

December 13, 2006

Mr. Michael R. Kansler  
President  
Entergy Nuclear Operations, Inc.  
440 Hamilton Avenue  
White Plains, NY 10601

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3 - ISSUANCE OF AMENDMENTS RE: TECHNICAL SPECIFICATION CHANGES - ADOPTION OF TSTF-258, TSTF-308, AND RELATED ADMINISTRATIVE CONTROL CHANGES BASED ON NUREG-1431 (TAC NOS. MC9475 AND MC9476)

Dear Mr. Kansler:

The Commission has issued the enclosed Amendment No. 250 to Facility Operating License No. DPR-26 for the Indian Point Nuclear Generating Unit No. 2 and Amendment No. 232 to Facility Operating License No. DPR-64 for the Indian Point Nuclear Generating Unit No. 3. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated December 27, 2005, as supplemented by letter dated August 22, 2006.

The amendments revise the TSs associated with the Radioactive Effluent Controls Program, Unit Staff Qualifications, Explosive Gas and Storage Tank Radioactivity Monitoring Program, and High Radiation Area to be consistent with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20, 10 CFR Part 50, and NUREG-1431, "Standard Technical Specifications - Westinghouse Plants."

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

Sincerely,

**/RA/**

John P. Boska, Senior Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

Enclosures:

1. Amendment No. 250 to DPR-26
2. Amendment No. 232 to DPR-64
3. Safety Evaluation

cc w/encls: See next page

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The amendments revise Indian Point Nuclear Generating Unit Nos. 2 and 3 Technical Specifications associated with the Radioactive Effluent Controls Program, Unit Staff Qualifications, Explosive Gas and Storage Tank Radioactivity Monitoring Program, and High Radiation Area to be consistent with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20, 10 CFR Part 50, and NUREG-1431, "Standard Technical Specifications Westinghouse Plants."

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cc w/encls: See next page

Accession Number: ML063050208

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NAME	JBoska	SLittle	TFrye	TKobetz	MBarkman	RLaufer
DATE	11/01/06	11/16/06	11/22/06	11/29/06	12/11/06	12/12/06

Official Record Copy

DATED: December 13, 2006

AMENDMENT NO. 250 TO FACILITY OPERATING LICENSE NO. DPR-26 INDIAN POINT  
UNIT 2 AND AMENDMENT NO. 232 TO FACILITY OPERATING LICENSE NO. DPR-64  
INDIAN POINT UNIT 3

PUBLIC

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ENTERGY NUCLEAR INDIAN POINT 2, LLC

ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-247

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 250

License No. DPR-26

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Entergy Nuclear Operations, Inc. (the licensee) dated December 27, 2005, as supplemented on August 22, 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 Facility Operating License No. DPR-26 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 250 are hereby incorporated in the license. ENO 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 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Richard J. Laufer, Chief  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment:  
Changes to the License and  
Technical Specifications

Date of Issuance: December 13, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 250

FACILITY OPERATING LICENSE NO. DPR-26

DOCKET NO. 50-247

Replace the following page of the License with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove Page  
3

Insert 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 Pages  
1.1-2  
5.2-2  
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Insert Pages  
1.1-2  
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5.7-4



ENTERGY NUCLEAR INDIAN POINT 3, LLC

ENTERGY NUCLEAR OPERATIONS, INC.

DOCKET NO. 50-286

INDIAN POINT NUCLEAR GENERATING UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 232

License No. DPR-64

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Entergy Nuclear Operations, Inc. (the licensee) dated December 27, 2005, as supplemented on August 22, 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 Facility Operating License No. DPR-64 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 232, are hereby incorporated in the license. ENO 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 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Richard J. Laufer, Chief  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment:  
Changes to the License and  
Technical Specifications

Date of Issuance: December 13, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 232

FACILITY OPERATING LICENSE NO. DPR-64

DOCKET NO. 50-286

Replace the following page of the License with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove Page  
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Insert Page  
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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 Pages  
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5.0-11  
5.0-26  
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5.0-38  
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5.0-40  
5.0-41

