

January 4, 2007

Mr. James H. Lash
Site Vice President
FirstEnergy Nuclear Operating Company
Beaver Valley Power Station
Mail Stop A-BV-SEB1
P.O. Box 4, Route 168
Shippingport, PA 15077

SUBJECT: BEAVER VALLEY POWER STATION, UNIT NOS. 1 AND 2 (BVPS-1 AND 2) -
DRAFT SAFETY EVALUATION FOR THE CONVERSION TO THE IMPROVED
TECHNICAL SPECIFICATIONS WITH BEYOND-SCOPE ISSUES (TAC NOS.
MC6285, MC6286, MC6579 - MC6612, MC6614 - MC6626, AND MC6783 -
MC6792)

Dear Mr. Lash:

Enclosed are (1) a draft amendment with license conditions and an implementation date for BVPS-1, and (2) a draft amendment with license conditions and an implementation date for BVPS-2, and (3) a draft Safety Evaluation (SE), including tables describing the changes from current Technical Specifications to improved Technical Specifications (ITSs) for BVPS-1 and 2. The enclosed documents are based on (1) your application dated February 25, 2005, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML050610339), as supplemented by letters dated November 11, 2005 (ADAMS Accession No. ML053290071), April 19, 2006 (ADAMS Accession No. ML061140093), July 10, 2006 (ADAMS Accession No. ML061940177), September 1, 2006 (ADAMS Accession No. ML062490197), October 24, 2006 (ADAMS Accession No. ML063000086), and December 7, 2006 (ADAMS Accession No. ML063450214), and (2) the information provided to the Nuclear Regulatory Commission (NRC) staff through the joint NRC/BVPS ITS Conversion web page. To expedite review of the application, the NRC staff agreed to place its requests for additional information (RAIs) on the web page. Your staff agreed to then provide responses to the RAIs on the web page. To document the information contained on the web page, the licensee submitted a copy of the complete database to the NRC (ADAMS Accession No. ML063000089) as an attachment to its October 24, 2006, supplement.

The enclosed draft amendment and draft SE are being provided for your review. These draft documents are not yet in final form. The issuance of these drafts permits you an early opportunity to start your review. Please review the enclosed draft amendment and SE for technical accuracy and provide your comments in writing within 30 days of the date of this letter.

J. Lash

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If you have any questions concerning this letter and the draft SE, contact me at 301-415-1016 or email nsm@nrc.gov.

Sincerely,

/RA/

Nadiyah S. Morgan, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-334 and 50-412

Enclosures:

1. Draft Amendment to DPR-66
2. Draft Amendment to NPF-73
3. Draft Safety Evaluation

cc w/encls: See next page

J. Lash

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If you have any questions concerning this letter and the draft SE, contact me at 301-415-1016 or email nsm@nrc.gov.

Sincerely,

/RA/

Nadiyah S. Morgan, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-334 and 50-412

Enclosures:

1. Draft Amendment to DPR-66
2. Draft Amendment to NPF-73
3. Draft Safety Evaluation

cc w/encls: See next page

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RidsNrrDirsltsb

ADAMS Accession Number: ML063620382

OFFICE	NRR/LPLI-1/PM	NRR/LPLI-1/LA	NRR/LPLI-1/BC
NAME	NMorgan	SLittle	RLaufer
DATE	01/04/07	01/04/07	01/04/07

OFFICIAL RECORD COPY

Beaver Valley Power Station, Unit Nos. 1 and 2

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Beaver Valley Power Station, Unit Nos. 1 and 2 (continued)

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FIRSTENERGY NUCLEAR OPERATING COMPANY

FIRSTENERGY NUCLEAR GENERATION CORP.

DOCKET NO. 50-334

BEAVER VALLEY POWER STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 278
License No. DPR-66

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by FirstEnergy Nuclear Operating Company, et al. (the licensee), dated February 25, 2005, as supplemented November 11, 2005, April 19, July 10, September 1, October 24, and December 7, 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.

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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-66 is hereby amended to read as follows:

- (2) Technical Specifications

- The Technical Specifications contained in Appendix A, as revised through Amendment No. 278, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This amendment authorizes the relocation of certain current Technical Specification requirements and operating license conditions to other licensee-controlled documents. Implementation of this amendment shall include the relocation of these requirements to the other documents, as described in (1) Section 6.0 of the NRC staff's Safety Evaluation, and (2) Table LA of Removed Details and Table R of Relocated Specifications attached to the NRC staff's Safety Evaluation, which is enclosed with this amendment. A new License Condition has been added to Appendix C to address the relocation.

