

January 31, 2007

Mr. L. W. Pearce  
Site Vice President  
FirstEnergy Nuclear Operating Company  
Perry Nuclear Power Plant  
Mail Stop A-PY-A290  
P.O. Box 97, 10 Center Road  
Perry, OH 44081-0097

SUBJECT: PERRY NUCLEAR POWER PLANT, UNIT 1 - REQUEST FOR ADDITIONAL INFORMATION RELATED TO REQUIRED ACTION B.1 IN THE EMERGENCY CORE COOLING SYSTEM INSTRUMENTATION TECHNICAL SPECIFICATIONS (TAC NO. MD1187 )

Dear Mr. Pearce:

By letter to the Nuclear Regulatory Commission (NRC) dated February 10, 2006, FirstEnergy Nuclear Operating Company submitted a license amendment request to revised required Action B.1 in the emergency core cooling system instrumentation technical specification to be consistent with the improved technical specifications (ITS) for the Perry Nuclear Power Plant, Unit 1.

The NRC staff is reviewing your submittal and has determined that additional information is required to complete the review. The specific information requested is addressed in the enclosure to this letter. During a discussion with your staff on December 27, 2006, it was agreed that you would provide a response within 30 days from the date of this letter.

The NRC staff considers that timely responses to requests for additional information help ensure sufficient time is available for staff review and contribute toward the NRC's goal of efficient and effective use of staff resources. If circumstances result in the need to revise the requested response date, please contact me at (301) 415-4037.

Sincerely,

*/RA/*

Thomas J. Wengert, Project Manager  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-440

Enclosure:  
Request for Additional Information

cc w/encl: See next page

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Perry Nuclear Power Plant, Unit 1

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## REQUEST FOR ADDITIONAL INFORMATION

### PERRY NUCLEAR POWER PLANT, UNIT NO. 1

#### DOCKET NO. 50-440

In reviewing the FirstEnergy Nuclear Operating Company's (FENOC's) submittal dated February 10, 2006, related to revising Required Action B.1 in the emergency core cooling system (ECCS) technical specifications (TS) to be consistent with the improved technical specifications (ITS), for the Perry Nuclear Power Plant, Unit 1 (Perry), the NRC staff has determined that the following information is needed in order to complete its review:

#### Background

The proposed action of this request is to delete Required Actions B.1.2.1 and B.1.2.2, which were added into Perry TS 3.3.5.1, during the ITS conversion process. Perry Required Action B.1 will then match the ITS Required Action B.1, but will continue to deviate from the format of ITS which contain a limiting condition for operation for secondary containment isolation instrumentation. As a result, actions with a 1-hour completion time will only be required for the annulus exhaust gas treatment (AEGT) system if a loss of initiation capability in both divisions actually exists for an AEGT initiation function. Current requirements to trip inoperable channels initiating AEGT within 24 hours are retained.

1. Discuss how the Perry-specific actions contained in Required Actions B.1.2.1 and B.1.2.2 could result in an operator misinterpretation of Condition B requirements. This information is needed to understand if there is a plant safety issue related to the licensee statement in Section 3.0 of the license amendment request (LAR):

“... the current wording of Required Action B.1 [B.1.2.1 and B.1.2.2] is [Perry]-specific, and that portion:

- includes actions that must be taken even when only a single channel has become inoperable, and a “loss of initiation capability” has not occurred in both divisions,
- conflicts with the Bases for the Required Action, and
- could result in an operator misinterpretation.”

2. Discuss how the proposed Perry TS 3.3.5.1 changes will ensure that appropriate actions are taken if multiple, inoperable, untripped channels of level, pressure or combinations of level and pressure instrumentation result in the loss of initiating capability for AEGT in one division. If there is a difference in the operational consequences that would result from applying TS requirements for multiple inoperable channels discovered during testing, as opposed to discovery made during maintenance or repair, discuss how the proposed TS changes will ensure that appropriate actions are taken. This information is needed to demonstrate that the licensee's proposed TS 3.3.5.1 changes will correct the stated problem of unintended [operational] consequences (Section 4.0 of LAR), resulting from writing ITS 3.3.6.2 actions into Perry to conform to TS 3.3.5.1 and show that the proposed actions are appropriate for loss of initiating capability for AEGT in one division.