



July 9, 2007

L-MT-07-036
10 CFR 50.90

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Monticello Nuclear Generating Plant
Docket 50-263
License No. DPR-22

License Amendment Request: Remove Table of Contents from Technical Specifications

Pursuant to 10 CFR 50.90, the Nuclear Management Company, LLC (NMC) proposes to revise the Monticello Nuclear Generating Plant (MNGP) Technical Specifications (TS) to remove the table of contents (TOC) from the TS and place it under licensee control.

Enclosure 1 provides a description of the proposed change and includes the technical analysis and associated no significant hazards and environmental considerations. Enclosure 2 provides the TS TOC pages for information.

The NMC requests approval by July 2008, with an implementation period of 60 days.

This letter makes no new commitments or changes to any existing commitments.

In accordance with 10 CFR 50.91, a copy of this application, with attachments, is being provided to the designated Minnesota Official.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 9, 2007.

Timothy J. O'Connor
Site Vice President, Monticello Nuclear Generating Plant
Nuclear Management Company, LLC

Enclosures (2)

cc: Administrator, Region III, USNRC
Project Manager, Monticello, USNRC
Resident Inspector, Monticello, USNRC
Minnesota Department of Commerce

ENCLOSURE 1

DESCRIPTION OF CHANGE LICENSE AMENDMENT REQUEST REMOVE TABLE OF CONTENTS FROM TECHNICAL SPECIFICATIONS

1.0 DESCRIPTION

Pursuant to 10 CFR 50.90, the Nuclear Management Company, LLC (NMC) proposes to revise the Monticello Nuclear Generating Plant (MNGP) Technical Specifications (TS) to remove the table of contents from the TS.

The table of contents (TOC) for the TS is not being eliminated, rather, following approval of this license amendment request (LAR), responsibility for maintenance and issuance of updates to the TS TOC will transfer from the U.S. Nuclear Regulatory Commission (NRC) to the NMC. The TOC will no longer be included in the NRC issued TS and as such will no longer be part of the TS (Appendix A to the Operating License). A TOC for the TS will be maintained under NMC (licensee) control. The TOC will be issued by NMC in conjunction with the implementation of future NRC approved TS amendments.

2.0 BACKGROUND

During implementation of the full-scope alternative source term (AST) license amendment (Amendment 148) (Reference 1) it was identified that the TS TOC should have been revised to reflect incorporation of an additional specification that was added with the AST amendment. Several licensees TS, as described within Section 4 of this LAR, do not include a TOC as part of the TS. From discussions with the Monticello NRC Project Manager it was concluded that an acceptable alternative to submitting a LAR to revise the TS TOC to include the new AST specification, was to submit a LAR to remove the TOC from the TS. Once this LAR was approved by the NRC, the NMC would revise the TOC to add the AST related specification.

3.0 PROPOSED CHANGE

Remove the TOC from the TS and place it under NMC (licensee) control. Note that no TS pages will be issued as a result of this proposed change.

4.0 TECHNICAL ANALYSIS

The TOC does not meet the criteria specified in 10 CFR 50.36 requiring its inclusion within a plant's TS, 10 CFR 50.36(b) states:

Each license authorizing operation of a production or utilization facility of a type described in § 50.21 or § 50.22 will include technical specifications. The technical specifications will be derived from the analyses and

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evaluation included in the safety analysis report, and amendments thereto, submitted pursuant to § 50.34. ...

10 CFR 50.36(c) states the "Technical specifications will include items in the following categories:". Review of 10 CFR 50.36 indicates that a TOC was not listed in the regulation as one of the categories.

10 CFR 50.36(a) indicates that a license application may provide other information associated with the TS, and gives an example of this information, i.e., the TS Bases, but 10 CFR 50.36(a) also clearly indicates that the Bases are not a part of the TS.

Each applicant for a license ... shall include in his application proposed technical specifications in accordance with the requirements of this section. A summary statement of the bases or reasons for such specifications, other than those covering administrative controls, shall also be included in the application, but shall not become part of the technical specifications.

The TOC references where specific TS sections can be found throughout the TS, but does not contain technical information required by 10 CFR 50.36. Since the TOC does not include information required by 10 CFR 50.36 to be reviewed by the NRC staff, inclusion of a TOC within the TS is optional, and is not required by the regulation. Removal of the TOC from the TS therefore constitutes an administrative change, and is therefore acceptable.

Additionally, the "Writer's Guide for Plant-Specific Improved Technical Specifications" (ITS) (Reference 2) was reviewed for guidance. The writer's guide refers to the TOC as "Technical Specification Front Matter," which also includes the Title Page and List of Effective Pages. The writer's guide describes the TS content as starting with Chapter 1, "Use and Application" and does not include the TOC as part of the content of the TS.

Precedent

A license amendment was issued for the Waterford Steam Electric Station (Waterford 3) to remove the TS Index (which corresponds to the TOC) from the Waterford 3 TS on May 9, 2005 (Reference 3). Also, as discussed in the response (Reference 4) to an NRC request for additional information for this LAR (Reference 5), Arkansas Nuclear One (ANO) and Grand Gulf during their ITS conversions were issued TS which did not include a TOC. Both ANO and the Grand Gulf plants created and maintain a TOC and periodically provide updated pages to controlled copy holders.