Relocation of Certain Technical Specification Requirements

License Amendment No. 278 authorizes the relocation of certain Technical Specifications to other licensee-controlled documents. Implementation of this amendment shall include relocation of the requirements to the specified documents, as described in (1) Sections 4D and 4E of the NRC's staff's Safety Evaluation, and (2) Table LA, Removed Detail Changes, and Table R, Relocated Specifications, attached to the NRC staff's Safety Evaluation, which is enclosed in this amendment.

4. License condition, 2.C.(9), is deleted.
5. New license conditions are added in Appendix C to address performance of new and revised Surveillance Requirements (SRs):

Schedule for New and Revised Surveillance Requirements (SRs)

The schedule for performing the new or revised SRs in Amendment No. 278 shall be as follows:

For SRs that are new in this amendment, the first performance is due at the end of the first surveillance interval, which begins on the date of implementation of this amendment.

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For SRs that existed prior to this amendment, whose intervals of performance are being reduced, the first reduced surveillance interval begins upon completion of the first surveillance performed after implementation of this amendment.

For SRs that existed prior to this amendment, whose intervals of performance are being extended, the first extended surveillance interval begins upon completion of the last surveillance performed prior to implementation of this amendment.

For SRs that existed prior to this amendment that have modified acceptance criteria, the first performance subject to the modified acceptance criteria is due at the end of the first surveillance interval that began on the date the surveillance was last performed prior to the implementation of this amendment.

6. This license amendment is effective as of the date of its issuance and shall be implemented within 150 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: January 4, 2007

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ATTACHMENT TO LICENSE AMENDMENT NO. 278

FACILITY OPERATING LICENSE NO. DPR-66

DOCKET NO. 50-334

Replace the following pages of the Facility Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

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Insert

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Page 4 of Appendix C

Replace the following pages of 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

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- (3) FENOC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) FENOC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source, or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
- (5) FENOC, pursuant to the Act and 10 CFR Parts 30, and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

C. This amended license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter 1: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

FENOC is authorized to operate the facility at a steady state reactor core power level of 2900 megawatts thermal.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 278, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

(3) Auxiliary River Water System

(Deleted by Amendment No. 8)

Amendment No. 278

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(6) Systems Integrity

FENOC shall implement a program to reduce leakage from systems outside containment that would or could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. This program shall include the following:

1. Provisions establishing preventive maintenance and periodic visual inspection requirements, and
2. Integrated leak test requirements for each system at a frequency not to exceed refueling cycle intervals.

(7) Iodine Monitoring

FENOC shall implement a program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following:

1. Training of personnel,
2. Procedures for monitoring, and
3. Provisions for maintenance of sampling and analysis equipment.

(8) Backup Method for Determining Subcooling Margin

FENOC shall implement a program which will ensure the capability to accurately monitor the Reactor Coolant System subcooling margin. This program shall include the following:

1. Training of personnel, and
2. Procedures for monitoring.

(9) Steam Generator Surveillance Interval Extension

Deleted per License Amendment No. 278. |

Amendment No. 278

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(10) Additional Conditions

The Additional Conditions contained in Appendix C, as revised through Amendment No. 278, are hereby incorporated into this license. FENOC shall operate the facility in accordance with the Additional Conditions.

2.D. Physical Protection

FENOC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21 is entitled: "Beaver Valley Power Station (BVPS) Physical Security Plan" submitted by letter September 9, 2004, and supplemented September 20, 2004, and October 14, 2004.

- E. All work and activities in connection with this project shall be performed pursuant to the provisions of the Commonwealth of Pennsylvania Clean Streams Acts of June 24, 1913, as amended and of June 22, 1937, as amended, and in accordance with all permits issued by the Department of Environmental Resources of the Commonwealth of Pennsylvania.
- 2.F. This amended license is effective as of the date of issuance and shall expire at midnight on January 29, 2016.