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 250 TO FACILITY OPERATING LICENSE NO. DPR-64  
AND AMENDMENT NO. 232 TO FACILITY OPERATING LICENSE NO. DPR-26  
ENTERGY NUCLEAR OPERATIONS, INC.  
INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3  
DOCKET NOS. 50-247 AND 50-286

1.0 INTRODUCTION

By letter dated December 27, 2005 (Agencywide Document Access and Management System (ADAMS) Accession Number ML060090293), as supplemented by letter dated August 22, 2006 (ADAMS Accession Number ML062440418), Entergy Nuclear Operations, Inc. (the licensee) submitted a request for changes to the Indian Point Nuclear Generating Unit Nos. 2 and 3 (IP2 and IP3) Technical Specifications (TSs). The supplement dated August 22, 2006, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the Nuclear Regulatory Commission (NRC) staff's original proposed no significant hazards consideration determination. The proposed changes would revise the following TSs:

Indian Point Nuclear Generating Unit No. 2

- Revision of definition for dose equivalent I-131 based on NUREG-1431.
- Changes to TS 5.2.2.f, Unit Staff, to be consistent with Technical Specification Task Force (TSTF) Document TSTF-258-A.
- Changes to TS 5.5.3, Radioactive Effluent Controls Program (RECP), to be consistent with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20 and Part 50, TSTF-258-A, and NUREG-1431.
- Add new TS 5.7, High Radiation Area, to be consistent with TSTF-258.

Indian Point Nuclear Generating Unit No. 3

- Changes to TS 5.2.2, Unit Staff, to be consistent with TSTF-258-A.
- Revise TS 5.3, Unit Staff Qualifications, to be consistent with TSTF-258-A.
- Revise TS 5.5.4, RECP, to be consistent with TSTF-258-A, and TSTF-308.
- Revise TS 5.5.11, Explosive Gas and Storage Tank Radioactivity Monitoring Program, to be consistent with NUREG-1431.
- Revise TS 5.7, High Radiation Area, to be consistent with TSTF-258-A.

## 2.0 REGULATORY EVALUATION

IP2 and IP3 have previously adopted Standard Technical Specifications (STS). The current revision is NUREG-1431, Revision 3, "Standard Technical Specifications - Westinghouse Plants." The TSTF process is an industry and NRC-controlled process for proposing and incorporating improvements to the STS. Revisions to IP2 and IP3 TSs proposed in this amendment are to ensure consistency with NUREG-1431, TSTF-258-A, Revision 4, and TSTF-308, Revision 1. The applicable regulatory requirements and guidelines are:

1. 10 CFR Part 20, "Standards for Protection Against Radiation"
2. 40 CFR Part 190, "Environmental Standards for the Uranium Fuel Cycle"
3. 10 CFR 50.36a, "Technical specifications on effluents from nuclear power reactors"
4. 10 CFR Part 50, Appendix I, "Numerical Guides for Design Objectives and Limiting Conditions for Operation to Meet the Criterion 'As Low As Is Reasonably Achievable' for Radioactive Material in Light-Water-Cooled Nuclear Power Reactor Effluents"
5. NUREG-1431, Revision 3, "Standard Technical Specifications Westinghouse Plants"
6. TSTF-258-A, Revision 4, "Changes to Section 5.0, Administrative Controls"
7. TSTF-308, Revision 1, "Determination of Cumulative and Projected Dose Contributions in RECP"

## 3.0 TECHNICAL EVALUATION

The licensee's proposed changes, and the NRC staff's evaluation of the changes, are discussed below.

### 3.1 Indian Point Nuclear Generating Unit No. 2 - Proposed TS Changes

#### 3.1.1 TS 1.1, Definitions

Revise the definition for dose equivalent I-131 by deleting "I-130" based on NUREG-1431 and to be consistent with the existing IP3 definition.