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General Discussion on Updating TS

The TS TOC will be maintained and revised in a similar manner to the TS Bases (which are controlled under TS Bases Control Program in the Administrative Controls section of the TS) and the Technical Requirement Manual (TRM) in accordance with NMC administrative procedures. Updating and issuance of the TOC to reflect changes due to NRC approved license amendments will be in accordance with these procedures, consistent with the current processes for controlling TS Bases and TRM changes, both of which include a TOC.

Holders of copies of the TS receive periodic updates of the TOC pages. The distribution process requires that each time the NMC receives an approved change to the TS from the NRC, or makes a change to the TS Bases or the TRM; a transmittal is made with the accompanying changes to all controlled copy holders, which includes offsite organizations, such as the NRC, that maintain controlled copies of the TS. This ensures that all stakeholders are informed of any changes to the TOC.

5.0 REGULATORY ANALYSIS

5.1 No Significant Hazards Determination

In accordance with the requirements of 10 CFR 50.90, the Nuclear Management Company, LLC (NMC) requests an amendment to remove the table of contents (TOC) from the Technical Specifications (TS) and place it under licensee control. NMC has evaluated the proposed amendment in accordance with 10 CFR 50.91 against the standards in 10 CFR 50.92 and has determined that the operation of the facility in accordance with the proposed amendment presents no significant hazards. NMC's evaluation against each of the criteria in 10 CFR 50.92 follows.

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

No.

The proposed change is administrative and affects control of a document, the TOC, listing the specifications in the plant TS. Transferring control from the NRC to NMC (the licensee) does not affect the operation, physical configuration, or function of plant equipment or systems. It does not impact the initiators or assumptions of analyzed events; nor does it impact the mitigation of accidents or transient events. The change has no impact on, and hence cannot increase, the probability or consequences of an accident previously evaluated.

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2. **Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?**

No.

The proposed change is administrative and does not alter the plant configuration, require installation of new equipment, alter assumptions about previously analyzed accidents, or impact the operation or function of plant equipment or systems. Therefore, this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. **Does the proposed amendment involve a significant reduction in a margin of safety?**

No.

The proposed change is administrative. The TOC is not required by regulation to be in the TS. Removal does not impact any safety assumptions or have the potential to reduce a margin of safety as described in the TS Bases. The change involves a transfer of control of the TOC from the NRC to NMC. No change in the technical content of the TS specifications is involved. Consequently, transfer from the NRC to NMC has no impact on the margin of safety, and hence cannot involve a significant reduction in the margin of safety.

Based on the above, the NMC has determined that operation of the facility in accordance with the proposed change does not involve a significant hazards consideration as defined in 10 CFR 50.92(c), in that it does not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

5.2 Applicable Regulatory Requirements

10 CFR 50.36(a) states that "Each applicant for a license ... shall include in his application proposed technical specifications in accordance with the requirements of this section. A summary statement of the bases or reasons for such specifications, other than those covering administrative controls, shall also be included in the application, but shall not become part of the technical specifications." Similar to the TS Bases, the TOC does not meet the criteria specified in 10 CFR 50.36 for inclusion within a plant's TS.

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NMC has evaluated this change against the applicable regulatory requirements as described herein. Based on this, there is reasonable assurance that the health and safety of the public, following approval of this change is unaffected.

6.0 ENVIRONMENTAL EVALUATION

NMC has determined that the proposed amendment does not change any requirements with respect to installation or use of a facility component located within the restricted area, as defined in 10 CFR 20, or would change an inspection or surveillance requirement. The proposed amendment does not involve (i) a significant hazards consideration, or (ii) a significant change in the types or significant increase in the amounts of any effluent that may be released offsite, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criterion for a categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, NMC concludes pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the proposed amendment.

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7.0 REFERENCES

1. NRC letter to NMC, "Monticello Nuclear Generating Plant - Issuance of Amendment RE: Full-Scope Implementation of the Alternative Source Term Methodology (TAC No. MC8971)," dated December 7, 2006.
2. Technical Specifications Task Force, TSTF-GG-05-01, "Writer's Guide for Plant-Specific Improved Technical Specifications," dated June 2005.
3. U.S. NRC letter to Entergy Operations, Inc., "Waterford Steam Electric Station, Unit 3 - Issuance of Amendment Re: Modification of Technical Specification (TS) 5.3.1, Fuel Assemblies, TS 5.6.1, Criticality, TS 6.9.1.11.1, Core Operating Limits Reports, and Deletion of TS Index, (TAC No. MC3584)," dated May 9, 2005.
4. Entergy Operations, Inc., letter to U.S. NRC, "Supplement to Amendment Request NPF-38-258 to Modify Technical Specification (TS) 5.3.1, Fuel Assemblies and TS 6.9.1.11.1, Core Operating Limits Report, Waterford Steam Electric Station, Unit 3," dated March 8, 2005.
5. Entergy Operations, Inc., letter to U.S. NRC, "License Amendment Request NPF-38-258 to Modify Technical Specification (TS) 5.3.1, Fuel Assemblies and TS 6.9.1.11.1, Core Operating Limits Report, Waterford Steam Electric Station, Unit 3," dated June 17, 2004.

ENCLOSURE 2

MONTICELLO NUCLEAR GENERATING PLANT

**LICENSE AMENDMENT REQUEST
REMOVE TABLE OF CONTENTS FROM TECHNICAL SPECIFICATIONS**

TECHNICAL SPECIFICATION TABLE OF CONTENTS PAGES

(No changes - provided for Information)

(3 pages follows)

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