FOR THE NUCLEAR REGULATORY COMMISSION

**ORIGINAL SIGNED BY
R. S. BOYD**

Roger S. Boyd, Director
Division of Project Management
Office of Nuclear Reactor Regulation

Date of Issuance: July 2, 1976

Amendment No. 278

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APPENDIX C

ADDITIONAL CONDITIONS
OPERATING LICENSE NO. DPR-66

FirstEnergy Nuclear Operating Company and FirstEnergy Nuclear Generation Corp. shall comply with the following conditions on the schedules noted below:

Amendment Number	Additional Condition	Implementation Date
278	<p><u>Schedule for New and Revised Surveillance Requirements (SRs)</u></p> <p>The schedule for performing SRs that are new or revised in Amendment No. 278 shall be as follows:</p> <p>For SRs that are new in this amendment, the first performance is due at the end of the first surveillance interval, which begins on the date of implementation of this amendment.</p> <p>For SRs that existed prior to this amendment, whose intervals of performance are being reduced, the first reduced surveillance interval begins upon completion of the first surveillance performed after implementation of this amendment.</p> <p>For SRs that existed prior to this amendment, whose intervals of performance are being extended, the first extended surveillance interval begins upon completion of the last surveillance performed prior to implementation of this amendment.</p> <p>For SRs that existed prior to this amendment that have modified acceptance criteria, the first performance subject to the modified acceptance criteria is due at the end of the first surveillance interval that began on the date the surveillance was last performed prior to the implementation of this amendment.</p>	<p>The amendment shall be implemented within 150 days from</p>
278	<p><u>Relocation of Certain Technical Specification Requirements</u></p> <p>License Amendment No. 278 authorizes the relocation of certain Technical Specifications to other licensee-controlled documents. Implementation of this amendment shall include relocation of the requirements to the specified documents, as described in (1) Sections 4D and 4E of the NRC staff's Safety Evaluation, and (2) Table LA, Removed Detail Changes, and Table R, Relocated Specifications, attached to the NRC staff's Safety Evaluation, which is enclosed in this amendment.</p>	<p>The amendment shall be implemented within 150 days from</p>

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FIRSTENERGY NUCLEAR OPERATING COMPANY

FIRSTENERGY NUCLEAR GENERATION CORP.

OHIO EDISON COMPANY

THE TOLEDO EDISON COMPANY

DOCKET NO. 50-412

BEAVER VALLEY POWER STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 161
License No. NPF-73

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by FirstEnergy Nuclear Operating Company, et al. (the licensee), dated February 25, 2005, as supplemented November 11, 2005, April 19, July 10, September 1, October 24, and December 7, 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.

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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-73 is hereby amended to read as follows:

- (2) Technical Specifications

- The Technical Specifications contained in Appendix A, as revised through Amendment No. 161, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto are hereby incorporated in the license. FENOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This amendment authorizes the relocation of certain current Technical Specification requirements and operating license conditions to other licensee-controlled documents. Implementation of this amendment shall include the relocation of these requirements to the other documents, as described in (1) Section 6.0 of the NRC staff's Safety Evaluation, and (2) Table LA of Removed Details and Table R of Relocated Specifications attached to the NRC staff's Safety Evaluation, which is enclosed with this amendment. A new License Condition has been added to Appendix D to address the relocation.

- Relocation of Certain Technical Specification Requirements

- License Amendment No. 161 authorizes the relocation of certain Technical Specifications to other licensee-controlled documents. Implementation of this amendment shall include relocation of the requirements to the specified documents, as described in (1) Sections 4D and 4E of the NRC's staff's Safety Evaluation, and (2) Table LA, Removed Detail Changes, and Table R, Relocated Specifications, attached to the NRC staff's Safety Evaluation, which is enclosed in this amendment.

4. License condition, 2.C.(12), is deleted.
5. New license conditions are added in Appendix D to address performance of new and revised Surveillance Requirements (SRs):

- Schedule for New and Revised Surveillance Requirements (SRs)

- The schedule for performing the new or revised SRs in Amendment No. 161 shall be as follows:

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For SRs that are new in this amendment, the first performance is due at the end of the first surveillance interval, which begins on the date of implementation of this amendment.

For SRs that existed prior to this amendment, whose intervals of performance are being reduced, the first reduced surveillance interval begins upon completion of the first surveillance performed after implementation of this amendment.

For SRs that existed prior to this amendment, whose intervals of performance are being extended, the first extended surveillance interval begins upon completion of the last surveillance performed prior to implementation of this amendment.

For SRs that existed prior to this amendment that have modified acceptance criteria, the first performance subject to the modified acceptance criteria is due at the end of the first surveillance interval that began on the date the surveillance was last performed prior to the implementation of this amendment.

