

March 20, 2007

Mr. M. R. Blevins  
Senior Vice President  
& Chief Nuclear Officer  
TXU Power  
ATTN: Regulatory Affairs  
P. O. Box 1002  
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2 -  
ISSUANCE OF AMENDMENTS RE: REVISION TO TECHNICAL  
SPECIFICATION 5.0, "ADMINISTRATIVE CONTROLS" (TAC NOS. MD1260  
AND MD1261)

Dear Mr. Blevins:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 134 to Facility Operating License No. NPF-87 and Amendment No. 134 to Facility Operating License No. NPF-89 for Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated March 31, 2006.

The amendments would revise TS 5.0 entitled, "ADMINISTRATIVE CONTROLS." Specifically, the proposed change would delete the Vice President, Nuclear Operations, as an alternative to the Plant Manager for certain functions. Additionally, the licensee requested that the entire CPSES, Units 1 and 2, TSs be reissued as a result of printing software changes. That request will be reviewed as a separate action, after the later version of TSs is submitted by the licensee.

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

Sincerely,

/RA/

Mohan C. Thadani, Senior Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosures: 1. Amendment No. 134 to NPF-87  
2. Amendment No. 134 to NPF-89  
3. Safety Evaluation

cc w/encls: See next page

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**ADAMS Accession Nos.: Pkg ML070470549** (Amdt./License Pages ML070470486, TS Pages ML070710110)

OFFICE	NRR/LPL2-2/PE	NRR/LPL4/PM	NRR/LPL4/LA	OGC - NLO	NRR/LPL4/BC
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DATE	2/23/07	3/19/07	3/15/07	3/2/07	3/5/07

OFFICIAL RECORD COPY

Comanche Peak Steam Electric Station

cc:

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TXU GENERATION COMPANY LP  
COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 1  
DOCKET NO. 50-445  
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 134  
License No. NPF-87

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by TXU Generation Company LP dated March 31, 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, as amended, 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 license 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 and paragraph 2.C.(2) of Facility Operating License No. NPF-87 as indicated in the attachment to this license amendment.

3. The license amendment is effective as of its date of issuance and shall be implemented within 120 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

***/RA/***

David Terao, Branch Chief  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility  
Operating License and  
Technical Specifications

Date of Issuance: March 20, 2007

TXU GENERATION COMPANY LP  
COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 2  
DOCKET NO. 50-446  
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 134  
License No. NPF-89

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by TXU Generation Company LP dated March 31, 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, as amended, 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 license 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 and paragraph 2.C.(2) of Facility Operating License No. NPF-89 as indicated in the attachment to this license amendment.

3. This license amendment is effective as of its date of issuance and shall be implemented within 120 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

***/RA/***

David Terao, Branch Chief  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility  
Operating License and  
Technical Specifications

Date of Issuance: March 20, 2007

ATTACHMENT TO LICENSE AMENDMENT NO. 134

TO FACILITY OPERATING LICENSE NO. NPF-87

AND AMENDMENT NO. 134

TO FACILITY OPERATING LICENSE NO. NPF-89

DOCKET NOS. 50-445 AND 50-446

Replace the following pages of the Facility Operating Licenses, Nos. NPF-87 and NPF-89, and 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.

Facility Operating License No. NPF-87

REMOVE

INSERT

-3-

-3-

Facility Operating License No. NPF-89

REMOVE

INSERT

-3-

-3-

Technical Specifications

REMOVE

INSERT

5.0-1

5.0-1

5.0-2

5.0-2

5.0-4

5.0-4

5.0-7

5.0-7

5.0-28

5.0-28

- (3) TXU Generation Company LP, pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time, special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, and described in the Final Safety Analysis Report, as supplemented and amended;
- (4) TXU Generation Company LP, 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;
- (5) TXU Generation Company LP, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required, any byproduct, source, and special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
- (6) TXU Generation Company LP, pursuant to the Act and 10 CFR Parts 30, 40 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 license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I 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

TXU Generation Company LP is authorized to operate the facility at reactor core power levels not in excess of 3458 megawatts thermal in accordance with the conditions specified herein.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A as revised through Amendment No. 134 and the Environmental Protection Plan contained in Appendix B, are hereby incorporated into this license. TXU Generation Company LP shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

- (3) TXU Generation Company LP, pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time, special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, and described in the Final Safety Analysis Report, as supplemented and amended;
- (4) TXU Generation Company LP, 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;
- (5) TXU Generation Company LP, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required, any byproduct, source, and special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
- (6) TXU Generation Company LP, pursuant to the Act and 10 CFR Parts 30, 40 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 license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I 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

TXU Generation Company LP is authorized to operate the facility at reactor core power levels not in excess of 3458 megawatts thermal in accordance with the conditions specified herein.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A as revised through Amendment No. 134 and the Environmental Protection Plan contained in Appendix B, are hereby incorporated into this license. TXU Generation Company LP shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Antitrust Conditions

DELETED

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 134 TO  
FACILITY OPERATING LICENSE NO. NPF-87  
AND AMENDMENT NO. 134 TO  
FACILITY OPERATING LICENSE NO. NPF-89  
TXU GENERATION COMPANY LP  
COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2  
DOCKET NOS. 50-445 AND 50-446

1.0 INTRODUCTION

By application dated March 31, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML060950650), TXU Generation Company LP (the licensee) requested changes to the Technical Specifications (TSs) for Comanche Peak Steam Electric Station (CPSES), Units 1 and 2. This amendment request was noticed in the *Federal Register* on September 12, 2006 (71 FR 53722).

The proposed changes would revise TS 5.0 entitled, "ADMINISTRATIVE CONTROLS." Specifically, the proposed change would delete the Vice President, Nuclear Operations, as an alternative to the Plant Manager for certain functions. In addition, the licensee requested that the entire CPSES, Units 1 and 2 TSs be reissued as a result of a change in the software application used by TXU Generation Company LP to produce and maintain the TSs. That request will be reviewed as a separate action, after the licensee submits the revised TSs.

2.0 REGULATORY EVALUATION

Paragraph 50.36(c)(5) of Title 10 of the *Code of Federal Regulations* (10 CFR), "Administrative controls," requires that TSs include "...provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner."

3.0 TECHNICAL EVALUATION

TSs 5.1.1, 5.2.1, 5.2.2.d, 5.5.1.b, and 5.5.17 currently specify that the Plant Manager is responsible for the designated functions described by the respective TS with a note stating these "Duties may be performed by the Vice President of Nuclear Operations if that organizational position is assigned." The licensee requests to delete this note from the TSs.

This change would affect neither the prerequisite qualifications for the position, the assigned responsibilities, nor the organizational reporting relationships for the Plant Manager or the Site Vice President, formerly the Vice President, Nuclear Operations.

Based on the above review of the licensee's submittal, the Nuclear Regulatory Commission (NRC) staff finds that the licensee has properly addressed the need to revise the TSs to delete the Vice President, Nuclear Operations, as an alternate to the Plant Manager for certain functions. The proposed changes do not affect the standards in 10 CFR 50.92(c), "no significant hazards consideration," and were evaluated and accepted by the staff. The NRC staff concludes that the proposed TSs changes are solely administrative in nature and are acceptable.

#### 4.0 STATE CONSULTATION

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

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendments relate to changes in recordkeeping, reporting, or administrative procedures or requirements. 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 (71 FR 53722; published on September 12, 2006). The amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need to 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 Contributor: J. Paige

Date: March 20, 2007