#### NRC Staff Evaluation

The current definition of DOSE EQUIVALENT I-131 (DE I-131) for IP2 was established in License Amendment No. 241. The term was defined to reflect assumptions and analyses related to the alternate source term (AST) dose assessment methodology by the licensee. The definition was modeled after the STS definition, with the exception that the isotope I-130 was included as one of the components in the mixture of isotopes used to calculate DE I-131. This isotope was included because it was identified as a dose contributor in the AST calculations for IP2. However, in response to NRC staff's questions during the processing of the AST amendment for IP3, Entergy removed I-130 from the definition in the IP3 TSs. The amendment proposed to remove I-130 from the definition for IP2 is consistent with NUREG-1431 and with the IP3 TSs. The NRC staff finds that the change is consistent with NUREG-1431 and is acceptable.

### 3.1.2 TS 5.2.2, Unit Staff

Revise TS 5.2.2.f to replace the word "A Watch Engineer" with "An individual" and revise the last sentence to read as "This position must be manned only when in Modes 1, 2, 3, or 4," which deletes this requirement during core alterations.

#### NRC Staff Evaluation

The licensee has proposed to modify the IP2 current licensing basis regarding advisory technical support on shift during core alterations (TS 5.2.2.f). NRC Generic Letter (GL) 80-061 issued July 2, 1980, requested all pressurized-water reactor licensees to submit license amendments to incorporate TMI-2 Category A lessons learned into their plant TSs. One of the items involved establishing the Shift Technical Advisor (STA) position to augment minimum shift staffing. The model specifications provided with the GL specified STA coverage during Modes 1, 2, 3, and 4. The resulting license amendments approved by NRC for IP2 and IP3 were issued August 24, 1981 (Amendment No. 72) and October 7, 1981 (Amendment No. 38). The amendment for IP3 reflected coverage during Modes 1, 2, 3, and 4, however, the amendment for IP2 included coverage during Core Alterations. The licensee has proposed to revise IP2 TS 5.2.2.f to provide the same coverage as approved for IP3, consistent with the model specification included in the GL. Also, the words "A Watch Engineer" has been replaced with the words "An individual" based on the recommendations of TSTF-258-A. Therefore, the NRC staff finds the proposed change acceptable.

### 3.1.3 TS 5.5.3, Radioactive Effluent Controls Program

The licensee has proposed the following changes to TS 5.5.3:

- TS 5.5.3.b - Limitations on the concentrations of radioactive material release in liquid effluents to unrestricted areas, conforming to 10 times the concentration values in Appendix B, Table 2, Column 2 to 10 CFR 20.1001 - 20.2402.
- TS 5.5.3.d - Limitations on the annual and quarterly doses or dose commitment to a member of the public, from radioactive materials in liquid effluents released from each unit to unrestricted area, conforming to 10 CFR Part 50, Appendix I.
- TS 5.5.3.f - Limitations on the functional capability and use of the liquid and gaseous effluent treatment systems to ensure that appropriate portions of these systems are used to reduce release of radioactivity when the projected doses in a period of 31 days would exceed 2% of the guidelines for the annual dose or dose commitment, conforming to 10 CFR Part 50, Appendix I.
- TS 5.5.3.h - Limitations on the annual and quarterly air doses resulting from noble gases released in gaseous effluents from each unit to areas beyond the site boundary, conforming to 10 CFR Part 50, Appendix I.
- TS 5.5.3.i - Limitations on the annual and quarterly doses to a member of the public from I-131, tritium, and all radionuclides in particulate form with half lives > 8 days in gaseous effluents released from each unit to areas beyond the site boundary, conforming to 10 CFR Part 50, Appendix I.
- TS 5.5.3.j - Limitations on the annual dose or dose commitment to any member of the public, beyond the site boundary, due to releases of radioactivity and to radiation from uranium fuel cycle sources, conforming to 40 CFR Part 190.