6. This license amendment is effective as of the date of its issuance and shall be implemented within 150 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: January 4, 2007

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ATTACHMENT TO LICENSE AMENDMENT NO. 161

FACILITY OPERATING LICENSE NO. NPF-73

DOCKET NO. 50-412

Replace the following pages of the Facility Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

3a

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Page 4 of Appendix D

Replace the following pages of 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

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transactions shall have no effect on the license for the BVPS Unit 2 facility throughout the term of the license.

- (b) Further, the licensees are also required to notify the NRC in writing prior to any change in: (i) the term or conditions of any lease agreements executed as part of these transactions; (ii) the BVPS Operating Agreement, (iii) the existing property insurance coverage for BVPS Unit 2, and (iv) any action by a lessor or others that may have adverse effect on the safe operation of the facility.

C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations set forth in 10 CFR Chapter 1 and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

FENOC is authorized to operate the facility at a steady state reactor core power level of 2900 megawatts thermal.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 161, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto are hereby incorporated in the license. FENOC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

Amendment No. 161

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(8) Detailed Control Room Design Review (DCRDR)

Deleted

(9) Safety Parameter Display System (SPDS)

Deleted

(10) Fire Protection Modifications (Section 9.5.1 of SER Supplement 6)

Deleted

(11) Additional Conditions

The Additional Conditions contained in Appendix D, as revised through Amendment No. 161, are hereby incorporated into this license. FENOC shall operate the facility in accordance with the Additional Conditions.

(12) Steam Generator Surveillance Interval Extension

Deleted

D. Exemptions

The following exemptions are authorized by law and will not endanger life or property or the common defense and security, and certain special circumstances are present. With the granting of these exemptions, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

- (1) The facility requires an exemption from the requirements of General Design Criterion (GDC) 4, Appendix A to 10 CFR 50. The staff has described in detail in Supplement 4 and Supplement 5 to the Safety Evaluation Report the technical basis and "special circumstances" associated with this exemption. The staff's environmental assessment was published on March 27, 1987 (52 FR 9979). Therefore, pursuant to 10 CFR 50.12(a)(1), 10 CFR 50.12(a)(2)(ii) and (iv), Beaver Valley Power Station, Unit 2 is exempt from the requirements of GDC 4, Appendix A to 10 CFR 50 with respect to the dynamic loading effects associated with the postulated pipe breaks described in detail in Section 3.6.3 of Supplement 4 to the Safety Evaluation Report. These dynamic loading effects include pipe whip, jet impingement, and break-associated dynamic transients. Specifically, this eliminates the need to install jet impingement barriers and pipe whip restraints associated with postulated pipe breaks in the pressurizer surge line, reactor coolant bypass system,

Amendment No. 161

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APPENDIX D

ADDITIONAL CONDITIONS
OPERATING LICENSE NO. NPF-73

FirstEnergy Nuclear Operating Company, FirstEnergy Nuclear Generation Corp., Ohio Edison Company, and The Toledo Edison Company shall comply with the following conditions on the schedules noted below:

Amendment Number	Additional Condition	Implementation Date
161	<p><u>Schedule for New and Revised Surveillance Requirements (SRs)</u></p> <p>The schedule for performing SRs that are new or revised in Amendment No. 161 shall be as follows:</p> <p>For SRs that are new in this amendment, the first performance is due at the end of the first surveillance interval, which begins on the date of implementation of this amendment.</p> <p>For SRs that existed prior to this amendment, whose intervals of performance are being reduced, the first reduced surveillance interval begins upon completion of the first surveillance performed after implementation of this amendment.</p> <p>For SRs that existed prior to this amendment, whose intervals of performance are being extended, the first extended surveillance interval begins upon completion of the last surveillance performed prior to implementation of this amendment.</p> <p>For SRs that existed prior to this amendment that have modified acceptance criteria, the first performance subject to the modified acceptance criteria is due at the end of the first surveillance interval that began on the date the surveillance was last performed prior to the implementation of this amendment.</p>	<p>The amendment shall be implemented within 150 days from</p>
161	<p><u>Relocation of Certain Technical Specification Requirements</u></p> <p>License Amendment No. 161 authorizes the relocation of certain Technical Specifications to other licensee-controlled documents. Implementation of this amendment shall include relocation of the requirements to the specified documents, as described in (1) Sections 4D and 4E of the NRC staff's Safety Evaluation, and (2) Table LA, Removed Detail Changes, and Table R, Relocated Specifications, attached to the NRC staff's Safety Evaluation, which is enclosed in this amendment.</p>	<p>The amendment shall be implemented within 150 days from</p>