CONSULTATION

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

## 6.0 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. 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 (71 FR 15487). 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.

## 7.0 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: S. Rhow

Date: September 14, 2006