## NRC Staff Evaluation

Previous revision to 10 CFR Part 20, Appendix B, Table 2, Column 2, incorporated a change in the dose base for the liquid effluent concentration release rate limit from 500 millirem (mrem) per year to 50 mrem per year. Therefore, in order to retain the same dose base upon which the TS 5.5.3.b is based (500 mrem per year), the new Appendix B, Table 2, Column 2 values are multiplied by 10. This change is intended to eliminate possible confusion or improper implementation of the revised 10 CFR Part 20 requirements and is consistent with TSTF-258, Revision 4, and NUREG-1431. Changes to TSs 5.5.3.d, 5.5.3.f, 5.5.3.h, 5.5.3.i, and 5.5.3.j are consistent with NUREG-1431. On this basis, the NRC staff finds the proposed changes to be acceptable.

### 3.1.4 TS 5.7, High Radiation Area

The licensee has proposed to add TS 5.7 to IP2 TS to provide alternate methods for controlling access to high radiation areas under the provisions of 10 CFR Part 20, Section 1601(c), and based on the recommendations of TSTF-258-A.

## NRC Staff Evaluation

NUREG-1431, Section 5.7, describes alternate requirements pursuant to 20.1601(c). Amendment No. 221 for IP2 approved elimination of TS Section 6.12 regarding access to high radiation areas. The approval was based on the fact that these controls are provided for in the radiation protection program procedures. The wording of section 5.7 of NUREG-1431 was not adopted during the conversion to STS for IP2. The current wording of Section 5.7 in the STS (Revision 3 of NUREG 1431) is based on TSTF 258-A, Revision 4. The TSTF-258 version of Section 5.7 provides for the use of remote monitoring technology as an additional acceptable alternative to controlling access to radiation areas. This amendment request proposes to incorporate this latest version of Section 5.7 into the IP2 TSs. The proposed change being consistent with TSTF-258-A and NUREG-1431, the NRC staff finds it acceptable.

## 3.2 Indian Point Nuclear Generating Unit No. 3 - Proposed TS Changes

### 3.2.1 TS 5.2.2, Unit Staff

The licensee has proposed to revise TSs 5.2.2.a through 5.2.2.f to eliminate the duplicate information already stated by the applicable regulations, move the specific working hour limits from TSs to administrative procedures, and change the title of the STA to reflect the wording of TSTF-258-A. Also, additional editorial changes have been made due to the deletion of TS 5.2.2.b.

## NRC Staff Evaluation

TS 5.2.2.b has been removed from the TSs since it reiterates the requirements of 10 CFR 50.54(m)(2)(iii) and 50.54(k) and will be met through compliance with these regulations. TS 5.2.2.e has been revised to move the specific working hour limits to administrative procedures meant to control the working hours. TS 5.2.2.g has been revised to replace the word "A Watch Engineer" with the word "An individual" based on the recommendations of TSTF-258-A. The proposed changes are consistent with TSTF-258-A and NUREG-1431 and the NRC staff finds the proposed changes acceptable.

### 3.2.2 TS 5.3, Unit Staff Qualifications

TS 5.3.2 has been added to clarify that for the purposes of 10 CFR 55.4 a licensed Senior Reactor Operator (SRO) and licensed Reactor Operator (RO) are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m). Also, TS 5.3.1.b has been revised to correct the reference to TS 5.2.2.e.

#### NRC Staff Evaluation

Addition of TS 5.3.2 ensures that there is no misunderstanding when complying with 10 CFR 55.4 requirements and is consistent with TSTF-258-A. The editorial change to TS 5.3.1.b is required due to the change in the number for the referenced TS. Therefore, the NRC staff finds the proposed change acceptable.

### 3.2.3 TS 5.5.4, Radioactive Effluent Controls Program

The licensee proposes to revise TS 5.5.4.e to clarify the frequency requirements to determine the projected dose contributions from radioactive effluents, which will be consistent with the wording of TSTF-308. The licensee has also proposed additional wording changes to TSs 5.5.4.g and 5.5.4.j to be consistent with TSTF-258-A.

