

May 24, 2007

Mr. Christopher M. Crane
President and Chief Executive Officer
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

SUBJECT: CLINTON POWER STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT RE:
TECHNICAL SPECIFICATION SURVEILLANCE REQUIREMENT 3.4.6.1 (TAC
NO. MD2474)

Dear Mr. Crane:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 176 to Facility Operating License No. NPF-62 for the Clinton Power Station, Unit No. 1. The amendment is in response to your application dated June 30, 2006.

The amendment revises the note preceding technical specification (TS) surveillance requirement (SR) 3.4.6.1 to be consistent with the wording in NUREG-1434, "Standard Technical Specifications for General Electric Plants, BWR/6," Revision 3.

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

Sincerely,

/RA by M.Thorpe-Kavanaugh for S.Sands/

Stephen P. Sands, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-461

Enclosures:

1. Amendment No. 176 o NPF-62
2. Safety Evaluation

cc w/encls: See next page

Mr. Christopher M. Crane
President and Chief Executive Officer
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

May 22, 2007

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OFFICIAL RECORD COPY

Clinton Power Station, Unit 1

cc:

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AMERGEN ENERGY COMPANY, LLC

DOCKET NO. 50-461

CLINTON POWER STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 176
License No. NPF-62

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by AmerGen Energy Company, LLC (the licensee), dated June 30, 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. NPF-62 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A as revised through Amendment No. 176 and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Russell Gibbs, Chief
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications and Facility Operating License

Date of Issuance: May 24, 2007

ATTACHMENT TO LICENSE AMENDMENT NO. 176

FACILITY OPERATING LICENSE NO. NPF-62

DOCKET NO. 50-461

Replace the following pages of the Facility Operating License 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.

Remove

Insert

License Page 4

License Page 4

3.4-16

3.4-16

- (4) AmerGen Energy Company, LLC, pursuant to the Act and to 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) AmerGen Energy Company, LLC, 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; and
 - (6) AmerGen Energy Company, LLC, 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

AmerGen Energy Company, LLC is authorized to operate the facility at reactor core power levels not in excess of 3473 megawatts thermal (100 percent rated power) in accordance with the conditions specified herein.
 - (2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 176, are hereby incorporated into this license. AmerGen Energy Company, LLC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 176 TO FACILITY OPERATING LICENSE NO. NPF-62

AMERGEN ENERGY COMPANY, LLC

CLINTON POWER STATION, UNIT NO. 1

DOCKET NO. 50-461

By letter to the U.S. Nuclear Regulatory Commission (NRC, the Commission) dated June 30, 2006, (Agencywide Documents Access and Management System (ADAMS) Accession Number ML061880317), AmerGen Energy Company, LLC (the licensee) requested changes to the technical specifications (TSs), facility operating license, surveillance requirements (SRs) for Clinton Power Station, Unit 1 (Clinton). The proposed changes would revise the note preceding TS SR 3.4.6.1 to be consistent with the wording in NUREG-1434, "Standard Technical Specifications for General Electric Plants, BWR/6," Revision 3. Specifically, the note will be revised to read, "Not required to be performed in MODE 3." The current wording of this Note requires this SR to be performed in Modes 1 and 2, and the proposed revision allows the SR to be performed during plant shutdown, i.e., a Mode other than Modes 1 and 2.

2.0 REGULATORY EVALUATION

Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.55a, requires that inservice testing (IST) of certain pumps and valves be performed in accordance with American Society of Mechanical Engineers (ASME) Code for Operation and Maintenance of Nuclear Power Plants (OM Code) as incorporated by reference in the regulations.

Based on the ASME OM Code, TS Section 3.4.6, "Reactor Coolant System (RCS) Pressure Isolation Valve (PIV) Leakage," requires that the leakage from each RCS PIV be verified within certain specified limits in accordance with the IST program. RCS PIVs are defined as any two normally closed valves in series within the reactor coolant pressure boundary (RCPB). The function of PIVs is to protect RCPB described in 10 CFR 50.2, "Definitions;" 10 CFR 50.55a, "Codes and Standards," Paragraph (c); and Criterion 55 of 10 CFR 50, Appendix A, "General Design Criteria for Nuclear Power Plants."

3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support of its proposed license amendment which are described in Sections 4.0 and 5.0 of the licensee's submittal. The detailed evaluation below will support the conclusion 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.

ASME OM Code requires that Category A valves, such as RCS PIVs, be leakage tested at least once every 2 years. The current TS requires that the specified leakage tests be performed in Modes 1 and 2, while the proposed TS would allow the SR to be performed during plant shutdown or refueling outage, i.e., a Mode other than Modes 1 and 2. The proposed TS change does not require any modification to the facility, does not alter the requirement to perform the leakage testing of the RCS PIV, and does not revise the test methods and leakage limits associated with this SR. The only change of the proposed TS is to allow the testing to be performed during Modes other than 1 and 2. The OM Code permits leak testing to be performed during any Mode provided that the testing method and leakage limits meet the requirements of the Code. Since the proposed TS does not alter the test method and leakage limits, the staff finds the proposed change is acceptable.

AmerGen's proposed change to TS Bases Section SR 3.4.6.1 reflects the corresponding TS change and is acceptable.

On the basis that the proposed TS meet the requirements of ASME OM Code and the proposed wording is consistent with NUREG-1433, Revision 3, "Standard Technical Specifications for General Electric Plants BWR/6," the staff concludes that the proposed TS change is acceptable. The licensee also proposed to change the applicable TS Bases to reflect the TS change for allowing leak testing of RCS PIVs in Modes other than 1 And 2. This change is also acceptable.

4.0 STATE CONSULTATION

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

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes requirements with respect to installation or use of a facility's components located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve 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 amendments involve no significant hazards consideration, and there has been no public comment on such finding (71 FR 46930, dated August 15, 2006). Accordingly, the amendments meet 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 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. Huang

Date: May 24, 2007