#### NRC Staff Evaluation

Generic Letter 89-01 combined the surveillance requirements for cumulative and projected doses. In combining these requirements in GL 89-01, the new program element inadvertently required determining projected dose contribution for the current calendar quarter and current calendar year every 31 days. The proposed change clarifies the wording of the existing TS to require projected dose contributions in accordance with the offsite dose calculation manual (ODCM) at least every 31 days. The ODCM currently requires projected dose contributions to cover a 31 day period, but not a calendar quarter or calendar year. The proposed changes are consistent with the changes agreed to by the NRC in TSTF-258-A and TSTF-308 and the NRC staff finds the proposed changes acceptable.

### 3.2.4 TS 5.5.11, Explosive Gas and Storage Tank Radioactivity Monitoring Program

The licensee has proposed to make the following changes to TS 5.5.11:

- Presently, quantities of radioactivity in waste gas holdup tanks and liquid radwaste storage tanks is determined based on the methodology described in the ODCM. The licensee proposes to revise TS 5.5.11 to determine quantities of radioactivity in waste gas holdup tanks and liquid radwaste storage tanks based on Branch Technical Position ESTB 11-5 and NUREG-0800, Standard Review Plan, Section 15.7.3, respectively.
- TS 5.5.11.b is being revised to state the limit of radioactivity in waste gas holdup tanks in terms of whole body dose. The existing TS is based on a limit given in curies.
- The quantity of radioactivity contained in all outdoor liquid radwaste tanks covered by TS 5.5.11.c is specified to be less than 10 curies by the existing TS. The licensee proposes to change it to a limit based on 10 CFR Part 20, Appendix B, Table 2 , Column 2.

#### NRC Staff Evaluation



During the IP3 conversion to STS, the following current licensing basis differences compared to NUREG-1431 were maintained:

- NUREG-1431 identifies Branch Technical Position ETSB 11-5 and Standard Review Plan Section 15.7.3 as reference documents for the methodology to be used for determining quantities of radioactivity in waste gas holdup tanks and liquid radwaste storage tanks, respectively. The IP3 STS was approved with a reference to the facility ODCM instead of the above references.
- NUREG-1431 identifies the limit on radioactivity in waste gas holdup tanks in terms of dose (0.5 rem whole body). The IP3 STS was approved with a limit based on curies (50,000 curies noble gas, Dose Equivalent Xe-133).
- NUREG-1431 identifies the limit on radioactivity in liquid radwaste tanks in terms of concentration values specified in 10 CFR Part 20. The IP3 STS was approved with a limit based on curies (10 curies, excluding tritium and dissolved or entrained noble gases).

During the IP2 conversion to STS, which occurred after the IP3 conversion to STS, the wording of NUREG-1431 for this section was adopted. In order to support integration of plant procedures, programs, and practices for IP2 and IP3 operated as one site, the licensee has proposed to adopt the NUREG-1431 wording for IP3 also. The proposed changes are consistent with NUREG-1431 and NRC staff finds the proposed changes acceptable.

### 3.2.5 TS 5.7, High Radiation Areas

The licensee has proposed to revise TS 5.7 to provide alternate methods for controlling access to high radiation areas under the provisions of 10 CFR Part 20, Section 1601(c) and based on the recommendations of TSTF-258-A.

#### NRC Staff Evaluation

NUREG-1431, Section 5.7 describes alternate requirements pursuant to 20.1601(c). The wording of Section 5.7 from Revision 1 of NUREG-1431 was adopted during the conversion to STS for IP3. The current wording of Section 5.7 in the STS (Revision 3 of NUREG 1431) is based on TSTF 258-A, Revision 4. The TSTF-258 version of Section 5.7 provides for the use of remote monitoring technology as an additional acceptable alternative to controlling access to radiation areas. This amendment request proposes to incorporate this latest version of Section 5.7 into the IP3 TSs. The proposed change being consistent with TSTF-258-A and NUREG-1431, the NRC staff finds it acceptable.

## 4.0 STATE CONSULTATION

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

## 5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. 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 7807). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

## 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

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